

**TORONTO CITY COUNCIL DECISION DOCUMENT  
SPECIAL MEETINGS ON FEBRUARY 21, 22, 23, 24, 25, 28 and  
MARCH 1, 2005**

**City Council's actions on each Clause in the following Reports and Notices of Motions considered at the meetings are contained in this Decision Document. Declarations of Interest, if any, are included and all additional material noted in this document is on file in the City Clerk's Office, Toronto City Hall. Please refer to the Council Minutes for the official record of Council's proceedings.**

**Policy and Finance Committee Report 3, Clause 1**

**Capital Budget Programs**

**Community and Neighbourhood Services**

Children's Services .....1  
Homes for the Aged .....1  
Shelter, Housing and Support .....1  
Social Services .....1

**Works and Emergency Services**

Emergency Management Plan .....1  
Emergency Medical Services.....1  
Fire Services.....1  
Solid Waste Management .....2  
Transportation Services.....2  
WES - Departmental.....3

**Economic Development, Culture and Tourism**

Culture.....3  
Economic Development .....4  
Parks and Recreation.....4  
Tourism.....5

**Urban Development Services**

Urban Development Services.....5  
Waterfront Revitalization Initiative .....5

**Corporate Services**

City Clerk's Office.....5  
End of Lease Strategy .....6  
Facilities and Real Estate .....6

|   |    |
|---|----|
| Fleet Services .....  | 6  |
| Information Technology .....  | 6  |
| <u>Finance</u>  |    |
| Finance .....   | 6  |
| <u>Other</u>  |    |
| Energy Retrofit Program.....  | 7  |
| Union Station.....  | 7  |
| Yonge-Dundas Project.....   | 7  |
| <u>Agencies, Boards and Commissions</u>                                   |    |
| Exhibition Place .....  | 7  |
| Toronto and Region Conservation Authority.....                            | 7  |
| Toronto Parking Enforcement Unit .....                                    | 7  |
| Toronto Police Service.....   | 8  |
| Toronto Port Authority.....   | 8  |
| Toronto Public Health.....  | 8  |
| Toronto Public Library.....   | 8  |
| Toronto Transit Commission (excl. R.T.E.P) and TTC - Sheppard Subway..... | 8  |
| Toronto Zoo .....   | 10 |
| GO Transit.....   | 10 |
| <u>Non Levy</u>   |    |
| Parking Authority.....  | 10 |
| <u>General</u> .....  | 10 |
| <b><u>Policy and Finance Committee Report 3, Clause 2</u></b>             |    |
| <b><u>Operating Budget Programs</u></b>                                   |    |
| <b><u>Community and Neighbourhood Services</u></b>                        |    |
| Children’s Services .....   | 14 |
| Homes for the Aged .....  | 15 |
| Shelter, Housing and Support .....  | 15 |
| Social Development and Administration.....                                | 16 |
| Social Services .....   | 16 |
| <b><u>Works and Emergency Services</u></b>                                |    |
| Emergency Medical Services.....   | 16 |
| Fire Services.....  | 17 |
| Solid Waste Management Services.....                                      | 18 |
| Transportation Services.....  | 20 |
| WES - Support Services.....   | 23 |
| WES - Technical Services.....   | 23 |
| <b><u>Economic Development, Culture and Tourism</u></b>                   |    |
| Culture.....  | 23 |
| Customer and Business Support .....                                       | 23 |
| Economic Development .....  | 23 |
| Parks and Recreation.....   | 24 |
| Tourism.....  | 25 |
| <b><u>Urban Development Services</u></b>                                  |    |
| Urban Development Services.....   | 25 |

Corporate Services

|   |    |
|---|----|
| City Clerk's Office.....                | 26 |
| Corporate Communications .....          | 26 |
| Court Services.....                     | 26 |
| Facilities and Real Estate .....        | 26 |
| Fleet Services .....                    | 27 |
| Human Resources .....                   | 27 |
| Information and Technology.....         | 27 |
| Legal Services.....                     | 27 |
| Service Improvement and Innovation..... | 27 |

Finance

|              |    |
|--------------|----|
| Finance..... | 27 |
|--------------|----|

Other

|                                    |    |
|------------------------------------|----|
| Auditor General's Office .....     | 28 |
| Chief Administrator's Office ..... | 28 |
| City Council .....                 | 28 |
| Mayor's Office.....                | 28 |
| 3-1-1 Project .....                | 28 |

Agencies, Boards and Commissions

|  |    |
|--|----|
| Arena Boards of Management .....               | 28 |
| Association of Community Centres .....         | 28 |
| Exhibition Place .....                         | 29 |
| Heritage Toronto.....                          | 29 |
| Parking Tag Enforcement and Operations.....    | 29 |
| Theatres.....                                  | 29 |
| Toronto and Region Conservation Authority..... | 29 |
| Toronto Atmospheric Fund .....                 | 29 |
| Toronto Police Service.....                    | 29 |
| Toronto Police Services Board .....            | 31 |
| Toronto Public Health.....                     | 31 |
| Toronto Public Library.....                    | 31 |
| Toronto Transit Commission - Conventional..... | 32 |
| Toronto Transit Commission - Wheel Trans ..... | 32 |
| Toronto Zoo .....                              | 32 |
| Yonge-Dundas Square .....                      | 32 |

Corporate Accounts

|   |    |
|---|----|
| Community Partnership and Investment Program..... | 33 |
| Non Program/Capital and Corporate Financing.....  | 33 |

Non Levy Operations

|                        |    |
|------------------------|----|
| Parking Authority..... | 35 |
|------------------------|----|

|                      |    |
|----------------------|----|
| <u>General</u> ..... | 36 |
|----------------------|----|

**Policy and Finance Committee Report 3, Clause 3 .....**

|                                 |           |
|---------------------------------|-----------|
| <b>Notices of Motions .....</b> | <b>44</b> |
|---------------------------------|-----------|

|                                 |           |
|---------------------------------|-----------|
| <b>Condolence Motions:.....</b> | <b>60</b> |
|---------------------------------|-----------|

## **Policy and Finance Committee Report 3, Clause 1**

### **1 City of Toronto 2005 Budget Advisory Committee Recommended Capital Budget and 2006 - 2014 Capital Plan**

#### **Programs**

#### **Community and Neighbourhood Services**

##### **Children's Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

##### **Homes for the Aged**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

##### **Shelter, Housing and Support**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

##### **Social Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Works and Emergency Services**

##### **Emergency Management Plan**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

##### **Emergency Medical Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

##### **Fire Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

## **Solid Waste Management**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

## **Transportation Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) amending Recommendation (56) of the Policy and Finance Committee by adding the words “and that this program be conditional upon the City coming to a satisfactory agreement with York Region for the sharing of costs of this program”, so that Recommendation (56) now reads as follows:

“(56) the Commissioner of Works and Emergency Services report to the Works Committee on the possibility of receiving funding for the Kennedy/Steeles Grade Separation and the Morningside/Finch Avenue Grade Separation Projects from the Region of York and Development Charges from the Kennedy/Steeles development, and that this program be conditional upon the City coming to a satisfactory agreement with York Region for the sharing of costs of this program;”; and

- (2) adding the following:

“That:

- (a) the Commissioner of Urban Development Services and the Acting Commissioner of Works and Emergency Services, in co-operation with the Toronto Transit Commission, be requested to report to the Planning and Transportation Committee on the feasibility of Toronto Transit Commission service on its own right-of-way, constructed to coincide with the extension westward of Bremner Boulevard;
- (b) the Acting Commissioner of Works and Emergency Services be requested to:
  - (i) explore ways of accelerating construction of the Morningside-Finch Grade Separation, to determine if it can be completed by the end of 2006; and
  - (ii) report to the Works Committee on:

- (1) the reasons for the current pothole situation throughout the City and what funds need to be allocated in the budget, in order to repair these potholes and to maintain the roads in good condition; and
  - (2) the development of a schedule for planning, designing and constructing the Rail-to-Rail Diamond Grade Separation at St. Clair Avenue West and Old Weston Road, including the feasibility of continuing the 'trench' north of St. Clair Avenue West, or widening the bridge to ease traffic flow and to identify the funding requirements for this project and to consult with the appropriate officials from the federal and provincial government, TTC, CN and GO Transit in the preparation of this report; and
- (c) consideration of the following motion be deferred to the Council meeting that will consider the possible dismantling of the Gardiner Expressway:

Moved by Councillor Holyday:

'That the Front Street Extension Project proceed, providing the other levels of government contribute one-third of the costs up to the full amount of the project.' "

The Transportation Services Capital Budget, as amended, was adopted by City Council.

### **WES - Departmental**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Economic Development, Culture and Tourism**

#### **Culture**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

## **Economic Development**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

## **Parks and Recreation**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That:

- (1) the Chief Administrative Officer, as part of the presentation at the outset of the public Capital Budget process, be requested to provide a full listing of all development-related and other possible sources of funding, including details on the stage of availability from legal agreements to receipt of funds by the City of Toronto and recommended application to Capital projects, including development charges, park levies, Section 45 funds, Section 37 funds and other donations;
- (2) the Commissioner of Economic Development, Culture and Tourism and the Acting Commissioner of Works and Emergency Services be requested to analyze the safety issues related to the east side of the Burt Robinson Park Tunnel, where the existing retaining walls have become a ‘hide-out’ for drug dealers and illegal activities and what is transpiring from there is a major safety issue to the local community, and report to the Economic Development and Parks Committee with a proposed plan to address these issues;
- (3) the Commissioner of Economic Development, Culture and Tourism, in conjunction with the Joseph J. Piccininni Community Centre Advisory Council, be requested to meet to assess the needs and amenities of the Community Centre and report to the Economic Development and Parks Committee prior to the 2006 Budget;
- (4) the Commissioner of Economic Development, Culture and Tourism be requested to report to the last Council meeting of 2005, through the Economic Development and Parks Committee, on a needs assessment for a community recreation centre in the Morningside Heights area and the local Ward Councillor be invited to participate in this process; and

- (5) the General Manager of Parks and Recreation be requested to:
- (a) report to the Budget Advisory Committee on the capital funding requirements, identified through the Capital Asset Management Program, and recommend a capital funding strategy required to return the City's facilities to an acceptable state of good repair; and
  - (b) report to the Economic Development and Parks Committee, for its meeting of May 30, 2005, on changes being made to facilitate the completion rate of capital projects within the Parks and Recreation approved Capital Program and schedule, such report to recommend mechanisms for reporting on the project completion to the Economic Development and Parks Committee and individual Councillors on a regular basis."

The Parks and Recreation Capital Budget, as amended, was adopted by City Council.

### **Tourism**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Urban Development Services**

#### **Urban Development Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Waterfront Revitalization Initiative**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Corporate Services**

#### **City Clerk's Office**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.



### **End of Lease Strategy**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Executive Director, Information and Technology, Corporate Services, be requested to meet with officials from the Better Building Partnership and the Toronto Atmospheric Fund regarding the development of an integrated energy efficiency strategy for capital expenditures on all Information and Technology purchases of the City, and that the Chief Administrative Officer facilitate similar discussions with the Agencies, Boards and Commissions, and report to the Administration Committee on the outcome of these discussions.”

