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These Minutes are to be confirmed by City Council.

## **MINUTES OF THE COUNCIL OF THE CITY OF TORONTO**

**WEDNESDAY, OCTOBER 26, 2005,  
THURSDAY, OCTOBER 27, 2005,  
FRIDAY, OCTOBER 28, 2005, AND  
MONDAY, OCTOBER 31, 2005**

City Council met in the Council Chamber, City Hall, Toronto.

### **CALL TO ORDER - 9:39 a.m.**

10.1 Mayor Miller took the Chair and called the Members to order.

The meeting opened with O Canada.

### **10.2 CONFIRMATION OF MINUTES**

Councillor Fletcher, seconded by Councillor Cowbourne, moved that the Minutes of the Council meeting held on September 28, 29 and 30, 2005, be confirmed in the form supplied to the Members, which carried.

### **10.3 PETITIONS**

(a) Councillor Ford submitted the following petitions:

- (1) (undated) containing approximately 108 signatures of individuals in support of a request for the installation of stop signs at the intersection of Humberwood Boulevard and View Green Crescent (north side); and
- (2) (September 30, 2005) containing approximately 115 signatures of individuals in support of a request for a School Crossing Guard for Rivercrest Junior Public School.

The above petitions were received.

- (b) Councillor Pitfield submitted a petition (October 26, 2005) containing approximately 47 signatures of Flemingdon Park residents, in support of increased police presence in the community office, and of having cadets from the Police Foundation volunteer to assist in the community office.

The above petition was received.

- (c) Councillor Minnan-Wong submitted a petition (undated) containing the signatures of approximately 171 individuals, in opposition to the shift of the tax burden from business to residential.

The above petition was received and considered with Joint Policy and Finance Committee and Economic Development and Parks Committee Report 2, Clause 1, headed “Final Recommendations Enhancing Toronto’s Business Climate It’s Everybody’s Business (All Wards)”.

- (d) Councillor Minnan-Wong, on behalf of Councillor Balkissoon, submitted a petition (undated) containing the signatures of approximately 567 individuals, in opposition to the shift of the tax burden from business to residential.

The above petition was received and considered with Joint Policy and Finance Committee and Economic Development and Parks Committee Report 2, Clause 1, headed “Final Recommendations Enhancing Toronto’s Business Climate It’s Everybody’s Business (All Wards)”.

- (e) Councillor Cho submitted a petition (undated) containing the signatures of approximately 323 individuals in opposition to the Morningside Avenue/Markham By-pass Extension.

The above petition was received.

#### 10.4 ENQUIRY AND ANSWER

Council had before it the following:

- (1) Enquiry (September 26, 2005) from Councillor Howard Moscoe, regarding the Voluntary Lobbyist Registry (See Attachment 1, Page 185); and
- (2) Answer (October 11, 2005) from the City Clerk (See Attachment 2, Page 186).

*Disposition:*

Council received the Enquiry and Answer.

**PRESENTATION OF REPORTS**

10.5 Councillor Giambrone presented the following Reports for consideration by Council:

Deferred Clauses from July 19, 20, 21 and 26, 2005:

Policy and Finance Committee Report 7, Clause 45b  
Administration Committee Report 6, Clauses 3b and 28b  
Audit Committee Report 3, Clause 12b  
Etobicoke York Community Council Report 6, Clause 8b  
North York Community Council Report 6, Clauses 8b and 23b

Deferred Clauses from September 28, 29 and 30, 2005:

Policy and Finance Committee Report 8, Clauses 12a and 47a  
Community Services Committee Report 7, Clause 6a  
Economic Development and Parks Committee Report 8, Clause 18a  
Planning and Transportation Committee Report 7, Clause 10a  
Works Committee Report 8, Clauses 6a, 8a and 14a  
Etobicoke York Community Council Report 7, Clause 37a  
North York Community Council Report 7, Clause 38a  
Toronto and East York Community Council Report 7, Clause 4a

New Committee Reports:

Policy and Finance Committee Report 9  
Administration Committee Report 8  
Community Services Committee Report 8  
Economic Development and Parks Committee Report 9  
Planning and Transportation Committee Report 9  
Works Committee Report 9  
Joint Policy and Finance Committee and Economic Development and Parks  
Committee Report 2

New Community Council Reports:

Etobicoke York Community Council Report 8  
North York Community Council Report 8  
Scarborough Community Council Report 8  
Toronto and East York Community Council Report 8

and moved, seconded by Councillor Thompson, that Council now give consideration to such Reports, which carried.

- 10.6 Councillor Giambrone, with the permission of Council, presented the following Report for the consideration of Council:

Board of Health Report 7,

and moved, seconded by Councillor Thompson, that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived in connection with this Report, and that Council now give consideration to such Report, which carried, more than two-thirds of Members present having voted in the affirmative.

10.7 **DECLARATIONS OF INTEREST**

Councillor Altobello declared an interest in Administration Committee Report 8, Clause 7, headed “Declaration as Surplus - Parcel of Vacant Land and Reserve Strip - South of Eglinton Avenue East, East of Bellamy Road South - Adjacent to 140 Adanac Drive (Ward 36 - Scarborough Southwest)”, in that he owns property in the immediate vicinity.

Deputy Mayor Feldman declared an interest in Etobicoke Community Council Report 8, Clause 1, headed “Final Report Official Plan Amendment and Rezoning Application, Applicant: Antonio Priori, Brookstone Developments Limited, 450 Horner Avenue (Ward 6 Etobicoke Lakeshore)”, in that his son-in-law is the applicant.

Councillor Mammoliti declared an interest in Etobicoke York Community Council Report 8, Clause 17, headed “103 111 Ingram Drive (Ward 12 York South Weston)”, in that his spouse owns property in the area.

Councillor Mammoliti also declared an interest in Motion J(10), moved by Councillor Moscoe, seconded by Councillor Di Giorgio, respecting a Request for Approval of a Planning Study and Enactment of Two Interim Control By-laws for the Castlefield Caledonia Design and Décor District, in that his spouse owns property in the area.

Councillor Mihevc declared an interest in Community Services Committee Report 8, Clause 9, headed “One Time Allocations of 2005 City of Toronto Homeless Initiatives Fund and Off the Streets into Shelter Funds”, in that his spouse works with the East York Family Resource Centre.

Councillor Shiner declared an interest in Planning and Transportation Committee Report 9, Clause 5, headed “Amendments to the Ontario Heritage Act (All Wards)”, in that his family owns property which has a heritage designation.

Councillor Shiner also declared an interest in Joint Policy and Finance Committee and

Economic Development and Parks Committee Report 2, Clause 1, headed “Final Recommendations Enhancing Toronto’s Business Climate It’s Everybody’s Business (All Wards)”, as it relates to a Motion moved by Councillor Fletcher, in that a member of his family works on the MPAC Web site.

Councillor Thompson declared an interest in Scarborough Community Council Report 8, Clause 12, headed “Final Report OPA & Rezoning Application 02 035478 ESC 37 OZ 1095999 Ontario Inc. (Heinz Mertins, Mertins Architect) 15 Crockford Boulevard Golden Mile Employment District (Ward 37 Scarborough Centre)”, in that he has a Board relationship with the applicant.

Councillor Walker declared an interest in Policy and Finance Committee Report 9, Clause 34, headed “Update on Status of Discussions with Toronto Port Authority Concerning Payments in Lieu of Taxes”, in that his daughter is an employee of the Toronto Port Authority.

**CONSIDERATION OF REPORTS  
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION**

**10.8 The following Clauses were held by Council for further consideration:**

Policy and Finance Committee Report 7, Clause 45b

Administration Committee Report 6, Clauses 3b and 28b

Audit Committee Report 3, Clause 12b

Etobicoke York Community Council Report 6, Clause 8b

North York Community Council Report 6, Clauses 8b and 23b

Policy and Finance Committee Report 8, Clauses 12a and 47a

Community Services Committee Report 7, Clause 6a

Economic Development and Parks Committee Report 8, Clause 18a

Planning and Transportation Committee Report 7, Clause 10a

Works Committee Report 8, Clauses 6a, 8a and 14a

Etobicoke York Community Council Report 7, Clause 37a

North York Community Council Report 7, Clause 38a

Toronto and East York Community Council Report 7, Clause 4a

Policy and Finance Committee Report 9, Clauses 1, 6, 8, 9, 10, 11, 15, 16, 17, 20, 21, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 40, 43, 44, 45 and 46

Administration Committee Report 8, Clauses 1, 3, 4, 5, 7, 8 and 9

Community Services Committee Report 8, Clauses 1, 4, 5, 8, 9 and 11

Economic Development and Parks Committee Report 9, Clauses 2, 4, 6, 7 and 8

Planning and Transportation Committee Report 9, Clauses 1, 2 and 7

Works Committee Report 9, Clauses 1, 2, 3, 4, 5, 6, 10, 11 and 12

Joint Policy and Finance Committee and Economic Development and Parks Committee Report 2, Clause 1

Etobicoke York Community Council Report 8, Clauses 1, 5, 11, 14, 16 and 19

North York Community Council Report 8, Clauses 6, 17, 23, 29 and 30

Scarborough Community Council Report 8, Clause 1 and 19

Toronto and East York Community Council Report 8, Clauses 1, 5, 7, 14, 29, 30, 35, 36, 37 and 42

**The following Clauses which were held by Council for further consideration were subsequently adopted without amendment or further discussion:**

Planning and Transportation Committee Report 7, Clause 10a

Works Committee Report 8, Clause 14a

Policy and Finance Committee Report 9, Clauses 8, 30, 35 and 44

Administration Committee Report 8, Clauses 4, 7 and 8

Community Services Committee Report 8, Clauses 1, 4, 5 and 11

Works Committee Report 9, Clauses 2 and 10

Etobicoke York Community Council Report 8, Clause 1

North York Community Council Report 8, Clause 17

Scarborough Community Council Report 8, Clause 19.

Toronto and East York Community Council Report 8, Clauses 7, 30 and 42

**The Clauses not held by Council for further consideration were deemed to have been adopted by Council, without amendment, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code.**

The following Clauses were re-opened for further consideration and subsequently amended:

Toronto and East York Community Council Report 8, Clause 19. (See Minute 10.17. Page 13).

Toronto and East York Community Council Report 8, Clause 20. (See Minute 10.18, Page 13).

**CONSIDERATION OF REPORTS  
CLAUSES WITH MOTIONS, VOTES, ETC.**

**10.9 Policy and Finance Committee Report 9, Clause 15, headed “Leasing of Office Space for Toronto Social Services - Located at 220 Attwell Drive (Ward 2 - Etobicoke North)”.**

*Motion:*

Councillor Thompson moved that the Clause be amended by deleting from staff Recommendation (1) contained in the report (September 21, 2005) from the Chief Corporate Officer, the words “set out in the body of this report”, and inserting instead the words “set out in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate”, so that Recommendation (1) now reads as follows:

- “(1) a lease agreement with 220 Attwell Drive Inc. and Harold Holdings Inc. be approved in accordance with the terms and conditions set out in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate, and in a form acceptable to the City Solicitor;”.

*Votes:*

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

**10.10 Policy and Finance Committee Report 9, Clause 16, headed “Leasing of Office Space for Toronto Social Services - Located at 5639 Finch Avenue East (Ward 42 - Scarborough Rouge River)”.**

*Motion:*

Councillor Thompson moved that the Clause be amended by deleting from staff Recommendation (1) contained in the report (September 21, 2005) from the Chief Corporate Officer, the words “set out in the body of this report”, and inserting instead the words “set out in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate”, so that Recommendation (1) now reads as follows:

- “(1) a lease agreement with 651565 Ontario Limited be approved in accordance with the terms and conditions set out in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate, and in a form acceptable to the City Solicitor;”.

*Votes:*

The motion by Councillor Thompson carried.

The Clause, as amended, carried.

**10.11 Policy and Finance Committee Report 9, Clause 17, headed “Grant of Long-term Lease to Kraft Canada Inc., for a Portion of the Schick Court Road Allowance, Located at the North East Corner of Progress Avenue and Schick Court, Scarborough (Ward 37 - Scarborough Centre)”.**

*Motion:*

Councillor Thompson moved that the Clause be amended by deleting from staff Recommendation (1) contained in the report (September 7, 2005) from the Chief Corporate Officer, the words “outlined in the body of this report”, and inserting instead the words “outlined in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate”, so that Recommendation (1) now reads as follows:

- “(1) the City enter into a long-term lease agreement with Kraft for a portion of the Schick Court road allowance, shown as Part 2 on Sketch No. PS-2003-108a (the ‘Lease Lands’), on the terms and conditions outlined in Appendix A to the communication (October 24, 2005) from the Manager, Leasing and Site Management, Facilities and Real Estate;”.

*Votes:*



The motion by Councillor Thompson carried.

The Clause, as amended, carried.

**10.12 Policy and Finance Committee Report 9, Clause 20, headed “Disclosure of Insurance Claims Information”.**

*Motion:*

Councillor Del Grande moved that the Clause be received.

*Vote on Receipt:*

The motion by Councillor Del Grande carried.

[Note: Please see Council’s action on Administration Committee Report 8, Clause 3, which is a duplicate of this Clause (See Minute 10.35, Page 52).]

**10.13 Works Committee Report 9, Clause 12, headed “Other Items Considered by the Committee”.**

*Motions:*

- (a) Councillor Saundercook moved that Item (g), entitled “The Use and Regulation of Segways”, contained in the Clause, be referred back to the Works Committee for further consideration.
- (b) Councillor Ashton moved that Item (b), entitled “Biodegradable Plastic Bags for Organic Material”, contained in the Clause, be referred back to the Works Committee for further consideration.

*Votes:*

Adoption of motion (a) by Councillor Saundercook:

Yes - 31	
Mayor:	Miller
Councillors:	Augimeri, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 12	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cowbourne, Fletcher, Ford, Hall, Nunziata, Palacio, Pitfield, Rae

Carried by a majority of 19.

Adoption of motion (b) by Councillor Ashton:

Yes - 33	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Davis, De Baeremaeker, Di Giorgio, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 10	
Councillors:	Bussin, Chow, Cowbourne, Del Grande, Filion, Fletcher, Ford, Giambrone, Hall, Thompson

Carried by a majority of 23.

The balance of this Clause was received for information.

**10.14 Etobicoke York Community Council Report 8, Clause 16, headed “1875 Martin Grove Road - Proposed Amendments to Amenities Agreement (Ward 1 - Etobicoke North)”.**

*Motion:*

Councillor Hall moved that the Clause be amended by referring the following additional Recommendation (3), as recommended by the Etobicoke York Community Council, to the Policy and Finance Committee for consideration of a funding source, and the Deputy City Manager and Chief Financial Officer, in consultation with the General Manager, Parks, Forestry and Recreation, the Executive Director, Technical Services, and the Ward Councillor, be requested to report on the matter:

“(3) in the event there are any 2005 Budget surpluses for the Technical Services

Division, then adequate funds from the surplus be combined with the \$20,000.00 contribution from the previous Owner of 1875 Martin Grove Road, to construct a children's playground in Highfield Park, such design to be in consultation with the Ward Councillor."

*Votes:*

The motion by Councillor Hall carried.

The Clause, as amended, carried.

**10.15 Scarborough Community Council Report 8, Clause 1, headed "Toronto Transit Commission Strategic Plan for the Future of the Scarborough Railway Transit Procurement Authorization Contract Amendment".**

**October 26, 2005:**

*Advice by Mayor:*

Mayor Miller advised that as this was a City-wide policy matter, it was not properly before Council in its current form and should be referred to the Planning and Transportation Committee. At the request of the Chair of the Scarborough Community Council, this matter was held down in order to permit a motion to come forward.

**October 27, 2005:**

*Ruling by Mayor:*

Mayor Miller ruled that the action of the Scarborough Community Council contained in this Clause was to be for information only.

*Motion:*

Councillor Thompson moved that the action of the Scarborough Community Council be revised to now read as follows:

"The Scarborough Community Council reports for the information of Council having:

- (1) advised the Toronto Transit Commission that Scarborough Community Council strongly supports extending the Bloor Subway to the Sheppard/Markham area as a necessary means to provide reliable and convenient transit service to the over 500,000 residents living in Scarborough;
- (2) requested the Toronto Transit Commission to consider:

- (a) as part of the Scarborough R/T Strategic Planning Study, preliminary plans and routes for possible future subway expansion to the eastern and north eastern perimeter of the City to link up with Pickering and Markham transit systems;
  - (b) a Federal/Provincial capital funding program of building one subway station per year; and
  - (c) a tunnelling program of 1 km per year; and
- (3) forwarded a copy of Toronto Transit Commission Report No. 11, dated September 21, 2006, headed ‘Strategic Plan for the Future of the Scarborough RT – Procurement Authorization Contract Amendment’ to Scarborough area MPs and MPPs for information.”

*Votes:*

The motion by Councillor Thompson carried.

Receipt of the Clause, for information:

Yes - 35	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Soknacki, Thompson, Walker, Watson
No - 1	
Councillor:	Carroll

Carried by a majority of 34.

**10.16 Toronto and East York Community Council Report 8, Clause 29, headed “Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, 1609 Queen Street East (Ward 32 Beaches East York)”.**

*Motion:*

Deputy Mayor Bussin moved that the Clause be referred back to the Toronto and East York Community Council for further consideration following the resolution of the Development Infrastructure Policy and Standards issue.

*Vote on Referral:*

The motion by Deputy Mayor Bussin carried.

*Motion to Re-Open:*

Deputy Mayor Bussin, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

The Clause was adopted, without amendment

- 10.17 **Toronto and East York Community Council Report 8, Clause 19, headed “Preliminary Report - Official Plan Amendment and Rezoning Application - 77, 79 and 83 Woodbine Avenue and 3 Buller Avenue (Ward 32 - Beaches-East York)”.**

*Motion:*

Deputy Mayor Bussin moved that the Clause be referred back to the Toronto and East York Community Council for further consideration following the resolution of the Development Infrastructure Policy and Standards issue.

*Vote on Referral:*

The motion by Deputy Mayor Bussin carried.

- 10.18 **Toronto and East York Community Council Report 8, Clause 20, headed “Preliminary Report - Rezoning Application - 19-29 Maughan Crescent (Ward 32 - Beaches-East York)”.**

*Motion:*

Deputy Mayor Bussin moved that the Clause be referred back to the Toronto and East York Community Council for further consideration following the resolution of the Development Infrastructure Policy and Standards issue.

*Vote on Referral:*

The motion by Deputy Mayor Bussin carried.

- 10.19 **Policy and Finance Committee Report 7, Clause 45b, headed “Building Condition Assessment and Analysis of Required Capital Reserve Funds in the Toronto Community Housing Corporation’s Downloaded Social Housing Portfolio”.**

*Motions:*

- (a) Councillor Palacio moved that the Clause be amended by adding the following:

“That:

- (1) the General Manager, Shelter, Support and Housing Administration, after consultation with the Toronto Community Housing Corporation (TCHC), be requested to report to Council, through the appropriate Standing Committee, on the scope of the state of disrepair of former MTHA and Ontario Housing complexes that were downloaded by the Province without appropriate funding for maintenance and repair, and the cost of bringing these buildings to a state of good repair;
- (2) the Board of Directors of the Toronto Community Housing Corporation (TCHC) be requested to proceed with thorough building audits in all of its properties, to ascertain the precise scope of the capital maintenance backlog;
- (3) the Board of Directors of the TCHC be requested to provide quarterly written updates on the status and timelines of the TCHC developments included in TCHC’s Building Renewal Program (BRP) to the appropriate Ward Councillors;
- (4) Council’s request to upload social housing funding responsibilities to the Province be referred to the Mayor to include as part of his ongoing City-Provincial ‘New Deal’ and *City of Toronto Act* negotiations; and
- (5) the Acting Executive Director, Municipal Licensing and Standards be requested to report to Council, through the appropriate Standing Committee, on:
  - (a) the number of all outstanding Orders to Comply and Notices of Violation in all Toronto Community Housing Corporation buildings throughout the City, the number that have been complied with over the past two years, and in consultation with TCHC, a total estimated cost of the outstanding mandatory repairs outlined in these Orders and Notices; and
  - (b) the outstanding Orders to Comply and Notices of Violation for the pilot project in Ward 17, and a plan for enforcement.”

- (b) Councillor Hall moved that the Clause be amended by adding the following:

“That Council adopt the following Motion:

**‘WHEREAS** the City now has the report which outlines the poor condition of the social housing downloaded during amalgamation by the provincial government of the day; and

**WHEREAS** the continued state of poor repair is demeaning and frustrating to tenants, adds to alienation, and contributes to vandalism and further erosion of the housing stock;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto strongly request urgent financial support from the provincial government for major capital repairs to the provincially-downloaded social housing stock.’ ”

Deputy Mayor Pantalone in the Chair.

*Votes:*

Adoption of motion (a) by Councillor Palacio:

Yes - 25
Councillors: Ashton, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Lindsay Luby, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Watson
No - 0

Carried, without dissent.

Adoption of motion (b) by Councillor Hall:

Yes - 28
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Minnan-Wong, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Watson
No - 0

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 31 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Minnan-Wong, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Watson
No - 0

Carried, without dissent.

**10.20 Community Services Committee Report 7, Clause 6a, headed “Determining the Number and Service Needs of Homeless Persons Living on Toronto’s Streets and in its Public Spaces”.**

*Motions:*

- (a) Councillor Minnan-Wong moved that the Clause be amended to provide that the study have, as its central organizing goals, the determination of the number of homeless people in the City of Toronto as well as the Street Needs Assessment.

Deputy Mayor Bussin in the Chair.

- (b) Councillor Pitfield moved that the Clause be amended to provide that the General Manager, Shelter, Support and Housing Administration be requested to submit to City Council, through the Community Services Committee, the completed Street Needs Assessment by June 30, 2006.

Deputy Mayor Pantalone in the Chair.

*Votes:*

Motion (b) by Councillor Pitfield carried.



Adoption of motion (a) by Councillor Minnan-Wong:

Yes - 32 Councillors:	Altobello, Augimeri, Bussin, Cho, Davis, Del Grande, Di Giorgio, Filion, Ford, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 4 Councillors:	Ashton, Cowbourne, Fletcher, McConnell

Carried by a majority of 28.

Adoption of the Clause as amended:

Yes - 36 Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Cowbourne, Davis, Del Grande, Di Giorgio, Filion, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1 Councillor:	Fletcher

Carried by a majority of 35.

