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## TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON MAY 4, 2005

**City Council's actions on each Clause in the following Reports and Notices of Motions considered at the meeting 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.**

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### Deferred Clauses:

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**Deferred Clauses:****Board of Health Report 7****1f Shade Policy and Technical Considerations for the City of Toronto**

City Council on May 4, 2005, did not adopt this Clause.

**Policy and Finance Committee Report 2****24c Status of Labour Negotiations**

City Council on May 4, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005, and directed that it be considered as a time-sensitive matter.

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Council also considered the following:

- Confidential report (January 18, 2005) from Mayor Miller. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations [Confidential Communication C.1(a)].

**Etobicoke York Community Council Report 2****10b Request for Approval of Variances from By-law No. 280-1998 and Chapter 215, Signs, of the former City of Etobicoke Code for a Third Party Roof Sign at 839 Oxford Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on May 4, 2005, amended this Clause by deleting from the Recommendation of the Etobicoke York Community Council, the words “25 percent”, and inserting instead the words “40 percent”, so that the recommendation now reads as follows:

“The Etobicoke York Community Council recommends to City Council that the application for variances from By-law No. 280-1998 and Chapter 215, Signs, of the Former City of Etobicoke Municipal Code, to permit a third party roof sign at 839 Oxford Street, be approved subject to the face of the sign being reduced by 40 percent.”

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

## **Policy and Finance Committee Report 4**

### **1a Recommendations for Mid-Term Changes to the Council-Committee Structure and Process**

City Council on May 4, 2005, referred those portions of this Clause related to structural changes for City Council and its Committees back to the Policy and Finance Committee for further consideration, and referred those portions of this Clause related to procedural changes to the Council Procedures and Meeting Management Working Group for consideration.

The following Recommendations were referred to the Policy and Finance Committee:

Recommendation (1):

- “(1) (a) a special Rapid Affordable Housing Committee be created composed of five members of Council, to consider and make recommendations on all affordable housing matters and affordable housing policy issues of both City-wide and local interest; and
- (b) the Rapid Affordable Housing Committee report to the Policy and Finance Committee except for matters requiring a statutory public hearing in which case it will report directly to Council.

The new Committee will bring together affordable housing matters that are currently considered by other Committees and Community Councils. This will ensure that affordable housing is dealt with as a City-wide issue and recognize that Council has identified affordable housing as a priority. All staff who now attend those Committees will be required to attend the new Rapid Affordable Housing Committee to ensure co-ordination in one place of planning, housing, transportation and other matters as they relate to affordable housing. The Committee will consider projects being processed through the Let's Build Program, private and not-for-profit projects, and projects within TCHC's mandate for new and redeveloped affordable housing projects.

For example the new Committee will:

- (i) consider items now dealt with by the Planning and Transportation Committee for affordable housing related applications of City-wide interest for Official Plan amendments, Zoning By-law amendments, plans of subdivision approvals and related matters;

- (ii) make recommendations on housing policies and funding of social housing projects now considered by the Community Services Committee;
- (iii) consider and make recommendations on affordable housing applications that are currently considered by Community Councils;
- (iv) hold public meetings required under section 17, 34, and 51 of the *Planning Act* (OPAs, ZBLAs, plans of subdivision) for affordable housing matters within one or more Community Council jurisdictions, now undertaken by Community Councils;
- (v) consider matters now dealt with by other Committees related to the acquisition and sale of City property involving affordable housing;”.

Recommendation (2):

- “(2) the Chief Administrative Officer report to the May 5, 2005, Policy and Finance Committee with a detailed terms of reference for the new Rapid Affordable Housing Committee so that it can be operational by the end of June and, in consultation with the City Clerk, recommend the necessary amendments to the Toronto Municipal Code, Chapter 27, Council Procedures to reflect this change;”.

Recommendation (3):

- “(3) the current Economic Development and Parks Committee with its present mandate, be maintained.

Several options were discussed regarding the Economic Development and Parks Committee:

- (i) maintain the current Economic Development and Parks Committee;
- (ii) split the Committee into two separate committees, one for Parks, Forestry and Recreation issues and one for Economic Development, Culture and Tourism issues; and
- (iii) disperse the current functions to other Committees, e.g., to the Community Services Committee or the Planning and Transportation Committee.