The End of Lease Strategy Capital Budget, as amended, was adopted by City Council.

### **Facilities and Real Estate**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Commissioner of Corporate Services be requested to report to Council, through the Administration Committee, on the utilization of the Civic Centres.”

The Facilities and Real Estate Capital Budget, as amended, was adopted by City Council.

### **Fleet Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Information Technology**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Finance**

#### **Finance**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Chief Financial Officer and Treasurer be requested to report to the Administration Committee, every six months, on:

- (1) the percentage of invoices that are paid according to terms; and
- (2) the number of invoices that have been paid past the term and the penalty that is incurred.”

The Finance Capital Budget, as amended, was adopted by City Council.

### **Other**

#### **Energy Retrofit Program**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Union Station**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Yonge-Dundas Project**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Agencies, Boards and Commissions**

#### **Exhibition Place**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Toronto and Region Conservation Authority**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Toronto Parking Enforcement Unit**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto Police Service**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto Port Authority**

City Council confirmed funding for the Toronto Port Authority.

**Toronto Public Health**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding to Part (c) of Recommendation (176) of the Policy and Finance Committee, the following sentence:

“The purpose of the contributions outlined is solely for the retirement of debt, and upon completion of the retirement of the debt, the Board of Health report to Council on any additional contributions that may result from Recommendation (d)”,

so that Part (c) now reads as follows:

“(c) the amounts of \$1.090 million in 2005, \$1.149 million in 2006, \$1.149 million in 2007, \$1.069 million in 2008 and \$0.819 million thereafter until the costs of implementation and financing of the South Regional Animal Centre Capital project and the Toronto Community Health Information System are completely offset. The purpose of the contributions outlined is solely for the retirement of debt, and upon completion of the retirement of the debt, the Board of Health report to Council on any additional contributions that may result from Recommendation (d);”.

The Toronto Public Health Capital Budget, as amended, was adopted by City Council.

**Toronto Public Library**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto Transit Commission (excl. R.T.E.P) and TTC - Sheppard Subway**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) striking out Recommendation (200) of the Policy and Finance Committee and replacing it with the following:

“(200) City Council approve, in principle, entering into a negotiated process to arrive at a documented agreement with the Toronto Transit Commission (TTC) on a long-term Operating and Capital subsidy arrangement.”; and
- (2) adding the following:

“That:

  - (a) in anticipation of the next TTC subway car order to be placed in 2006 at an estimated cost of \$750 million and with a useful life of 30 years, the Chief Financial Officer and Treasurer, in consultation with the TTC, be requested to review extending the debenture period from 10 years to 20 years, prior to the next budget;
  - (b) the Toronto Transit Commission be requested to report to Council, through the Works Committee, on how north Etobicoke can be serviced by either a designated Bus Route or a Light Rail Transit system, possibly using the Highway 27 corridor for this purpose, and that it be reflected in the ‘work-in-process’ Building a Transit City document;
  - (c) the Toronto Transit Commission be requested to report to the Planning and Transportation Committee:
    - (i) by June 2005, on a process of advancing the Harbourfront West Extension to Dufferin Street and the Queensway, including timelines and the funding arrangements necessary for implementation; and
    - (ii) on the possible reactivation of the construction of the Eglinton Subway line which was cancelled by the Province of Ontario and Metropolitan Council in 1995; and
  - (d) the following motion be referred to the Toronto Transit Commission:

Moved by Councillor Nunziata:

‘That City Council re-affirm Council’s request that the Commissioner of Corporate Services, in conjunction with the Acting Commissioner of Works and Emergency Services, submit a confidential report to the Administration Committee, in April 2005, subject to the final design being confirmed by the TTC, identifying and detailing the expropriation process and related costs of each property required as a result of Council’s adoption of Policy and Finance Committee Report 7, Clause 1, headed “St. Clair Avenue West Transit Improvement Environmental Assessment – Yonge Street to Gunns Road (just West of Keele Street) (St. Paul’s, Davenport, York South-Weston).’ ”

The Toronto Transit Commission Capital Budget, as amended, was adopted by City Council.

### **Toronto Zoo**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **GO Transit**

City Council confirmed funding for GO Transit.

### **Non Levy**

### **Parking Authority**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **General**

City Council amended Recommendations (1) to (8) of the Policy and Finance Committee by adding the following:

“That:

- (1) the Chief Financial Officer and Treasurer be requested to:
  - (a) report to the Policy and Finance Committee for its meeting on June 1, 2005 on:

- (i) the estimated amount of revenue that would have been collected by the City in 2005, if City Council had implemented the maximum charges permitted under provincial law in the current Development Charges By-law;
  - (ii) the advisability of amending the Development Charges By-law to allow for the imposition of higher levels of charges in 2006 and subsequent years; and
  - (iii) the process required to be undertaken to implement such modified charges for 2006 and subsequent years;
- (b) include, in future budget documents, carry-forward amounts from the previous years;
  - (c) include, in future Capital variance reports, a column that actually tracks the carry-forward amounts for 2004;
  - (d) report to Council, through the Budget Advisory Committee and the Policy and Finance Committee, on the possibility of a revised budget approval schedule which would advance the Capital budget approval (i.e., into the December of the previous year); and
  - (e) submit the preliminary year-end actuals to the Budget Advisory Committee in advance of the final departmental 2006 budget review (pre-wrap-up); and
- (2) the report dated February 22, 2005, from the Chief Financial Officer and Treasurer, entitled '2004 Preliminary Year-end Capital Variance Report', be received."

The General budget, as amended, was adopted by City Council.

This Clause, as amended, was adopted by City Council.

---

Council also considered the following:

- communication (February 21, 2005) from Mayor David Miller and Councillor David Soknacki, Chair, Budget Advisory Committee, entitled “Framework for the 2005 Budget Debate” [Communication 3(a)].
- communication (February 22, 2005) from the Budget Advisory Committee, forwarding recommendations from its meeting on February 22, 2005, [Communication 2(g)] attaching the following:
  - report (February 22, 2005) from the Chief Financial Officer and Treasurer, entitled “2004 Preliminary Year-end Capital Variance”;
  - report (February 22, 2005) from the Chief Financial Officer and Treasurer, entitled “2004 Preliminary Operating Variance”; and
  - report (February 22, 2005) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled “Transfer of City-owned Lands at 770 Don Mills Road (Ontario Science Centre) to the Province of Ontario to Offset the City’s Repayment Obligation in Connection with an Outstanding Provincial Loan”.

Communications:

- (February 16, 2005) from Gabriel Morka [Communication 1(a)(1)]; and
  - (February 15, 2005) from Tom M. Singer, Chair, East Carleton Residents’ Association, addressed to the Minister of the Environment, submitted by Councillor Cesar Palacio, Ward 17, Davenport, and a communication (February 9, 2005) from Councillor Cesar Palacio, Ward 17, Davenport, addressed to J.G. Ashbee, Senior Project Engineer, GO Trip [Communication 1(b)].
- 
- Presentation (February 21, 2005) from the Chief Financial Officer and Treasurer, entitled “2005 Policy and Finance Committee Recommended Capital Budget” [Communication 1(c)].
- 
- Confidential communication (February 15, 2005) from the Policy and Finance Committee [Confidential Communication C.1(a)(1)]. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

- Confidential communication (February 15, 2005) from the Policy and Finance Committee [Confidential Communication C.1(a)(2)], now public in its entirety, forwarding the following:
  - Confidential communication (February 10, 2005) from the Chief General Manager, Toronto Transit Commission [Confidential Communication C.1(a)(2)(i)]. This communication remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege, with the exception of the following recommendations contained in the Recommendations Section of an appended report (December 9, 2004) from the Chief Financial Officer and Treasurer, which are now public:

“It is recommended that:

    - (1) Council authorize an increase to the Toronto Transit Commission 2005 Capital Budget for the Sheppard Subway Project of \$13.5 million increasing the budget from \$3.481 million to \$16.981 million to be debt financed; and
    - (2) the 2005 TTC Capital Budget be amended accordingly and be incorporated into the Council consideration of the 2005 Capital Budget in February 2005.”; and
  - Confidential report (January 21, 2005) from the City Solicitor [Confidential Communication C.1(a)(2)(ii)]. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege:

“It is recommended that:

- (1) any deferral or deletion of funds from previously approved capital budgets and any prohibitions on the expenditure of funds for the Front Street Extension project exclude all previously approved funds required to satisfy the terms of any legally binding agreements, including, without limitation, the acquisition of 9 Hanna Avenue and the acquisition of certain lands on the west side of Strachan Avenue, as more particularly detailed in the body of this report; and



- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”
- Confidential report (November 29, 2004) from the City Solicitor [Confidential Communication C.1(a)(3)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

---

Councillor Ford declared an interest in this Clause, as it applies to the City Clerk's Office, as his family owns a printing company.

Councillor Jenkins declared an interest in this Clause, as it applies to the End of Lease Strategy, as he is a retired pensioned employee of IBM Canada Ltd.

Councillor Shiner declared an interest in this Clause, as it applies to the Parks and Recreation Budget for the Victoria Memorial Square Restoration, as his family owns property within the immediate area.

Councillor Walker declared an interest in this Clause, as it applies to the Toronto Port Authority, as his daughter is an employee of the Outer Harbour Marina.

### **Policy and Finance Committee Report 3, Clause 2**

#### **2 City of Toronto 2005 Budget Advisory Committee Recommended Tax Supported Operating Budget**

##### **Programs**

##### **Community and Neighbourhood Services**

##### **Children's Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee:

- (1) at the earliest opportunity, on the implications of the Federal daycare funding announcement on Toronto's Aboriginal community;
- (2) on the use of a new Federal funding to support improved, equitable access to child care through the development of new child care facilities, and, in particular, address how new communities like Morningside will be supported; and
- (3) on the anticipated pressure on the City which would occur if there was a recession in the City of Toronto."

The 2005 Operating Budget for Children's Services was adopted, as amended.

### **Homes for the Aged**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Shelter, Housing and Support**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) reducing the budget by \$0.5 million to reflect gapping and increased efficiencies; and
- (2) adding the following:
  - "That:
    - (a) given that the City has learned that it pays \$35 million for usage of City Shelters for individuals from outside of the City, and that the City has declared homelessness an emergency, that City Council demand that the Provincial and Federal governments pay their fair share of funding for these services;
    - (b) the Commissioner of Community and Neighbourhood Services and the Medical Officer of Health be requested to report to the Board of Health and the Community Services Committee on the viability of using alternate nicotine satisfaction methods for Shelter clients in the system (i.e. - nicorette gum and the patch);
    - (c) the recommendations and any decisions on the report previously requested of the Commissioner of Community and Neighbourhood Services by City Council on the equitable distribution of affordable housing developments across all Wards in the City, be dealt with at the appropriate Standing Committee and City Council; and

- (d) the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee outlining options that would provide more accurate statistics on the homeless and from where they originate.”

The 2005 Operating Budget for Shelter, Housing and Support was adopted, as amended.