**10.21 Toronto and East York Community Council Report 7, Clause 4a, headed “Final Report - Application to Amend the Official Plan and Zoning By-law - 77 Charles Street West (Toronto Centre-Rosedale, Ward 27)”.**

*Motion:*

Councillor Rae moved that the Clause be amended in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (October 25, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) Map 2 of the proposed Zoning By-law Amendment, which provides the building envelope and building heights, incorporate the built form revisions presented to the Toronto and East York Community Council at its meeting on September 19, 2005, and formerly submitted to the City Planning Division on September 28, 2005;
- (2) Recommendation (5)(d)(v) in City Planning's Final Report dated August 31, 2005, be deleted;
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (4) there be no further Notice of Public Meeting under the *Planning Act* for the draft Zoning By-law Amendment, as amended."

*Votes:*

The motion by Councillor Rae carried.

The Clause, as amended, carried.

Mayor Miller in the Chair.

**10.22 Planning and Transportation Committee Report 9, Clause 7, headed "Other Items Considered by the Committee".**

*Motion:*

Councillor Ootes moved that Item (a), entitled "Improving the Planning Process - All Wards", contained in this Clause, be referred back to the Planning and Transportation Committee for further consideration.

*Votes:*

Adoption of the motion by Councillor Ootes:

Yes - 23 Councillors:	Altobello, Ashton, Bussin, Cho, Del Grande, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Walker, Watson
No - 15 Mayor: Councillors:	Miller Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Jenkins, McConnell, Mihevc, Minnan-Wong, Moscoe, Thompson

Carried by a majority of 8.

The balance of the Clause was received for information.

**10.23 Audit Committee Report 3, Clause 12b, headed “Toronto Emergency Medical Services (EMS) Operational Support Review - Response to Auditor General Recommendations”.**

*Motion:*

Councillor Minnan-Wong moved that consideration of the Clause be postponed to the next regular meeting of City Council on December 5, 2005.

*Vote on Deferral:*

The motion by Councillor Minnan-Wong carried.

**10.24 Economic Development and Parks Committee Report 9, Clause 8, headed “Other Items Considered by the Committee”.**

*Motion:*

Councillor Minnan-Wong moved that Item (g), entitled “Extending the Hours of Seasonal Pools”, contained in this Clause, be referred back to the Economic Development and Parks Committee for further consideration.

*Votes:*

The motion by Councillor Minnan-Wong carried.

The balance of this Clause was received for information.

**10.25 Etobicoke York Community Council Report 8, Clause 19, headed “Amendments to the existing regulations in the vicinity of Paulson Road, King Georges Drive and Trethewey Drive (Ward 12 - York South-Weston)”.**

*Motion:*

Councillor Di Giorgio moved that consideration of the Clause be postponed to the next regular meeting of City Council on December 5, 2005.

*Vote on Deferral:*

The motion by Councillor Di Giorgio carried.

**10.26 Administration Committee Report 8, Clause 5, headed “Declaration as Surplus - 47 Terrace Avenue (Ward 23 - Willowdale)”.***Motion:*

Councillor Filion moved that the Clause be amended by deleting the Recommendation of the Administration Committee and inserting instead the following:

“That the Chief Corporate Officer be requested to invite the existing tenant of 47 Terrace Avenue to present an Offer to purchase the property, and in the event that no reasonable Offer is received from the tenant, the Chief Corporate Officer be authorized to list the property for sale on the open market.”

*Procedural Motion:*

Moved by Councillor Soknacki:

“That all motions moved on this Clause be forwarded to the special meeting of Council on November 24, 2005, and these motions be deemed to be moved.”

*Vote:*

The motion by Councillor Soknacki carried.

*Disposition:*

As Council had not concluded its debate on this Clause prior to the end of the meeting, consideration of this Clause was postponed to the special meeting of City Council on November 24, 2005.

**10.27 North York Community Council Report 8, Clause 29, headed “Committee of Adjustment Application A0693/05NY - Northeast corner of Sheppard Avenue East and Bayview Avenue (Ward 24 - Willowdale)”.****October 26, 2005:***Ruling by Mayor:*

Mayor Miller ruled the recommendation of the North York Community Council out of order because it should have been ruled out of order at North York Community Council. It is premature for the following reasons:

- (1) the Auditor General is conducting an investigation and the City Solicitor needs to determine if there is cause;

- (2) if the matter is brought forward at this time, the individual members will not be afforded due process before the law and will not be given sufficient time or opportunity to be heard or provide their response to allegations to the Auditor General;
- (3) failure to safeguard procedural fairness could result in litigation; and
- (4) premature consideration of the matter prior to the Auditor General's report may impact his continuation of the investigation.

Mayor Miller advised that Councillor Shiner was permitted to work with staff to bring forward a motion that is in order.

Mayor Miller further advised that any discussion about this matter must be held in camera on the basis of the following:

- Section 239(2)(b): Personal matters about an identifiable individual - of the *Municipal Act, 2001*, [notwithstanding the receipt of consent of the Committee members to have the information discussed in public] issues would be raised around the nature and extent of the consent received, given the discussion that would go forward in public; and
- potential litigation could commence against the City regarding:
  - (a) slander;
  - (b) compensation;
  - (c) failure to give due regard to procedural and administrative fairness; and
  - (d) litigation from applicants at the Committee who allege that their applications may not have been properly heard.

**October 31, 2005:**

*Motions:*

- (a) Councillor Shiner moved that Council adopt the following Motion:

**“WHEREAS** there are concerns respecting the processing and hearing of certain applications to the Committee of Adjustment; and

**WHEREAS** the Auditor General has been contacted respecting concerns related to these matters; and

**WHEREAS** the concerns raised warrant a review of the processing and hearing of these applications and consideration of the results of that review by City Council; and

**WHEREAS** it would be appropriate for the review to be carried out by the Auditor General, with findings to be provided to the City Solicitor for recommendation, in consultation with the Integrity Commissioner, to Council on what steps, if any, should be taken by Council; and

**WHEREAS** the Auditor General has confirmed that if a request is made by Council, he will amend his workplan to incorporate the review;

**NOW THEREFORE BE IT RESOLVED THAT** the Auditor General be requested to investigate concerns respecting the conduct of the processing and hearing of certain applications to the Committee of Adjustment;

**AND BE IT FURTHER RESOLVED THAT** the Auditor General provide his findings to the City Solicitor and that the City Solicitor report, in consultation with the Integrity Commissioner, directly to City Council as to whether there may be reasons to consider this matter further and, if so, the appropriate procedures under which that further consideration should be carried out;

**AND BE IT FURTHER RESOLVED THAT** the Auditor General provide his findings to Council for consideration with the report from the City Solicitor.”

- (b) Councillor Moscoe moved that motion (a) by Councillor Shiner be amended by adding the following Operative Paragraphs:

“**AND BE IT FURTHER RESOLVED THAT** the Auditor General be requested to investigate the manner in which this matter was brought before the North York Community Council;

**AND BE IT FURTHER RESOLVED THAT** the Chief Planner and Executive Director, City Planning, be requested to prepare a discussion paper on what constitutes a minor adjustment for the guidance of potential Committee of Adjustment applicants and Committee of Adjustment Panels.”

- (c) Councillor Milczyn moved that motion (a) by Councillor Shiner be amended by adding the following Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the Chief Planner and Executive Director, City Planning, and the City Solicitor be requested to report to the Planning and Transportation Committee, on the legality and appropriateness of Committee of Adjustment panels reserving decisions in public session.”

*Votes:*

Adoption of motion (c) by Councillor Milczyn:

Yes - 35 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Thompson, Walker, Watson
No - 1 Councillor: Li Preti

Carried by a majority of 34.

Adoption of motion (b) by Councillor Moscoe:

Yes - 33 Mayor: Miller Councillors: Ashton, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Stintz, Thompson, Walker
No - 5 Councillors: Augimeri, Kelly, Li Preti, Pitfield, Watson

Carried by a majority of 28.

Adoption of Clause, as amended by motion (a) by Councillor Shiner, as amended:

Yes - 37 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 1 Councillor: Kelly

Carried, more than two-thirds of Members present having voted in the affirmative.

*Summary:*

In summary, the recommendations of the North York Community Council were ruled out of order.

Council subsequently adopted the following Motion:

**“WHEREAS** there are concerns respecting the processing and hearing of certain applications to the Committee of Adjustment; and

**WHEREAS** the Auditor General has been contacted respecting concerns related to these matters; and

**WHEREAS** the concerns raised warrant a review of the processing and hearing of these applications and consideration of the results of that review by City Council; and

**WHEREAS** it would be appropriate for the review to be carried out by the Auditor General, with findings to be provided to the City Solicitor for recommendation, in consultation with the Integrity Commissioner, to Council on what steps, if any, should be taken by Council; and

**WHEREAS** the Auditor General has confirmed that if a request is made by Council, he will amend his workplan to incorporate the review;

**NOW THEREFORE BE IT RESOLVED THAT** the Auditor General be requested to investigate concerns respecting the conduct of the processing and hearing of certain applications to the Committee of Adjustment;

**AND BE IT FURTHER RESOLVED THAT** the Auditor General provide his findings to the City Solicitor and that the City Solicitor report, in consultation with the Integrity Commissioner, directly to City Council as to whether there may be reasons to consider this matter further and, if so, the appropriate procedures under which that further consideration should be carried out;

**AND BE IT FURTHER RESOLVED THAT** the Auditor General provide his findings to Council for consideration with the report from the City Solicitor;

**AND BE IT FURTHER RESOLVED THAT** the Auditor General be requested to investigate the manner in which this matter was brought before the North York Community Council;



**AND BE IT FURTHER RESOLVED THAT** the Chief Planner and Executive Director, City Planning, be requested to prepare a discussion paper on what constitutes a minor adjustment for the guidance of potential Committee of Adjustment applicants and Committee of Adjustment Panels;

**AND BE IT FURTHER RESOLVED THAT** the Chief Planner and Executive Director, City Planning, and the City Solicitor be requested to report to the Planning and Transportation Committee, on the legality and appropriateness of Committee of Adjustment panels reserving decisions in public session.”

10.28 **Works Committee Report 8, Clause 8a, headed “Joint Municipal Water Bottling Project”.**

*Motions:*

- (a) Councillor Del Grande moved that the Clause be received.

Deputy Mayor Pantalone in the Chair.

- (b) Councillor Davis moved that the Clause be amended by adding the following:

“That:

- (1) the General Manager, Toronto Water, be requested to report to the Works Committee meeting on November 8, 2005, on options for purchasing larger quantities of HTO refillable water bottles for City special events such as Environment Days, such report to include purchase and distribution costs; and
- (2) the City Manager communicate to Division Heads and Agencies, Boards and Commissions, requesting that they eliminate or reduce the use of bottled water wherever possible.”

- (c) Councillor Moscoe moved that the Clause be amended by adding the following:

“That the City of Toronto prohibit the distribution of any water other than Toronto Pure, i.e., City of Toronto water in any City facility or the facilities of its Agencies, Boards and Commissions, subject to the honouring of existing contracts.”

*Vote on Receipt:*

Adoption of motion (a) by Councillor Del Grande:

Yes - 24	
Councillors:	Altobello, Ashton, Cho, Davis, Del Grande, Feldman, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Milczyn, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 16	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone

Carried by a majority of 8.

Due to the above decision of Council, motion (b) by Councillor Davis and motion (c) by Councillor Moscoe were not put to a vote.

**10.29 Etobicoke York Community Council Report 7, Clause 37a, headed “(1) Curfew for Teens 16 years of age and under; (2) 24-hour on-site security at Toronto Community Housing Communities and Acceleration of Building Investments for selected communities; and (3) Information from all School Boards in Toronto”.**

*Motions:*

- (a) Councillor Mammoliti moved that the Clause be amended by revising the Recommendation of the Etobicoke York Community Council, so that the Operative Paragraphs now read as follows:

- “(1) that the Deputy City Manager, in consultation with the City Solicitor, be requested to report to the Policy and Finance Committee, with broad public consultation, as soon as possible on:
- (i) the success or effectiveness of curfews in municipalities where they have been instituted; and
  - (ii) the feasibility of a curfew by-law for the Etobicoke York Community Council area on a pilot basis;
- (2) that the Toronto Community Housing Corporation be requested to provide 24-hour, 7-day on-site security for all of its projects identified within the TCHC developments within the Etobicoke York Community Council area, including the two buildings identified as pilot projects in Ward 17;

- (3) that the Toronto District School Board, the Toronto Catholic School Board, the French Language Public District School Board and the French Language Catholic District School Board, be requested to submit reports to the Etobicoke York Community Council on police involvement in the daily curriculum and on absenteeism of schools within the community council area, and on how such information is documented; and
  - (4) that the Toronto Police Services Board be forwarded a copy of this Clause for information.”
- (b) Councillor Davis moved that Part (1) of motion (a) by Councillor Mammoliti be received.

Deputy Mayor Feldman in the Chair.

- (c) Councillor Nunziata moved that the Clause be amended by adding the following:
- “That the Toronto Police Services Board be requested to direct the Toronto Police Service to enforce Section 79 of the *Child and Family Services Act*.”
- (d) Councillor Moscoe moved that the Clause be received.

Deputy Mayor Pantalone in the Chair.

- (e) Councillor Palacio moved that Part (2) of motion (a) by Councillor Mammoliti be amended by deleting the words “of its”, and inserting instead the words “high risk”, so that Part (2) now reads as follows:
- “(2) That the Toronto Community Housing Corporation be requested to provide 24-hour, 7-day on-site security for all high risk projects identified within the TCHC developments within the Etobicoke York Community Council area, including the two buildings identified as pilot projects in Ward 17;”
- (f) Councillor Chow moved that Part (2) of motion (a) by Councillor Mammoliti be referred to the Chief Executive Officer of the Toronto Community Housing Corporation for a report to the Policy and Finance Committee on the cost of providing 24-hour, 7-day on-site security for these projects.

Mayor Miller in the Chair.

*Permission to Withdraw Motion:*

Councillor Chow, requested the permission of Council to withdraw her motion (f), the vote upon which was taken as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Holyday, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Rae, Saundercook, Shiner, Soknacki, Stintz, Watson
No - 5	
Councillors:	Hall, Kelly, Lindsay Luby, Mammoliti, Palacio

Carried by a majority of 24.

Deputy Mayor Feldman in the Chair.

*Vote on Receipt:*

Adoption of motion (d) by Councillor Moscoe:

Yes - 30	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Ford, Giambrone, Holyday, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker, Watson
No - 10	
Councillors:	Del Grande, Feldman, Grimes, Hall, Kelly, Lindsay Luby, Mammoliti, Nunziata, Palacio, Pitfield

Carried by a majority of 20.

Due to the above decision of Council, motion (a) by Councillor Mammoliti, motion (b) by Councillor Davis, motion (c) by Councillor Nunziata, and motion (e) by Councillor Palacio were not put to a vote.

**10.30 Joint Policy and Finance Committee and Economic Development and Parks Committee Report 2, Clause 1, headed “Final Recommendations - Enhancing Toronto’s Business Climate - It’s Everybody’s Business (All Wards)”.**

*Motions:*

(a) Councillor Pitfield moved that the Clause be amended by adding the following:

“That:

- (1) the Province of Ontario be advised that City Council has taken a strong position on reducing the business tax ratio over the long-term, as a strategy to retain and attract business, and strongly requests that the Province contribute to this sustainability strategy by immediately lowering the Education Tax Rate to the average of the surrounding Greater Toronto Area municipalities;
- (2) City Council request the Federal and Provincial Ministers of Finance to explore the opportunity to share growth-related incomes and revenues versus reliance on property taxes;
- (3) City Council request Mr. André Marin, the Provincial Ombudsman, to evaluate and consider options, other than Current Value Assessment (CVA), for assessing property tax values across the City, including the cost of service delivery, number of units/rooms and square footage of a property; and
- (4) City Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (October 26, 2005) from the Deputy City Manager and Chief Financial Officer:

‘It is recommended that:

- (1) the eligibility criteria for the City of Toronto’s Tax Assistance Program for Low Income Seniors and Low Income Disabled Persons be updated by amending the City of Toronto Municipal Code, Chapter 767, Taxation, to:
  - (a) increase the maximum household income for eligibility under the Tax Deferral Program for low-income seniors and low-income disabled persons to \$40,000.00, commencing in the 2006 taxation year;
  - (b) increase the maximum household income for eligibility under the Tax Cancellation Program for low-income seniors and low-income disabled persons to \$26,000.00, commencing in the 2006 taxation year; and
  - (c) increase the maximum assessed value for eligibility under the Tax Cancellation Program for low-income seniors and low-income disabled persons to \$454,000.00, commencing in the 2006 taxation year; and
- (2) the appropriate City officials be authorized and directed to

take the necessary action to give effect thereto.’ ”

- (b) Councillor Walker moved that the Clause be referred to the next meeting of the Policy and Finance Committee on November 23, 2005, for further consideration and deputations.

*Speakers to Referral:*

- (c) Councillor Shiner moved that motion (b) by Councillor Walker be amended to provide that those individuals who previously attended the “Listening to Toronto” sessions be invited to a public consultation meeting to be held in advance of the November 23, 2005 meeting of the Policy and Finance Committee.
- (d) Councillor Nunziata moved that motion (b) by Councillor Walker be amended to provide that the Clause be referred to all Community Councils for consideration and deputations, and further, that homeowners and business owners be invited to provide their comments, and report back to the Policy and Finance Committee.

Deputy Mayor Pantalone in the Chair.

- (e) Councillor Ootes moved that motion (b) by Councillor Walker be amended to provide that the BIAs and Ratepayers Associations be notified of the Policy and Finance Committee meeting.

*Votes on Referral:*

Adoption of motion (c) by Councillor Shiner:

Yes - 24	
Councillors:	Altobello, Cho, Chow, De Baeremaeker, Del Grande, Filion, Ford, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Watson
No - 12	
Mayor:	Miller
Councillors:	Augimeri, Cowbourne, Davis, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Pantalone, Rae, Thompson

Carried by a majority of 12.

Adoption of motion (d) by Councillor Nunziata:

Yes - 25	
Councillors:	Altobello, Augimeri, Cho, Chow, De Baeremaeker, Del Grande, Filion, Ford, Holyday, Jenkins, Kelly, Li Preti,

	Lindsay Luby, McConnell, Mihevc, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 12	
Mayor:	Miller
Councillors:	Cowbourne, Davis, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Moscoe, Pantalone, Rae, Thompson

Carried by a majority of 13.

Adoption of motion (e) by Councillor Ootes:

Yes - 31	
Councillors:	Altobello, Carroll, Cho, Chow, Cowbourne, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 8	
Mayor:	Miller
Councillors:	Augimeri, Davis, Di Giorgio, Giambrone, McConnell, Moscoe, Pantalone

Carried by a majority of 23.

Adoption of motion (b) by Councillor Walker, as amended:

Yes - 18	
Councillors:	Altobello, Cho, Del Grande, Ford, Holyday, Jenkins, Kelly, Li Preti, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson
No - 21	
Mayor:	Miller
Councillors:	Augimeri, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Soknacki, Thompson

Lost by a majority of 3.

*Motions:*

(f) Councillor Shiner moved that the Clause be amended:

(1) to provide that the proposed tax policy reduction to the non-residential property class (commercial and industrial) only be implemented when the provincial government implements similar reductions to the provincial business education portion of the commercial and industrial class property tax; and

(2) by adding the following:

“That as part of the New Deal with the Province of Ontario, the provincial government be requested to commit to reducing the Education Levy on the industrial and commercial class in Toronto.”

(g) Councillor Hall moved that the Clause be amended by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on ways by which the City can assure the Province and the business community that City Council will be financially prudent in dealing with the requested provincial reduction to the business education tax to ensure economical competitiveness in the Greater Toronto Area region.”

(h) Councillor Ootes moved that the Clause be amended in accordance with the following resolution:

“That Council resolve that there be no further tax increase to business (commercial and industrial) until further notice.”

*Extension to Question:*

Councillor Pitfield asked questions for a period of five minutes. Councillor Ootes moved that §27-28, Questioning to Obtain Facts, of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Pitfield be permitted to conclude her questions, the vote upon which was taken as follows:

Yes - 23	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Cho, De Baeremaeker, Del Grande, Di Giorgio, Ford, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Watson
No - 3	
Councillors:	Carroll, Giambrone, Pantalone

Carried, more than two-thirds of Members present having voted in the affirmative.



*Motions:*

- (i) Councillor Mihevc moved that the Clause be amended by adding the following:

“That Council adopt the following motion:

‘**WHEREAS** according to the *Tenant Protection Act*, landlords must pass on a rent reduction, should property taxes be reduced by 2.5 percent or more;

**NOW THEREFORE BE IT RESOLVED THAT**, in the event that the provincial government does not amend the *Tenant Protection Act* to provide for automatic rent reductions in all cases where there is a tax decrease, the Deputy City Manager and Chief Financial Officer be requested to report back, before the 2006 property taxes are set, on phasing in strategies of assessment shifts to maximize the possible benefit for tenants.’ ”

- (j) Councillor Stintz moved that the Clause be amended by adding the following:

“That:

- (1) the City Manager be requested to report to the Policy and Finance Committee on the revenue generated by adjusting user fees to average GTA levels;
- (2) the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee outlining how the City of Toronto monetary note being held by Toronto Hydro can be used to reduce the overall tax burden on business; and
- (3) the Deputy City Manager and Chief Financial Officer be requested to prepare a report on enabling the Toronto Transit Commission to issue its own debt.”

Deputy Mayor Bussin in the Chair.