The workload of the current Economic Development and Parks Committee is enough to sustain a Standing Committee: the Committee met 9 times in 2004 and considered 181 items. The majority of the items (approximately 110 of the 181 items) related to economic development, culture, tourism and special events. Maintaining the current Committee will also maintain the functional co-ordination and Council Members' expertise and interest that has developed over time."

Recommendation (4):

"(4) responsibility for making recommendations on the acquisition, sale and leasing of City property and offers of compensation under the *Expropriations Act* be moved from the Administration Committee to the Policy and Finance Committee, and the Policy and Finance Committee be renamed the Executive Committee; and amend the Toronto Municipal Code, Chapter 27, Council Procedures to reflect this change;

Moving this responsibility will bring an additional major corporate policy issue with significant financial implications to the Policy and Finance Committee, which already has responsibility for human resources, and fiscal policy and budget."

Recommendation (10):

"(10) (a) the Mayor be authorized to appoint:

- (i) Standing Committee Chairs;
- (ii) Deputy Mayor(s);
- (iii) Audit Committee Chair;
- (iv) Budget Advisory Committee Chair;
- (v) Employee and Labour Relations Committee designated Chair (if the Mayor does not wish to Chair);
- (vi) The new Rapid Housing Committee Chair;
- (vii) Nominating Committee and the Striking Committee designated Chairs (if the Mayor does not wish to Chair);
- (viii) Chairs of the Roundtables on the Environment; Arts and Culture; Beautiful City; Seniors; Children, Youth and Education; Access, Equity and Human Rights;
- (ix) The Chair of the Film Board;
- (x) Chairs of other special committee which report directly to Standing Committees, except sub-committees; and

(b) the Mayor's appointments not be subject to debate or amendments by the Striking Committee, and a 2/3 majority vote of Council be required to debate or amend the Mayor's appointments."

Recommendation (11):

“(11) the Toronto Municipal Code, Chapter 27, Council Procedures or the terms of reference of the body be amended, where required, to make these changes to the appointment process.

In the current process the Mayor recommends the membership of the Striking Committee to Council and Council can approve or amend the Mayor’s recommendations. Once established the Striking Committee recommends appointments to various positions and bodies. In the new process, the Mayor will submit his appointments list to the Striking Committee at the time that it is considering the City Clerk’s canvass of interest from Members of Council. The recommended change will make the process more transparent and will give the Mayor a clearer and more effective role in the appointments process.”

Recommendation (13):

“(13) the Chief Administrative Officer be requested to review the current situation regarding Council’s ability to delegate to Standing Committees, Community Councils, or staff, within Council approved policy.

Many of the ideas and changes discussed during the Reference Group’s process were about being more effective and reducing the overall amount of time spent in Committee and Council meetings. Many people feel that additional improvements could be made if Council could delegate more of its decision making, within approved policies. The current delegation practices have not been reviewed in several years.”

Recommendation (14):

“(14) the Mayor and the Chief Administrative Officer be requested to report to the Policy and Finance Committee, when the implications of the *City of Toronto Act* review are clearer, on a process for Council’s review of longer term changes to the governance system;”.

Recommendation (15):

“(15) the City Solicitor be authorized to introduce the necessary bills in Council; and”.

Recommendation (16):

“(16) the appropriate City officials be authorized and directed to take the necessary actions to give effect to these recommendations.”

The following Recommendations were referred to the Council Procedures and Meeting Management Working Group:

Recommendation (5):

- “(5) (a) a Question Period at the beginning of each Council meeting (following the agenda review), on a pilot basis for the remainder of the term be established; and the City Clerk assess the functioning of the pilot and report to the Policy and Finance Committee on the assessment at the beginning of the next Council term; and
- (b) the Question Period have the following rules:
- (i) each Member of Council will be allotted 10 minutes to ask questions of the Mayor, the Standing Committee Chair, or staff on items that have been held;
  - (ii) there will be no extensions and answers must be short and succinct;
  - (iii) the entire 10 minutes must be used in one block of time (no carry over of time);
  - (iv) there will be no questions of staff during debate of the item, unless the Chair determines that there is a need for statutory officers such as the City Solicitor or the Treasurer to advise Council of legal or financial implications to amendments after question period;
  - (v) the Chair may still permit staff to make a statement if the integrity of staff has been impugned or called into question by a member at any point during the meeting (Section 27-20, Municipal Code); and
  - (vi) during debate, questions of movers of motions will be limited to 3 minutes;”.