[Note:

City Council, during consideration of the Solid Waste Management Services Operating Budget, further reduced the Social Housing Stabilization Reserve Fund by \$300,000.00, such funds to offset an increase in the 2005 subsidy to the Toronto Community Housing Corporation to cover the estimated cost of the Waste Reduction Levy. [See page 18]

### **Social Development and Administration**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Social Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by reducing the budget by \$0.500 million to reflect additional gapping in the Fraud Control and Prevention function.

The 2005 Operating Budget for Social Services was adopted, as amended.

### **Works and Emergency Services**

#### **Emergency Medical Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) reducing the budget by \$0.080 million gross and \$0.040 million net to reflect savings in utility costs; and
- (2) adding the following:

“That:

- (a) all hospitals be put on notice that the City will be seeking recovery of ambulance fees collected from patients for ambulance service and appropriate staff be authorized to negotiate with each hospital on an appropriate administrative charge for these accounts;

- (b) the City Solicitor be requested to initiate appropriate legal action against those hospitals which refuse to remit the fees collected from ambulance patients for ambulance services and, in so doing, challenge the provisions of the *Health Act* to allow the hospitals to retain these funds;
- (c) appropriate staff be authorized to waive payment of these fees to any hospital that uses them to reduce transfer care times to less than thirty-five minutes; and
- (d) the Acting Commissioner of Works and Emergency Services be requested to invoice hospitals for the transfer of care times greater than one hour in an amount that reflects the true cost of the delays to the ambulance system resulting from the transfer delays.”

The 2005 Operating Budget for Emergency Medical Services was adopted, as amended.

### **Fire Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee:

- (1) by reducing the contribution by Fire Services to the Vehicle and Equipment Reserve for the acquisition of fire vehicles and equipment by \$1.0 million;
- (2) to provide that:
  - (a) Fire Services be authorized to contract up to \$13.2 million for the acquisition of heavy fire vehicles in 2005 consistent with the Council-approved 2005 Capital Budget; and
  - (b) an increase of \$1.0 million to the 2006 Fire Services Operating Budget to increase the Fire Services contribution to the Vehicle and Equipment Replacement Reserve be a priority in the 2006 Operating Budget, to ensure that there is sufficient cash flow to fund heavy fire vehicle expenditures to the end of 2006; and
- (3) by adding the following:

“That the Chief Financial Officer and Treasurer be requested to report to the Community Services Committee on the creation of a Capital account to cover all or a part of the funding for heavy-duty fire fighting equipment with a life span of more than ten (10) years.”

The 2005 Operating Budget for Fire Services was adopted, as amended.

### **Solid Waste Management Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) reconfirming the recommendation of the Budget Advisory Committee and the Policy and Finance Committee that the 2005 Operating Budget for Solid Waste Management Services be reduced by \$400,000.00, to reflect utility cost savings;
- (2) reducing the budget by \$0.5 million, reflecting a combination of gapping and higher than anticipated revenues;
- (3) increasing the 2005 subsidy to the Toronto Community Housing Corporation by \$300,000.00, to cover the estimated cost of the Waste Reduction Levy, to be offset by a corresponding reduction in the Social Housing Stabilization Reserve Fund [see also Shelter, Housing and Support, page 15];
- (4) amending Recommendation (30) of the Policy and Finance Committee by adding the words “and the Works Committee hold public meetings prior to the implementation of these programs”, so that Recommendation (30) now reads as follows:

“(30) Prior to the implementation of a Waste Reduction Levy for Multi-unit residences or a Diversion Incentive Surcharge for single family homes, the Acting Commissioner of Works and Emergency Services report to Council, through the Works Committee, on all facets of the implementation of each program city-wide, inclusive of all types of pick-up situations, and the Works Committee hold public meetings prior to the implementation of these programs; and”;
- (5) amending the structure of the Waste Reduction Levy to provide that, when a building achieves waste reduction targets, the charge would be zero; and
- (6) adding the following:

“That:

  - (a) the City of Toronto request the Ontario Ministry of the Environment to enforce the Provincial 3Rs Regulations, which require multi-unit residential buildings to operate a recycling program;

- 
- (b) the City of Toronto apply to the Federation of Canadian Municipalities' Municipal Green Fund to assist with the cost of retrofitting multi-unit residential buildings;
  - (c) the Toronto Community Housing Corporation (TCHC) be requested:
    - (i) not to pass on the Waste Reduction Levy for multi-unit residential buildings on to its residents; and
    - (ii) to join the Apartment Working Group;
  - (d) the City Solicitor also report to the Works Committee on mechanisms available to ensure that the Waste Reduction Levy costs are not passed to the tenants, when the report on the Waste Reduction Levy in multi-unit residential buildings, as referred to in Recommendation 30 of the Policy and Finance Committee, is presented to the Works Committee;
  - (e) prior to the introduction of a single family Waste Reduction Levy, the Solid Waste Management By-law be amended to require mandatory participation in the Green Bin Program for all single family households, and the Acting Commissioner of Works and Emergency Services be requested to develop a notification process to educate non-participants on the new mandatory requirements;
  - (f) the Acting Commissioner of Works and Emergency Services be requested to distribute, during 2005, an information brochure to each unit in multi-unit residential buildings throughout the City explaining the following:
    - (i) the new fees for waste collection imposed by the City on the multi-unit residential sector; and
    - (ii) detailed information on the City's recycling program and how multi-unit residential residents can participate;and the Acting Commissioner of Works and Emergency Services be requested to seek sponsorships to absorb the costs of producing this brochure; and
  - (g) the Acting Commissioner of Works and Emergency Services be requested:
    - (i) to report to the Works Committee on:

- (1) ways to structure the Waste Reduction Levy in order to reduce the levy on a quarterly basis for those buildings that are achieving reductions;
  - (2) a plan to allocate half of the revenue from the Waste Reduction Levy for Multi-unit residences to create a program to assist buildings with the cost of retrofitting their system;
  - (3) the issue of incinerating garbage;
- (ii) to report to Council, through the Works Committee, in six months' time or sooner, on the issue of Waste Management technology in other developed countries, such as Japan, Israel, some States in the United States and other European countries;
  - (iii) to develop design templates that would assist multi-unit residential building owners to organize collections within multi-unit residential buildings;
  - (iv) to prepare a manual with suggestions for handling and storage of materials in multi-unit residential buildings;
  - (v) in consultation with the Commissioner of Urban Development Services, to recommend by-law changes that might be required to permit multi-unit residential buildings to be retrofitted with exterior collection chutes; and
  - (vi) to make provision for individual building meetings or apartment area meetings, where deemed useful, to assist with the introduction of multi-unit residential recycling within a building or apartment area, and this be funded by either absorbing it within the Solid Waste Management budget or through Corporate sponsorships."

The 2005 Operating Budget for Solid Waste Management Services was adopted, as amended.

### **Transportation Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) reconfirming the recommendation of the Budget Advisory Committee and the Policy and Finance Committee that the 2005 Operating Budget for Transportation Services be reduced by \$600,000.00, to reflect utility cost savings;
- (2) reducing the budget by \$0.5 million, to reflect increased gapping; and
- (3) adding the following:

“That:

- (a) the Acting Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Services, be requested to report to the Works Committee on the environmental impact of water and waste water run-off with respect to the paving of backyards with materials, such as tar, concrete, stone and brick, and whether this is a sustainable practice and should continue, such report to also include the environmental impact of front yard parking and driveway widening;
- (b) the Acting Commissioner Works and Emergency Services be requested to report to the next meeting of the Works Committee on the feasibility of:
  - (i) replacing the existing small salting trucks that serve West District; and
  - (ii) ensuring that at least two (2) of these trucks are in good repair and available for use at all times;
- (c) the Acting Commissioner of Works and Emergency Services be requested to report to the Works Committee on:
  - (i) how windrow clearing for seniors and the disabled can be provided in a more timely manner;
  - (ii) the expansion of service, in compliance with the By-law, with respect to windrow removal in areas where property frontages are wide enough to accommodate the snow storage, and the Acting Commissioner of Works and Emergency Services be requested to contact local Councillors, where applicable, to determine the extent of the problem;
  - (iii) an inventory of all City laneways identifying the following:



- (1) which are public;
  - (2) which are private; and
  - (3) which are serviced by the City and what kind of service, snow removal and/or salting is provided;
- (iv) the feasibility of adding front yard parking fees to the tax roll so that prospective purchasers can be apprised of the existence and cost of a parking pad when they apply for a tax certificate;
- (v) the feasibility of adding front yard, side yard and permit parking fees to the tax bill so that they can be collected in a like manner as taxes;
- (vi) the number of permits issued per household address as opposed to the current practice of issuing permits based on ownership of vehicle; and
- (vii) a harmonized policy for the City of Toronto in the areas of permit parking, driveway widening and front yard parking; and
- (d) the following motion be referred to the Acting Commissioner of Works and Emergency Services, the Chief Financial Officer and Treasurer and the City Solicitor with a request that they report to the Works Committee on the implications; and further, that the fee increase not take place until this report has been considered:

Moved by Councillor Fletcher:

‘That the 2005 Operating Budget for Transportation Services be amended by:

- (1) amending Recommendation (34) of the Policy and Finance Committee to provide that On-Street Parking Permit Fees be increased by \$1.00 to \$9.50 per month (\$114.00 annually) instead of \$8.50 to \$10.00 per month (\$120.00); and
- (2) amending Recommendation (35) of the Policy and Finance Committee to provide that Front Yard, Driveway Widening and Residential Boulevard Parking Permit Fees be increased from \$8.50 to \$14.00 per month (\$168.00 annually) instead of being set at the same annual level as the “On Street” parking permits,

noting that the net effect is revenue neutral.’ ”

The 2005 Operating Budget for Transportation Services was adopted, as amended.

### **WES - Support Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by reducing the budget by \$0.050 million, to reflect savings in utility costs.

The 2005 Operating Budget for WES - Support Services was adopted, as amended.

### **WES - Technical Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

## **Economic Development, Culture and Tourism**

### **Culture**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Customer and Business Support**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Economic Development**

City Council amended the Program Budget recommended by the Policy and Finance Committee in accordance with the following motions:

- (1) “**WHEREAS** the services provided by the Enterprise Toronto offices are invaluable to small businesses across Toronto, and the deletion of one permanent position will represent a 13 percent service reduction and will require the closing of a district office; and

**WHEREAS** Enterprise Toronto receives funding from both provincial and private partners, and recent significant increases in seminar/event registrations and website visits will generate increased revenue through additional sponsorships and registrations;

**NOW THEREFORE BE IT RESOLVED THAT** the Enterprise Toronto Position be reinstated in the Economic Development Program (\$32.6 thousand net) and that the reinstatement be funded from a corresponding increase in small business registration and sponsorship revenues within the Economic Development Program for a net zero impact on the 2005 Operating Budget”; and

- (2) “**WHEREAS** Council has identified ‘improving the business climate’ as a key priority and the services provided by the Business Development and Retention unit in the Economic Development Division are critical to achieving that objective; and

**WHEREAS** the deletion of one permanent position has been recommended in order to address fiscal constraints despite the fact that it will represent an 11 percent service reduction at a time when services to Toronto businesses should be enhanced and strengthened;

**NOW THEREFORE BE IT RESOLVED THAT** deletion of the Economic Development Officer in the Economic Development Program be changed to reflect that the position be gapped for 2005 and that the Economic Development Division be directed to assess alternate strategies to fund the position and/or provide the service in the future (for a net zero impact on the 2005 Operating Budget).”