- (k) Councillor Chow moved that:

- (1) Part (1) of motion (f) by Councillor Shiner be amended by adding to the end, the words “to the average of the surrounding Greater Toronto Area municipalities”, so that Part (1) now reads as follows:

“(1) to provide that the proposed tax policy reduction to the non-residential property class (commercial and industrial) only be implemented when the provincial government implements similar reductions to the provincial business education portion of the commercial and industrial class property tax, to the average of the surrounding Greater Toronto Area municipalities;”; and

- (2) the Clause be amended to provide that the implementation of the fifteen year plan to correct the imbalance in property class tax allocations only begin when the Minister of Municipal Affairs and Housing has amended the *Tenant Protection Act* to ensure that the multi-residential tax reductions proposed under this plan flow through as rent reductions to tenants.
- (l) Councillor Kelly moved that the Clause be amended by adding the following:

“That the City Manager be requested to report to the Policy and Finance Committee, before the end of the year, on municipalities that levy income and retail sales taxes.”
- (m) Councillor Fletcher moved that the Clause be amended by adding the following:

“That:

  - (1) City Council request Mr. André Marin, the Provincial Ombudsman, to consider the following recommendations as part of his investigation concerning the Municipal Property Assessment Corporation:
    - ‘(1) Successful appeals and roll back of assessments are not factored into as the new base rate, forcing homeowners to appeal yearly. Homeowners should not have to go through this year after year. Make the appealed assessment the base assessment.
    - (2) Mitigating factors affecting the assessment should be available to the public.
    - (3) The \$75.00 application fee for a reassessment should be refundable for successful appeals.
    - (4) Conduct spot reassessments to ensure fairness in a slow or stagnant market.
    - (5) Consider including longevity at an address as a factor of the CVA.
    - (6) Improve the Web site to make it easier for homeowners to navigate and allow lookups for all the homes in their immediate neighbourhood and vicinity rather than be limited to 12.
    - (7) Take the onus off the homeowners. Put the onus on MPAC.’; and
  - (2) the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on the impact of the City’s policy of intensification and infill development on former industrial and commercial

lands and surrounding assessments.”

- (n) Councillor Mammoliti moved that the Clause be received.
- (o) Councillor Davis moved that the Clause be amended by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee, for its meeting scheduled to be held in June 2006, on the status of the creation of a new Neighbourhood Retail property class and to make any recommendations as necessary to ensure that the property tax relief presented in this plan can be made to this new class commencing in the 2007 taxation year.”

*Votes:*

Adoption of motion (n) by Councillor Mammoliti:

Yes - 13 Councillors:	Altobello, Ashton, Carroll, Del Grande, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Nunziata, Ootes, Palacio, Walker
No - 29 Mayor: Councillors:	Miller Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson

Lost by a majority of 16.

Adoption of Part (1) of motion (k) by Councillor Chow:

Yes - 19 Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Cowbourne, Del Grande, Fletcher, Hall, Holyday, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Shiner, Stintz, Walker, Watson
No - 23 Mayor: Councillors:	Miller Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Rae, Saundercook, Soknacki, Thompson

Lost by a majority of 4.

Adoption of Part (1) of motion (f) by Councillor Shiner, without amendment:

Yes - 15 Councillors:	Altobello, Cho, Chow, Del Grande, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Nunziata, Ootes, Palacio, Shiner, Stintz, Walker
No - 27 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Thompson, Watson

Lost by a majority of 12.

Adoption of Part (2) of motion (k) by Councillor Chow:

Yes - 14 Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Jenkins, Li Preti, Mammoliti, Milczyn, Nunziata, Ootes, Palacio, Shiner, Walker
No - 28 Mayor: Councillors:	Miller Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Watson

Lost by a majority of 14.

*Ruling by Deputy Mayor:*

Deputy Mayor Bussin ruled motion (h) by Councillor Ootes out of order as it is contrary to the Clause and would set future direction.

Councillor Ootes challenged the ruling of the Deputy Mayor.

*Vote to Uphold Ruling of Deputy Mayor:*

Yes - 26 Mayor:	Miller
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Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Watson
No - 16	
Councillors:	Altobello, Cho, Del Grande, Feldman, Grimes, Holyday, Kelly, Li Preti, Milczyn, Nunziata, Ootes, Palacio, Shiner, Stintz, Thompson, Walker

Carried by a majority of 10.

Adoption of Part (4) of motion (a) by Councillor Pitfield:

Yes - 41	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Ashton

Carried by a majority of 40

Adoption of Part (1) of motion (a) by Councillor Pitfield:

Yes - 40	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Fletcher, Kelly

Carried by a majority of 38.

Adoption of Part (2) of motion (a) by Councillor Pitfield:

Yes - 42	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of Part (3) of motion (a) by Councillor Pitfield:

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Davis, Del Grande, Feldman, Filion, Fletcher, Grimes, Holyday, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 10	
Councillors:	Carroll, Cowbourne, De Baeremaeker, Di Giorgio, Giambrone, Hall, Kelly, Lindsay Luby, Moscoe, Thompson

Carried by a majority of 22.

*Ruling by Deputy Mayor:*

Councillor Walker requested the Deputy Mayor to rule on whether Part (1) of motion (m) by Councillor Fletcher was in order. Deputy Mayor Bussin ruled it was in order.

Adoption of Part (1)(1) of motion (m) by Councillor Fletcher:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell,

	Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker, Watson
No - 5 Councillors:	Ashton, Cho, Feldman, Saundercook, Stintz

Carried by a majority of 31.

Adoption of Part (1)(2) of motion (m) by Councillor Fletcher:

Yes - 38 Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Stintz, Thompson, Walker, Watson
No - 3 Councillors:	Ashton, Feldman, Saundercook

Carried by a majority of 35.

Adoption of Part (1)(3) of motion (m) by Councillor Fletcher:

Yes - 34 Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Soknacki, Thompson, Walker
No - 7 Councillors:	Ashton, Feldman, Milczyn, Rae, Saundercook, Stintz, Watson

Carried by a majority of 27.

Adoption of Part (1)(4) of motion (m) by Councillor Fletcher:

Yes - 30
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Councillors:	Altobello, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker
No - 11	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Feldman, Jenkins, Kelly, Mammoliti, Milczyn, Saundercook, Stintz, Watson

Carried by a majority of 19.

Adoption of Part (1)(5) of motion (m) by Councillor Fletcher:

Yes - 31	
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker, Watson
No - 10	
Mayor:	Miller
Councillors:	Ashton, Di Giorgio, Feldman, Holyday, Kelly, Lindsay Luby, Milczyn, Saundercook, Stintz

Carried by a majority of 21.

Adoption of Part (1)(6) of motion (m) by Councillor Fletcher:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker, Watson
No - 5	
Councillors:	Ashton, Feldman, Kelly, Saundercook, Stintz

Carried by a majority of 31.



*Permission to Withdraw Motion:*

Councillor Fletcher, with the permission of Council, withdrew Part (1)(7) of her motion (m).

Adoption of Part (2) of motion (f) by Councillor Shiner:

Yes - 42	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of motion (g) by Councillor Hall:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson
No - 8	
Councillors:	Augimeri, Davis, Di Giorgio, Li Preti, Pantalone, Rae, Walker, Watson

Carried by a majority of 26.

Adoption of motion (i) by Councillor Mihevc:

Yes - 40	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes,

	Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Holyday, Kelly

Carried by a majority of 38.

Adoption of Part (1) of motion (j) by Councillor Stintz:

Yes - 17	
Councillors:	Carroll, Cho, Di Giorgio, Feldman, Hall, Holyday, Jenkins, Kelly, Li Preti, Nunziata, Ootes, Palacio, Saundercook, Shiner, Soknacki, Stintz, Walker
No - 25	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Watson

Lost by a majority of 8.

Adoption of Part (2) of motion (j) by Councillor Stintz:

Yes - 15	
Councillors:	Augimeri, Cho, Del Grande, Di Giorgio, Feldman, Kelly, Li Preti, Mammoliti, Nunziata, Palacio, Pitfield, Soknacki, Stintz, Thompson, Walker
No - 27	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae, Saundercook, Shiner, Watson

Lost by a majority of 12.

Adoption of Part (3) of motion (j) by Councillor Stintz:

Yes - 18	
Councillors:	Ashton, Augimeri, Carroll, Cho, Feldman, Filion, Kelly, Li Preti, Mammoliti, Nunziata, Ootes, Palacio, Pitfield,

Shiner, Soknacki, Stintz, Thompson, Walker	
No - 24	
Mayor:	Miller
Councillors:	Altobello, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook, Watson

Lost by a majority of 6.

Adoption of motion (l) by Councillor Kelly:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 6	
Councillors:	Augimeri, Del Grande, Feldman, Grimes, Jenkins, Shiner

Carried by a majority of 30.

Adoption of Part (2) of motion (m) by Councillor Fletcher:

Yes - 27	
Councillors:	Altobello, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Soknacki
No - 15	
Mayor:	Miller
Councillors:	Ashton, Carroll, Cho, Di Giorgio, Feldman, Lindsay Luby, Mammoliti, Milczyn, Palacio, Pantalone, Stintz, Thompson, Walker, Watson

Carried by a majority of 12.

Adoption of motion (o) by Councillor Davis:

Yes - 39	Mayor: Miller
	Councillors: Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 3	Councillors: Feldman, Fletcher, Thompson

Carried by a majority of 36.

Adoption of the Clause, as amended, with the exception of Part (1) of motion (m) by Councillor Fletcher:

Yes - 27	Mayor: Miller
	Councillors: Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Thompson, Watson
No - 15	Councillors: Altobello, Ashton, Cho, Del Grande, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Nunziata, Ootes, Palacio, Shiner, Stintz, Walker

Carried by a majority of 12.

Adoption of the Clause, as amended by Part (1) of motion (m) by Councillor Fletcher:

Yes - 32	Mayor: Miller
	Councillors: Altobello, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Watson
No - 9	

Councillors: Ashton, Cho, Feldman, Holyday, Jenkins, Mammoliti, Saundercook, Stintz, Walker
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Carried by a majority of 23.

*Summary:*

In summary, Council amended this Clause by adding the following:

“That:

- (1) as part of the New Deal with the Province of Ontario, the provincial government be requested to commit to reducing the Education Levy on the industrial and commercial class in Toronto;
- (2) the Province of Ontario be advised that City Council has taken a strong position on reducing the business tax ratio over the long-term, as a strategy to retain and attract business, and strongly requests that the Province contribute to this sustainability strategy by immediately lowering the Education Tax Rate to the average of the surrounding Greater Toronto Area municipalities;
- (3) City Council request the Federal and Provincial Ministers of Finance to explore the opportunity to share growth-related incomes and revenues versus reliance on property taxes;
- (4) City Council request Mr. André Marin, the Provincial Ombudsman, to evaluate and consider options, other than Current Value Assessment (CVA), for assessing property tax values across the City, including the cost of service delivery, number of units/rooms and square footage of a property;
- (5) City Council also request Mr. André Marin, the Provincial Ombudsman, to consider the following recommendations as part of his investigation concerning the Municipal Property Assessment Corporation:
  - ‘(1) Successful appeals and roll back of assessments are not factored into as the new base rate, forcing homeowners to appeal yearly. Homeowners should not have to go through this year after year. Make the appealed assessment the base assessment.
  - (2) Mitigating factors affecting the assessment should be available to the public.
  - (3) The \$75.00 application fee for a reassessment should be refundable for successful appeals.

- (4) Conduct spot reassessments to ensure fairness in a slow or stagnant market.
  - (5) Consider including longevity at an address as a factor of the CVA.
  - (6) Improve the Web site to make it easier for homeowners to navigate and allow lookups for all the homes in their immediate neighbourhood and vicinity rather than be limited to 12.';
- (6) the City Manager be requested to report to the Policy and Finance Committee before the end of the year on municipalities that levy income and retail sales taxes;
- (7) Council adopt the following motion:
- ‘WHEREAS** according to the *Tenant Protection Act*, landlords must pass on a rent reduction, should property taxes be reduced by 2.5 percent or more;
- NOW THEREFORE BE IT RESOLVED THAT**, in the event that the provincial government does not amend the *Tenant Protection Act* to provide for automatic rent reductions in all cases where there is a tax decrease, the Deputy City Manager and Chief Financial Officer be requested to report back, before the 2006 property taxes are set, on phasing in strategies of assessment shifts to maximize the possible benefit for tenants.’;
- (8) the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee:
- (a) on ways by which the City can assure the Province and the business community that City Council will be financially prudent in dealing with the requested provincial reduction to the business education tax to ensure economical competitiveness in the Greater Toronto Area region;
  - (b) on the impact of the City’s policy of intensification and infill development on former industrial and commercial lands and surrounding assessments; and
  - (c) for its meeting scheduled to be held in June 2006, on the status of the creation of a new Neighbourhood Retail property class and to make

any recommendations as necessary to ensure that the property tax relief presented in this plan can be made to this new class commencing in the 2007 taxation year;

- (9) City Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (October 26, 2005) from the Deputy City Manager and Chief Financial Officer:

‘It is recommended that:

- (1) the eligibility criteria for the City of Toronto’s Tax Assistance Program for Low Income Seniors and Low Income Disabled Persons be updated by amending the City of Toronto Municipal Code, Chapter 767, Taxation, to:
  - (a) increase the maximum household income for eligibility under the Tax Deferral Program for low-income seniors and low-income disabled persons to \$40,000.00, commencing in the 2006 taxation year;
  - (b) increase the maximum household income for eligibility under the Tax Cancellation Program for low-income seniors and low-income disabled persons to \$26,000.00, commencing in the 2006 taxation year; and
  - (c) increase the maximum assessed value for eligibility under the Tax Cancellation Program for low-income seniors and low-income disabled persons to \$454,000.00, commencing in the 2006 taxation year; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Mayor Miller in the Chair.

- 10.31 **Planning and Transportation Committee Report 9, Clause 2, headed “Final Report - Phase 3 Warden Corridor Land Use Planning Study, Warden Woods Community Secondary Plan East Side of Warden Avenue, North and South of St. Clair Avenue - File No. 03 035238 ESC 35 TM (Ward 35 - Scarborough Southwest)”.**

*Motion:*

Councillor Altobello moved that the Clause be amended by further amending Draft Official

Plan Amendment No. 1145, by deleting Section 2.4.5 of the draft Warden Woods Community Secondary Plan, and inserting instead the following:

“2.4.5 Lands for park and recreational purposes will be provided at an alternative parkland conveyance rate pursuant to Section 42(3) of the *Planning Act, R.S.O. 1990*, which may be taken as a cash payment in lieu of a land dedication. To achieve Council’s priority for parkland in the Warden Woods Community, a parkland dedication rate of 0.4 hectares per 300 dwelling units, or 5 percent of the land area, whichever is greater, will be applied.”

*Votes:*

The motion by Councillor Altobello carried.

The Clause, as amended, carried.

**10.32 Planning and Transportation Committee Report 9, Clause 1, headed “Review of Business Licensing Fees”.**

*Motions:*

- (a) Councillor Nunziata moved that the Clause be amended by adding the following:

“That the Acting Executive Director, Municipal Licensing and Standards, be requested to examine and report to the Planning and Transportation Committee on increasing the fine amount for body rub parlours operating without a licence so that the fine will act as a deterrent to this illegal activity; and notice of a proposed amendment to Chapter 545, Licensing, be given, as required by Chapter 162, Notice, Public.”

*Ruling by Mayor:*

Mayor Miller ruled motion (a) by Councillor Nunziata out of order as is not an amendment to the matter under consideration.

[Note: Councillor Nunziata subsequently submitted Notice of Motion J(27), respecting a Request for Review of Fines for Body Rub Parlours Operating Without a Licence, see Minute 10.91, Page 145.]

- (b) Councillor Stintz moved that the Clause be amended in accordance with staff Recommendations (1) and (2) contained in the Recommendations Section of the confidential report (October 24, 2005) from the City Solicitor.

*Votes:*



Motion (b) by Councillor Stintz carried.

The Clause, as amended, carried.

*Summary:*

In summary, Council amended this Clause in accordance with staff Recommendations (1) and (2) contained in the Recommendations Section of the confidential report (October 24, 2005) from the City Solicitor. The following Recommendations (1) and (2) 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) [that portion of] Recommendation (1) of the Planning and Transportation Committee, striking out the words ‘except holistic centre owners and holistic practitioners’, from staff’s recommendation to increase licensing fees, not be adopted; and
- (2) Recommendation (2) of the Planning and Transportation Committee, that the \$9.00 legal fee also be included for the holistics category, not be adopted.”

The recommendation of the Planning and Transportation Committee, as amended by Council, now reads as follows:

“The Planning and Transportation Committee recommends that City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 22, 2005) from Deputy City Manager, Fareed Amin.”

**10.33 North York Community Council Report 7, Clause 38a, headed “Final Report - Draft Official Plan Amendment No. 567 - 05 117545 NPS TM - North York Centre Secondary Plan - Proposed Amendments to Density Incentives for Bicycle Storage (Wards 23 and 24 - Willowdale)”.**

*Motion:*

Councillor Filion moved that the Clause be amended by:

- (1) deleting Recommendation (1) of the North York Community Council;
- (2) adding the following:

“That Council:

- (a) adopt the following staff recommendations contained in the Recommendations

Section of the supplementary report (October 26, 2005) from the Chief Planner and Executive Director, City Planning:

‘It is recommended that City Council:

- (1) adopt amendments to the current North York Centre Secondary Plan, substantially in accordance with the Official Plan Amendment 567 in Attachment No. 1;
  - (2) adopt amendments to the North York Centre Parking Policy, substantially in accordance with Attachment No. 2;
  - (3) authorize the City Solicitor to bring forward to the Ontario Municipal Board a companion modification to the North York Centre Secondary Plan of the new Official Plan, substantially in accordance with the modifications in Attachment No. 3; and
  - (4) authorize the City Solicitor to make such stylistic and technical changes to the Official Plan Amendment and/or Parking Policy as may be required.’; and
- (b) receive the supplementary report (September 28, 2005) from the Chief Planner and Executive Director, City Planning, as contained in the Clause.”

*Votes:*

The motion by Councillor Filion carried.

The Clause, as amended, carried.

**10.34 Policy and Finance Committee Report 9, Clause 1, headed “Potential Impacts of Existing Sewers and Proposed Trunk Sewers in York Region on Waterbodies in the City of Toronto”.**

*Vote:*

Adoption of the Clause, without amendment:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker, Watson
No - 3	

Councillors: Hall, Holyday, Stintz
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Carried by a majority of 31.

**10.35 Administration Committee Report 8, Clause 3, headed “Disclosure of Insurance Claims Information”.**

*Motion:*

Councillor Del Grande moved that the Clause be amended by adding the following:

“That, in addition to the format for disclosing insurance claims information suggested in staff Recommendation (1), the Deputy City Manager and Chief Financial Officer be requested to submit, on an annual basis, a confidential report to the Administration Committee, for transmittal to City Council, summarizing all active insurance claims in litigation by the type or nature of the claims and with the financial expenditures and reserves.”

*Votes:*

The motion by Councillor Del Grande carried.

The Clause, as amended, carried.

**10.36 Economic Development and Parks Committee Report 9, Clause 7, headed “Appointments to the Board of Management of the Toronto Zoo”.**

*Motion:*

Councillor Del Grande moved that the Clause be referred to the Board of Management of the Toronto Zoo for consideration, with a request that the Board forward its comments on this matter to the Economic Development and Parks Committee.

*Vote on Referral:*

The motion by Councillor Del Grande carried.

Deputy Mayor Feldman in the Chair.

**10.37 Policy and Finance Committee Report 9, Clause 36, headed “Soccer Stadium at Exhibition Place”.**

*Motions:*

- (a) Deputy Mayor Pantalone moved that the Clause be amended in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (October 27, 2005) from the Deputy City Manager and Chief

Financial Officer:

“If the recommendations in the report currently before Council from the Board of Governors of Exhibition Place are accepted, it is recommended that Council approve entering into a project agreement, management agreement and facility usage agreements substantially on the terms and preconditions outlined in the Letter of Intent (‘LOI’) attached to the [report of the] General Manager and CEO of Exhibition Place, as amended by the terms set out in Appendix ‘A’ to this report, and such other terms and conditions as required by the Deputy City Manager and Chief Financial Officer, the General Manager and CEO of Exhibition Place and the City Solicitor.”

*Extension to Question:*

Councillor Kelly asked questions for a period of five minutes. Councillor Holyday moved that §27-28, Questioning to Obtain Facts, of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Kelly be permitted to conclude his questions, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Bussin in the Chair.

(b) Councillor Hall moved that the Clause be amended by adding the following:

“That the Chief Building Official and General Manager, Building, in consultation with the General Manager, Transportation Services, be directed to ensure that the scoreboard and marquee sign is erected beyond the 45-metre setback from the F.G. Gardiner Expressway, and that consideration be given to restricting the video imaging aspect of the sign.”

(c) Councillor Mammoliti moved that the Clause be amended by:

(1) adding the following:

“That in the event that this proposal between the Board of Governors of Exhibition Place, the City of Toronto and MLSEL and the CSA does not proceed, a similar offer be pursued with Parc Downsview Park Inc.”; and

(2) adding to Recommendation (2) of the Policy and Finance Committee, after the words “in consultation with the Mayor’s Community Safety Youth Development Through Sport Working Group”, the words “and ensuring that the overall plan includes a protocol which would allow for affordable usage of the new stadium facilities by local community groups”, so that Recommendation (2) now reads as follows:

“(2) the General Manager, Parks, Forestry and Recreation, in consultation with the General Manager, Exhibition Place, be requested to develop an overall plan for the utilization of community access hours for the new soccer stadium, ensuring that the plan is consistent with the Strong Neighbourhoods Strategy and is developed in consultation with the Mayor’s Community Safety’s Youth Development Through Sport Working Group, and ensuring that the overall plan includes a protocol which would allow for affordable usage of the new stadium facilities by local community groups, and submit a report thereon to the Economic Development and Parks Committee for its meeting scheduled to be held on January 16, 2006.”

- (d) Councillor Li Preti moved that consideration of the Clause be deferred to the next regular meeting of City Council on December 5, 2005, and the City Manager be requested to undertake a two-week study to determine the best suited location for a soccer stadium in Toronto, at a cost not to exceed \$40,000.00, and submit a report to that meeting on the results of the study.

*Vote on Deferral:*

Adoption of motion (d) by Councillor Li Preti:

Yes - 11	
Councillors:	Carroll, Del Grande, Ford, Li Preti, Nunziata, Ootes, Pitfield, Soknacki, Thompson, Walker, Watson
No - 24	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Giambrone, Grimes, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook

Lost by a majority of 13.