Recommendation (6):

- “(6) the City Clerk report to the May 5, 2005, Policy and Finance Committee on implementation issues and concerns related to establishing the Question Period, including any interim procedural rules required during the pilot period.

The benefits of Question Period are that it will improve the functioning of Council and save time overall. It will also encourage Council Members to attend Standing Committee meetings more regularly, even if they are not members, so that they can be aware of all of the issues and have the opportunity to hear from members of the public and staff at that time. It will also encourage Council Members to seek briefings from staff prior to the Council meeting. No final amendments to the Council Procedures will be made until the success of the pilot is assessed.”

Recommendation (7):

“(7) speaking time allocation at Council meetings be reduced to 4 minutes with a 4 minute extension and reduce questions of Councillors to clarify their motions to 3 minutes, and amend the Toronto Municipal Code, Chapter 27, Council Procedures to reflect these changes;”.

Recommendation (8):

“(8) the Chair turn off the microphones of individual members when their time limit is reached.

These changes will reduce meeting time overall and will encourage Members of Council to be clear, succinct and efficient in their comments. The changes will be supported by technology modifications that are being developed to improve audio-visual functioning in the Council Chamber and give the Chair more control over the microphones.”

Recommendation (9):

“(9) a commentator role be established for the new Rapid Affordable Housing Committee on a pilot basis until October 2005, and the Mayor appoint a Member of Council to carry out this role; and the City Clerk report to the Policy and Finance Committee recommending interim procedural rules required during the pilot period.

This commentator will provide an additional view, or a differing view, to that being recommended by the Committee. This will ensure that all sides of an issue are raised at Council, especially on important or controversial matters, and it will provide a meaningful role to more Members of Council. During the pilot period, speaking order for Rapid Affordable Housing Committee issues will be:

- (i) Committee Chair;
- (ii) commentator; and
- (iii) item holder. No final amendments to the Council Procedures will be made until the success of the pilot is assessed.”



Recommendation (12):

“(12) the budget deliberation process at Council be improved by adopting an interim procedure allotting 30 minutes for each Member to speak at the beginning of the Council meeting, to ask questions of the Mayor, Budget Chair, Standing Committee Chair, Community Council Chair, or staff, and to speak and place motions; and follow the speaking period with deliberation and voting on the budget by program with capital and operating budgets considered together; and an additional three minutes to move amendments or ask questions of a speaker;”.

**4a Eucan Advertising on Ecomupi Recycling/Garbage Containers**

City Council on May 4, 2005, amended this Clause by adding the following:

“That Eucan be instructed to sell advertising on a month-to-month basis, and, in the event that City Council decides not to proceed with this project subsequent to the pilot project, Eucan will be obligated to immediately remove all advertising on bins used for the pilot project, upon one week’s notice.”

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

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Council also considered the following:

Communication:

- (March 21, 2005) from Ronald G. Barr, Executive Director, Community and Government Relations, Pattison Outdoor Advertising [Communication 1(a)].

**15a Ideas Day/Employee Suggestion Program**

City Council on May 4, 2005, amended this Clause by adding the following:

“That the City Manager be requested to report to the Policy and Finance Committee after the first ‘Ideas Day’ has been held, and after consultation with the appropriate employee representatives, on the possibility of establishing a permanent program to collect employee ideas.”

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

**19a Support for the Efforts of the Undocumented Workers Committee**

City Council on May 4, 2005, adopted this Clause without amendment.

**22a Adequacy of Employee Benefits Reserve Funds**

City Council on May 4, 2005, adopted this Clause without amendment.

**Administration Committee Report 3****4a Declaration as Surplus - Parcel of Vacant Land - 69 Austin Avenue (Ward 30 - Toronto-Danforth)**

City Council on May 4, 2005, adopted this Clause without amendment.