The 2005 Operating Budget for Economic Development was adopted, as amended.

### **Parks and Recreation**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) eliminating the increase in user fees for youth programs and that the funding of \$10,000.00 be found within the Parks and Recreation Program of the Economic Development, Culture and Tourism Department’s Budget;
- (2) deleting the following Recommendation (132) of the Policy and Finance Committee:

“(132) The Toronto Parking Authority reinstate paid parking in waterfront parks;”,

resulting in the following adjustments:

- (a) reducing City-wide Utilities by \$318,750.00 [see also Non-Program/Capital and Corporate Financing, page 33];
  - (b) reducing Parks and Recreation Parking Fee Revenues by \$225,000.00; and
  - (c) decreasing Non-Program Revenues from the Parking Authority by \$93,750.00, resulting from a total overall reduction of Parking Authority Revenues by \$125,000.00 [see also Non Levy Operations - Parking Authority, page 35, and Non-Program/Capital and Corporate Financing, page 33]; and
- (3) adding the following:
- “That the Chief Financial Officer and Treasurer be requested to report to the Economic Development and Parks Committee outlining how much of the anticipated \$9.0 million resulting from the elimination of the voluntary payment of parking tickets was actually allocated to Parks and Recreation.”

The 2005 Operating Budget for Parks and Recreation was adopted, as amended.

### **Tourism**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Urban Development Services**

#### **Urban Development Services**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) increasing revenues in 2005 by \$0.150 million to implement Council’s approved planning fee based on 100 percent cost recovery, effective February 21, 2005; and
- (2) adding the following:
  - “That:
  - (a) the Medical Officer of Health, in consultation with the Commissioner of Urban Development Services, the Commissioner of Economic Development, Culture and Tourism and the Acting Commissioner of Works and Emergency Services, be directed to develop a single phone line and supporting communication strategy, to service incoming calls pertaining to rodent control concerns City-wide;

- (b) the Commissioner of Urban Development Services, in consultation with the Chief Financial Officer and Treasurer, be requested to report to Policy and Finance Committee on implementing a register system for all second suite units; and
- (c) the Commissioner of Urban Development Services be requested to be proactive and enforce the necessary by-law, in an effort to prevent graffiti on the publication boxes and mail boxes, and report to the Planning and Transportation Committee on increasing fees to offset enforcement.”

The 2005 Operating Budget for Urban Development Services was adopted, as amended.

### **Corporate Services**

#### **City Clerk’s Office**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Corporate Communications**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Chief Financial Officer and Treasurer be requested to report to the Administration Committee on the cost of supplying newspapers to Departments throughout the City.”

The 2005 Operating Budget for Corporate Communications was adopted, as amended.

#### **Court Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Facilities and Real Estate**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That:

- (1) the Mayor be requested to review the City of Toronto Public Land Register and bring forward to the Policy and Finance Committee recommendations on a systematic approach to the acquisition and disposition of City-owned real property; and
- (2) the Commissioner of Corporate Services be requested to report to the Administration Committee providing a list of City-owned properties and a fee schedule for below market rents and timing of implementation, in order to enable the City to increase rents for organizations that do not meet non-profit criteria.”

The 2005 Operating Budget for Facilities and Real Estate was adopted, as amended.

### **Fleet Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Human Resources**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Information and Technology**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Legal Services**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Service Improvement and Innovation**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Finance**

#### **Finance**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That City Council re-affirm its previous position of last year to lobby the provincial government to allow the City of Toronto Lottery to be established.”

The 2005 Operating Budget for Finance was adopted, as amended.

### **Other**

#### **Auditor General’s Office**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Chief Administrator’s Office**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **City Council**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Mayor’s Office**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **3-1-1 Project**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

### **Agencies, Boards and Commissions**

#### **Arena Boards of Management**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Association of Community Centres**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Exhibition Place**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Heritage Toronto**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Parking Tag Enforcement and Operations**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Theatres**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto and Region Conservation Authority**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto Atmospheric Fund**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

**Toronto Police Service**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That:

- (1) the City of Toronto consider the possibility of negotiating relief to the City of Toronto statutory requirement to have paid duty uniformed police officers at intersections during construction of street car tracks when they negotiate the *City of Toronto Act* with the Province of Ontario;
- (2) the Toronto Police Services Board be requested to:



- (a) initiate discussions with the provincial government to access the 50/50 funding for additional police officers, for use in areas such as guns and gangs, youth crime, domestic violence and protecting children, as promised during the October 2003 election campaign, and further restated by Premier McGuinty in October 2004;
- (b) pursue the hiring of 100 new Police Officers, as soon as possible, conditional on securing shared-cost funding from the federal and provincial levels of government and, once funding is secured from the two levels of government, the Toronto Police Services Board be requested to incorporate the enhanced Police staffing into the 2006 Budget process;
- (c) review the feasibility of creating a construction enforcement unit that would be paid 100 percent by the Toronto Transit Commission and other City departments to offset the paid duty used to meet statutory construction policing, such feasibility study to include the number of new Officers required to allow for the implementation of such a Unit; and
- (d) request its staff to work with the City Solicitor and other City staff and report to the Planning and Transportation Committee on the mechanism required to enact the following:

‘That the hiring of 200 more police officers over a five year period be funded by an equivalent increase in the licensing fees in massage parlours and adult entertainment businesses.’;

- (3) the following motion be adopted:

**‘WHEREAS** Chief Julian Fantino has done an excellent job for the City of Toronto; and

**WHEREAS** the citizens of the City of Toronto have responded with an incredible amount of support for the Chief;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (a) at the next regular meeting of City Council, Mayor David Miller be requested to give the key to the City to Chief Fantino, for his service to the City of Toronto; and

- (b) funding for the key to the City be absorbed within the City Clerk's Budget.';
- (4) the Chief Financial Officer and Treasurer be requested to report to the Policy and Finance Committee, through the Budget Advisory Committee, on the history of the funding of the Police, Fire and City Fleets since amalgamation, including the Fire Department's reserves, the Police Department reserves, the withdrawal of these funds, where they were spent and any repayments of these funds; and
- (5) the City Solicitor be requested to report to the Administration Committee on the possibility of imposing fees on the owners of properties used as growhouses, to reimburse the City for costs expended in dealing with the property."

The 2005 Operating Budget for the Toronto Police Service was adopted, as amended.

#### **Toronto Police Services Board**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Toronto Public Health**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Toronto Public Library**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

"That the Toronto Public Library Board be requested to:

- (1) bring the ethnic publications at Toronto Libraries, specifically Italian, Spanish and South Asian, to the same level as it was ten years ago, in particular at the northwest libraries of the City, such funding to be found within the 2005 Operating Budget of the Toronto Public Library;
- (2) consider an increase in the hours of operation at the following branches: Albion, Malvern and York Woods (Jane Finch), at an approximate cost of \$130.6 thousand, as a top priority during the 2006 budget process; and

- (3) calculate energy savings from the installation of new computers with a LAN wake up system and redirect any savings to unfunded 2005 enhancement requests and work with City Information and Technology, the Toronto Atmospheric Fund and the Better Buildings Partnership to determine those savings.”

The 2005 Operating Budget for Toronto Public Library was adopted, as amended.

#### **Toronto Transit Commission - Conventional**

City Council amended the Program Budget recommended by the Policy and Finance Committee by adding the following:

“That the Toronto Transit Commission (TTC) and the Toronto Parking Authority, in consultation with City of Toronto staff, be requested to report to the Policy and Finance Committee on the feasibility of raising Toronto Parking Authority parking rates proportionately across the City to directly fund, on an ongoing basis, a substantial TTC fare or Metropass price decrease and, further, that this report include a table illustrating what various parking rate increases would yield in terms of revenue.”

The 2005 Operating Budget for Toronto Transit Commission - Conventional was adopted, as amended.

#### **Toronto Transit Commission - Wheel Trans**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Toronto Zoo**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Yonge-Dundas Square**

City Council amended the Program Budget recommended by the Policy and Finance Committee by deleting the following Recommendation (161) of the Policy and Finance Committee:

“(161) The Yonge Dundas Square Board of Management report by June 2005, through the Commissioner of Economic Development Culture and Tourism and the Chief Financial Officer and Treasurer to Budget Advisory Committee, on the 2006 and future year impacts of the new Business Plan resulting from the adoption of a new Business Plan.”

The 2005 Operating Budget for Yonge-Dundas Square was adopted, as amended.

### **Corporate Accounts**

#### **Community Partnership and Investment Program**

City Council adopted this Program Budget, as recommended by the Policy and Finance Committee, without amendment.

#### **Non Program/Capital and Corporate Financing**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) reducing the debt service costs contained in Capital and Corporate Financing by \$1.0 million based on the 2004 actual experience;
- (2) drawing \$19.76 million from the following reserve funds, given the Provincial funding shortfall for cost shared programs:
  - (a) \$5.5 million from the Homes for the Aged Stabilization Reserve Fund;
  - (b) \$13.928 million from the Social Housing Stabilization Reserve Fund; and
  - (c) \$0.332 million from the inactive Building Maintenance Reserve Fund;

noting that the reserve funding has been allocated from the 2004 surplus;

- (3) adding the following:

“That:

- (a) the Acting Commissioner of Works and Emergency Services be requested, while negotiating the transfer of City owned poles to Toronto Hydro, to consider not transferring those poles scheduled to be removed before 2006 if additional cost will be incurred to the City as a result of the transfer;

- (b) the following recommendations contained in the Recommendations Section of the report dated February 22, 2005, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled, 'Transfer of City-Owned Lands at 770 Don Mills Road (Ontario Science Centre) to the Province of Ontario to Offset the City's Repayment Obligation in Connection with an Outstanding Provincial Loan', be adopted:

'It is recommended that:

- (1) the City-owned lands at 770 Don Mills Road (Ontario Science Centre) described as part of Lots 9 and 10, Concession 3, Fronting the Bay, designated as Parts 2, 3 and 5 on Plan RS-882 (the "Property") be declared surplus to City requirements, subject to the existing 99 year lease, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (2) City staff be authorized to negotiate the transfer of this property to the Province of Ontario under the provisions of the Debenture, Asset Identification and Transfer Process Agreement, dated June 22, 2004;
- (3) the transfer be used to satisfy the 2005 repayment amount of \$20 million, and the value of the land in excess of the \$20 million required for the 2005 repayment obligation be used to offset future payments under the loan agreement;
- (4) this transfer be conditional on the Province refunding the January 15, 2005 payment of \$10 million by the City to the Province in connection with this loan;
- (5) the Chief Financial Officer and Treasurer be directed to report back to Council on the details of the transfer, and on a process for the identification of other appropriate City assets that could be used to satisfy its future loan obligations; and
- (6) the appropriate officials be authorized to take the necessary action to give effect thereto, and authority be granted for the introduction of the necessary Bills in Council.'; and

- (c) in accordance with the Provincial Loan Agreement approved by City Council in 2003, that City land be sold to the Province of Ontario and that proceeds be applied against the 2005 provincial loan repayment of \$20.0 million by the City.”; and
- (4) amending Part (i) of Recommendation (168) of the Policy and Finance Committee in accordance with confidential instructions issued to staff, which are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information related to the security of the property of the Municipality.