- (e) Councillor Holyday moved that the Clause be amended:

- (1) by adding to Recommendation (2)(a) contained in the report (October 19, 2005) from the Board of Governors of Exhibition Place, the words “and further, that all contributions agreed upon in the contribution agreement, including those by MLSEL, must be committed prior to the City making its contribution”, so that Recommendation (2)(a) now reads as follows:

- “(a) that a contribution agreement is entered into between the City and the Provincial and Federal governments which provides for the contribution of federal and provincial funding in the amount of \$27.0M and \$8.0M respectively on terms and conditions acceptable to the Deputy City Manager and Chief Financial Officer and the City Solicitor, including the specific requirement that contribution payments are made on a timely basis to ensure that construction expenditures do not exceed the \$62.8M construction budget, and further, that all contributions agreed upon in the contribution agreement, including those by MLSEL, must be committed prior to the City making its contribution;”; and
- (2) to provide that construction of the proposed soccer stadium shall not require the demolition of the Food Building at Exhibition Place.
- (f) Councillor Milczyn moved that the Clause be amended by adding the following:  
“That the City install an additional large electronic billboard facing the Gardiner Expressway on the grounds of Exhibition place, and that the revenue generated from this billboard be used to first offset the City’s investment in the proposed soccer stadium, and subsequently be directed into General Revenues.”
- (g) Councillor Kelly moved that the Clause:
- (1) be received;
- (2) be amended by adding the following:  
“That the Board of Governors of Exhibition Place be requested to conduct a Request for Proposals (RFP) for the construction and management of a soccer facility at Exhibition Place, and report to the Policy and Finance as soon as possible.”;
- (3) be amended by adding the following:  
“That:
- (a) should Council support a stadium at Exhibition Place as proposed, the Chief Planner and Executive Director, City Planning be requested to initiate an Official Plan Amendment which would change the uses of the Lamport Stadium lands to mixed commercial/high density residential;
- (b) the redesignated land be offered for sale to the private market place;  
and

- (c) the funds generated by the sale be placed in the general revenues.”; and
- (4) be amended to provide that the physical siting of the Soccer Stadium at Exhibition Place, be:
  - (a) on the footprint of the old Exhibition Stadium; or
  - (b) in the event that Part (a) above does not carry, further to the south than currently proposed.
- (h) Councillor Ootes moved that the Clause be amended by amending Recommendation (2) contained in the report (October 19, 2005) from the Board of Governors of Exhibition Place, to read as follows:
  - “(2)(a) that the Soccer Stadium be approved, subject to the Federal and Provincial Governments and/or the MLSE assuming the total cost of the construction and operation of the Stadium with the City providing land at a nominal lease cost; and
  - (b) that approval is obtained for a proposed sign to be visible from the Gardiner Expressway as required for the sale of naming rights for the facility;”.
- (i) Councillor Watson moved that the Clause be amended by deleting Recommendation (4) contained in the report (October 19, 2005) from the Board of Governors of Exhibition Place, and inserting instead the following:
  - “(4) the City Solicitor be requested to report on the legality and appropriateness of declaring the proposed soccer stadium to be a municipal capital facility for the purposes of the municipality and public use, pursuant to Section 110 of the *Municipal Act, 2001*;”.
- (j) Councillor Augimeri moved that Part (1) of motion (c) by Councillor Mammoliti be amended by adding to the end, the words ‘for the soccer stadium to be located at the south-west corner of Allen Road and Sheppard Avenue West’, so that Part (1) now reads as follows:
  - “That in the event that this proposal between the Board of Governors of Exhibition Place, the City of Toronto and MLSEL and the CSA does not proceed, a similar offer be pursued with Parc Downsview Park Inc. for the soccer stadium to be located at the south-west corner of Allen Road and Sheppard Avenue West.”

*Vote on Receipt:*

Adoption of Part (1) of motion (g) by Councillor Kelly:

Yes - 10	
Councillors:	Del Grande, Ford, Kelly, Milczyn, Nunziata, Ootes, Soknacki, Thompson, Walker, Watson
No - 28	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Stintz

Lost by a majority of 18.

*Votes:*

Adoption of motion (a) by Deputy Mayor Pantalone:

Yes - 29	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook, Soknacki
No - 9	
Councillors:	Del Grande, Ford, Nunziata, Ootes, Pitfield, Stintz, Thompson, Walker, Watson

Carried by a majority of 20.

Adoption of Part (2) of motion (c) by Councillor Mammoliti:



Yes - 37 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 1 Councillor: Ford

Carried by a majority of 36.

Adoption of Part (1) of motion (e) by Councillor Holyday:

Yes - 37 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 1 Councillor: Ford

Carried by a majority of 36.

Adoption of Part (a) of motion (h) by Councillor Ootes:

Yes - 12 Councillors: Del Grande, Kelly, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Soknacki, Stintz, Thompson, Walker, Watson
No - 26 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Pantalone, Rae, Saundercook

Lost by a majority of 14.

Adoption of Part (b) of motion (h) by Councillor Ootes:

Yes - 10	
Councillors:	Davis, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Nunziata, Pitfield, Saundercook, Stintz
No - 28	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Filion, Ford, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae, Soknacki, Thompson, Walker, Watson

Lost by a majority of 18.

Adoption of motion (i) by Councillor Watson:

Yes - 20	
Councillors:	Altobello, De Baeremaeker, Del Grande, Filion, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Soknacki, Stintz, Thompson, Walker, Watson
No - 18	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, Di Giorgio, Giambrone, Grimes, Hall, Jenkins, Mammoliti, Mihevc, Pantalone, Rae, Saundercook

Carried by a majority of 2.

Adoption of Part (4)(a) of motion (g) by Councillor Kelly:

Yes - 6	
Councillors:	Del Grande, Kelly, Mammoliti, Nunziata, Thompson, Walker
No - 32	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Watson

Lost by a majority of 26.

Adoption of Part (4)(b) of motion (g) by Councillor Kelly:

Yes - 6 Councillors: Del Grande, Kelly, Mammoliti, Nunziata, Thompson, Walker
No - 32 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fillion, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Watson

Lost by a majority of 26.

Adoption of motion (b) by Councillor Hall:

Yes - 34 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 4 Councillors: Ford, Kelly, Milczyn, Nunziata

Carried by a majority of 30.

Adoption of motion (j) by Councillor Augimeri:

Yes - 19	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Cho, Davis, Di Giorgio, Giambrone, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Rae, Saundercook, Walker, Watson
No - 19	
Councillors:	Altobello, Chow, Cowbourne, De Baeremaeker, Del Grande, Filion, Ford, Grimes, Hall, Jenkins, Li Preti, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Soknacki, Stintz, Thompson

Lost, there being a tie vote.

Adoption of Part (1) of motion (c) by Councillor Mammoliti, without amendment:

Yes - 26	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Pitfield, Rae, Saundercook, Stintz
No - 12	
Councillors:	Altobello, Chow, Ford, Giambrone, Holyday, Milczyn, Ootes, Pantalone, Soknacki, Thompson, Walker, Watson

Carried by a majority of 14.

Adoption of Part (2) of motion (e) by Councillor Holyday:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Filion, Ford

Carried by a majority of 34.

Adoption of motion (f) by Councillor Milczyn:

Yes - 13 Councillors:	Altobello, Augimeri, Cho, De Baeremaeker, Del Grande, Di Giorgio, Kelly, Li Preti, Mammoliti, Milczyn, Nunziata, Rae, Saundercook
No - 25 Mayor: Councillors:	Miller Ashton, Bussin, Chow, Cowbourne, Davis, Filion, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Pitfield, Soknacki, Stintz, Thompson, Walker, Watson

Lost by a majority of 12.

*Ruling by Deputy Mayor:*

Deputy Mayor Bussin ruled the following Parts of motion (g) by Councillor Kelly out of order:

- (1) Part (2), as it is contrary to this Clause; and
- (2) Part (3), as it is not appropriate with this Clause.

Adoption of the Clause, as amended:

Yes - 25 Mayor: Councillors:	Miller Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Pantalone, Rae, Saundercook
No - 13 Councillors:	Del Grande, Ford, Kelly, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Soknacki, Stintz, Thompson, Walker, Watson

Carried by a majority of 12.

*Summary:*

In summary, Council amended this Clause:

- (1) by adding to Recommendation (2) of the Policy and Finance Committee, after the words “in consultation with the Mayor’s Community Safety Youth Development Through Sport Working Group”, the words “and ensuring that the overall plan includes a protocol which would allow for affordable usage of the new stadium facilities by local community groups”, so that Recommendation (2) now reads as follows:
  - “(2) the General Manager, Parks, Forestry and Recreation, in consultation with the General Manager, Exhibition Place, be requested to develop an overall plan for the utilization of community access hours for the new soccer stadium, ensuring that the plan is consistent with the Strong Neighbourhoods Strategy and is developed in consultation with the Mayor’s Community Safety’s Youth Development Through Sport Working Group, and ensuring that the overall plan includes a protocol which would allow for affordable usage of the new stadium facilities by local community groups, and submit a report thereon to the Economic Development and Parks Committee for its meeting scheduled to be held on January 16, 2006.”;
  
- (2) by amending the recommendations contained in the report (October 19, 2005) from the Board of Governors of Exhibition Place, by:
  - (i) adding to Recommendation (2)(a), the words “and further, that all contributions agreed upon in the contribution agreement, including those by MLSEL, must be committed prior to the City making its contribution”, so that Recommendation (2)(a) now reads as follows:
    - “(a) that a contribution agreement is entered into between the City and the Provincial and Federal governments which provides for the contribution of federal and provincial funding in the amount of \$27.0M and \$8.0M respectively on terms and conditions acceptable to the Deputy City Manager and Chief Financial Officer and the City Solicitor, including the specific requirement that contribution payments are made on a timely basis to ensure that construction expenditures do not exceed the \$62.8M construction budget, and further, that all contributions agreed upon in the contribution agreement, including those by MLSEL, must be committed prior to the City making its contribution;”;
  
  - (ii) deleting Recommendation (4) and inserting instead the following:
    - “(4) the City Solicitor be requested to report on the legality and appropriateness of declaring the proposed soccer stadium to be a municipal capital facility for the purposes of the municipality and public use, pursuant to Section 110 of the *Municipal Act, 2001*”;

- (3) in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (October 27, 2005) from the Deputy City Manager and Chief Financial Officer:

“If the recommendations in the report currently before Council from the Board of Governors of Exhibition Place are accepted, it is recommended that Council approve entering into a project agreement, management agreement and facility usage agreements substantially on the terms and preconditions outlined in the Letter of Intent (‘LOI’) attached to the [report of the] General Manager and CEO of Exhibition Place, as amended by the terms set out in Appendix ‘A’ to this report, and such other terms and conditions as required by the Deputy City Manager and Chief Financial Officer, the General Manager and CEO of Exhibition Place and the City Solicitor.”; and

- (4) to provide that construction of the proposed soccer stadium shall not require the demolition of the Food Building at Exhibition Place; and

- (5) by adding the following:

“That:

- (i) the Chief Building Official and General Manager, Building, in consultation with the General Manager, Transportation Services, be directed to ensure that the scoreboard and marquee sign is erected beyond the 45-metre setback from the F.G. Gardiner Expressway, and that consideration be given to restricting the video imaging aspect of the sign; and
- (ii) in the event that this proposal between the Board of Governors of Exhibition Place, the City of Toronto and MLSEL and the CSA does not proceed, a similar offer be pursued with Parc Downsview Park Inc..”

Mayor Miller in the Chair.

**10.38 Etobicoke York Community Council Report 8, Clause 14, headed “Final Report and Supplementary Report- Official Plan Amendment and Rezoning Application Applicant: Reza Nasab, York Development Co., 1759 and 1761 Lawrence Avenue West (Ward 12 - York South-Weston)”.**

*Motion:*

Councillor Di Giorgio moved that the Clause be referred back to the Etobicoke York Community Council for further consideration.

*Vote on Referral:*

The motion by Councillor Di Giorgio carried.

**10.39 Works Committee Report 8, Clause 6a, headed “Streetcar Right-of-Way on Fleet Street - Modification to Environmental Assessment”.**

*Motion:*

Councillor Moscoe moved that the Clause be amended by deleting from the last Operative Paragraph of the motion contained in Recommendation (B) of the Works Committee, the distance “4.0 metres”, and inserting instead the distance “4.5 metres”, so that the last Operative Paragraph now reads as follows:

“**AND FURTHER BE IT RESOLVED THAT** the westbound lane from Bastion Street to Iannuzzi Street, which is currently proposed as being 5.0 metres in width be revised to 4.5 metres in width.”

*Votes:*

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

**10.40 North York Community Council Report 8, Clause 6, headed “Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of two Land Development signs on a City-owned lot northeast corner of Don Mills and Eglinton Avenue East (Ward 26 - Don Valley West)”.**

The Clause was submitted without recommendation.

*Motion:*

Councillor Pitfield moved that Council adopt the following staff recommendation contained in the Recommendation Section of the report (September 29, 2005) from the Director and Deputy Chief Building Official, North York District, as contained in the Clause:

“It is recommended that the request for the variance be refused for the reasons outlined in this report.”

*Votes:*

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.



**10.41 Policy and Finance Committee Report 9, Clause 21, headed “Approval of the Best Start Service and Transition Plan as Amendments to the 2005-2009 Toronto Child Care Service Plan”.**

*Motions:*

- (a) Councillor Soknacki moved that the Clause be amended by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (October 19, 2005) from the General Manager, Children’s Services Division:

‘It is recommended that:

- (1) the proposed Best Start Transition Infrastructure Plan attached as Appendix 1 be approved as a companion document to the Best Start Service and Transition Plan and forwarded to the Ministry of Children and Youth Services;
- (2) subject to provincial approval of the Best Start Transition Infrastructure Plan, the General Manager, Children’s Services Division be delegated authority to execute agreements on behalf of the City with the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District Du Centre-Sud-Ouest and the Conseil Scolaire de District Catholique Centre Sud to fund the construction and or renovation costs associated with Phase 1 child care expansion sites named in Appendix 1, in an amount determined in accordance with provincial infrastructure guidelines which amount shall not exceed an average cost of \$10,000.00 per child care space and provided that the total Best Start Funds payable under all four agreements shall not exceed \$89.08 million, such agreements to be on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor;
- (3) the agreements noted in Recommendation 2 provide funding for Phase 2 child care sites listed in Appendix 1 of up to \$10,000.00 per site to support feasibility and design costs;
- (4) the agreements with the Toronto District School Board and Toronto Catholic District School Board include funds previously approved by Council for capital project development funding;
- (5) the General Manager, Children’s Services Division provide status reports twice annually detailing the status of construction and/or renovation of new licensed child care spaces;

- (6) \$18.5125 million from the 2005 Children's Services Capital Budget be transferred to the 2005 Children's Services Operating budget;
  - (7) in order to maximize the value of capital funding under Best Start, the City advocate with the Province to extend the deadlines for spending Best Start capital beyond March 31, 2006;
  - (8) the General Manager, Children's Services Division report on strategies to address the occupancy costs for child care centres in schools;
  - (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "
- (b) Councillor Mammoliti moved that motion (a) by Councillor Soknacki be amended to provide that St. Jude's Catholic School is included in Appendix "D", entitled "Best Start Phase 1 Proposed Capital Projects - Approved".
- (c) Councillor Fletcher moved that the Clause be amended by adding the following:
- "That:
- (1) the proposed Best Start Transition Infrastructure Plan be further shaped by the learnings of the Toronto First Duty project to ensure that early learning and care environments are well integrated and seamless, take full advantage of opportunities to share space and resources, and enhance program quality and parent participation through the development of an integrated education program and curriculum that would be planned and delivered by an early childhood teaching team, which would include teachers, Early Childhood Educators (ECE), and parenting workers;
  - (2) the Toronto Best Start Network contain representation from the Toronto First Duty research and development team;
  - (3) top priority be given to integrating new Best Start spaces with existing school spaces to facilitate early childhood program integration and maximize capital resources; and
  - (4) the General Manager, Children's Services be requested to report to the Community Services Committee, in February 2006, on:
    - (i) how the Best Start initiative can best incorporate First Duty program directions; and

- (ii) the form by which the City will remain involved with the First Duty prototype at Bruce School, which is funded until 2008 through the Atkinson Charitable Foundation.”
- (d) Councillor Augimeri moved that motion (a) by Councillor Soknacki be amended to provide that St. Conrad’s School is included in Appendix “E”, entitled “Best Start Phase 2 Proposed Capital Projects”, subject to the Toronto District Catholic School Board requesting it.
- (e) Deputy Mayor Feldman moved that the Clause be amended by adding the following:
- “That the General Manager, Children’s Services Division be requested to meet with Rabbi Joseph Saltzman of the Canadian Jewish Russian Community, as soon as possible, to determine if the City can assist that community in benefiting from the Best Start program.”

*Votes:*

Motion (e) by Deputy Mayor Feldman carried.

Motion (b) by Councillor Mammoliti carried, unanimously.

Motion (d) by Councillor Augimeri carried.

Motion (c) by Councillor Fletcher carried.

Motion (a) by Councillor Soknacki, as amended, carried.

Adoption of the Clause, as amended:

Yes - 40	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

*Summary:*

In summary, Council amended this Clause by adding the following:

“That:

- (1) Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (October 19, 2005) from the General Manager, Children’s Services Division, subject to amending Appendix 1, entitled ‘The Best Start Transition Infrastructure Plan’, by:
  - (a) including St. Jude’s Catholic School in Appendix ‘D’, entitled ‘Best Start Phase 1 Proposed Capital Projects - Approved’; and
  - (b) including St. Conrad’s School in Appendix ‘E’, entitled ‘Best Start Phase 2 Proposed Capital Projects’, subject to the Toronto District Catholic School Board requesting it:

‘It is recommended that:

- (1) the proposed Best Start Transition Infrastructure Plan attached as Appendix 1 [as amended] be approved as a companion document to the Best Start Service and Transition Plan and forwarded to the Ministry of Children and Youth Services;
- (2) subject to provincial approval of the Best Start Transition Infrastructure Plan, the General Manager, Children’s Services Division be delegated authority to execute agreements on behalf of the City with the Toronto District School Board, the Toronto Catholic District School Board, the Conseil Scolaire de District Du Centre-Sud-Ouest and the Conseil Scolaire de District Catholique Centre Sud to fund the construction and or renovation costs associated with Phase 1 child care expansion sites named in Appendix 1, in an amount determined in accordance with provincial infrastructure guidelines which amount shall not exceed an average cost of \$10,000.00 per child care space and provided that the total Best Start Funds payable under all four agreements shall not exceed \$89.08 million, such agreements to be on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor;
- (3) the agreements noted in Recommendation 2 provide funding for Phase 2 child care sites listed in Appendix 1 of up to \$10,000.00 per site to support feasibility and design costs;
- (4) the agreements with the Toronto District School Board and

Toronto Catholic District School Board include funds previously approved by Council for capital project development funding;

- (5) the General Manager, Children's Services Division provide status reports twice annually detailing the status of construction and/or renovation of new licensed child care spaces;
  - (6) \$18.5125 million from the 2005 Children's Services Capital Budget be transferred to the 2005 Children's Services Operating budget;
  - (7) in order to maximize the value of capital funding under Best Start, the City advocate with the Province to extend the deadlines for spending Best Start capital beyond March 31, 2006;
  - (8) the General Manager, Children's Services Division report on strategies to address the occupancy costs for child care centres in schools;
  - (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.';
- (2) the proposed Best Start Transition Infrastructure Plan be further shaped by the learnings of the Toronto First Duty project to ensure that early learning and care environments are well integrated and seamless, take full advantage of opportunities to share space and resources, and enhance program quality and parent participation through the development of an integrated education program and curriculum that would be planned and delivered by an early childhood teaching team, which would include teachers, Early Childhood Educators (ECE), and parenting workers;
  - (3) the Toronto Best Start Network contain representation from the Toronto First Duty research and development team;
  - (4) top priority be given to integrating new Best Start spaces with existing school spaces to facilitate early childhood program integration and maximize capital resources;
  - (5) the General Manager, Children's Services be requested to report to the Community Services Committee, in February 2006, on:
    - (i) how the Best Start initiative can best incorporate First Duty program

directions; and

- (ii) the form by which the City will remain involved with the First Duty prototype at Bruce School, which is funded until 2008 through the Atkinson Charitable Foundation; and
- (6) the General Manager, Children's Services Division be requested to meet with Rabbi Joseph Saltzman of the Canadian Jewish Russian Community, as soon as possible, to determine if the City can assist that community in benefiting from the Best Start program."

**10.42 Community Services Committee Report 8, Clause 8, headed "Update and Funding Recommendations Regarding the Federal Supporting Communities Partnership Initiative (SCPI), 2003-2007".**

*Motion:*

Councillor Shiner moved that the Clause be amended by deleting the recommendation of the Community Services Committee and adopting the following instead:

"That:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 28, 2005) from the General Manager, Shelter, Support and Housing Administration; and
- (2) the General Manager, Shelter, Support and Housing Administration be requested to:
  - (a) report to the November 8, 2005 meeting of the Community Services Committee providing additional detail on the initiatives set out in the report; and
  - (b) report to the Community Services Committee early in 2006 on the specific initiatives funded."

*Votes:*

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

**10.43 Community Services Committee Report 8, Clause 9, headed "One-Time Allocations of 2005 City of Toronto Homeless Initiatives Fund and Off the Streets into Shelter Funds".**

*Motion:*

Councillor Shiner moved that the Clause be amended by deleting the recommendation of the Community Services Committee and adopting the following instead:

“That:

- (1) City Council adopt the staff recommendations contained in the Recommendations Section of the report (September 27, 2005) from the General Manager, Shelter, Support and Housing Administration; and
- (2) the General Manager, Shelter, Support and Housing Administration be requested to:
  - (a) report to the November 8, 2005 meeting of the Community Services Committee providing additional detail on the initiatives set out in the report; and
  - (b) report to the Community Services Committee early in 2006 on the specific initiatives funded.”

*Votes:*

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

**10.44 Toronto and East York Community Council Report 8, Clause 35, headed “Part Lot Control Application - 75 Logan Avenue (Ward 30 - Toronto-Danforth)”.**

The Clause was submitted without recommendation.

*Motion:*

Councillor Fletcher moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (September 26, 2005) from the Director, Community Planning, Toronto and East York District, as contained in the Clause.

*Votes:*

The motion by Councillor Fletcher carried.

The Clause, as amended, carried.

**10.45 Toronto and East York Community Council Report 8, Clause 36, headed “Part Lot**

**Control Application - 78 Logan Avenue (Ward 30 - Toronto-Danforth)”.**

The Clause was submitted without recommendation.

*Motion:*

Councillor Fletcher moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (September 26, 2005) from the Director, Community Planning, Toronto and East York District, as contained in the Clause.

*Votes:*

The motion by Councillor Fletcher carried.

The Clause, as amended, carried.