**14a Declaration as Surplus - Avondale Composting and Borrow Pit Site, Located East of Keele Street, Between Kirby Road and Teston Road (City of Vaughan)**

City Council on May 4, 2005, amended this Clause by referring Recommendation (3) of the Administration Committee to the City Manager with a request that she canvass all City agencies, boards and commissions on the following and report to City Council for its June 14, 2005 meeting, through the Policy and Finance Committee:

- (a) any current discussions, on any issue, with the City of Vaughan and York Region; and
- (b) any concessions required from the City of Vaughan or York Region regarding any outstanding needs of the City of Toronto.

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

**15a Remuneration and Expenses of Members of Council and of the Council Appointees to Local Boards and Other Special Purpose Bodies for the Year Ended December 31, 2004**

City Council on May 4, 2005, adopted this Clause without amendment.

**Community Services Committee Report 3****1a Over-Expenditure of Blanket Contract No. 47006971 - Outdoor Outfits Ltd.**

City Council on May 4, 2005, amended this Clause by adding the following:

“That the Treasurer be requested to report to the Policy and Finance Committee for its meeting on September 22, 2005, outlining the new practices that have been implemented and the value and percentage of purchases that are being made without appropriate blanket orders or purchase orders.”

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

### **Planning and Transportation Committee Report 3**

#### **8a Installation of Telecommunication Towers**

City Council on May 4, 2005, adopted this Clause without amendment.

### **Works Committee Report 3**

#### **2a Review of Automated Vehicle Location (AVL) and Management Control System Pilot Project in Solid Waste Management Services**

City Council on May 4, 2005, referred this Clause to the Works Committee and the e-City Committee and requested the City Manager to report to the Works Committee on the implementation of a co-ordinated effort across the Corporation, including the City's agencies, boards and commissions, on the Automated Vehicle Location and Management Control System Pilot Project, such report to be submitted to Council for consideration at its meeting on June 14, 2005.

### **Etobicoke York Community Council Report 3**

#### **58a 1555 Jane Street, Section 37 Agreement, Committee of Adjustment Decision and Application to Amend the Official Plan and Zoning By-law No. 7625 (Ward 12 - York South-Weston)**

City Council on May 4, 2005, amended this Clause by adding the following:

“That the Chief Planner and Executive Director, City Planning, and the City Solicitor be requested to report to the Etobicoke York Community Council on:

- (1) an interpretation of Sections 34 (17) and (19) of the *Planning Act*, and whether it is applicable to this Application, as it relates to the decision made by City Council at its meeting on June 22, 23 and 24, 2004 [Toronto West Community Council Report 3, Clause 16b, headed ‘Site Plan Bump Up Report - Site Plan Approval Application; Applicant: Medallion Properties Inc., Architect: Dietrich Boecker Architect, 1555 Jane Street (Ward 12 - York South-Weston)’]; and
- (2) any changes which have been made or which will be made to the Section 37 agreement which was registered on title in February 2003, respecting this Application.”

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

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Council also considered the following:

Communications:

- (undated) excerpt from Section 37 Agreement for 1555 Jane Street, submitted by Councillor Frank Di Giorgio, Ward 12 - York-South West [Communication 2(b)]; and
- (April 13, 2005) from Mark Noskiewicz, Goodmans, Barristers and Solicitors [Communication 2(a)].

### **Notices of Motions**

#### **F(1) Waiving of fees for Community Festivals on St. Clair Avenue West**

*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

**“WHEREAS** City Council at its meeting on September 28, 29, 30 and October 1, 2004, approved Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’; and

**WHEREAS** the report resolved that ‘City departments waive fees related to hosting community festivals on St. Clair Avenue West from 2005 to 2007 (the construction period and immediately thereafter)’; and

**WHEREAS** City staff interpretation of the wording contained in the aforementioned report limits the waiving of fees and charges to City departments; and

**WHEREAS** the revitalization of St. Clair Avenue West and the strengthening of the local small business community, including supporting community events and festivals on the street, remain high priorities of the City of Toronto; and

**WHEREAS** City staff have been consulted in writing this Motion;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’, be re-opened for further consideration, only as it pertains to the waiving of fees for Community Festivals on St. Clair Avenue West;

**AND BE IT FURTHER RESOLVED THAT** City Council clarify the intent of Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’, only as it pertains to the waiving of fees and costs for community festivals on St. Clair West from 2005 to 2007, by approving that all necessary barricades, non-departmental permit fees for community festivals on St. Clair Avenue West from 2005 to 2007 are to paid for by the City;

**AND BE IT FURTHER RESOLVED THAT** City Council request that the Toronto Transit Commission and the Toronto Police Service waive costs for Community Festivals on St. Clair Avenue West, from 2005 to 2007;

**AND BE IT FURTHER RESOLVED THAT** this Resolution be forwarded to the Toronto Transit Commission and Toronto Police Services Board for their consideration and endorsement.”

