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July 26, 2007

**Final Report - Official Plan and Zoning By-law Amendments - West Queen West Triangle**

**Toronto and East York Community Council Report – TE7.8  
Adopted by City Council on July 16, 17, 18 and 19, 2007**

City Council, at its meeting on the above dates, amended and adopted this item, and by so doing:

1. amended the Official Plan substantially in accordance with the revised draft Official Plan Amendment contained in the revised Attachment 6 to the report (June 11, 2007) from the Director, Community Planning, Toronto and East York District;
2. amended the Zoning By-law for the West Queen West Triangle substantially as described in the staff report and in the attachments attached to the Revised Attachment 6 submitted to the June 26, 2006 meeting of the Toronto and East York Community Council;
3. authorized the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required;
4. directed the Director, Community Planning, Toronto and East York District and the City Solicitor to continue discussions with the owners of 1171 Queen Street West towards relocating and re-sizing the archway to:
  - a. align it with Northcote Ave; and
  - b. provide clear views south through the triangle.
5. received the report (July 18, 2007) from the Chief Planner and Executive Director, City Planning Division (TE7.8a);
6. adopted the confidential instructions to staff in Confidential Attachment 1 to the report (July 18, 2007) from the Chief Corporate Officer, the General Manager, Parks, Forestry and Recreation and the Chief Planner and Executive Director, City Planning Division (TE7.8b), as amended;
7. authorized the public release of the confidential information and recommendations in Attachment 1, as amended, referred to in Part 6 above, upon completion of the acquisition of the subject properties by the City;

8. directed staff to continue negotiations for the acquisition of approximately 0.3 hectares of the property known municipally as 90 Lisgar Street, as shown on the attached Appendix "A" (the "Required Park Land"), for parkland purposes, and grant authority to initiate the expropriation process for the Required Park Land should negotiations for the acquisition of the Required Park Land not be successful;
9. approved the Abell Street extension with a modified right-of-way width to meet the intent of the Development Infrastructure Policy and Standards, based on a commitment from Parks, Forestry and Recreation to allow easements in favour of private utility companies should such easements be necessary in the future;
10. granted authority to serve and publish Notices of Application for Approval to Expropriate the Required Park Land, to forward to the Chief Inquiry Officer any requests for a hearing that may be received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration;
11. authorized the Executive Director of Facilities and Real Estate or the Director of Real Estate Services to sign the Notices of Expropriation and Notices of Possession on behalf of the City;
12. adopted the following confidential instructions to staff in Confidential Attachment 1 to the report (July 18, 2007) from the Chief Planner and Executive Director, City Planning Division, and the City Solicitor (TE7.8c), as amended, which are now public:
  - "1. Council accept the settlement offers of 1171 Queen Street West and 48 Abell Street as set out in Appendices 1 and 2 to this confidential attachment, the Settlement with 48 Abell being subject to the owner of 48 Abell and the related owner of the lands required for the Sudbury Street extension (the "Sudbury Street Extension Lands") confirming in writing by the end of July that, should the parties fail to achieve an Agreement of Purchase and Sale with the City:
    - a. they will not oppose the City in a Hearing of Necessity on the expropriation of the Sudbury Street Extension Lands;
    - b. at the request of the City, they will convey the Sudbury Street Extension Lands to the City prior to the issuance of building permits, upon payment by the City of an amount calculated pursuant to the Expropriations Act; and
    - c. at the request of the City, they will agree to refer the determination of value of the Sudbury Street Extension Lands to a mutually acceptable third party appraiser on mutually satisfactory terms of reference, with all parties retaining entitlement to apply to the OMB for the determination of the compensation under Section 30 of the Expropriations Act.
  2. Council direct staff to continue negotiations towards resolving outstanding issues with the owner of 150 Sudbury Street and, should a resolution of those issues satisfactory to the Director, Community Planning, Toronto and

East York District and the City Solicitor be achieved, the Director be authorized to accept and approve terms of settlement respecting 150 Sudbury Street;

3. The Director, Community Planning, Toronto and East York District and the City Solicitor take the necessary steps to implement the foregoing.”
13. directed that, if the confidential instructions in Confidential Attachment 1 to the report (July 18, 2007) from the Chief Planner and Executive Director, City Planning Division, and the City Solicitor are adopted, then those instructions will be made public at the end of the Council meeting along with the appendices referred to in the recommendations.

Council also considered the following:

- Report (July 18, 2007) from the Chief Planner and Executive Director, City Planning Division. (TE7.8a)
- Report (July 18, 2007) from the Chief Corporate Officer, the General Manager, Parks, Forestry and Recreation, and the Chief Planner and Executive Director, City Planning Division. (TE7.8b)

Confidential Attachment 1 to the report (July 18, 2007) from the Chief Corporate Officer, the General Manager, Parks, Forestry and Recreation, and the Chief Planner and Executive Director, City Planning (TE7.8b), as amended, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to proposed or pending land acquisition by the City, pending the completion of the acquisition of the subject properties by the City.

- Report (July 18, 2007) from the Chief Planner and Executive Director, City Planning, and the City Solicitor (TE7.8c)

The confidential instructions to staff, as amended, contained in Part 12 above, and the appendices referred to in the recommendations contained in Confidential Attachment 1 to the report (July 18, 2007) from the Chief Planner and Executive Director, City Planning, and the City Solicitor (TE7.8c), are now public and the balance of the Attachment remains confidential in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation, including matters before an administrative tribunal and provides advice that is subject to solicitor-client privilege.

Communications:

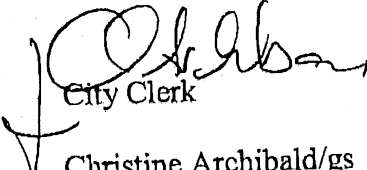
- (July 12, 2007) from Charles Campbell, Iler Campbell, Barristers and Solicitors. (TE7.8.5)
- (July 12, 2007) from Ronald M. Kanter, Macdonald Sager Manis LLP, Barristers and Solicitors. (TE7.8.6)
- (July 17, 2007) from Ronald M. Kanter, Macdonald Sager Manis LLP, Barristers and Solicitors. (TE7.8.7)

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You can view this Item and any background information in the Community Council's Report posted on the City of Toronto's Website at:

<http://www.toronto.ca/legdocs/mmis/2007/te/reports/2007-06-26-te07-cr.pdf>

Yours truly,



City Clerk

Christine Archibald/gs  
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Sent to: Interested Persons

c.:

City Solicitor  
Director, Community Planning, Toronto and East York District  
Chief Planner and Executive Director, City Planning Division  
Chief Corporate Officer  
General Manager, Parks, Forestry and Recreation  
Executive Director of Facilities Real Estate  
Director of Real Estate Services