**10.46 Economic Development and Parks Committee Report 9, Clause 6, headed “Request for Proposal (RFP) 0613-05-0166 Operation of Snack and Hot Drink Vending (All Wards)”.**

*Motion:*

Mayor Miller, with the permission of Council, moved that the Clause be amended in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (October 24, 2005) from the General Manager, Parks, Forestry and Recreation:

“It is recommended that:

- (1) the agreement to be entered into between the City and the successful proponent provide that the exclusive rights granted to the proponent shall be subject to the rights of seniors groups and local community groups to sell or provide hot beverages and snacks or baked goods as part of small scale local fund-raising efforts on an occasional basis; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

*Votes:*

The motion by Mayor Miller carried.

Adoption of the Clause, as amended, as it pertains to Recommendation (1) contained in the report (September 26, 2005) from the Treasurer and the General Manager, Parks, Forestry and Recreation:

Yes - 24
Mayor:                      Miller



Councillors:	Altobello, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fillion, Giambrone, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Nunziata, Ootes, Palacio, Pantalone, Rae, Soknacki, Walker
No - 14	
Councillors:	Cho, Chow, Del Grande, Feldman, Fletcher, Ford, Li Preti, Mammoliti, Pitfield, Saundercook, Shiner, Stintz, Thompson, Watson

Carried by a majority of 10.

The balance of the Clause, as amended, carried.

**10.47 Toronto and East York Community Council Report 8, Clause 14, headed “Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 177 Marion Street (Ward 14 - Parkdale-High Park)”.**

*Vote:*

Adoption of the Clause, without amendment:

Yes - 20	
Mayor:	Miller
Councillors:	Carroll, Davis, De Baeremaeker, Di Giorgio, Ford, Hall, Jenkins, Li Preti, Mihevc, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 16	
Councillors:	Altobello, Augimeri, Cho, Chow, Cowbourne, Del Grande, Feldman, Fillion, Fletcher, Giambrone, Holyday, Lindsay Luby, Mammoliti, McConnell, Moscoe, Thompson

Carried by a majority of 4.

**10.48 Etobicoke York Community Council Report 8, Clause 5, headed “Request for an Exemption to the Former City of Toronto Municipal Code to Permit Front Yard Parking on 161 Pacific Avenue (Ward 13 Parkdale High Park)”.**

*Vote:*

Adoption of the Clause, without amendment:

Yes - 25	
Mayor:	Miller

Councillors:	Augimeri, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Feldman, Ford, Hall, Jenkins, Li Preti, Mammoliti, Mihevc, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 12	Councillors: Altobello, Chow, Cowbourne, Del Grande, Filion, Fletcher, Giambrone, Holyday, Lindsay Luby, McConnell, Moscoe, Thompson

Carried by a majority of 13.

**10.49 Policy and Finance Committee Report 9, Clause 26, headed “Participation by the City of Toronto in the Affordable Housing Program”.**

*Motion:*

Councillor Pitfield moved that the Clause be amended by adding the following:

“That:

- (1) Council request staff of the City’s Affordable Housing Office to continue to meet with Mr. Harry Klaczkowki, the owner of 2 Gladstone Avenue, and Mr. Michael O’Gorman, the owner of 423/427 Dundas Street West, to review future opportunities to secure affordable housing funding for these sites and other sites they own; and
- (2) Council support the efforts of the aboriginal community and of Nishawbe Homes to develop affordable housing for vulnerable aboriginal people in Toronto, and request Canada Mortgage and Housing Corporation to give priority to providing project development seed funding for future aboriginal housing proposals.”

*Votes:*

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

**10.50 Toronto and East York Community Council Report 8, Clause 1, headed “Requests for Endorsement of Events for Liquor Licensing Purposes (Ward 20 - Trinity-Spadina)”.**

*Motion:*

Councillor Davis moved that the Clause be amended by amending the recommendation of the

Toronto and East York Community Council by:

- (1) deleting the words “the north side of” and inserting instead the words “both sides of”; and
- (2) deleting the words “November 13, 2005 between 12:00 p.m. and 4:00 p.m., or”,

so that the recommendation of the Toronto and East York Community Council, as amended by Council, now reads as follows:

“The Toronto and East York Community Council recommends that City Council, for liquor licence purposes, declare the Argo Streetfest taking place on November 20, 2005, between 12:00 p.m. and 4:00 p.m., on both sides of Bremner Boulevard between Van de Water Crescent and Rees Street, to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to it taking place.”

*Votes:*

The motion by Councillor Davis carried.

The Clause, as amended, carried.

**10.51 North York Community Council Report 8, Clause 23, headed “Information Report - Ontario Municipal Board Decision - Applications for Official Plan Amendment - Zoning By-law and Plan of Subdivision - Elderbrook Developments Ltd. - Northwest corner of Finch Avenue West and York Gate Boulevard (Ward 8 - York West)”.**

*Motion:*

Councillor Li Preti moved that the Clause be received.

*Vote on Receipt:*

The motion by Councillor Li Preti carried.

Mayor Miller in the Chair.

**10.52 Administration Committee Report 6, Clause 3b, headed “Council Resolution on Support for Undocumented Workers”.**

**October 28, 2005:**

*Motions:*

- (a) Councillor Kelly moved that the Clause be amended by deleting the recommendation of the Administration Committee, and that Council adopt the following recommendation contained in the staff report:

“It is recommended that this report be received for information.”

- (b) Councillor Palacio moved that the Clause be amended by adding the following:

“That Council:

- (1) re-affirm its support towards undocumented workers, and again request the Federal Minister of Citizenship and Immigration to recognize undocumented workers to be essential to the Toronto and Canadian economy and, therefore, to consider normalizing their legal status with ‘working permits’ before the next federal election; and
- (2) again request the federal opposition parties to urge the Minister of Citizenship and Immigration to urgently bring forward a long-term resolution to this long standing issue.”

**October 31, 2005:**

Deputy Mayor Bussin in the Chair.

*Votes:*

Adoption of motion (a) by Councillor Kelly:

Yes - 6	
Councillors:	Del Grande, Ford, Holyday, Kelly, Milczyn, Thompson
No - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Hall, Jenkins, Mammoliti, Mihevc, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Walker, Watson

Lost by a majority of 18.

Adoption of motion (b) by Councillor Palacio:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Ford, Giambrone, Hall, Jenkins, Kelly, Mammoliti, Mihevc, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook,

Thompson, Walker, Watson	
No - 3	
Councillors:	Del Grande, Holyday, Milczyn

Carried by a majority of 24.

Adoption of the Clause, as amended:

Yes - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Hall, Jenkins, Mammoliti, Mihevc, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker
No - 6	
Councillors:	Del Grande, Ford, Holyday, Kelly, Milczyn, Watson

Carried by a majority of 18.

Mayor Miller in the Chair.

**10.53 Policy and Finance Committee Report 9, Clause 6, headed “Toronto Strong Neighbourhoods Strategy”.**

*Motions:*

- (a) Councillor Thompson moved that the Clause be amended by further amending the staff recommendations contained in the Recommendations Section of the report (October 5, 2005) from Deputy City Manager, Sue Corke, as amended by the Policy and Finance Committee, by adding the following new Recommendation (1)(d):

“(1)(d) the Deputy City Manager be requested to investigate and report to the Policy and Finance Committee on how the City can take advantage of opportunities by entering into innovative partnerships or agreements with community organizations to access much needed recreational/cultural/community space in high needs neighbourhoods; and that this review include the option of the waiving of building permit application fees similar to that which is being proposed for new office, hotel and industrial developments in the ‘Enhancing Toronto’s Business Climate - It’s Everybody’s Business’ report;”.

- (b) Councillor Shiner moved that the Clause be amended by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to report further to the Policy and Finance Committee, through the Community Services Committee, on:

- (i) how these projects are to be financed;
  - (ii) how much funding is projected to be spent annually over 5 and 10 year periods; and
  - (iii) how these projects will take priority over other infrastructure projects.”
- (c) Councillor Pitfield moved that the Clause be amended by further amending the staff recommendations contained in the Recommendations Section of the report (October 5, 2005) from Deputy City Manager, Sue Corke, as amended by the Policy and Finance Committee, by inserting in Recommendation (4) the words “and the private sector, as appropriate”, after the words “inter-sectoral partners”, so that Recommendation (4) now reads as follows:

“(4) the City begin working with inter-sectoral partners and the private sector, as appropriate, to determine the composition and mandate of the Neighbourhoods Investment Board and request the Deputy City Manager to submit a report to the Community Services Committee meeting scheduled to be held on January 12, 2006 on a proposed Terms of Reference for that Board;”.

- (d) Councillor Nunziata moved that the Clause be amended by adding the following:

“That a copy of this Clause be forwarded to the Budget Advisory Committee with a request that the recommendations of the Toronto Strong Neighbourhoods Strategy be given priority consideration in the 2006 budget process.”

*Votes:*

Adoption of motion (a) by Councillor Thompson:

Yes - 33	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of motion (c) by Councillor Pitfield:

Yes - 33
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 0

Carried, without dissent.

Adoption of motion (b) by Councillor Shiner:

Yes - 33
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 0

Carried, without dissent.

Adoption of motion (d) by Councillor Nunziata:

Yes - 32
Mayor: Miller
Councillors: Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 2
Councillors: Ashton, Holyday

Carried by a majority of 30.

Adoption of the Clause, as amended:

Yes - 34	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

*Summary:*

In summary, Council amended this Clause by:

- (1) further amending the staff recommendations contained in the Recommendations Section of the report (October 5, 2005) from Deputy City Manager, Sue Corke, as amended by the Policy and Finance Committee, by:
  - (a) adding the following new Recommendation (1)(d):
    - “(1)(d) the Deputy City Manager be requested to investigate and report to the Policy and Finance Committee on how the City can take advantage of opportunities by entering into innovative partnerships or agreements with community organizations to access much needed recreational/cultural/community space in high needs neighbourhoods; and that this review include the option of the waiving of building permit application fees similar to that which is being proposed for new office, hotel and industrial developments in the ‘Enhancing Toronto’s Business Climate - It’s Everybody’s Business’ report;”; and
  - (b) amending Recommendation (4) by inserting the words “and the private sector, as appropriate”, after the words “inter-sectoral partners”, so that Recommendation (4) now reads as follows:
    - “(4) the City begin working with inter-sectoral partners and the private sector, as appropriate, to determine the composition and mandate of the Neighbourhoods Investment Board and request the Deputy City Manager to submit a report to the Community Services Committee meeting scheduled to be held on January 12, 2006 on a proposed



Terms of Reference for that Board;”; and

(2) adding the following:

“That:

- (a) the Deputy City Manager and Chief Financial Officer be requested to report further to the Policy and Finance Committee, through the Community Services Committee, on:
  - (i) how these projects are to be financed;
  - (ii) how much funding is projected to be spent annually over 5 and 10 year periods; and
  - (iii) how these projects will take priority over other infrastructure projects; and
- (b) a copy of this Clause be forwarded to the Budget Advisory Committee with a request that the recommendations of the Toronto Strong Neighbourhoods Strategy be given priority consideration in the 2006 budget process.”

**10.54 Policy and Finance Committee Report 9, Clause 10, headed “2006 Election Contribution Rebate Program”.**

*Motions:*

- (a) Councillor Carroll moved that the Clause be amended to provide that for the 2006 Election Contribution Rebate Program:
  - (1) Corporations and Trade Unions be deemed ineligible to receive contribution rebates for donations to candidates; and
  - (2) in-kind contributions are ineligible to receive contribution rebates.

Deputy Mayor Pantalone in the Chair.

*Ruling by Deputy Mayor:*

Deputy Mayor Pantalone ruled that questions of staff must be related specifically to the Rebate Program and cannot be about the election process in general.

Councillor Ootes challenged the ruling of the Deputy Mayor.

*Vote to Uphold Ruling of Deputy Mayor:*

Yes - 18	
Councillors:	Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Jenkins, Kelly, McConnell, Moscoe, Pantalone, Rae, Thompson
No - 15	
Councillors:	Ashton, Del Grande, Feldman, Ford, Holyday, Li Preti, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Pitfield, Shiner, Walker, Watson

Carried by a majority of 3.

Mayor Miller in the Chair.

- (b) Councillor Walker moved that the Clause be amended to provide that for the 2006 Election Contribution Rebate Program, as provided for by subsection (82)(5) of the *Municipal Elections Act, 1996*, the campaign surpluses of candidates participating in the program become the property of the City of Toronto as a condition of their participation in the Rebate Program.
- (c) Councillor Holyday moved that the Clause be amended to provide that for the 2006 Election Contribution Rebate Program, contribution rebates be limited to taxpayers and residents of the City of Toronto.

*Votes:*

Adoption of Part (1) of motion (a) by Councillor Carroll:

Yes - 31	
Mayor:	Miller
Councillors:	Carroll, Chow, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 6	
Councillors:	Ashton, Augimeri, Bussin, Di Giorgio, Kelly, Moscoe

Carried by a majority of 25.

Adoption of Part (2) of motion (a) by Councillor Carroll:

Yes - 24 Mayor: Miller Councillors: Carroll, Chow, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Holyday, Jenkins, Kelly, McConnell, Milczyn, Ootes, Palacio, Pantalone, Pitfield, Shiner, Soknacki, Stintz, Thompson, Walker
No - 13 Councillors: Ashton, Augimeri, Bussin, Davis, Di Giorgio, Hall, Li Preti, Mihevc, Moscoe, Nunziata, Rae, Saundercook, Watson

Carried by a majority of 11.

Adoption of motion (b) by Councillor Walker:

Yes - 24 Mayor: Miller Councillors: Ashton, Carroll, Chow, Davis, De Baeremaeker, Del Grande, Feldman, Fletcher, Ford, Holyday, Jenkins, Kelly, McConnell, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 13 Councillors: Augimeri, Bussin, Di Giorgio, Filion, Giambrone, Hall, Li Preti, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae

Carried by a majority of 11.

Adoption of motion (c) by Councillor Holyday:

Yes - 16 Councillors: Carroll, Davis, Del Grande, Fletcher, Ford, Holyday, Jenkins, Ootes, Palacio, Pantalone, Pitfield, Rae, Shiner, Soknacki, Walker, Watson
No - 21 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Chow, De Baeremaeker, Di Giorgio, Feldman, Filion, Giambrone, Hall, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Saundercook, Stintz, Thompson

Lost by a majority of 5.

Adoption of the Clause, as amended:

Yes - 32	
Mayor:	Miller
Councillors:	Ashton, Carroll, Chow, Davis, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 5	
Councillors:	Augimeri, Bussin, Di Giorgio, Moscoe, Shiner

Carried by a majority of 27.

*Summary:*

In summary, Council amended this Clause to provide that for the 2006 Election Contribution Rebate Program:

- (1) Corporations and Trade Unions be deemed ineligible to receive contribution rebates for donations to candidates;
- (2) in-kind contributions are ineligible to receive contribution rebates; and
- (3) as provided for by subsection (82)(5) of the *Municipal Elections Act, 1996*, the campaign surpluses of candidates participating in the program become the property of the City of Toronto as a condition of their participation in the Rebate Program.

**10.55 Etobicoke Community Council Report 8, Clause 11, headed “Request for Traffic Calming Poll of Residents on Wyndale Drive (Ward 12 - York South-Weston)”.**

*Motion:*

Councillor Ford moved that the Clause be received.

*Votes:*

Adoption of the motion by Councillor Ford:

Yes - 6 Councillors:	Augimeri, Del Grande, Fletcher, Ford, Holyday, Kelly
No - 29 Mayor: Councillors:	Miller Ashton, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Giambrone, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson

Lost by a majority of 23.

Adoption of the Clause, without amendment:

Yes - 28 Mayor: Councillors:	Miller Ashton, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Jenkins, Kelly, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 6 Councillors:	Augimeri, Del Grande, Ford, Giambrone, Holyday, Li Preti

Carried by a majority of 22.

**10.56 Toronto and East York Community Council Report 8, Clause 37, headed “Speed Hump Poll Results - Humewood Drive, between Valewood Avenue and Vaughan Road (Ward 21 - St. Paul’s)”.**

*Motion:*

Councillor Ford moved that the Clause be received.

*Votes:*

Adoption of the motion by Councillor Ford:

Yes - 9	
Councillors:	Ashton, Augimeri, Bussin, Del Grande, Ford, Giambrone, Holyday, Kelly, Pitfield
No - 26	
Mayor:	Miller
Councillors:	Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson

Lost by a majority of 17.

Adoption of the Clause, without amendment:

Yes - 27	
Mayor:	Miller
Councillors:	Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Rae, Saundercook, Soknacki, Thompson, Walker, Watson
No - 8	
Councillors:	Ashton, Augimeri, Del Grande, Ford, Holyday, Pitfield, Shiner, Stintz

Carried by a majority of 19.

- 10.57 **Policy and Finance Committee Report 9, Clause 11, headed “Former CN Leaside Spur Line Lands Acquired by the City - Lands Located on the East Side of Leslie Street, Between Eglinton Avenue East and York Mills Road - Applying New Market Rental Rate to the Licence Agreement Between the City and Sun Canadian Pipe Line Company Limited (“Sun Canadian”) (Ward 25 - Don Valley West)”.**

*Motion:*

Councillor Jenkins moved that the Clause be amended by amending Recommendation (2) of the Policy and Finance Committee to now read as follows:

- “(2) the General Manager of Parks, Forestry and Recreation be requested to report to the Economic Development and Parks Committee on the status of the integration of the subject lands into the City’s bicycle path network.”

*Votes:*

The motion by Councillor Jenkins carried.

The Clause, as amended, carried.

**10.58 Policy and Finance Committee Report 9, Clause 27, headed “Affordable Housing Program, Wychwood Green/Arts Barns Project (Ward 21 - St. Paul’s)”.**

*Motion:*

Councillor Pitfield moved that the Clause be amended by deleting from Recommendation (6) of the Affordable Housing Committee, the word “considered” and inserting instead the word “taken”, so that Recommendation (6) now reads as follows:

“(6) Council reaffirm the existing policy that applicants for this particular project be taken in priority sequence from the Social Housing Connection waiting list.”

*Votes:*

Adoption of the motion by Councillor Pitfield:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Holyday, Milczyn

Carried by a majority of 33.

Adoption of the Clause, as amended:

Yes - 31	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Watson
No - 7	
Councillors:	Del Grande, Holyday, Kelly, Nunziata, Ootes, Soknacki, Walker

Carried by a majority of 24.

**10.59 Policy and Finance Committee Report 9, Clause 28, headed “Priorities for Toronto’s Share of the Unallocated Additional \$1.6 Billion Federal Funding for Affordable Housing”.**

*Motions:*

- (a) Councillor Pitfield moved that Recommendation (3) of the Affordable Housing Committee be amended by adding to the words “and the Affordable Housing Office report to the Affordable Housing Committee on the percentage of funds to be dedicated to Aboriginal housing projects”, so that Recommendation (3) now reads as follows:

“(3) request the Federal Government to prioritize aboriginal housing and that a program be established to implement such priority, and the Affordable Housing Office report to the Affordable Housing Committee on the percentage of funds to be dedicated to Aboriginal housing projects.”

- (b) Councillor Chow moved that the Clause be amended by referring the following Recommendation (3)(d), contained in the report (September 29, 2005) from Deputy City Manager Sue Corke, back to the Affordable Housing Committee for consultation, in particular with the Toronto Community Housing Corporation:

“(3) Council affirm the priorities for the expenditure of additional federal funding for housing to be:

- (d) support for the repair of existing federally sponsored social housing;”.

*Votes:*

Adoption of motion (b) by Councillor Chow:



Yes - 36 Mayor: Miller Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 3 Councillors: Feldman, Fletcher, Shiner

Carried by a majority of 33.

Motion (a) by Councillor Pitfield was not put to a vote.

The Clause, as amended, carried.

**10.60 Policy and Finance Committee Report 9, Clause 29, headed “Funding for and Purchase of 110 Edward Street for Affordable and Supportive Housing Purposes (Ward 27)”.**

*Motions:*

- (a) Councillor Holyday moved that the Clause be amended by deleting all instances of the words “affordable housing”, and inserting instead the words “subsidized housing”.
- (b) Councillor Rae moved that the Clause be amended by amending Recommendation (6) contained in the report (October 5, 2005) from the General Manager, Shelter, Support and Housing Administration, to now read as follows:

“(6) due to the enhanced funding model recently approved by the Federal Government and the Province of Ontario, Recommendations (1) to (5) above, be adopted in place of the funding recommendations regarding 110 Edward Street contained in Policy and Finance Committee Report 7, Clause 44, headed ‘Municipal, Provincial and Federal Funding for Six Affordable Rental Housing Projects under the Affordable Housing Program - Community Rental Housing Funding Pilot Project Component (Wards 7, 27, 28, 31 and 32)’, which was adopted by City Council on July 19, 20, 21 and 26, 2005, in order to enable the enhanced funding to be allocated;”.

*Ruling by Mayor:*

Mayor Miller ruled motion (a) by Councillor Holyday out of order as this project is part of the Canada-Ontario Affordable Housing Program.

*Votes:*

Motion (b) by Councillor Rae carried.

Adoption of the Clause, as amended:

Yes - 32	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Jenkins, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson
No - 4	
Councillors:	Del Grande, Holyday, Nunziata, Ootes

Carried by a majority of 28.

Deputy Mayor Feldman in the Chair.

#### 10.61 **IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE**

##### **October 26, 2005:**

*Procedural Motion:*

Councillor Moscoe moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matter on the Order Paper for this meeting of Council, in accordance with the provisions of the *Municipal Act, 2001*:

- Policy and Finance Committee Report 9, Clause 34, headed "Update on Status of Discussions with Toronto Port Authority Concerning Payments in Lieu of Taxes", as the Clause contains information pertaining to litigation or potential litigation.

*Vote:*

The motion by Councillor Moscoe carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:57 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the *Municipal Act, 2001*.

Committee of the Whole rose, reconvened as Council at 7:29 p.m., and met in public session in the Council Chamber.

Deputy Mayor Feldman took the Chair and called the Members to order.

**10.62 Policy and Finance Committee Report 9, Clause 34, headed “Update on Status of Discussions with Toronto Port Authority Concerning Payments in Lieu of Taxes”.**

*Report of the Committee of the Whole:*

Deputy Mayor Feldman, in accordance with the provisions of the *Municipal Act, 2001*, reported that Committee of the Whole had not concluded its consideration of this Clause.

*Disposition:*

As Council did not conclude its consideration of this Clause prior to the end of the meeting, consideration of the Clause was postponed to the special meeting of City Council on November 24, 2005.

**MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION**

Mayor Miller in the Chair.