The 2005 Operating Budget for Non-Program/Capital and Corporate Financing was adopted, as amended.

[Note:

City Council, during consideration of the Parks and Recreation Operating Budget:

- (1) also reduced City-wide utilities by \$318,750.00, to offset a revenue shortfall resulting from the deletion of Recommendation (132) of the Policy and Finance Committee; and
- (2) decreased Non-Program Revenues from the Parking Authority by \$93,750.00, resulting from a total overall reduction of Parking Authority Revenues by \$125,000.00, in order to offset the shortfall resulting from the deletion of Recommendation (132) of the Policy and Finance Committee. [See page 25]

**Non Levy Operations**

**Parking Authority**

City Council amended the Program Budget recommended by the Policy and Finance Committee by:

- (1) amending Recommendation (131) of the Policy and Finance Committee by inserting the words “in consultation with the local Councillor”, after the words “Toronto Parking Authority”, so that Recommendation (131) now reads as follows:

“(131) The Toronto Parking Authority, in consultation with the local Councillor, organize a pilot project, to extend parking meters on residential streets that flank major arterial roads;”; and

- (2) adding the following:

“That the Toronto Parking Authority be requested to investigate:

- (1) the availability of lands within the Emery Village area for a potential parking lot; and
- (2) on-street parking possibilities within the Emery Village Secondary Plan area.”

The 2005 Operating Budget for the Parking Authority was adopted, as amended.

[Note:

City Council, during consideration of the Parks and Recreation Operating Budget, decreased Non-Program Revenues from the Parking Authority by \$93,750.00, resulting from a total overall reduction of Parking Authority Revenues by \$125,000.00, in order to offset the shortfall resulting from the deletion of Recommendation (132) of the Policy and Finance Committee. [See page 25]

**General**

City Council amended Recommendations (1) to (6) of the Policy and Finance Committee by adding the following:

“That:

- (1) the following motion be adopted:

**‘WHEREAS** a number of Councillors have voiced concern about the City’s finances and our inability to responsibly balance our budget; and

**WHEREAS** substantial blame has been placed on the Provincial Government for not assisting the City in its financial assistance or in providing its share of cost-shared programs; and

**WHEREAS** the City of Toronto has a stewardship duty to administer and distribute public funds efficiently and effectively and to maximize tax dollars;

**NOW THEREFORE BE IT RESOLVED THAT** Council reaffirm the Mayor’s request to the Provincial Government to allow the Auditor General to review the City of Toronto’s cost-shared programs;

**AND BE IT FURTHER RESOLVED THAT** the City’s Auditor General provide any assistance the Provincial Auditor General may need should he accept the City’s request for a review;

**AND BE IT FURTHER RESOLVED THAT** City Council request the Provincial Auditor General to report his findings, along with his opinion about the notable efficiencies at the earliest possible date, so that Council can make timely decisions and take corrective actions based on his findings and in anticipation of the next budget round.';

- (2) the next time the provincial government wants City properties to offset the loan from the Province, the City obtain a market evaluation of all its social housing properties and that those properties be turned over to the Province for the amount owing on the City's loan;
- (3) any prior year end surplus be reported to the Budget Advisory Committee, in its entirety, prior to reallocation of the surplus and that this continue in 2007;
- (4) prior to the start of the 2006 budget process, the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to negotiate with the Province for:
  - (a) a phased-in plan for the Province to pay its legislated 80/20 or 50/50 funding obligations for cost shared programs; and
  - (b) elimination of the unilateral cap on the 50/50 cost-sharing for Emergency Medical Services and 100 percent funding for Emergency Medical Services overtime costs associated with the hospital offload program;
- (5) the City of Toronto affirm that the Province should upload costs of social housing unless appropriate income redistribution funding power is transferred to the City of Toronto, recognizing that Income Redistribution Programs should not be funded from the property tax;
- (6) the Mayor and the Chief Administrative Officer be requested to report to the Policy and Finance Committee at its meeting on May 5, 2005, on a strategic approach to advance this issue in the context of current discussions with the Province of Ontario;
- (7) City staff work with Provincial staff, during 2005, to ensure appropriate Provincial funding of cost shared programs in accordance with legislation to eliminate the over reliance on property tax revenue, and inappropriate use of reserve funds;



- (8) the report (February 22, 2005) from the Chief Financial Officer and Treasurer, entitled '2004 Preliminary Operating Variance Report', be received; and
- (9) the following motion be referred to the Chief Financial Officer and Treasurer for report to the Budget Advisory Committee:

Moved by Councillor Milczyn:

'That for the 2006 Budget process, the Budget Advisory Committee be directed to select at least one current department to be subject to a "zero based" budget review; and that Council recommend that the Works and Emergency Services Department be the first department to be reviewed in such a way.'

The General budget, as amended, was adopted by City Council.

This Clause, as amended, was adopted by City Council.

---

Council also considered the following:

- Communication (February 21, 2005) from Mayor David Miller and Councillor David Soknacki, Chair, Budget Advisory Committee, entitled "Framework for the 2005 Budget Debate" [Communication 3(a)].
- Communication (February 22, 2005) from the Budget Advisory Committee, forwarding recommendations from its meeting on February 22, 2005, [Communication 2(g)] attaching with the following:
  - Report (February 22, 2005) from the Chief Financial Officer and Treasurer, entitled "2004 Preliminary Year-end Capital Variance";
  - Report (February 22, 2005) from the Chief Financial Officer and Treasurer, entitled "2004 Preliminary Operating Variance"; and
  - Report (February 22, 2005) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Transfer of City-owned Lands at 770 Don Mills Road (Ontario Science Centre) to the Province of Ontario to Offset the City's Repayment Obligation in Connection with an Outstanding Provincial Loan".
- Communication (February 21, 2005) from Mayor David Miller, addressed to the Premier of Ontario [Communication 2(f)].

- Report (February 17, 2004) from the Acting Commissioner of Works and Emergency Services [Communication 2(b)].
- Report (February 18, 2005) from the Chief Financial Officer and Treasurer and the City Librarian [Communication 2(c)].
- Report (February 21, 2005) from the Commissioner of Economic Development, Culture and Tourism [Communication 2(d)].
- Briefing Note (February 18, 2005) from the Chief Financial Officer and Treasurer [Communication 2(e)].
- Appendix 4, submitted by the Chief Financial Officer and Treasurer, entitled “City of Toronto BAC Recommended 2005 Operating Budget - Summary of Approved Positions by Program” [Communication 2(i)].
- Appendix A, submitted by Councillor Pam McConnell, Ward 28, Toronto Centre - Rosedale, entitled “MPMP – Operating Cost for Police Services per Household in 2003” [Communication 2(j)].

Communications:

- (January 28, 2005) from Mark Garbutt [Communication 2(a)(1)];
  - (January 28, 2005) from Mark Stewart [Communication 2(a)(2)];
  - (February 15, 2005) from Barbara Craig, Street Health and Patricia Larson, Sherbourne Health Centre [Communication 2(a)(3)];
  - (February 15, 2005) from John Wakulat, President, Toronto Association of Business Improvement Areas [Communication 2(a)(4)];
  - (February 16, 2005) from Anton Koschany [Communication 2(a)(5)];
  - (February 21, 2005) from Joan Doiron, Better Transportation Coalition of Ontario [Communication 2(a)(6)];
  - (February 24, 2005) from Len Subotich [Communication 2(a)(7)]; and
  - (February 24, 2005) from Bruno E. Silano, President (Toronto Hydro Workers [Communication 2(a)(8)];
- \_\_\_\_\_
- Presentation (February 23, 2005) from the Chief Financial Officer and Treasurer, entitled “2005 Policy and Finance Committee Recommended Operating Budget” [Communication 2(h)].
- \_\_\_\_\_

- Confidential report (January 5, 2005) from the Commissioner of Economic Development, Culture and Tourism [Confidential Communication C.2(a)(1)], now public in its entirety.
- Confidential communication (February 7, 2005) from the Budget Advisory Committee [Confidential Communication C.2(a)(2)], now public in its entirety.
- Confidential report (February 14, 2005) from the Chief Financial Officer and Treasurer [Confidential Communication C.2(a)(3)]. The following staff Recommendation (1) contained in the Recommendations Section of the report is now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that:

- (1) the Chief Financial Officer and Treasurer, the Acting Commissioner of Works and Emergency Services, and the City Solicitor be directed to negotiate terms with staff of Toronto Hydro Corporation, and Toronto Hydro Street Lighting Inc. pertaining to:
  - (i) a sale of City street and expressway lighting assets to Toronto Hydro Street Lighting Inc.,
  - (ii) an operating contract for the City’s use of the street lights, their operations and maintenance; and
  - (iii) a contract for the capital construction (upgrade and replacement) work for street and expressway lighting,

subject to Toronto Hydro Board approval of the proposed transaction, and on terms and conditions that are acceptable to the Acting Commissioner of Works and Emergency Services, the Chief Financial Officer and Treasurer, and the City Solicitor, and to be reported to the Policy and Finance Committee for approval;”.

- Confidential communication (February 18, 2005) from the President and Chief Executive Officer, Toronto Hydro Corporation addressed to the Chief Administrative Officer [Confidential Communication C.2(a)(4)], now public in its entirety.

Councillor Balkissoon declared an interest in this Clause, as it applies to that portion of the Toronto Public Library's budget for salaries and benefits, as his wife is an employee of the Toronto Public Library Board.

Councillor Shiner declared an interest in this Clause, as it applies to the Parks and Recreation Budget, in that his son is employed as a seasonal employee with the Economic Development, Culture and Tourism Department.

Councillor Jenkins declared an interest in this Clause, as it applies to the Information and Technology Budget, as he is a retired pensioned employee of IBM Canada Ltd.