***Disposition:***

***[Note:***

***City Council on February 1, 2 and 3, 2005, re-opened Policy and Finance Committee Report 7, Clause 1, headed “St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)”, for further consideration, only as it pertains to the waiving of fees for Community Festivals on St. Clair Avenue West.]***

***City Council on May 4, 2005, adopted the balance of this Motion, without amendment.***

Council also considered the following:

- Fiscal Impact Statement (April 14, 2005) from the Chief Financial Officer and Treasurer.

**J(1) Defense of Committee of Adjustment Decision - 27 Flanders Road (Ward 21)**  
***Moved by Councillor Mihevc, seconded by Councillor Moscoe***

**“WHEREAS** an application was made to the Committee of Adjustment for variances including, gross floor area, side and rear yard setbacks, and minimum parking dimensions for the property known as 27 Flanders Road (Ward 21); and

**WHEREAS** the immediate neighbourhood expressed concerns regarding the proposal; and

**WHEREAS** on January 12, 2005, the Committee of Adjustment refused the application on the grounds that it does not represent an appropriate development of the property, and does not meet the general intent of the zoning by-law; and

**WHEREAS** the Ontario Municipal Board will be considering an appeal with respect to this decision by the Committee of Adjustment for residential development at 27 Flanders Road;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize the City Solicitor to appear at the Ontario Municipal Board to defend the decision of the Committee of Adjustment.”

***Disposition:***

***City Council on May 4, 2005, adopted this Motion, without amendment.***

Council also considered the following:

- Notice of Decision (January 13, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel.

**J(2) Review of Councillor Remuneration**

*Moved by Councillor Mammoliti, seconded by Councillor Moscoe*

“**WHEREAS** there has been no review of City Councillors’ salaries in seven years; and

**WHEREAS** it is clear that the smaller municipalities in and around the Greater Toronto Area (GTA) provide much more in the way of remuneration; and

**WHEREAS** a comparison of salaries for Mayors and Councillors in the GTA is as follows:

Salary Comparison  
Mayors and Councillors

Mayor’s Salaries

Vaughan/York	\$164,075
Mississauga/Peel	158,704
York Region	158,626
Durham	157,049
Montreal	150,000
Toronto	143,635

### Councillor's Salaries

Mississauga	\$113,296
Vaughan/York	102,657
Richmond Hill/York	97,611
Markham/York	95,265
Toronto	84,715;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the Mayor and City Manager be requested to appoint an arm's-length review Panel to review Council remuneration;
- (2) this arm's-length Panel include an external Human Resources firm, a Labour Relations expert, members of the Toronto Board of Trade and Labour Council and two City of Toronto Ratepayer Presidents; and
- (3) the Panel report back to Council, through the Administration Committee, no later than July 2005."

***Disposition:***

***Notice of this Motion was given to permit consideration at the next regular meeting of City Council on May 17, 2005.***

**J(3) Interim Control By-Law - King-Spadina Part II Plan**

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

**“WHEREAS** City Council at its meeting of November 26 to 29, 2002, directed the Commissioner of Urban Development Services to review land use policies and regulations with respect to nightclubs and entertainment facilities in ‘The Kings’; and

**WHEREAS** the King-Spadina Part II Plan adopted by City Council in 1996, permits entertainment uses without a size restriction; and

**WHEREAS** significant development has occurred in the King-Spadina Part II Plan area and continues to expand rapidly including: 289 units at 21 Widmer; 306 units at 430 King Street; 313 units at 46-62 Spadina Avenue; 300 units at 340 Front Street, 33 floors of residential and 20 floors of hotel at the Ritz Carlton; 30 floors of residential units at the Toronto Film Festival building and 260 units at 255 Wellington Street, for a total of over 2,500 condominium units and hotel rooms; and