**10.63 F(1) Removal of Thursday Parking Prohibition - St. Clarens Avenue, between College Street and Bloor Street West (Davenport, Ward 18)**

Councillor Giambrone, with the permission of Council, withdrew the following Motion:

**Moved by: Councillor Giambrone**

**Seconded by: Councillor Carroll**

“**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, adopted, as amended, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, and in so doing, approved the implementation of a trial program to institute a system of alternate side parking, to take place on each Thursday of each week, from April 1 to November 30, 2005, on a number of streets within the area bounded by Bloor Street West, CN rail corridor, College Street and Dufferin Street in Ward 18; and

**WHEREAS** the residents of St. Clarens Avenue, between College Street and Bloor Street West, are not supportive of this project and have requested that this program be suspended on their individual street;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 36, headed ‘Thursday Parking Prohibitions Enhance Mechanical Street Sweeping Operations - Area bounded by Bloor Street West to the north, CN Rail Corridor to the west, College Street to the south and Dufferin Street to the east (Davenport, Ward 18)’, be re-opened for further consideration, only as it pertains to St. Clarens Avenue, between College Street and Bloor Street West;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) the alternative side parking prohibition in effect each Thursday, from April 1st to November 30th, 2005, on St. Clarens Avenue, between College Street and Bloor Street West, be rescinded;
- (2) the on-street disabled persons parking spaces on St. Clarens Avenue, between College Street and Bloor Street West, which operate on an alternate side basis on each Thursday, from April 1st to November 30th, 2005, be rescinded; and
- (3) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.”

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion F(1), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

Mayor Miller called on the following Motion appearing on the Order Paper:

**Moved by:**                    **Councillor Stintz**

**Seconded by:**            **Councillor Saundercook**

“**WHEREAS** City Council at its meeting on May 17, 18 and 19, 2005, by its adoption, without amendment, of Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, amended the Toronto Municipal Code, Chapter 545, by adopting several new provisions relative to the licensing of livery vehicles in the City of Toronto; and

**WHEREAS** the new licensing provisions relative to the livery industry are intended, in part, to bring unlicensed limousine activity under the regulatory umbrella; and

**WHEREAS** the new sedan vehicle/stretch vehicle ratio provisions are designed as a method of ensuring that new companies coming under the regulatory umbrella are legitimate, full-service limousine companies; and

**WHEREAS** the new provisions are not intended to impact negatively on the business operations of existing limousine companies already operating legally within the current Municipal Code provisions;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Report 4, Clause 1, headed ‘Licensing of Livery Vehicles in the City of Toronto’, be re-opened for further consideration, only as it pertains to the ratio of sedan vehicles to stretch vehicles required to obtain a limousine service company licence for existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law;

**AND BE IT FURTHER RESOLVED THAT** City Council consider amending Chapter 545, Licensing, so that existing limousine companies, who held three or more valid livery owner’s licences at the time of the passing of the by-law, be exempt from the sedan vehicle/stretch vehicle ratio as it pertains to their existing fleet of vehicles, other than meeting the minimum licence requirement of at least one stretch vehicle, and the sedan vehicle/stretch vehicle ratio apply to these companies on a go-forward basis as they increase the size of their existing fleets;

**AND BE IT FURTHER RESOLVED THAT** the Planning and Transportation Committee hold a public meeting to consider this matter and that notice of the meeting be given, as required by the *Municipal Act, 2001*, and Chapter 162, Notice, Public.”

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion I(1), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Votes:*

The first Operative Paragraph contained in Motion I(1) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion I(1) was adopted, without amendment.

**10.65 J(1) Election Campaign Finance Reform****October 27, 2005:**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Walker

**Seconded by:** Councillor Jenkins

**“WHEREAS** Premier Dalton McGuinty campaigned in 2003 on a promise of bringing in democratic renewal for Ontario and created a ministerial portfolio for this purpose; and

**WHEREAS** the influence of money in government may be corrosive and corruptive, as evidenced in so many recent scandals in all three levels of government; and

**WHEREAS** the public is becoming extremely cynical of government, in response to continuing scandals in government; and

**WHEREAS** confidence in public officials has been eroding steadily over the past decade; and

**WHEREAS** during its meeting of September 28 to October 1, 2004, City Council, adopted, as amended, Policy and Finance Committee Report 7, Clause 3, headed ‘Toronto Election Finance Review Task Force Recommendations’, and, in so doing, approved an Election Finance Reform package for City of Toronto elections which was then forwarded to the Provincial government to pass enabling amendments to the *Municipal Elections Act*; and

**WHEREAS** Mayor David Miller and Councillor Michael Walker met with the Honourable John Gerretsen, Minister of Municipal Affairs, on April 21, 2005, regarding the urgent approval of changes to the *Municipal Elections Act* to enable the City of Toronto to pass by-laws on Election Finance Reform for the 2006 municipal election; and

**WHEREAS** it was discussed at the meeting with Minister Gerretsen that any enabling provincial legislation would be permissive and allow any municipality in Ontario to pass similar by-laws regarding their own election process; and

**WHEREAS** doing business with government involves huge amounts of money and profits to the private sector (i.e. – planning approvals; leasing contracts (MFP); union contracts); and

**WHEREAS** the purpose of Election Finance Reform during election time is to remove the inordinate influence of corporate and union donations on incumbents and challengers alike; and

**WHEREAS**, if changes to the *Municipal Elections Act* are not made now, it is probable that the momentum for these reforms will be lost and no Election Finance Reform will be implemented for the foreseeable future;

**NOW THEREFORE BE IT RESOLVED THAT** City Council reaffirm its position of September 28 to October 1, 2004, on the need for strict changes to the *Municipal Elections Act* regarding Election Finance Reform;

**AND BE IT FURTHER RESOLVED THAT** City Council urgently request the Provincial Government to pass legislation early in its fall term of the Legislature to enable the changes requested by Toronto City Council regarding Election Finance Reform;

**AND BE IT FURTHER RESOLVED THAT** City Council strongly identify the need for timely passage of this legislation because City by-laws have to be passed by the end of 2005 for Election Finance Reform to take effect for the 2006 municipal election;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be directed to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(1) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(1), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no immediate financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1, Page 210)

*Procedural Vote:*

The vote to waive referral of Motion J(1) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

**October 31, 2005:**

*Vote:*

Adoption of Motion J(1), without amendment:

Yes - 29	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Hall, Holyday, Jenkins, Mammoliti, Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Thompson, Walker, Watson
No - 3	
Councillors:	Augimeri, Kelly, Moscoe

Carried by a majority of 26.

**10.66 J(2) Issuance of Debentures**

**October 26, 2005**



Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Mayor Miller**

**Seconded by: Councillor Soknacki**

**“WHEREAS** at its meeting held on February 3, 2005, City Council adopted By-law No. 69-2005, being a by-law to authorize agreements respecting the issue and sale of debentures; and

**WHEREAS** pursuant to By-law No. 69-2005, the Mayor and the Deputy City Manager and Chief Financial Officer, acting in his capacity as treasurer appointed under the *Municipal Act, 2001* (the ‘Treasurer’), are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year, for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$500,000,000.00 for the purposes of the City of Toronto, including the purposes of the former Municipality of Metropolitan Toronto; and

**WHEREAS** the Mayor and Treasurer have entered into an agreement dated October 17, 2005, for the issue and sale of debentures, and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

**WHEREAS** the *City of Toronto Act, 1997 (No. 2)*, subsection 102(6), requires Council to pass all necessary money by-laws in accordance with the said agreement and applicable legislation;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report (October 20, 2005) from the Deputy City Manager and Chief Financial Officer, regarding the issuance of debentures, and that the staff recommendations contained in the Recommendations Section of the report be adopted;

**AND BE IT FURTHER RESOLVED THAT** leave be granted for the introduction of the necessary Bills in Council to give effect to the issuance of debentures.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(2) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(2), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(2) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(2), a report (October 20, 2005) from the Deputy City Manager and Chief Financial Officer, entitled "Issuance of Debentures". (See Attachment 3, Page 188)

*Vote:*

Adoption of Motion J(2), without amendment:

Yes - 28	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Cowbourne, De Baeremaeker, Del Grande, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker, Watson
No - 1	
Councillor:	Ford

Carried by a majority of 27.

*Summary:*

In adopting Motion J(2), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (October 20, 2005) from the Deputy City Manager and Chief Financial Officer:

"It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on October 26, 2005, to give effect to the issuance of debentures as described in this report; and

- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”

10.67 **J(3) Extension of Free Parking for Canadian Veterans**

**October 27, 2005:**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion:

**Moved by: Councillor Walker**

**Seconded by: Councillor Palacio**

“**WHEREAS** at the Toronto City Council meeting of July 19, 20, 21 and 26, 2005, Council adopted a motion to allow free parking for Canadian Veterans for the duration of 2005; and

**WHEREAS** nearly three months later, the change has generated positive feedback from residents not only in St. Paul’s and Davenport, but across the City of Toronto as well as the Province of Ontario; and

**WHEREAS** the year 2005 was declared ‘Year of the Veteran’ by the Honourable Albina Guarnieri, Minister of Veterans Affairs, in honour of those who served this country and in recognition of the 60th anniversary of the end of the Second World War; and

**WHEREAS** the City has graciously demonstrated its support of Canadian Veterans and should further honour those who served and who continue to serve their Country by extending this recognition indefinitely;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(2), entitled ‘Free Parking for Canadian Veterans’, adopted, as amended, by City Council at its meeting on July 19, 20, 21 and 26, 2005, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** during permitted hours, all vehicles bearing a valid Ontario Veteran Licence Plate be exempted indefinitely from standard parking fees at all on street parking meters and parking machines, at parking machines and parking meters in municipally-operated parking facilities, and in municipally-operated parking facilities where attendants are stationed;

**AND BE IT FURTHER RESOLVED THAT** City Council request that the same indefinite exemption be adopted by the agencies, boards and commissions of the City which charge for parking by the public at their facilities.”,

the vote upon which was taken as follows:

Yes - 24	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Nunziata, Ootes, Pitfield, Stintz, Thompson, Walker, Watson
No - 11	
Councillors:	Bussin, Carroll, Del Grande, Di Giorgio, Feldman, Giambrone, Mihevc, Moscoe, Pantalone, Rae, Soknacki

Carried, more than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(3), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2, Page 211)

*Vote:*

Adoption of first Operative Paragraph contained in Motion J(3):

Yes - 25	
Mayor:	Miller
Councillors:	Altobello, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Ootes, Palacio, Pitfield, Thompson, Walker, Watson
No - 12	
Councillors:	Augimeri, Bussin, Carroll, Del Grande, Di Giorgio, Feldman, Giambrone, Kelly, Moscoe, Pantalone, Rae, Soknacki

Carried, more than two-thirds of Members present having voted in the affirmative.

**October 28, 2005:**

*Motion:*

Councillor Rae moved that the balance of Motion J(3) be referred to the Toronto Parking Authority, the Budget Advisory Committee and the Policy and Finance Committee for consideration.

*Vote:*

The motion by Councillor Rae carried.

*Summary:*

In summary, City Council re-opened Motion J(2), entitled “Free Parking for Canadian Veterans”, adopted, as amended, by City Council at its meeting on July 19, 20, 21 and 26, 2005, for further consideration, and referred the balance of Motion J(3) to the Toronto Parking Authority, the Budget Advisory Committee and the Policy and Finance Committee for consideration.

10.68 **J(4) Reading and Display of Motions at Council for Viewers at Home**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

**Moved by: Councillor Walker**

**Seconded by: Councillor Jenkins**

**“WHEREAS** each and every session of Toronto City Council is televised on Rogers Community Television for viewers at home; and

**WHEREAS** the vast majority of these viewers watch at home because they cannot attend the meeting in person at Toronto City Hall; and

**WHEREAS** these viewers have as much a right, as those who attend the meeting in person, to know what is being discussed, who is placing a motion, what the motion is, who is voting or not voting and whether they are voting in the affirmative or the negative; and

**WHEREAS** it used to be the customary practice that the Chair read all motions out loud, in order for all viewers to know what is being voted on; and

**WHEREAS** the public audience watching at home are not privy to hundreds of pages of printed agendas, Notices of Motions, as well as countless updates and distributed pages that Councillors are privileged to receive; and

**WHEREAS** the public audience, without this information, cannot possibly follow a three-day meeting where items are often held, discussed in camera, deferred, received, or sent back to Committee without any mention other than an agenda reference number;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider amending Chapter 27 of the City of Toronto Municipal Code (Council Procedures) to require the Chair or City Clerk to read aloud all motions being voted on for the viewing audience at home; that notice of a proposed amendment be given in accordance with Chapter 162, Notice, Public and Chapter 27, Council Procedures; and that this matter be considered by the Policy and Finance Committee;

**AND BE IT FURTHER RESOLVED THAT** all motions being voted on also be displayed on the television screen at the time they are being voted on.”,

the vote upon which was taken as follows:

Yes - 18	
Mayor:	Miller
Councillors:	Altobello, Carroll, Cho, Chow, Cowbourne, Davis, Hall, Holyday, Jenkins, McConnell, Nunziata, Ootes, Palacio, Pitfield, Thompson, Walker, Watson
No - 20	
Councillors:	Augimeri, Bussin, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Pantalone, Rae, Soknacki, Stintz

Lost, less than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(4), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Disposition:*

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on December 5, 2005.

10.69 **J(5) Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)**

Councillor Fletcher moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Fletcher**

**Seconded by: Councillor Davis**

**“WHEREAS** City Council, on September 28, 29 and 30, 2005, adopted Toronto and East York Community Council Report 7, Clause 52, headed ‘Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)’, without amendment, and in so doing, authorized appropriate staff to conduct a poll of eligible householders on Pape Avenue, between Dundas Street East and Gerrard Street East, to determine resident support for the proposed speed hump plan; and

**WHEREAS** the incorrect recommendations were included in this Clause which were subsequently adopted by City Council; and

**WHEREAS** it is necessary that City Council adopt the correct recommendations, in order to provide direction to staff;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 7, Clause 52, headed ‘Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the recommendations of the Toronto and East York Community Council be deleted and that Council adopt instead the following new recommendations:

‘It is recommended that:

- (1) appropriate staff be authorized to conduct a poll of eligible householders on Bain Avenue, between Broadview Avenue and Ingham Avenue, to determine resident support for the proposed speed hump plan, in accordance with the City of Toronto traffic calming policy; and public notice be given pursuant to the *Municipal Class Environmental Assessment Act* including Notice of Study Commencement to the Ministry of Environment, Fire Service, Emergency Medical Service and Toronto Police Service;
- (2) subject to favourable results of the poll;
  - (a) by-laws be prepared for the alteration of sections of the roadways on Bain Avenue, between Broadview Avenue and Ingham Avenue, for traffic calming purposes generally as shown on the attached print of Drawing No. 421F-8022 dated August 2005, and circulated to residents through the polling process;
  - (b) pursuant to the requirements of the *Municipal Class Environmental Assessment Act*, Notice of Completion be issued; and
  - (c) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Bain Avenue, between Broadview Avenue and Ingham Avenue, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.’ ”

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(5), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Votes:*

The first Operative Paragraph contained in Motion J(5) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(5) was adopted, without amendment.



Councillor Holyday requested that his opposition to Motion J(5) be noted in the Minutes of this meeting.

*Summary:*

In summary, City Council re-opened Toronto and East York Community Council Report 7, Clause 52, headed “Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)”, for further consideration, and adopted the balance of this Motion, without amendment.

10.70 **J(6) Maintaining Services at the East York Civic Centre**

Councillor Davis moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Davis**

**Seconded by: Councillor Altobello**

“**WHEREAS** Registry services are being removed from the East York Civic Centre as of November 1, 2005, and Access Toronto services will be removed early in the New Year; and

**WHEREAS** there has been no public consultation or decision-making process to determine support for these changes; and

**WHEREAS** Planning, Building Permits, and Parks and Recreation Services have already been removed from the East York Civic Centre; and

**WHEREAS** East York residents wish to protect the remaining counter services, restore lost services, and maintain the Civic Centre as an important municipal building for the community; and

**WHEREAS** Toronto City Council adopted ‘improving public services’ as a top priority for this term of Council; and

**WHEREAS** public information and assistance, provided by qualified Access Toronto staff at the East York Civic Centre, will be replaced by a wall telephone;

**NOW THEREFORE BE IT RESOLVED THAT** the planned service changes at the East York Civic Centre be stopped immediately, including any staffing moves and renovations to accommodate these changes, pending the reports requested below being considered by Council;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) the Chief Corporate Officer report to the November meeting of the Administration Committee on options for maintaining all the services currently being offered at the East York Civic Centre, including Access Toronto; and
- (2) the City Clerk report to the November meeting of the Administration Committee on options for maintaining all the services currently being offered at the East York Civic Centre by the City Clerk's Office, including Registry services;

**AND BE IT FURTHER RESOLVED THAT** such reports also summarize plans for future changes to Access Toronto and Registry in-person customer service at the other civic centres in Toronto.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(6) to the Administration Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(6), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 3, Page 212)

*Procedural Vote:*

The vote to waive referral of Motion J(6) to the Administration Committee was taken as follows:

Yes - 27	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Grimes, Jenkins, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Thompson, Walker, Watson
No - 12	
Councillors:	Ashton, Del Grande, Feldman, Giambrone, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Rae, Soknacki, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(6) was adopted, without amendment.

10.71 **J(7) Harmonized Permit Rates (All Wards)**

Councillor Augimeri moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion:

**Moved by: Councillor Augimeri**

**Seconded by: Councillor Mammoliti**

**“WHEREAS** the City of Toronto at its meeting of May 17, 18 and 19, 2005, adopted Economic Development and Parks Committee Report 5, Clause 2, headed ‘Harmonized Permit Rates (All Wards)’, which implemented harmonized rates for certain Recreation facilities across the City of Toronto; and

**WHEREAS** the Harmonization Policy is due to come into effect in January 2006; and

**WHEREAS** a number of community groups are not financially prepared to afford the new rates; and

**WHEREAS** the harmonization of permit fees is revenue neutral and, if the implementation were to be delayed, it would have no financial impact on the City of Toronto’s budget; and

**WHEREAS** there is currently no appeal process in place that provides due consideration for groups that cannot afford to pay; and

**WHEREAS** certain permits have already been assured for user groups for the 2006 year, with no fees attached;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Economic Development and Parks Committee Report 5, Clause 2, headed ‘Harmonized Permit Rates’, be re-opened for further consideration, only as it pertains to the implementation of the harmonized permit rates for January 2006;

**AND BE IT FURTHER RESOLVED THAT** the implementation of the harmonized rates be delayed for six months and instead be implemented in May of 2006;

**AND BE IT FURTHER RESOLVED THAT** the General Manager of Parks, Forestry and Recreation be requested to report to the January 16, 2006 meeting of the Economic Development and Parks Committee on a fee reduction process to give

consideration to groups that cannot afford the new harmonized rates, such report to outline policies and requirements to ensure fairness and transparency.”,

the vote upon which was taken as follows:

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Thompson, Walker, Watson
No - 7	
Councillors:	Del Grande, Hall, Holyday, Kelly, Lindsay Luby, Soknacki, Stintz

Carried, more than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(7), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 4, Page 213)

*Vote:*

The first Operative Paragraph contained in Motion J(7) carried, more than two-thirds of Members present having voted in the affirmative.

*Disposition:*

City Council re-opened Economic Development and Parks Committee Report 5, Clause 2, headed “Harmonized Permit Rates”, for further consideration, only as it pertains to the implementation of the harmonized permit rates for January 2006. Council did not conclude its consideration of the balance of Motion J(7) prior to the end of this meeting, so consideration of the balance of this Motion was postponed to the special meeting of City Council on November 24, 2005.

**10.72 J(8) Request to Toronto Police Services Board to Expand Strategic Traffic Enforcement Measures (STEM) Team**

Councillor Del Grande moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor Del Grande**

**Seconded by:**            **Councillor Thompson**

“**WHEREAS**, in 2002, the Toronto Police Service identified traffic safety as a Service Priority and responded by implementing the Traffic Enforcement Safety Team (TEST) pilot project; and

**WHEREAS** on April 1, 2003, to build on the success of the TEST initiative, the STEM team was created and a dedicated traffic enforcement unit of 11 officers was assigned; and

**WHEREAS** statistics presented to the Toronto Police Services Board on May 27, 2004, show that, during the first year after activation of the STEM team, fatal accidents fell by 26 percent - leading the Toronto Police Service to conclude that, ‘...enforcement programs, including initiatives such as STEM, have had a positive impact with respect to reducing the number of collisions involving traffic deaths...’; and

**WHEREAS** a lack of respect for traffic regulations on our residential streets continues to be among the most frequently fielded constituent calls in Scarborough and many residents feel that the only effective means to bring compliance with these regulations is through consistent, yet irregular enforcement; and

**WHEREAS** 42 Division currently has – on average – a maximum of three (3) Traffic Enforcement Officers active during each shift to patrol an area larger (geographically) than the City of Ottawa, resulting in delayed responses to public and Councillor requests for enforcement and minimal enforcement when it can be provided; and

**WHEREAS** the STEM team has proven that dedicated Traffic Enforcement Officers can greatly enhance public safety, can be revenue-neutral (or better) and improve the public’s faith that City Hall responds to their concerns;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request that the Toronto Police Services Board consider expanding the STEM team to include eleven (11) additional officers to be assigned permanently to the East District and, should they agree to this expansion, Council request that the Board direct the Toronto Police Service to adjust their 2006 budget submission accordingly.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(8) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(8), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 5, Page 214)

*Procedural Vote:*

The vote to waive referral of Motion J(8) to the Policy and Finance Committee was taken as follows:

Yes - 16	
Councillors:	Altobello, Ashton, Carroll, Davis, Del Grande, Feldman, Filion, Grimes, Jenkins, Kelly, McConnell, Nunziata, Ootes, Palacio, Thompson, Walker
No - 23	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Soknacki, Stintz, Watson

Lost, less than two-thirds of Members present having voted in the affirmative.

*Disposition:*

Due to the above decision of Council, Motion J(8) was referred to the Policy and Finance Committee.