### **Policy and Finance Committee Report 3, Clause 3**

#### **3 2005 Tax Levy By-laws and Related Matters**

City Council on February 21, 22, 23, 24, 25, 28 and March 1, 2005, amended this Clause by adding the following:

“That the following staff recommendations contained in the Recommendations Section of the supplementary report dated February 28, 2005, from the Chief Financial Officer and Treasurer, entitled ‘2005 Municipal Levy By-law’, be adopted:

‘It is recommended that:

- (1) the 2005 tax ratios for each of the property classes, as set out below, be adopted:

| <u>Property Class</u> | <u>2005 Tax Ratio</u> |
|-----------------------|-----------------------|
| Residential           | 1.000000              |
| Multi-Residential     | 3.761733              |
| New Multi-Residential | 1.000000              |
| Commercial            | 3.801842              |
| Industrial            | 4.273466              |
| Farmlands             | 0.250000              |
| Pipelines             | 1.923564              |
| Managed Forests       | 0.250000;             |

- (2) (a) Council elect to raise the tax rates on the restricted property classes by one half of the percentage tax rate increase on the residential property class in accordance with O.Reg. 73/03, as amended;

- (b) the tax rates set out below in Column II, which rates will raise a base local municipal general tax levy for 2005 of \$2,954,598,643; and
- (c) the tax rates set out below in Column III, which rates will raise an additional local municipal tax levy for 2005 of \$61,884,364 to fund the 2005 operating budget tax levy increase be adopted, in accordance with legislative requirements:

| Column I<br>Property Class | Column II<br>2005 Tax Rate for<br>Base General Local<br>Municipal Levy | Column III<br>2005 Additional<br>Tax Rate for to<br>Fund Budgetary<br>Levy Increase) |
|----------------------------|--|--|
| Residential                | 0.5929546%   | 0.0177886%   |
| Multi-Residential          | 2.2305370%   | 0.0334581%   |
| New Multi-Residential      | 0.5929546%   | 0.0177886%   |
| Commercial                 | 2.2543197%   | 0.0338148%   |
| Industrial                 | 2.5339714%   | 0.0380096%   |
| Farmlands                  | 0.1482387%   | 0.0044472%   |
| Pipelines                  | 1.1405863%   | 0.0342176%   |
| Managed Forests            | 0.1482387%   | 0.0044472%   |

- (3) a technical adjustment be made to the 2005 Non-Program Tax Deficiency Account in the amount of \$2,562,440 to fund the mandatory 2005 property tax rebates to registered charities in the commercial and industrial property classes, which adjustment is to be funded, for a net impact on the 2005 operating budget of zero, by the following:
- (a) an additional tax rate of 0.0051590% be levied as part of the general local municipal levy on the commercial class to raise a further additional local municipal tax levy of \$2,491,100 to fund the total estimated rebates to registered charities for properties in the commercial class in 2005; and
- (b) an additional tax rate of 0.0014007% be levied as part of the general local municipal levy on the industrial class to raise a further additional local municipal tax levy of \$71,340 to fund the total estimated rebates to registered charities for properties in the industrial class in 2005;
- (4) as in past years, the instalment dates for the 2005 final tax bills be set as follows:

- (a) the regular instalment dates be the first business days of July, August and September; and
  - (b) the alternative instalment dates, applicable to taxpayers who are enrolled in the monthly pre-authorized property tax payment program, be the 15<sup>th</sup>, or first business day thereafter, of each of the months of July to December;
- (5)
- (a) the collection of taxes for 2005, other than those levied under By-law No. 1048-2004 (the interim levy by-law) be authorized; and
  - (b) a penalty charge for non-payment of taxes of 1.25 percent of taxes due and unpaid be added on the first day of default, and interest be charged at a rate of 1.25 percent per month on all outstanding taxes accruing from the first day of default; and
- (6) the appropriate City officials be authorized to take the necessary action to give effect thereto and authority be granted for the introduction of the necessary bills in Council.' ”

The Clause, as amended, was adopted by City Council.

\_\_\_\_\_

Council also considered the following:

Report (February 28, 2005) from the Chief Financial Officer and Treasurer [Communication 4(a)].

**Notices of Motions****J(1) Settlement Report - Ontario Municipal Board Hearing, 20, 22, 22A and 24 Bathurst Street; 450, 470 and 500 Lakeshore Boulevard, 511 Bremner Boulevard, 2 and 10 Housey Street, Wittington Properties Limited and St. Marys Cement Inc. (Can.) (Quadrangle Architects Inc.)**

*Moved by Councillor Chow, seconded by Deputy Mayor Pantalone*

“**WHEREAS** City Council at its meeting of February 1, 2 and 3, 2005, adopted, as amended, Toronto East York Community Council Report 1, Clause 79, headed ‘Ontario Municipal Board Hearing - 20, 22, 22A and 24 Bathurst Street’, and Toronto and East York Community Council Report 9 (2004), Clause 8a, headed ‘Revised Final Report - Application to Amend the Official Plan and Zoning by-law - 450, 470 and 500 Lakeshore Boulevard West’; and

**WHEREAS** City staff attended at the Ontario Municipal Board on February 3, 2005, for a pre-hearing conference and advised of the Council direction which included a settlement position with respect to matters involving the Public and Catholic School Boards (the ‘School Boards’); and

**WHEREAS** at the time of the pre-hearing conference, the School Boards brought a motion seeking party status to the OMB matters and the Board member recommended mediation before making a determination on the motion; and

**WHEREAS** a non-binding mediation session before an independent member of the Ontario Municipal Board took place on February 14, 2005, and resulted in a revised settlement proposal; and

**WHEREAS** this is a time sensitive matter, since the Board hearing is scheduled to continue on March 3, 2005; and

**WHEREAS** the City Solicitor has prepared a confidential report seeking further direction from City Council regarding this matter;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached confidential report dated February 24, 2005, from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on February 21, 22, 23, 24, 25, 28 and March 1, 2005, adopted this motion, without amendment.***

***In adoption Motion J(1), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 24, 2005, from the City Solicitor. The following recommendations and Attachments A, B, C and D to the confidential report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation:***

***“It is recommended Council approve the revised settlement as set out in the Terms of Settlement dated February 18, 2005, set out in Attachment B, and:***

- (1) (a) authorize execution of Section 37 and such other agreements as may be necessary to give effect to the intention of the Terms of Settlement (February 18, 2005) at Attachment B in a manner consistent with the modified development levy regime and matters set out at Attachment C, including the exemption from the payment of development charges in connection with the development approved by Council for lands in Blocks 33 and 37 in Railway Lands West and Blocks 2, 3, 4, 4A, 6, 6A, 9 and 10 in the Fort York Neighbourhood; and***
- (b) if the School Boards or Wittington Properties Ltd. are not prepared to enter into agreements to give effect to the Terms of Settlement (February 18, 2005) at Attachment B and the modified development levy regime at Attachment C, or the settlement arrangement approved by Council its meeting of February 1, 2 and 3, 2005, modified as necessary by Attachment C, then:***
  - (i) do not exempt the lands from development charges; and***
  - (ii) authorize execution of Section 37, and such other agreements as may be necessary, to give effect to the development charges scenario outlined in Attachment D of this report, including the credits set out therein;***
- (2) confirm and support the Section 37 benefits and matters set out in Attachment C for each of the Blocks 33 and 37 in the Railway Lands West and Blocks 2, 3, 4, 4A, 6, 6A, 9 and 10 in the Fort York Neighbourhood;***



- (3) *authorize and direct staff to make submissions to the Budget Advisory Committee related to the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City Capital Budget process;*
- (4) *replace Recommendation (7) of the February 2, 2005 report of the Commissioner of Urban Development Services with the following:*
- ‘authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards in facilitating possible amendments to existing agreements in the Railway Lands to allow funds collected for schools to be spent either in the Railway Lands West or in Fort York Neighbourhood and to continue discussions with the School Boards regarding exemptions from education levies or education development charges for the City’s affordable housing Blocks (Blocks 31, 32 and 36) in the Railway Lands West.’;*
- (5) *replace Recommendation (9)(b) of the February 2, 2005 report of the Commissioner of Urban Development Services with the following:*
- ‘add a new Recommendation (18) to authorize the conveyance of easements for driveway purposes associated with Blocks 9 and 10 in the Fort York Neighbourhood and over the City owned lands immediately north of those Blocks, for nominal consideration and on terms and conditions satisfactory to the Commissioner of Urban Development Services’;*
- (6) *authorize the City Solicitor, and necessary City staff to attend at the OMB to support and give effect to these Recommendations as well as support the development proposals respecting the Wittington lands as previously approved by Council; and*
- (7) *authorize and direct the appropriate City officials to take the necessary steps to give effect to the Recommendations set out in this report.”*
-

**Attachment B****PROPOSED TERMS OF SETTLEMENT (MEDIATION)  
February 18, 2005****Wittington Developments FYN and RLW**

(Key: DC = Development Charges; DL = Development Levies; FYN = Fort York Neighbourhood; RLW = Railway Lands West; School Boards = Both Toronto District and Toronto Catholic District School Boards; Wittington Properties = RLW: Additional densities on Blocks 33 and 37; FYN: Blocks 9 & 10; FYN: Blocks 2, 3, 4, 4A, 6 & 6A)

TABLE 1: Comparison of Total Collections in DC vs DL Scenarios / Wittington Properties

| <b>1</b>      | <b>2</b>                | <b>3</b>                   | <b>4</b>                                  | <b>5</b>                                    |
|---------------|-------------------------|----------------------------|---|---|
|               | <b>Development Levy</b> | <b>Development Charges</b> | <b>Difference between Col 2 and Col 3</b> | <b>Col 3 as a percentage of Col 2 Total</b> |
| <b>City</b>   | 3,737,597.26            | 7,542,064.15               | 3,804,466.89                              | 70.01%                                      |
| <b>School</b> | 7,035,622.00            | 881,384.51                 | 6,154,237.49                              | 8.18%                                       |
| <b>Total</b>  | 10,773,219.26           | 8,423,448.66               | <b>2,349,770.60</b>                       | 21.81%                                      |

- Notes to Table:
- (i) DC's based on July 2005 dollar amounts;
  - (ii) DL's based on December 2004 dollar amounts;
  - (iii) Table assumes that levies applicable to the 1994 densities on Blocks 33 & 37 RLW will be paid in accordance with the Development Levy Agreement dated October 21, 1994, as may be amended from time to time, and those amounts are not included in the levy amount calculations shown in the Table;
  - (iv) Figures are derived using the DC vs DL Spreadsheet Analysis (revised Feb 18, 2005), reflect the assumptions underlying that analysis (ie. unit count and mix etc.) and exclude amounts related to section 37 benefits. The intention was to fix a "snapshot" of a probable development scenario within the limits of the maximum gross floor areas to be permitted.

**Basis of Proposal:**

- (a) the combined City and School Boards collection for residential and non-residential gross floor areas under DC is less than under DL;
- (b) the difference is over 2.3 million (the “Delta”) which is in favour of Wittington, acknowledging that under the DC regime Wittington has no assurances that DC’s will not increase ;
- (c) in a DL regime the City collects approximately \$4 million less than under the DC regime;
- (d) in a DL regime the School Boards would collect approximately \$6 million more than under the DC regime (recognizing that in the DC regime the total \$881,384.51 is an EDC only to the Catholic School Board and only for the purpose of funding the purchase of school sites);
- (e) the collections under a DC regime expressed as a percentage of the total collected under DL for each of the City and School Boards is as follows: City: 70.01%, Schools: 8.18% and Delta: 21.81% (See Table);
- (f) City supports collection of DL’s on the basis of a modified levy regime provided that the City financial position is made “whole” and it collects an amount that approximates what it could have collected by proceeding with DC’s; and
- (g) City, School Boards and Wittington to proceed on the basis of the following terms and a modified development levy regime as set out in Attachment 1.