**WHEREAS** many of the above-mentioned development proposals are before Council for approval; and

**WHEREAS** over 50,000 patrons now come to the many night clubs in the area, with one third of these patrons visiting clubs that opened only two years ago; and

**WHEREAS** the Toronto Entertainment District Association (TEDA) has requested that the City place a moratorium on the approval of new clubs in the neighbourhood, as the rising noise level and behaviour of the patrons continues to drive away tourists from hotels in the district; and

**WHEREAS** the Chief Planner and Executive Director, City Planning, senior police officers and licensing officials all acknowledge that certain entertainment uses and residential uses conflict with each other and have indicated that these conflicts must be analysed thoroughly and mitigated; and

**WHEREAS** an increasing number of residents across the City suffer from unacceptable levels of noise that impact on their privacy and enjoyment of their properties from adjacent or nearby entertainment facilities; and

**WHEREAS** there are often issues such as overcrowding and unlicensed alcohol sales associated with certain of these facilities; and

**WHEREAS** the patrons of such facilities tend to exit en masse at 2:00 a.m. and contribute to increased congestion of the roads and sidewalks; and

**WHEREAS** the Toronto Police Service has significant concerns with issues relating to traffic movement and crowd management and as a result, are required to redeploy officers for extended periods of time; and

**WHEREAS** there is a significant increase in litter and debris in and around these facilities; and

**WHEREAS**, from time to time, there are incidents of property damage and violence associated with a minority of the patrons; and

**WHEREAS** facilities, such as places of amusement, entertainment facilities, banquet halls, restaurants, taverns, nightclubs, and social halls, exist and operate throughout the City; and

**WHEREAS** specific concerns have been raised in this regard with respect to the Entertainment District, areas of College Street, and in industrial areas in isolated areas of the City; and

**WHEREAS** there is a need to create and define one or more specific business classes, along with the development of appropriate operating standards, to better regulate certain entertainment facilities and distinguish them from restaurants, bars and bistros;



**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the staff recommendations contained in the Recommendations Section of the attached report dated May 4, 2005, from the Chief Planner and Executive Director, City Planning, regarding an Interim Control By-law for the King-Spadina area;

**AND BE IT FURTHER RESOLVED THAT** the necessary Bills be introduced to give effect thereto;

**AND BE IT FURTHER RESOLVED THAT** the Executive Director of Municipal Licensing and Standards:

- (1) consult with the Chief of Police and report to the October meeting of the Planning and Transportation Committee on immediate amendments to Chapter 545, Licensing, to implement standards to define and regulate such uses, and that notice be given as required by the Municipal Code Chapter 162, Notice, Public; and
- (2) include in the 2006 budget process, a business case to undertake a broad review of the licensing requirements of all facilities that provide food and entertainment activities, and make recommendations to deal with problems including but not limited to:
  - (a) noise containment;
  - (b) occupancy and capacity;
  - (c) security;
  - (d) litter and waste containment; and
  - (e) congestion of roads and sidewalks.”

***Disposition:***

***City Council on May 4, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(3), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 4, 2005) from the Chief Planner and Executive Director, City Planning:***

***“It is recommended that:***

- (1) ***City Council adopt the following resolution:***

***Whereas Section 38 of the Planning Act authorizes Council to pass resolutions directing that a review or study be undertaken in respect of land use planning policies within the area of the municipality which is to be the subject of an Interim Control***

*By-law, therefore be it resolved that Council request the Chief Planner and Executive Director, City Planning, to undertake a review or study in respect of land use policies for those lands east of Spadina Avenue in the King-Spadina Part II Plan area that are identified on Attachment 2;*

- (2) *City Council, after adopting the resolution in Recommendation (1) above, grant authority for the introduction of the necessary Bills in Council to substantially give effect to the following:*

*No person shall, in the area referred to in Recommendation (1) above, use any lot or erect any building or structure for an entertainment facility and/or a patio in conjunction with an entertainment facility for a period of one year; and*

- (3) *City Council direct the Chief Planner and Executive Director, City Planning, to re-focus the budget and terms of reference for the 2005 King Spadina Review to include as Phase I a review of land use permissions for the Plan area both east and west of Spadina Avenue and to submit the findings and recommendations of Phase I in a report to City Council prior to undertaking further phases.”*

*Council subsequently enacted By-law No. 336-2005.*

Council also considered the following:

- Report (May 4, 2005) from the Chief Planner and Executive Director, City Planning.