#### 10.73 **J(9) Reinstatement of East-To-North Left Turn Prohibition – 1654 Queen Street East**

Councillor Moscoe, with the permission of Council, withdrew the following Notice of Motion:

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Mihevc

“**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, adopted Toronto and East York Community Council Report 5, Clause 55, headed, ‘Rescission of Turn Prohibitions – Driveway to 1654 Queen Street East (Beaches – East York, Ward 32)’, and in doing so, approved allowing eastbound motorists to turn left from the streetcar tracks on Queen Street East into the driveway to the LCBO store at that address; and

**WHEREAS** this left turn prohibition had originally been included as a condition of approval of the re-development of this site, at the request of the Toronto Transit Commission (TTC), to avoid increased delays to the very frequent streetcar services on this section of Queen Street East; and

**WHEREAS** the City staff report on this matter was based on a study that took place after the left turns had been prohibited, when the number of motorists observed making the left turn was reduced; and

**WHEREAS** TTC staff conducted a further delay study at this location in the afternoon peak period, after the left-turn prohibitions had been rescinded, and found 92 autos per hour making the east to north left-turn in to the LCBO store, resulting in delays to streetcars; and

**WHEREAS** the City study did not address the fact that seemingly ‘small’ delays at a single location contribute to the cumulative effect of numerous, highly-variable traffic-related delays along the entire length of streetcar routes which, in turn, cause gapping, bunching, overcrowding and extensive short-turning of streetcars; and

**WHEREAS** the first step in providing more attractive transit services in Toronto is to take steps at the development approval stage to ensure that service is not permitted to get any worse;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 55, headed ‘Rescission of Turn Prohibitions – Driveway to 1654 Queen Street East (Beaches – East York, Ward 32)’, be re opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council re-instate the east-to-north left-turn prohibition at 1654 Queen Street East, and that the necessary bill be introduced to give effect to this prohibition;

**AND BE IT FURTHER RESOLVED THAT** the General Manager, Transportation Services, be requested to develop and submit to the Works Committee, guidelines to be used by City staff when undertaking transportation analyses and recommendations, to ensure that the transit system is not negatively affected and, if possible, is enhanced.”

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(9), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement

Summary, Page 207)

Deputy Mayor Feldman in the Chair.

10.74 **J(10) Request for Approval of a Planning Study and Enactment of Two Interim Control By-laws for the Castlefield Caledonia Design and Décor District**

**October 26, 2005:**

Councillor Moscoe moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion, which carried:

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Di Giorgio**

**“WHEREAS** the City of Toronto will be undertaking an urban design charette for the Castlefield Caledonia Design and Décor District (CCDDD) which will examine how to develop a more cohesive urban design framework for the area; and

**WHEREAS** the Castlefield Caledonia Design and Décor District is zoned by both the North York Zoning By-law No. 7625 and the City of York By-law No. 1-83, which have differing permissions and regulations for retail stores in employment areas; and

**WHEREAS** the former City of North York Official Plan and the new City of Toronto Official Plan restrict large retail uses to major streets that form the boundary of employment areas; and

**WHEREAS** it is appropriate for the City to undertake a thorough review of the uses permitted and the size of uses in the CCDDD in terms of their compatibility, location, streetscape and transportation system impacts;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled ‘Proposed Planning Study and Interim Control By-law, Castlefield Caledonia Design and Décor District’, and that the staff recommendations contained in the Recommendations Section of the report be adopted;

**AND BE IT FURTHER RESOLVED THAT** City staff take the necessary action to give effect thereto, including the introduction of any necessary Bills in Council.”

Council had before it, during consideration of Motion J(10), a report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled “Proposed Planning Study and Interim Control By-law - Castlefield Caledonia Design and Décor



District - Ward 15 - Eglinton-Lawrence and Ward 12 York South-Weston".  
(See Attachment 4, Page 190)

*Vote:*

Motion J(10) was adopted, without amendment.

*Summary:*

In adopting Motion J(10), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division:

“It is recommended that:

- (1) Planning staff be directed to undertake a review and study of the zoning regulations and planning policies which apply to the area as shown in Attachment 1 and report back to Community Council within one year; and
- (2) pursuant to Section 38 of the *Planning Act*, City Council enact two Interim Control By-laws, Attachments 2 and 3, each for a one year period.”

Mayor Miller in the Chair.

**10.75 J(11) Request to Provincial Government to Extend Tuition Fee Freeze**

*Ruling by Mayor:*

Councillor Soknacki requested the Mayor to rule on whether this Motion was in order. Mayor Miller ruled that the motion was in order, as Council has set a precedent that it can make a request of the Mayor to communicate the concern of Council, even though matters are not within the jurisdiction of Council.

Councillor Soknacki challenged the ruling of the Mayor.

*Vote to Uphold Ruling of Mayor:*

Yes - 24	
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Jenkins, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Rae, Thompson, Walker, Watson
No - 14	
Mayor:	Miller

Councillors: Ashton, Del Grande, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Ootes, Pitfield, Soknacki, Stintz
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Carried by a majority of 10.

Councillor Augimeri moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

**Moved by: Councillor Augimeri**

**Seconded by: Councillor Giambrone**

**“WHEREAS** Premier Dalton McGuinty has announced that Ontario’s tuition fee freeze would not be extended beyond September 2006; and

**WHEREAS** tuition fees have been shown to be the most significant barrier to accessing post secondary education; and

**WHEREAS** increasing tuition fees will adversely affect the most marginalized people of Toronto to the greatest degree; and

**WHEREAS** recent studies have shown enrollment in post-secondary education by middle-income students has been depressed by increased tuition fees; and

**WHEREAS** a significant step in making all of Toronto’s communities safer is breaking the cycle of poverty through affordable and accessible post-secondary educational opportunities;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council endorse a fully-funded tuition fee freeze in the Province of Ontario until at least September 2008;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council request the Mayor to write a letter to Premier Dalton McGuinty, the Honourable Christopher Bentley (Minister of Training, Colleges and Universities) and Toronto-area Members of Provincial Parliament to request that the Provincial Government maintain a fully-funded tuition fee freeze until at least September 2008.”,

the vote upon which was taken as follows:

Yes - 25 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman,
---

	Filion, Giambrone, Jenkins, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Thompson, Walker, Watson
No - 13 Councillors:	Cowbourne, Fletcher, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Nunziata, Ootes, Palacio, Pitfield, Soknacki, Stintz

Lost, less than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(11), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Disposition:*

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on December 5, 2005.

**10.76 J(12) Use of Public Roads for Special Events**

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Pitfield**

**Seconded by: Councillor Carroll**

**“WHEREAS** the City of Toronto has numerous charity runs, walks, bikeathons and street festivals each year; and

**WHEREAS** each of the organizations that apply to the City for a permit for such an event are extremely worthwhile; and

**WHEREAS** each of the organizations use a different route for their event; and

**WHEREAS** closure of the City’s major roadways is difficult to communicate in advance and results in the need to find slower alternative routes;

**NOW THEREFORE BE IT RESOLVED THAT** Deputy City Manager Fareed Amin be requested to report to the Works Committee on:

- (1) a protocol for the use of public roads by charitable events/athletics that will minimize disruption; and
- (2) a protocol to provide greater public notice;

**AND BE IT FURTHER RESOLVED THAT** the Event Committee evaluate all requests for the use of public roads.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Works Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(12), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(12) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Ashton moved that Motion J(12) be amended by adding the following Part (3) to the first Operative Paragraph:

“(3) the issue of insurance;”.

*Votes:*

The motion by Councillor Ashton carried.

Motion J(12), as amended, carried.

*Summary:*

In summary, City Council amended Motion J(12) by adding the following Part (3) to the first Operative Paragraph:

“(3) the issue of insurance;”,

so that the first Operative Paragraph now reads as follows:

**“NOW THEREFORE BE IT RESOLVED THAT** Deputy City Manager Fareed Amin be requested to report to the Works Committee on:

- (1) a protocol for the use of public roads by charitable events/athletics that will minimize disruption;
- (2) a protocol to provide greater public notice; and
- (3) the issue of insurance;”.

**10.77 J(13) Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)**

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Chow**

**Seconded by: Councillor Rae**

**“WHEREAS** City Council on May 17, 18 and 19, 2005, considered Toronto and East York Community Council Report 4, Clause 49, headed ‘Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)’, and, in so doing, amended the staff recommendations in the Recommendations Section of the report (April 15, 2005) from the Director, Policy and Research, City Planning Division and adopted the following recommendations:

‘It is recommended that:

- (1) City Council identify the area shown in Attachment No. 1 of this report as the Queen Street West Heritage Conservation District Study Area; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and

**WHEREAS** City Council, at its meeting on June 14, 15 and 16, 2005, again considered the same staff report (April 15, 2005) from the Director, Policy and Research, City Planning Division contained in Toronto and East York Community

Council Report 5, Clause 15, and, in so doing, adopted this report without amendment, which recommended that:

- ‘(1) City Council pass a by-law pursuant to Part V of the *Ontario Heritage Act* identifying the area shown in Attachment No. 1 of this report as the Queen Street West Heritage Conservation District Study Area; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and

**WHEREAS** the appropriate action for Council to have taken in this matter was that taken at its earlier meeting on May 17, 18 and 19, 2005, and Council should now receive the Clause considered at its later meeting on June 14, 15 and 16, 2005;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 5, Clause 15, headed ‘Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the City Council receive Clause 15 of Toronto and East York Community Council Report 5.”

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(13), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Votes:*

Adoption of the first Operative Paragraph contained in Motion J(13):

Yes - 35	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Stintz, Thompson, Walker, Watson
No - 4	
Councillors:	Del Grande, Holyday, Kelly, Mammoliti

Carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(13) was adopted, without amendment.

*Summary:*

In summary, City Council re-opened Toronto and East York Community Council Report 5, Clause 15, headed “Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)”, for further consideration, and adopted the balance of Motion J(13), without amendment.

**10.78 J(14) Use of the Scarborough Flag by the Scarborough Pipe Band**

Councillor De Baeremaeker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor De Baeremaeker**

**Seconded by: Councillor Altobello**

“**WHEREAS** the Flag of the former City of Scarborough is a unique and identifiable symbol of the proud and rich heritage of the residents of the former City of Scarborough; and

**WHEREAS** the Flag of the former City of Scarborough, with its depiction of the Scarborough Bluffs and the deep blue water of Lake Ontario, is a well-known and popular local symbol of civic pride for the residents of the former City of Scarborough; and

**WHEREAS** the Scarborough Pipe Band, a volunteer not-for-profit organization, was established in 1959 in the Borough of Scarborough by residents of the Borough of Scarborough for the purpose of entertaining local residents at parades, festivals and community events and has a long and distinguished connection to the residents and the community of the former City of Scarborough; and

**WHEREAS** the Scarborough Pipe Band plays an important role in maintaining the standards and traditions of piping and drumming in the community of the former City of Scarborough; and

**WHEREAS** the Scarborough Pipe Band has played an important role in parades and community events in the former City of Scarborough, the new City of Toronto and throughout the Province of Ontario for 46 years; and

**WHEREAS** the Scarborough Pipe Band has requested the honour of promoting their unique and historical connection to the former City of Scarborough by incorporating the distinctive representation of the Scarborough Bluffs and Lake Ontario, as depicted on the Flag of the former City of Scarborough, on the crest, uniform and accoutrements of the Scarborough Pipe Band;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto authorize the Scarborough Pipe Band to use the Scarborough Flag as part of the pipe band's logo, coat of arms and other related promotional materials."

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(14) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(14), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(14) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Adoption of Motion J(14), without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Soknacki, Thompson, Walker, Watson
No - 4	
Councillors:	Di Giorgio, Feldman, Rae, Stintz

Carried by a majority of 31.



10.79 **J(15) UTAG (Uniting Toronto Against Guns: Safer Streets, Stronger Communities) Day of Remembrance and Action on Gun Violence in Toronto – November 13, 2005**

Councillor Stintz moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Stintz**

**Seconded by: Deputy Mayor Feldman**

**“WHEREAS** there have been 44 murders involving gun violence in the City of Toronto so far this year, compared to 27 gun-related homicides in 2004, and 13 gun-related homicides in 1998; and

**WHEREAS** it is of grave concern to the Members of Council and the citizens of our City that violent crimes using guns is on the rise, and all efforts to eliminate these violent acts should be encouraged and supported by every level of government; and

**WHEREAS** each level of government has an obligation to explore all possible options to prevent gun violence in our City, and to appropriately punish those convicted of gun-related offences; and

**WHEREAS** UTAG (Uniting Toronto Against Guns: Safer Streets, Stronger Communities) was formed by organizations and neighbourhood groups, business and political leaders, and prominent Torontonians concerned about the gun violence in Toronto; and

**WHEREAS**, in response to the increase in crimes involving guns in Toronto, a community rally will take place on November 13, 2005, at Yonge-Dundas Square, from 1:00 p.m. to 3:00 p.m., to address the systemic problems of violence and guns in our City and to demand tougher sentences for gun-related crimes;

**NOW THEREFORE BE IT RESOLVED THAT** City Council endorse the UTAG (Uniting Toronto Against Guns: Safer Streets, Stronger Communities) community rally taking place on November 13, 2005, at Yonge-Dundas Square, from 1:00 p.m. to 3:00 p.m., and encourage all Torontonians to attend this community rally to end gun violence in Toronto.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Policy and Finance Committee

would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(15), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 6, Page 215)

*Procedural Vote:*

The vote to waive referral of Motion J(15) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Adoption of Motion J(15), without amendment:

Yes - 38	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Filion

Carried by a majority of 37.

**10.80 J(16) Enforcing Municipal Licensing and Standards Notices – 1884 Davenport Road and 61 Pelham Park Gardens**

Councillor Palacio moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Palacio**

**Seconded by: Councillor Nunziata**

**“WHEREAS** in November and December 2004, Municipal Licensing and Standards (MLS) issued over 300 Notices of Violation and notices identifying deficiencies in the

Building Code to 1884 Davenport Road and 61 Pelham Park Gardens; and

**WHEREAS**, since that time, according to Municipal Licensing and Standards, only a handful of these Notices have been complied with, as tenants continue to live in completely unacceptable conditions; and

**WHEREAS** the Landlord has been given one year to comply with these outstanding issues and has failed to do so, to the detriment of the hundreds of residents who live in both buildings; and

**WHEREAS** the Notices Of Violation issued state that a follow-up inspection by Municipal Licensing and Standards will take place within three weeks to ensure compliance which, to date, has not occurred; and

**WHEREAS** the tenants and Tenants' Associations have a unanimous interest in seeing conditions improve and are frustrated by the lack of maintenance and lack of enforcement by City staff;

**NOW THEREFORE BE IT RESOLVED THAT** the Acting Executive Director, Municipal Licensing and Standards be instructed to urgently enforce, to the fullest extent permitted by the by-law and Council policy, all outstanding Notices, Orders and deficiencies identified by MLS at 1884 Davenport Road and 61 Pelham Park Gardens to date.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(16), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(16) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(16) was adopted, without amendment.

**10.81 J(17) Revised Maps for the Central Waterfront Secondary Plan 701003, Ward 19, Trinity-Spadina and Ward 29, Toronto-Danforth**

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor McConnell**

**Seconded by: Councillor Fletcher**

**“WHEREAS** City Council at its meeting on September 28, 29 and 30, 2005, by its adoption, without amendment, of Planning and Transportation Committee Report 8, Clause 2, headed ‘Proposed Partial Settlements of Appeals to the Central Waterfront Secondary Plan 701003 (Ward 19 - Trinity-Spadina and Ward 29 - Toronto Centre-Rosedale)’, approved amendments to the maps for the Central Waterfront Secondary Plans; and

**WHEREAS** it has subsequently been found that these maps need certain minor amendments, prior to the Ontario Municipal Board hearing of November 21 2005; and

**WHEREAS** the Chief Planner and Executive Director, City Planning Division, has submitted a report (October 26, 2005) forwarding revised maps for the Central Waterfront Secondary Plan;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Committee Report 8, Clause 2, headed ‘Proposed Partial Settlements of Appeals to the Central Waterfront Secondary Plan 701003 (Ward 19 - Trinity-Spadina and Ward 29 - Toronto Centre-Rosedale)’, be re-opened for further consideration, only as it pertains to the revised maps for the Central Waterfront Secondary Plan;

**AND BE IT FURTHER RESOLVED THAT** Council adopt the staff recommendations contained in the Recommendations Section of the attached report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division.”

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(17), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

Council also had before it, during consideration of Motion J(17), a report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled “Revised Maps for the Central Waterfront Secondary Plan 701003 - Ward 19, Trinity-Spadina and Ward 29, Toronto-Danforth”. (See Attachment 5, Page 201)

*Vote:*

The first Operative Paragraph contained in Motion J(17) carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Chow moved that the balance of Motion J(17) be amended by adding the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT**, when reporting on waterfront applications such as 90 Stadium Road (Tip Top Tailors), staff be requested to secure a separation between the water’s edge and the proposed building which is consistent with the principles of the Central Waterfront Secondary Plan.”

*Votes:*

The motion by Councillor Chow carried.

The balance of Motion J(17), as amended, carried.

*Summary:*

In summary, City Council re-opened Planning and Transportation Committee Report 8, Clause 2, headed “Proposed Partial Settlements of Appeals to the Central Waterfront Secondary Plan 701003 (Ward 19 - Trinity-Spadina and Ward 29 - Toronto Centre-Rosedale)”, for further consideration, only as it pertains to the revised maps for the Central Waterfront Secondary Plan, and amended the balance of Motion J(17) by adding the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT**, when reporting on waterfront applications such as 90 Stadium Road (Tip Top Tailors), staff be requested to secure a separation between the water’s edge and the proposed building which is consistent with the principles of the Central Waterfront Secondary Plan.”

In adopting Motion J(17), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division:

“It is recommended that:

- (1) Council approve the proposed modifications to the maps substantially as set out in Appendix A; and
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board Hearing to give effect to the proposed modifications.”

**10.82 J(18) 89 Kingsway Crescent - Conservation Review Board Report issued October 19, 2005, Notice of Intention to Designate under the *Ontario Heritage Act*, and Appeal of Demolition Refusal to the Ontario Municipal Board - Ward 5 (Etobicoke - Lakeshore)**

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Milczyn**

**Seconded by: Councillor Lindsay Luby**

“**WHEREAS** City Council on July 30, 2004, gave its Notice of Intention to Designate the house at 89 Kingsway Crescent under the *Ontario Heritage Act*; and

**WHEREAS** the owners of 89 Kingsway Crescent objected to the proposal to designate, thereby necessitating a hearing before the Conservation Review Board to consider the reasons for designation; and

**WHEREAS** the Conservation Review Board issued its report on October 19, 2005, recommending against designation of the house at 89 Kingsway Crescent under the *Ontario Heritage Act*; and

**WHEREAS** the owners appealed to the Ontario Municipal Board (OMB) a matter related to the designation, namely Council’s refusal to permit demolition of the subject building, and a hearing is currently scheduled to commence on November 14, 2005; and

**WHEREAS** this is a ‘time sensitive’ matter, since instructions must be received from City Council prior to the commencement of the November 14, 2005 OMB Hearing on the demolition appeal; and

**WHEREAS** it is appropriate to consider the report of the City Solicitor in-camera, as it relates to matters of solicitor-client privilege;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the confidential report (October 25, 2005) from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(18), a confidential Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer.

*Procedural Vote:*

The vote to waive referral of Motion J(18) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(18), the following:

- (i) Confidential report (October 25, 2005) from the City Solicitor; and
- (ii) public attachments to confidential report (October 25, 2005) from the City Solicitor, which are on file in the City Clerk's Office:

Attachment 1 - Etobicoke York Community Council Report 6, Clause 33, headed “Notice of Intention to Designate 89 Kingsway Crescent under the *Ontario Heritage Act* (Ward 5 – Etobicoke-Lakeshore)”, adopted, as amended, by City Council on July 20, 21 and 22, 2004; and

Attachment 2 - Conservation Review Board Report dated September 22, 2005, entitled “The Corporation of the City of Toronto - Intention to Designate the Property Known as 89 Kingsway Crescent (Isaac M. Scott House), Toronto Ontario”.

*Vote:*

Motion J(18) was adopted, without amendment.

*Summary:*

In adopting Motion J(18), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (October 25, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

**10.83 J(19) Liquor Licence Matters - The Blue Moon Tavern (1374 Queen Street West)**

Councillor Watson moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Watson**

**Seconded by: Councillor Milczyn**

**“WHEREAS** local residents, businesses and the Councillor’s office have significant concerns with respect to the criminal activity conducted in and around the Blue Moon Tavern and the negative impact these activities have on local residents; and

**WHEREAS** members of the public feel unsafe and are intimidated by the patrons and traffic that this establishment attracts and to which it caters; and

**WHEREAS** there is an escalating and ongoing threat to the safety of pedestrians, patrons, neighbours, inspectors and police officers in the area, because of the ongoing criminal activities and arrests emanating from this location and the surrounding area; and

**WHEREAS** The Blue Moon Tavern has been the subject of investigation by 14 Division of the Toronto Police Service; and

**WHEREAS** there is a general understanding that there is a correlation between these occurrences and the sale and service of alcohol in these premises; and

**WHEREAS** the Alcohol and Gaming Commission of Ontario’s records show that there have been many serious liquor-related infractions, including over-serving and permitting drunkenness and, as a result, suspended this establishment’s licence for 14 days in 2003; and

**WHEREAS** the Alcohol and Gaming Commission of Ontario (AGCO) has scheduled a hearing with respect to the liquor sales licence of The Blue Moon Tavern for December 5, 2005; and

**WHEREAS** for all of the reasons noted above, the continuation of the liquor sales licence of The Blue Moon Tavern poses an immediate and ongoing risk to public



safety and is not in the public interest, having regard to the needs and wishes of the municipality in which the premises are located;

**NOW THEREFORE BE IT RESOLVED THAT** Council advise the AGCO of the City of Toronto's opposition to the continuation of this liquor sales licence, in particular the risk to public safety, and that a copy of this Resolution be forwarded to the AGCO;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving the revocation of the liquor sales licence of The Blue Moon Tavern and that the City Solicitor and necessary staff be authorized to participate in any such proceedings;

**AND BE IT FURTHER RESOLVED THAT** the Municipal Licensing and Standards Division be directed to undertake the process to revoke The Blue Moon Tavern's business licence on the grounds that the establishment does not operate with honesty and integrity."

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(19) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(19), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(19) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(19) was adopted, without amendment.