**Terms of Settlement for the purpose of Wittington Properties:**

- (A) The DL will apply to the Wittington Properties (RLW: Additional densities on Blocks 33 and 37; FYN: Blocks 9 & 10; FYN: Blocks 2, 3, 4, 4A, 6 & 6A). It is understood that agreements respecting lands currently owned by St. Marys Cement Inc. (Can.) (Blocks 2, part of Block 3 and part of Block 4 FYN) may be subject to completion of the purchase by Wittington from St. Marys.;
- (B) The existing Development Levy Agreement dated October 21, 1994 remains in place as it applies to the existing 1994 densities on Blocks 33 and 37 in the RLW. The levies on the 1994 densities on those Blocks will be paid and applied as contemplated in that existing agreement by the construction of a multiuse facility in the RLW. Levies for additional densities on those Blocks will be paid and applied as set out herein;

- (C) The arrangement only applies to maximum gross floor areas contemplated in the applications as finally approved by the OMB (See Attachment 2 - Chart) as well as to any future approved additional gross floor area to a maximum of 10% per block above the OMB approved final gross floor areas;
- (D) For the stated maximum gross floor areas, plus 10% as set out in Assumption C, Wittington to be exempted from both City DC's and Education DC's;
- (E) Although the maximum permitted gross floor areas will remain constant, it is acknowledged the total unit numbers may vary at the time of development;
- (F) DL's for the City and the School Boards would be indexed either once or twice annually consistent with existing agreements with other developers in the area and in accordance with the Capital Price Expenditure Statistics Index (Catalogue No. 62-007-XPB) published by Statistics Canada)(School Levies – Table 5.1 Non-residential Building Construction Price Indexes – Toronto institutional subcomponent)(Other Levies – Table 5.1 Non-residential Building Construction Price Indexes – Toronto composite);
- (G) All residential DL's will be collected as a lump sum to the City on a per unit basis at the building permit stage as contemplated in Attachment 1;
- (H) City portion of the lump sum levy and the City non-residential levies would be accounted for and spent in a like manner as development charges in accordance with the City DC By-law in place at the time, with the exception that, within the FYN, \$209.00/unit of the City portion of the lump sum levy would be specifically directed as the Fort York Improvement Levy;
- (I) City will collect on behalf of the School Boards and remit the School Board portion of the lump sum residential levy to the School Boards in a manner consistent with that contemplated in the existing development levy arrangement in the RLW;
- (J) School Board portion of the lump sum levy paid on any of the Wittington Properties is to be utilized for the hard and soft costs of constructing schools in the FYN or within the "immediate vicinity". The immediate vicinity will be an area bounded by Wellington Street, Strachan Avenue, Bathurst Street and Lake Shore Boulevard West;

- (K) These terms of settlement do not supersede, rescind or replace the Memorandum of Understanding, dated March 4, 1996 between the City and the School Boards respecting the location of a school site and the possibility of a shared education/community facility for FYN;
- (L) Wittington continues to agree to all public benefits previously settled with the City;
- (M) The School Boards, withdraw and do not proceed with their motions to seek party status on matters involving the Wittington Properties before the OMB and do not oppose the development applications for the Wittington Properties currently before the OMB; and
- (N) It is understood and agreed that these Terms of Settlement are subject to ratification by Council for the City and the respective School Boards.
- (O) If the settlement is supported by all parties, the City, School Boards and Wittington will make all reasonable efforts to finalize all such agreements, documents and assurances as may be required reflecting the modified levy arrangement set out in Attachment 1 on or before March 3, 2005, being the date of the scheduled continuation of the motions for party status brought by the School Boards related to the Wittington OMB appeal and will execute and deliver such agreements in conjunction with the execution and delivery of all other agreements necessary to finalize Wittington zoning;
- (P) The appeal by Wittington of the City DC By-law will be withdrawn once agreements referred to in Assumption "O" above reflecting the arrangements set out in Attachment 1 are executed and delivered;
- (Q) The School Boards commit to construction of an elementary school in the FYN, or the immediate vicinity (see Assumption J), at such time as there are 350 elementary school students generated from the FYN, sufficient funding for facilities construction is available and a site has been secured; and
- (R) The School Boards agree to repay to the City the sum of one million dollars (\$1M) from school levies collected from the Wittington Properties in the event the school in FYN has not been built within 10 years after build-out of FYN.

**Attachment 1 – Terms of Settlement  
Modified Development Levy Scenario**

Development levies applicable to the Wittington Properties will be payable as set out below. The development levies have been calculated based on Table 1 with the objective of achieving an estimated and projected amount of \$3,000,000.00 in school levies for the School Boards and achieving a City levy that is more reflective of an amount the City could have collected by proceeding under DC's in connection with the development contemplated.

Development Levies applicable to the Wittington Properties:

**Lump Sum Residential Levies:**

Based on a percentage of the total development levies (Column 2, Table 1), the City and School Board proportions for the purpose of calculating lump sum residential levies are as follows:

|                       |               |                     |
|-----------------------|---------------|---------------------|
| <b>City:</b>          | <b>72.15%</b> | <b>7,773,219.00</b> |
| <b>School Boards:</b> | <b>27.85%</b> | <b>3,000,000.00</b> |

|            |         | Per unit   |  |
|------------|---------|------------|--|
| <b>FYN</b> |         |            |  |
|            | City    | \$3,838.38 |  |
|            | Schools | \$1,481.62 |  |
|            | Total   | \$5,320.00 |  |
|            |         |            |  |
| <b>RLW</b> |         |            |  |
|            | City    | \$3,057.72 |  |
|            | Schools | \$1,180.28 |  |
|            | Total   | \$4,238.00 |  |

**Non-residential Levies:**

The total non-residential levy of \$1.96/sqm of non-residential gross floor area will apply (non-residential community centre levy (\$0.60/sqm) and library levy (\$1.36/sqm)).

- Notes: (i) Notes (i), (ii), (iii) and (iv) to Table 1 remain applicable;  
(ii) No guarantee is intended as to the amount of the actual total development levies collected by either the City or the School Boards for the contemplated development on the Wittington Properties.

Attachment 2 – Terms of Settlement (Chart)  
TOTAL PERMITTED GROSS FLOOR AREAS

| <b>BLOCKS</b>  | <b>MAX. RESIDENTIAL GFA (sq m)</b>  | <b>MAX. NON-RESIDENTIAL GFA (sq m)</b>                 | <b>TOTAL COMBINED (sq m)</b>                    |
|--|---|--|---|
| <b>FORT YORK NEIGHBOURHOOD</b>                       |   |  |   |
| Blocks 9 & 10 (Based on current opa/zba application) | <b>30,886</b><br><b>(343 units)</b>   | 1,000  | 30,886  |
| Block 2 (based on draft by-law Sept. 30/03)*         | 8,949<br><b>(99 units)</b>  | 0  | 8,949   |
| Block 3 (based on draft by-law Sept. 30/03)          | 23,255<br><b>(258 units)</b>  | 1,800  | 23,255  |
| Blocks 4 & 4A (based on draft by-law Sept. 30/03)    | 37,360<br><b>(415 units)</b>  | 4,914  | 37,533  |
| Blocks 6 & 6A (based on draft by-law Sept. 30/03)    | 54,304<br><b>(603 units)</b>  | 19,419   | 55,438  |
| <b>RAILWAY LANDS WEST</b>                            |   |  |   |
| Block 33 (based on draft by-law Sept.30/03)          | 12,550 (additional residential density above 39,878)<br><b>(139 units)</b>      | 2,300 (additional non-residential density above 2,700) | 12,000 (additional combined total above 41,228) |
| Block 37 (based on draft by-law dated Sept.30/03)    | <b>33,721</b> (additional residential density above 1086)<br><b>(375 units)</b> | 4,380 (additional non-residential density above 75)    | 34,783 (additional combined total above 1,124)  |

**NOTES:**

- (i) See Assumption C regarding the qualification on the maximum gross floor areas stated;
- (ii) The zoning by-law will identify maximum permitted gross floor areas to be permitted but actual build out to maximum areas cannot be assumed;
- (iii) Unit count shown is based on a 90 square metre average unit size and assumes that the maximum residential gross floor areas are utilized but this is not the probable development scenario contemplated in Table 1.

## **Attachment C Modified Development Levy Regime (Settlement)**

### **Development Levies**

#### **Block 33 & 37 RLW (subject to indexing)**

City Development Levy (residential) = \$3,057.72 per unit

City Development Levy (non-residential) = \$1.96 per square metre

School Levy (residential) = \$1,180.28 per unit to be used towards servicing the student population in the FYN

- \* the modified regime will apply to any additional density of up to 10% of the permitted density per block and additional density beyond the 10% will be subject to DC's.
- \* City levies to be accounted for and spent in a like manner as development charges in accordance with the City DC By-law in place at the time

#### **Blocks 2, 3, 4, 4A, 6, 6A, 9, 10 FYN(subject to indexing)**

City Development Levy (residential) = \$3,838.38 per unit (of which \$209 per unit will be directed towards Fort York Improvements)

City Development Levy (non-residential) = \$1.96 per square metre

School Levy (residential) = \$1,481.62 per unit to be used towards servicing the student population in the FYN.

- \*the modified regime will apply to any additional density of up to 10% of the permitted density per block and additional density beyond the 10% will be subject to DC's.
- \*unless otherwise stated the City levies will be accounted for and spent in a like manner as development charges in accordance with the City DC By-law in place at the time.

### **Matters to be Provided by Wittington and secured in a Section 37 Agreement**

- \* All per unit and lump sum amounts in the following lists reflect contributions in dollars as of December 31, 2004 and are subject to indexing.

#### **Blocks 33 & 37 RLW**

- day care contribution of \$440,000;
- community centre and facilities contribution of \$242,000 payable at building permit issuance for Block 37;
- 50% of the cost to design and construct Dan Leckie Way from Bremner



- Boulevard to Housey Street;
- 75% of the cost to design and construct the intersection of Dan Leckie Way and Housey Street;
- park contribution at \$533.00 per unit (indexed to December 2004), including flexibility for the funds to be applied toward community recreational facilities in the Railway Lands West ;
- 100% of the cost to design and construct Fort Street (between Bremner Boulevard & Housey Street);
- 50% of the cost to design and construct Housey Street (Bathurst Street to Dan Leckie Way), and an agreement to front-end 100% of the cost should the development of these blocks proceed before any development of the lands at 450-500 Lake Shore Boulevard West, which would trigger the remaining 50%;
- 33.3% contribution to the design and construction of Bremner Boulevard between Bathurst Street and Dan Leckie Way;
- contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003 - for the proportion of density attributable to Blocks 33 and 37;
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services and consistent with the remediation of other lands in the Railway Lands West; and
- permission to place fill on Blocks 33 & 37, and the cost of fill removal, all related to the construction of Bremner Boulevard and Dan Leckie Way.

### **Blocks 9 & 10 FYN**

- contribution towards a Harbourfront Community Centre Mural Program for projects to beautify lands underneath the Gardiner Expressway between Dan Leckie Way and Bathurst Street of \$75,000 payable when the Block 9 and 10 Zoning By-law Amendment comes into full force and effect or provision of the \$75,000 secured by April 1, 2005, whichever comes first;
- contribution of \$58,000 towards Community Services and Facilities in the neighbourhood such as a pool in the Harbourfront Community Centre payable at building permit issuance;
- 100% of the cost to design and construct Dan Leckie Way (from Housey St. to Lake Shore Boulevard West);
- 50% of the cost to design and construct signals at the Dan Leckie Way and Lake Shore Boulevard West intersection;
- land contributions on Lake Shore Boulevard West, on Blocks 9 and 10 generally as shown on Figure A1, Functional Road Plan for East of Bathurst Street, dated February 25, 2004 included in the May 30, 2004

“Supplementary Transportation Materials – RLW Block 33 and 37, FYN Blocks 8 and 9/10” prepared by BA Group as required to accommodate signals at Dan Leckie Way and Lake Shore Boulevard at no cost to the City and subject to final design by the Commissioner of Works and Emergency Services;

- 100% of the cost to design and construct a pedestrian mews extending Fort Street (Housey Street to Lake Shore Boulevard West);
- 50% of the cost to design and construct Housey Street (Bathurst Street to Dan Leckie Way), and an agreement to front-end 100% of the cost should the development of these blocks proceed before any development of Blocks 33 and 37, which would trigger the remaining 50%;
- contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003 for the proportion of density attributable to Block 9/10; and
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Service.