Councillor Shiner declared an interest in this Motion, in that his family owns property within the subject area.

**J(4) GO Georgetown/Weston Sub-Division Corridor**

*Moved by Councillor Nunziata, seconded by Councillor Grimes*

“**WHEREAS** GO Transit has begun a Class Environmental Assessment for expansion of commuter rail service in the GO Georgetown/Weston Sub-Division Corridor; and

**WHEREAS** the project will address the expansion of the Georgetown GO Transit line and the Blue 22 airport link that would, rationally and technically, require two separate Environmental Assessments; and

**WHEREAS** there has been an overwhelming and resounding concern by residents that the closure of any street or roadway could separate and divide communities, and thus be catastrophic to their continued viability; and

**WHEREAS** GO Transit is undertaking a Class B Environmental Assessment which addresses the potential for low to medium negative environmental effects, and/or medium public or agency concerns and a Class C Environmental Assessment requires more information and analysis to identify environmental effects and more comprehensive public and agency notice; and

**WHEREAS** resounding concern was expressed by the over 3,000 residents that attended GO Transit's Public Information Session on April 28, 2005, about the negative environmental and social impacts of the GO Georgetown/Weston Sub-Division Corridor; and

**WHEREAS** at the same meeting, the proponents presented their proposal that would entail the closure of John Street to vehicular traffic which would have negative implications on the local community; and

**WHEREAS** on April 12, 13 and 14, 2005, Toronto City Council adopted Motion J(3) with respect to the Environmental Assessment for expansion of commuter rail service in the GO Georgetown/Weston Sub-Division Corridor which clearly stated that:

‘the City of Toronto adopt the official position concerning the Class Environmental Assessment for expansion of commuter rail service in the GO Georgetown/Weston Sub-Division Corridor that no streets be closed’; and

**WHEREAS** an underlying principle of the Environmental Assessment process is that when there are serious unresolved concerns, one has the right to request the Minister of the Environment to ‘bump-up’ a project;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto take the official position that it will oppose any proposal of the GO Transit Georgetown/Weston Sub-Division Corridor that completely or partially closes any roadway;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto advise GO Transit that a station in Weston and a tunneled alignment through Weston is the City's preferred option;

**AND BE IT FURTHER RESOLVED THAT** staff be requested to investigate and report to the Planning and Transportation Committee on any legal requirement that would necessitate a ‘bump up’ of the GO Georgetown/Weston Sub-Division Corridor Environmental Assessment.”

***Disposition:***

***City Council on May 4, 2005, adopted this Motion, subject to adding the following new Operative Paragraphs:***

***“AND BE IT FURTHER RESOLVED THAT any additional costs related to the GO Transit Georgetown/Weston Sub-division Corridor be borne by the rail line proponents;***

***AND BE IT FURTHER RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with appropriate City officials, be requested to report to Council for its meeting on June 14, 2005, through the Planning and Transportation Committee, with detailed information on:***

- (1) any complete or partial closing of roadways which are being proposed as a result of the GO Georgetown/Weston Sub-Division Corridor;***
- (2) the establishment of a station in Weston and a tunneled alignment through Weston; and***
- (3) any legal requirement that would necessitate a bump-up of the GO Georgetown/Weston Sub-Division Corridor Environmental Assessment;***

***AND BE IT FURTHER RESOLVED THAT Council adopt this Motion in principle, and that Council’s final decision on this matter be made when the reports requested herein are before Council for consideration.”***

**Condolence Motions**

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

**Seconded by: Mayor Miller**

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Charles Thomas (Tom) Clifford on Saturday, April 23, 2005, in his 81<sup>st</sup> year; and

**WHEREAS** he is survived by his brother Bill (Jean) and sister-in-law Bessie, and his eleven nieces and nephews; and

**WHEREAS** Tom proudly served overseas in World War II and was a member of the Royal Canadian Military Institute; and

**WHEREAS** Tom was a former School Trustee and City Councillor (Ward 8 – Broadview) for twenty seven years and chaired every standing committee of the former City Council in his time at City Hall; and