#### **Blocks 2, 3, 4, 4A, 6, and 6A FYN**

- 100% of the cost to design and construct local roads;
- 33.3% towards the cost to design and construct Fort York Boulevard;
- contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003 for the proportion of density attributable to Blocks 2, 3, 4, 4A, 6 and 6A;
- conveyance of land for a portion of the proposed link park and environmental remediation of the park conveyance to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- conveyance of land for Fort York Boulevard; and
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services.

#### **All Wittington Lands (Blocks 33 & 37 in RLW; Blocks 2, 3, 4, 4A, 6, 6A, 9, 10 FYN)**

- infrastructure upgrades or relocation / repairs required as a result of development;
- streetscape improvements, including street lighting;
- provision of street tree irrigation;
- implementation of urban design principles detailed in the Fort York

- Neighbourhood Public Realm Master Plan;
- environmental requirements;
  - Phase I and II Heritage Assessment, as may be required;
  - consideration of a district heating and cooling facility within the development;
  - public art;
  - provision of 30% low-end-of-market housing units;
  - peer review costs;
  - easements for storm sewers and costs to relocate existing storm sewers and easements as may be required;
  - inclusion of warning clauses in agreements of purchase and sale re noise and vibration;
  - compliance with all standard conditions respecting Works and Emergency Services issues relating to municipal infrastructure.

#### **Attachment D Development Charge Scenario**

Wittington would pay the applicable development charges in place at the time of building permit issuance.

#### **DC Credit Eligibility**

**(credits cannot be greater than the amount of DC's paid in respective road, water and sewer DC's)**

- 100% of their contribution towards the Bathurst Street/Bremner Boulevard intersection;
- 100% of their contribution towards the Dan Leckie Way/Lake Shore Boulevard West intersection;
- 100% of their contribution towards Bremner between Bathurst Street and Dan Leckie Way; and
- 100% of their contribution towards Fort York Boulevard between Bathurst Street and Street 'C'.

#### **Matters to be provided by Wittington and secured in a Section 37 Agreement**

\* All per unit and lump sum amounts in the following lists reflect contributions in dollars as of December 31, 2004 and are subject to indexing.

#### **Blocks 33 & 37 RLW**

- day care contribution of \$440,000;
- community centre and facilities contribution of \$242,000 payable at building permit issuance for Block 37;
- 50% of the cost to design and construct Dan Leckie Way from Bremner Boulevard to Housey Street;

- 75% of the cost to design and construct the intersection of Dan Leckie Way and Housey Street;
- park contribution at \$533.00 per unit including flexibility for the funds to be applied toward community recreational facilities in the Railway Lands West;
- 100% of the cost to design and construct Fort Street (between Bremner Boulevard & Housey Street);
- 50% of the cost to design and construct Housey Street (Bathurst Street to Dan Leckie Way), and an agreement to front-end 100% of the cost should the development of these blocks proceed before any development of the lands at 450-500 Lake Shore Boulevard West, which would trigger the remaining 50%;
- 33.3% contribution to the design and construction of Bremner Boulevard between Bathurst Street and Dan Leckie Way;
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services and consistent with the remediation of other lands in the Railway Lands West;
- contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003 - for the proportion of density attributable to Blocks 33 and 37; and
- permission to place fill on Blocks 33 & 37, and the cost of fill removal, all related to the construction of Bremner Boulevard and Dan Leckie Way.

#### **Blocks 9 & 10 FYN**

- contribution towards the Harbourfront Community Centre Mural Program for projects to beautify lands underneath the Gardiner Expressway between Dan Leckie Way and Bathurst Street of \$75,000 when the Block 9 and 10 zoning by-law amendments come into full force and effect or the provision of \$75,000 secured by April 1, 2005 whichever comes first;
- contribution of \$58,000 towards Community Services and Facilities in the neighbourhood such as a pool in the Harbourfront Community Centre payable at building permit issuance;
- Fort York Improvement Levy = \$209 per residential unit;
- 100% of the cost to design and construct Dan Leckie Way (from Housey St. to Lake Shore Boulevard West);
- 50% of the cost to design and construct signals at the Dan Leckie Way and Lake Shore Boulevard West intersection;
- land contributions on Lake Shore Boulevard West, on Blocks 9 and 10 generally as shown on Figure A1, Functional Road Plan for East of Bathurst Street, dated February 25, 2004 included in the May 30, 2004 “Supplementary Transportation Materials – RLW Block 33 and 37, FYN Blocks 8 and 9/10” prepared by BA Group, as required to accommodate

- signals at Dan Leckie Way and Lake Shore Boulevard West at no cost to the City and subject to final design by the Commissioner of Works and Emergency Services;
- 100% of the cost to design and construct pedestrian mews extending Fort Street (Housey Street to Lake Shore Boulevard);
  - environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services; and
  - contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003 for the proportion of density attributable to Block 9/10.

#### **Blocks 2, 3, 4, 4A, 6, and 6A FYN**

- 100% of the cost to design and construct local roads;
- \$1.35 million towards the cost to design and construct Fort York Boulevard;
- Fort York Improvement Levy = \$209 per residential unit;
- contribution to the design and construction of the Bathurst Street / Fort York Boulevard / Bremner Boulevard intersection – according to the cost-sharing percentage and scope of work as detailed in Clause No. 4 of Report No. 7 of Toronto East York Community Council, adopted by City Council at its meeting of July 22, 23 and 24, 2003; - for the proportion of density attributable to Blocks 2, 3, 4, 4A, 6 and 6A;
- conveyance of land for a portion of the proposed link park and environmental remediation of the park conveyance to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;
- conveyance of land for Fort York Boulevard; and
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services.

#### **All Wittington Lands (Blocks 33 & 37 RLW; Blocks 2, 3, 4, 4A, 6, 6A, 9, 10 FYN)**

- infrastructure upgrades or relocation / repairs required as a result of development;
- streetscape improvements, including street lighting;
- provision of street tree irrigation;
- implementation of urban design principles detailed in the Fort York Neighbourhood Public Realm Master Plan;
- environmental requirements;
- Phase I and II Heritage Assessment, as may be required;

- consideration of a district heating and cooling facility within the development;
- public art;
- provision of 30% low-end-of-market housing units;
- peer review costs;
- easements for storm sewers and costs to relocate existing storm sewers and easements as may be required;
- inclusion of warning clauses in agreements of purchase and sale with respect to noise and vibration;
- environmental remediation of lands to be constructed and conveyed for roads in a manner satisfactory to the Commissioner of Works and Emergency Services and consistent with the remediation of other lands in the Railway Lands West; and
- compliance with all standard conditions respecting Works and Emergency Services issues relating to municipal infrastructure.

(Attachment A: Block Plan, Fort York Neighbourhood Public Realm Plan, is on file in the City Clerk's Office.)

Council also considered the following:

- Confidential report (February 24, 2005) from the City Solicitor [Confidential Communication C.3(a)]. The staff recommendations contained in the Recommendations Section of the report, together with the Attachments A, B, C and D, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

**J(2) Ontario Municipal Board Hearing – 7 High Park Gardens**  
*Moved by Councillor Watson, seconded by Councillor Walker*

**“WHEREAS** the Committee of Adjustment held a public meeting on December 16, 2004, to consider a request for the granting of minor variances at 7 High Park Gardens; and

**WHEREAS** the Committee heard from a number of area residents and resident organizations opposed to the granting of this variance; and

**WHEREAS** the Committee of Adjustment refused to grant the requested variance on the basis that the general intent and purpose of the Official Plan and Zoning By-law is not maintained, the variances are not minor in nature, nor are they considered desirable for the appropriate development of the land; and

**WHEREAS** the Committee of Adjustment specifically refused to approve the proposed garage which would have provided parking for five motor vehicles, rather than three motor vehicles; and

**WHEREAS** the applicant has now appealed this decision to the Ontario Municipal Board and the hearing date is April 13, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to attend the Ontario Municipal Board hearing in defence of the City's Committee of Adjustment decision."

***Disposition:***

***City Council on February 21, 22, 23, 24, 25, 28 and March 1, 2005, adopted this Motion, without amendment.***

---

Council also considered a Notice of Decision (December 20, 2004) from the Manager and Deputy Secretary, Committee of Adjustment, Toronto and East York Panel.

**Condolence Motions:**

(1) **Moved by:** **Councillor McConnell**

**Seconded by:** **Mayor Miller**

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Selvakumar Sellaiah on February 15, 2005, in his 26th year; and

**WHEREAS** Selvakumar Sellaiah moved to Toronto from Sri Lanka eight years ago and was a valued member of Toronto's Tamil community; and

**WHEREAS** Selvakumar Sellaiah was a reliable, hard-working employee in Toronto's restaurant service industry; and

**WHEREAS** Selvakumar Sellaiah was a dedicated brother and a devoted son to his mother who lives in the St. Jamestown Community; and

**WHEREAS** on February 15, 2005, Selvakumar Sellaiah was going to visit his ailing mother as he did every evening;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to his mother Vadivambigh Sellaiah, and his siblings Pathmakumar, Santhakumar, Easam, and Jayanthini.”

***Disposition:***

***City Council on February 21, 22, 23, 24, 25, 28 and March 1, 2005, adopted this Motion unanimously.***

(2) **Moved by:** Deputy Mayor Pantalone

**Seconded by:** Mayor Miller

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Keith Oleksiuk on February 22, 2005; and

**WHEREAS** Keith Oleksiuk has always been an integral and active member of his community and will be sadly missed by countless neighbours, friends and co-workers; and

**WHEREAS** Mr. Oleksiuk was a renowned community leader, respected labour lawyer and unwavering advocate for equality; and

**WHEREAS** Keith Oleksiuk has been the Executive Director of Toronto’s Unemployment Help Centre, lawyer for the United Steel Workers of America and British Columbia Government Employees Union and was the past Chair of British Columbia’s Labour Board; and

**WHEREAS** Mr. Oleksiuk gave to the City of Toronto and later to the City of Vancouver, a dedicated life marked by an important sense of commitment and a spirit of equality and fairness, and will be sadly missed by all those he assisted and worked with;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Cathy Agnew and their three children, Danny, Shane and Kayla, as well as to his family and friends.”

***Disposition:***

***City Council on February 21, 22, 23, 24, 25, 28 and March 1, 2005, adopted this Motion unanimously.***

**Issued:** March 4, 2005