**WHEREAS** he also held the positions of Toronto Harbour Commissioner, Toronto Hydro Commissioner, and served on the Board of Governors - Toronto East General Hospital; and

**WHEREAS** Tom was also a member of the Rameses Shriners, President of Riverdale Kiwanis Club, and President of the Gilbert and Sullivan Society; and

**WHEREAS** Tom was a faithful parishioner throughout his whole life, first of Simpson Avenue United Church and then of Yorkminster Park Baptist Church; and

**WHEREAS** even after he retired as a Councillor in 1991, Tom still remained very active in his community; and

**WHEREAS** his generous and tireless volunteer work, including his work at Riverdale Hospital up until two months ago, touched the lives of many over the course of his lifetime; and

**WHEREAS** Tom was known for his integrity, honesty, dedication, loyalty and his genuine affection for people; and

**WHEREAS** Tom's life revolved around his family, his church, his community and his friends; and

**WHEREAS** Tom was a warm and wonderful human being – a true gentleman who will be missed by all who knew him and by those whose lives he touched;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his brother Bill (Jean) of Owen Sound, sister-in-law Bessie, and his eleven nieces and nephews.”

*Disposition:*

*City Council on May 4, 2005, adopted this Motion unanimously.*

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

**Seconded by:** Mayor Miller

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mr. Robert (Bob) Hunter on the morning of Monday May 2, 2005, after a long battle with cancer; and

**WHEREAS** Mr. Hunter was born in St. Boniface, Manitoba in 1941, but also lived and made his presence felt in Winnipeg, Vancouver, Toronto, and, as well as, across the world; and

**WHEREAS** Mr. Hunter was the co-founder of Greenpeace in 1971, and served as its first president until 1978, and as such, helped shape environmental activism worldwide and elevate the importance of preserving our natural environment to the highest levels of awareness; and

**WHEREAS** Mr. Hunter was Canada’s first ‘eco-warrior’ and fought tirelessly to protect the Earth’s most endangered and vulnerable animals; and

**WHEREAS** Mr. Hunter was named by TIME Magazine as one of the most important ‘eco-heroes’ of the twentieth century; and

**WHEREAS** Mr. Hunter was a popular broadcast journalist, most recently serving as Ecology Specialist on CityTV, as well as, his regular morning appearances as the host of CityTV’s Paper Cuts and a television writer whose credits include ‘The Beachcombers’; and

**WHEREAS** Mr. Hunter was an accomplished author, and his books included ‘Occupied Canada: A Young White Man Discovers His Unsuspected Past’, for which he received the Governor General’s Award in 1991;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to his wife Bobbi and his children Will, Emily, Conan and Justine.”

*Disposition:*

*City Council on May 4, 2005, adopted this Motion unanimously.*

(3) **Moved by:** Mayor Miller

**Seconded by:** Councillor Saundercook

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Mr. Don Jennison on Tuesday, April 26, 2005, in his 77<sup>th</sup> year; and

**WHEREAS** Mr. Jennison was a respected member of the Swansea community in High Park; and

**WHEREAS** Mr. Jennison worked tirelessly to support issues of social justice, public education, public health care and the betterment of his neighbourhood; and

**WHEREAS** Mr. Jennison stood against arbitrary decisions by governments and acted to support the rights of citizens, especially those most vulnerable in society; and

**WHEREAS** Mr. Jennison believed strongly in citizen participation in local democracy and actively participated himself; and

**WHEREAS** Mr. Jennison was a great man, filled with compassion, kindness, good humour and a passion for justice in our world; and

**WHEREAS** Mr. Jennison was an active member of World 19, the Council of Canadians, Toronto and Ontario Health Coalitions, the Council on Monetary and Economic Reform, The Alliance of Seniors to Protect Canada's Social Programs, the Swansea Area Ratepayers Association, the Swansea Historical Society and many other activities too numerous to list; and

**WHEREAS** he will be sorely missed by the Swansea community, friends and family who are here today;

**NOW THEREFORE BE IT RESOLVED THAT** the Clerk be directed to convey, on behalf of the Members of Toronto City Council, our sincere sympathy to the family of Mr. Don Jennison; his wife, Joyce, his three children and his six grandchildren.”

*Disposition:*

*City Council on May 4, 2005, adopted this Motion unanimously.*

**Issued:            May 5, 2005**