**10.84 J(20) Aid to Earthquake Stricken Areas in Pakistan, India and Afghanistan**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

**Moved by:** Councillor Walker

**Seconded by:** Councillors Thompson and Cho

**“WHEREAS** at 8:30 a.m. on Saturday, October 8, 2005, a wide-sweeping, 7.6 Richter-scale earthquake struck the northern regions of Pakistan, India and Afghanistan; and

**WHEREAS** this disaster has directly affected more people than 2004’s Tsunami disaster, including the death-toll estimate in excess of 79,000 people and the earthquake’s displacement of 3.5 million people; and

**WHEREAS** ‘near-apocalyptic devastation’ of the many cities, towns and villages of this region has occurred; and

**WHEREAS** winter is fast approaching in this region of devastation that receives weather similar to Colorado, USA, and 500,000 people have yet to receive the first-aid responders; and

**WHEREAS** this is a large-scale disaster that requires immediate, long-term commitment from the international community for relief, rehabilitation and reconstruction that could take 10 to 15 years; and

**WHEREAS** we know that the earthquake has already caused over 50 times more deaths than Hurricane Katrina, yet so far the amount earmarked for aid and reconstruction in Pakistan, India and Afghanistan is very small; and

**WHEREAS** many residents of Toronto have lost multiple family members to this disaster; and

**WHEREAS** the Policy and Finance Committee requested that City staff report on the feasibility of establishing a ‘Disaster Aid Fund’, to provide relief from Toronto to domestic or international disaster-stricken Cities or regions;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council hereby stands in recognition of the immensity of the October 8, 2005 earthquake disaster in Pakistan, India and Afghanistan;

**AND BE IT FURTHER RESOLVED THAT** on behalf of the citizens of Toronto, Toronto City Council approve a contribution of \$1 million towards immediate aid-relief efforts in the affected regions of Pakistan, India and Afghanistan;

**AND BE IT FURTHER RESOLVED THAT** this donation be distributed through established relief agencies;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City staff be directed to give effect to the foregoing.”,

the vote upon which was taken as follows:

Yes - 21 Mayor: Miller Councillors: Altobello, Ashton, Cho, Davis, Di Giorgio, Grimes, Jenkins, Kelly, Mammoliti, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Stintz, Thompson, Walker, Watson
No - 18 Councillors: Augimeri, Bussin, Carroll, Chow, Cowbourne, De Baeremaeker, Del Grande, Feldman, Fillion, Fletcher, Giambrone, Hall, Holyday, Li Preti, Lindsay Luby, Mihevc, Rae, Soknacki

Lost, less than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(20), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 7, Page 216)

*Disposition:*

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on December 5, 2005.

**10.85 J(21) Distribution of City of Toronto Tap Water - Toronto Pure**

**October 27, 2005:**

Councillor Moscoe, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Moscoe gave Notice of the following Motion to permit consideration at the next regular meeting of City Council on December 5, 2005:

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Carroll**

**“WHEREAS** the City of Toronto’s tap water meets or exceeds any measure of quality standard available; and

**WHEREAS** in every objective evaluation of commercial bottled water, the City of Toronto’s water (Toronto Pure) exceeds the standard of almost all bottled waters; and

**WHEREAS** the City and all of its agencies, boards and commissions have an obligation to promote the quality of our water; and

**WHEREAS** a first step in promoting Toronto water would be to ensure that all City staff stop selling or distributing other than the City’s own product;

**NOW THEREFORE BE IT RESOLVED THAT**, apart from honouring existing contracts, the City of Toronto prohibit the distribution of any water other than Toronto Pure, i.e. City of Toronto tap water, in any City facility or the facilities of its agencies, boards and commissions.”

#### 10.86 **J(22) Funding of New Year’s Eve Fireworks Display**

##### **October 27, 2005:**

Councillor Shiner, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor Shiner**

**Seconded by:**                **Councillor Stintz**

**“WHEREAS** City TV holds an annual New Year’s Eve event at Toronto City Hall’s Nathan Phillips Square; and

**WHEREAS** City TV funds the musical portion of the evening but does not have sufficient funding to produce a New Year’s Eve fireworks display for the event; and

**WHEREAS** this year, City TV will have national coverage for the event and would like to secure funding to support a fireworks spectacle to mark the occasion;

**NOW THEREFORE BE IT RESOLVED THAT** City Council authorize

\$50,000.00 of funding through a reallocation of funds from projected 2005 under-expenditures in the Council Operating Budget, for the 2005 New Year's Eve fireworks display, for the purposes of highlighting the event to be held in Toronto and ensuring that our New Year's Eve fireworks display will be a success nationally;

**AND BE IT FURTHER RESOLVED THAT** funding for the 2006 New Year's Eve fireworks be referred for consideration during the 2006 Operating Budget discussion and, in the interim, the Executive Director, Tourism, work with City TV to seek private-sector sponsorship opportunities to fund the fireworks for 2006 and future years, and report back to the Budget Advisory Committee prior to the end of the 2006 budget deliberations."

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(22) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(22), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 8, Page 217)

*Procedural Vote:*

The vote to waive referral of Motion J(22) to the Policy and Finance Committee was taken as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, De Baeremaeker, Feldman, Fillion, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Ootes, Palacio, Pitfield, Rae, Soknacki, Stintz, Thompson, Watson
No - 9	
Councillors:	Davis, Del Grande, Di Giorgio, Giambrone, Kelly, Li Preti, Moscoe, Pantalone, Walker

Carried, more than two-thirds of Members present having voted in the affirmative.

*Disposition:*

As Council did not conclude its consideration of Motion J(22) prior to the end of this meeting, consideration of Motion J(22) was postponed to the special meeting of City Council on November 24, 2005.

10.87 **J(23) Assignment of Molson Indy Agreement**

**October 27, 2005:**

Deputy Mayor Pantalone, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Deputy Mayor Pantalone**

**Seconded by: Mayor Miller**

**“WHEREAS** the City of Toronto and The Board of Governors of Exhibition Place, have received a letter (October 12, 2005) from Molson Sports & Entertainment Inc. requesting that City Council and the Board consider a request from Molson Sports & Entertainment Inc. for consent to assign their respective agreements to Champ Car World Series LLP (Champ Car), the sanctioning body and owner of the Champ Car racing series of which the Molson Indy is one event; and

**WHEREAS** Champ Car has 30 years of experience in undertaking the racing series and acting as the promoter of individual events in various North American locations; and

**WHEREAS** Champ Car has formed a Canadian entity, known as ‘Grand Prix Association of Toronto’, for the purpose of assuming the Molson agreements and undertaking the annual race in 2006 and 2007, provided that the performance of all obligations under the agreements shall also be supported by an indemnity from Champ Car; and

**WHEREAS** the General Manager of Transportation Services, in consultation with the City Solicitor and Insurance and Risk Management, is prepared to recommend that the assignment of the agreement (January 1, 2005) between Molson and the City be approved, subject to certain conditions, including the condition that Council’s consent to this assignment shall be contingent upon approval by the Board of Governors of Exhibition Place of the assignment of the Board’s agreement with Molson Sports & Entertainment Inc. and Molson Canada 2005 for the use of Exhibition Place as the site

of the race; and

**WHEREAS** The Board of Governors of Exhibition Place shall, at its meeting of November 3, 2005, consider the proposed assignment of the Board's agreement with Molson; and

**WHEREAS** it is essential, for reasons of legal deadline, that this matter be considered, in order to permit Molson to make an informed decision as to whether to renew the agreements for 2006 and allow the parties to finalize their business arrangements and immediately commence the promotion and preparations for the race scheduled for July 7, 8 and 9, 2006;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report (October 27, 2005) of the General Manager, Transportation Services, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Fiscal Impact Statement:*

City Council had before it, during consideration of Motion J(23), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Procedural Vote:*

The vote to waive referral of Motion J(23) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(23), a report (October 27, 2005) from the General Manager, Transportation Services, entitled “Proposed Assignment of Molson Indy Agreement (Trinity-Spadina - Ward 20)”. (See Attachment 6, Page 203)

*Vote:*

Motion J(23) was adopted, without amendment.

*Summary:*

In adopting Motion J(23), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (October 27, 2005) from the General Manager Transportation Services:

“It is recommended that:

- (1) City Council consent to the assignment of the current agreement (January 1, 2005) with Molson Sports & Entertainment Inc. and Molson Canada 2005 (as indemnifier) for the operation of the Molson Indy in 2006 and 2007, subject to the following conditions:
  - (a) the agreement shall be assumed by Grand Prix Association of Toronto, with Champ Car World Series LLP (‘Champ Car’) as indemnifier of all of Grand Prix’s obligations under the agreements;
  - (b) the level of insurance to be provided under the agreements shall be set at the Canadian equivalent of \$20 million U.S. (as set out in the attached letter from counsel for Champ Car) for the set up and take down periods before and after the Race Days and \$50 million Canadian on the Race Days in a form satisfactory to the Manager of Insurance and Risk Management as required under the agreement;
  - (c) Council’s consent to this assignment shall be contingent upon approval by The Board of Governors of Exhibition Place of the assignment of the Board’s agreement with Molson Sports & Entertainment Inc. and Molson Canada 2005 for the use of Exhibition Place as the site of the race; and
  - (d) Molson Sports & Entertainment Inc., Molson Canada 2005, Grand Prix Association of Toronto and Champ Car World Series LLP shall enter into an assignment agreement on such terms as may be required by the General Manager of Transportation Services, the Manager of Insurance and Risk Management and the City Solicitor; and
- (2) City Council direct staff to take all necessary actions to implement the above recommendations.”

#### 10.88 **J(24) Morningside Avenue/Markham By-pass Extension**

##### **October 27, 2005:**

Councillor Cho, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.



Councillor Cho moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

**Moved by: Councillor Cho**

**Seconded by: Councillor De Baeremaeker**

**“WHEREAS** City Council on June 14, 15 and 16, 2005, adopted, without amendment, Works Committee Report 6, Clause 5, headed ‘Morningside Avenue/Markham By-pass Extension – Individual Project Environmental Assessment Study Status Report (Ward 42 – Scarborough Rouge River), and in so doing, requested York Region to conduct additional community consultation on the by-pass extension; and

**WHEREAS** Scarborough Community Council recently held an evening meeting to consider the results of the additional community consultation and the further transportation analysis which was conducted by the York Region study team arising from City Council’s request; and

**WHEREAS** as a result of this further information, Council should make new recommendations on the Morningside Avenue/Markham by-pass extension;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Works Committee Report 6, Clause 5, headed ‘Morningside Avenue/Markham By-pass Extension – Individual Project Environmental Assessment Study Status Report (Ward 42 – Scarborough Rouge River)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council delete the recommendation of the Works Committee contained in the Clause and adopt instead the following new recommendations:

‘It is recommended that City Council:

- (1) advise York Region that it strongly opposes and formally objects to any north/south road in York Region that will increase traffic congestion in the City of Toronto;
- (2) advise York Region that it strongly opposes and formally objects to the extension of Morningside Avenue south of Steeles Avenue East, as developed in the Environmental Assessment Study for transportation improvements in the Markham By-pass Corridor;
- (3) request York Region to do the following:

- (a) re-evaluate Alignment C north of Steeles Avenue East; and
  - (b) conduct an additional community consultation meeting with City of Toronto residents and the Scarborough Community Council, following completion of this further evaluation of Alignment C, with notice being provided to the residents in consultation with local City of Toronto Ward Councillor; and
- (4) inform York Region that:
- (a) the City intends to keep Steeles Avenue, east of Markham, at its current width of two traffic lanes in keeping with its rural surroundings; and
  - (b) the City neither intends nor has budgeted any funds to construct the Alignment C south of Steeles Avenue East;

**AND BE IT FURTHER RESOLVED THAT** Council's position be forwarded to the Province of Ontario, the Regional Municipality of York, the Town of Markham, the Toronto and Region Conservation Authority, the Rouge Park Alliance, the Friends of the Rouge Watershed and the Save the Rouge environmental groups.”,

the vote upon which was taken as follows:

Yes - 20	
Mayor:	Miller
Councillors:	Altobello, Ashton, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Grimes, Jenkins, Kelly, Li Preti, Nunziata, Palacio, Pantalone, Pitfield, Thompson, Walker
No - 16	
Councillors:	Augimeri, Bussin, Carroll, Chow, Cowbourne, Giambrone, Hall, Holyday, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Ootes, Rae, Soknacki, Stintz

Lost, less than two-thirds of Members present having voted in the affirmative.

*Fiscal Impact Statement:*

City Council had before it, for consideration with Motion J(24), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 207)

*Disposition:*

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on December 5, 2005.

10.89 **J(25) Report Request – Rat Control**

**October 28, 2005:**

Councillor Pitfield, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Pitfield**

**Seconded by: Councillor Thompson**

**“WHEREAS** taking control of the rat population is not a question of limiting wildlife; and

**WHEREAS** the City has seen a drastic increase in construction, in and around sewer lines; and

**WHEREAS** the City of Toronto has seen an unprecedented number of reports of rat sightings; and

**WHEREAS** rats are responsible for the spread of many diseases, transmitted directly by the contamination of food with their urine or feces or indirectly by other insects; and

**WHEREAS** rats have an excellent sense of smell to locate food and are drawn towards improperly stored waste; and

**WHEREAS** rats have adapted to most human environments and live in open fields, city sewers, on roofs, in attics, in basements, in street trees, on top of 30-storey buildings and inside subway tunnels; and

**WHEREAS** rats can scramble up the outside of a pipe 3 inches in diameter, and climb inside pipes 1½ to 4 inches in diameter, they can swim half-a-mile of open water, tread water for up to three days, swim against a strong current in a sewer line,

and dive through a sewer trap and come up inside a toilet; and

**WHEREAS** a mature female rat can give birth to about 20 young, in a one year; and

**WHEREAS** if a mother rat has become wary of rodenticides or traps, many of her young will learn to avoid them as well, making control difficult in such sites; and

**WHEREAS** rats are social animals and live in colonies with well-defined territories; and

**WHEREAS** because rats are wary of anything new that appears in their territory, it makes the use of bait and trapping difficult; and

**WHEREAS** the City of Toronto adopted a 'Rat Hotline' to act as a report and reference line; and

**WHEREAS** residents have voiced their concern and desire that the City take action on controlling the rat population; and

**WHEREAS** the key is to control rat populations, not individual rats; and

**WHEREAS** individual homeowners cannot be expected to control rat populations in their areas;

**NOW THEREFORE BE IT RESOLVED THAT** the Medical Officer of Health report to the Board of Health on an integrated strategy that includes non-lethal tools, such as careful inspection, upgraded sanitation and rat-proofing structures and, when needed, lethal control with the use of rodenticides with non-toxic control measures.”

*Advice by Mayor:*

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Board of Health would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(25) to the Board of Health carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(25) was adopted, without amendment.

10.90 **J(26) Request for Enforcement of the *Child and Family Services Act***

**October 28, 2005:**

Councillor Nunziata, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Nunziata gave Notice of the following Motion to permit consideration at the next regular meeting of City Council on December 5, 2005:

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Hall**

“**WHEREAS** the protection of children is of utmost importance to the Members of Toronto City Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Toronto Police Services Board be requested to direct the Toronto Police Service to enforce Section 79 of the *Child and Family Services Act*.”

10.91 **J(27) Request for Review of Fines for Body Rub Parlours Operating Without a Licence**

**October 28, 2005:**

Councillor Nunziata, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Nunziata gave Notice of the following Motion to permit consideration at the next regular meeting of City Council on December 5, 2005:

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Hall**

“**WHEREAS** the current fine for a body rub parlour operating without a licence is not an effective deterrent and does not ensure that body rub parlours obtain a licence;

**NOW THEREFORE BE IT RESOLVED THAT** the Acting Executive Director, Municipal Licensing and Standards, be requested to examine and report to the Planning and Transportation Committee on increasing the fine amount for body rub

parlours operating without a licence so that the fine will act as a deterrent to this illegal activity; and notice of a proposed amendment to Chapter 545, Licensing, be given, as required by Chapter 162, Notice, Public.”

10.92 **J(28) Juno Beach Memorial and the Juno Beach Centre Association**

**October 28, 2005:**

Councillor Kelly, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of a Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Kelly gave Notice of the following Motion to permit consideration at the next regular meeting of City Council on December 5, 2005:

**Moved by: Councillor Kelly**

**Seconded by: Councillor Ootes**

“**WHEREAS** The Honourable Albina Guarnieri, Minister of Veterans Affairs, has declared 2005 the ‘Year of the Veteran’; and

**WHEREAS** Toronto’s contribution in troops and material to Canada’s Second World War effort was considerable and significant; and

**WHEREAS** over 50 Canadian schools, including Toronto’s students, have visited the Juno Beach Centre to gain insights into Canada’s participation in World War II ; and

**WHEREAS** the City of Toronto, as the leading Canadian City, has a responsibility to commemorate Canada’s contribution in one of the pivotal events in the 20th century and recognize its Veterans who defended our freedoms; and

**WHEREAS** the Juno Beach Centre Association’s previous request obtained the support of the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto agree to make a further contribution of \$25,000.00, to cover the operational costs of the Juno Beach Centre Association;

**AND BE IT FURTHER RESOLVED THAT** the Budget Advisory Committee, in consultation with the Deputy City Manager and Chief Financial Officer, be requested to recommend the source of funding for this initiative and report to the next meeting of City Council, through the Policy and Finance Committee, on an identified source of funds.”

10.93 **J(29) Response to Statements by the President of Iran**

**October 31, 2005:**

Councillor Pitfield, having regard that the deadline for submission of Notices of Motions had passed, moved that the necessary provision of Chapter 27 of the City of Toronto Municipal Code be waived to permit circulation of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Pitfield**

**Seconded by: Deputy Mayor Feldman**

“**WHEREAS** recent statements made by the new President of Iran, Mahmoud Ahmadinejad, contained a despicable message of hate; and

**WHEREAS** the Charter of the United Nations sets exact rules for Members and no Member State has the right to ask for the genocide of another Member State; and

**WHEREAS** the United Nations’ Charter requires respect for each Member State who should live in peace and security; and

**WHEREAS** Canada will not stand by and allow hatred to grow that also affects residents who live in the City of Toronto; and

**WHEREAS** the Prime Minister of Canada has expressed outrage on behalf of all Canadians;

**NOW THEREFORE BE IT RESOLVED THAT** Mayor David Miller be requested, on behalf of Toronto City Council and the residents of the City of Toronto, to communicate the support of City Council for the statements made by the Prime Minister of Canada and to request him to take strong action and consider imposing sanctions on Iran.”

*Ruling by Mayor:*

Mayor Miller ruled Motion J(29) out of order, as a similar Notice of Motion that dealt with international matters had previously been ruled out of order by City Council at its meeting on April 12, 13 and 14, 2005.

Councillor Shiner challenged the ruling of the Mayor:

*Vote to Uphold Ruling of Mayor:*

Yes - 19	
Mayor:	Miller
Councillors:	Ashton, Bussin, De Baeremaeker, Del Grande, Di Giorgio, Fillion, Fletcher, Giambrone, Holyday, Jenkins, Kelly, Milczyn, Nunziata, Ootes, Palacio, Saundercook, Soknacki, Watson
No - 13	
Councillors:	Augimeri, Chow, Feldman, Grimes, Li Preti, Mammoliti, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Shiner, Walker

Carried by a majority of 6.

*Disposition:*

The Motion was ruled out of order.

- 10.94 Consideration of the following matters was postponed to the special meeting of City Council on November 24, 2005, as they remained on the Order Paper at the conclusion of this meeting of Council:

Administration Committee Report 6

- Clause 28b - "Court Service Agreement with GO Transit for Provincial Offences Fines".

Etobicoke York Community Council Report 6

- Clause 8b - "Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code for a First Party Ground Pylon Sign at 1025 The Queensway (Ward 5 - Etobicoke-Lakeshore)".

North York Community Council Report 6

- Clause 8b - "Community Safety Zone - Grandravine Drive (Ward 8 - York West and Ward 9 - York Centre)".
- Clause 23b - "Encroachment Agreement - 21 De Vere Gardens (Ward 16 - Eglinton-Lawrence)".



Policy and Finance Committee Report 8

- Clause 12a - "Toronto District School Board Application Requesting Debentures".  
Clause 47a - "Parking Tag Revenue".

Economic Development and Parks Committee Report 8

- Clause 18a - "Other Items Considered by the Committee".  
Item (j) - "Toronto City Hall Hockey Team".

Policy and Finance Committee Report 9

- Clause 9 - "2005 Sinking Fund Surplus".  
Clause 31 - "Toronto Transit Commission - Streetcar Fleet Plan".  
Clause 32 - "Meeting the Needs of School Aged Children through a Child Care and Recreation Service Model".  
Clause 34 - "Update on Status of Discussions with Toronto Port Authority Concerning Payments in Lieu of Taxes".  
Clause 40 - "Indemnification Policy for Members of Council and Management and Excluded Staff".  
Clause 43 - "Application Submission: Safer Communities - 1,000 Officers Partnership Program".  
Clause 45 - "St. Clair Avenue West Transit Improvement Project".  
Clause 46 - "Other Items Considered by the Committee"  
Item (f) - "City of Toronto Hiring Practices and Employment Policies".

Administration Committee Report 8

- Clause 1 - "Union Station - Status Report on Station Lease With The Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)".  
Clause 5 - "Declaration as Surplus - 47 Terrace Avenue (Ward 23 - Willowdale)".  
Clause 9 - "Indefinite Closure of the First Attendance Program in Toronto Provincial Offences Courts".

Economic Development and Parks Committee Report 9

- Clause 2 - "International Alliance Program (All Wards)".
- Clause 4 - "Toronto Arts Council 2004 Annual Allocations Report (All Wards)".

Works Committee Report 9

- Clause 1 - "Bicycle Lane Guidelines and Royal York Road Pavement Marking Options (All Wards)".
- Clause 3 - "Solid Waste Management Contractual Issues".
- Clause 4 - "Biosolids Management Contractual Issues".
- Clause 5 - "Claims of Harbour Remediation & Transfer Inc., Costa Trucking and Contracting Ltd. and Related Third Party Claim Arising from Fred Dominelli Action - Toronto-Danforth".
- Clause 6 - "Draft Terms of Reference for the Peer Review of the Biosolids and Residuals Master Plan Decision Making Model".
- Clause 11 - "Contract 05SD-08RD - Tender Call 230-2005 Reconstruction of TTC Track Allowance, Pavement, Curb and Sidewalk on St. Clair Avenue West from Tweedsmuir Avenue to Avenue Road (Wards 21 and 22, St. Paul's)".

North York Community Council Report 8

- Clause 30 - "Request for Investigation of Breach of Procedure By-law and Council Code of Conduct".

Toronto and East York Community Council Report 8

- Clause 5 - "Final Report - Official Plan Amendment and Rezoning Application - 100 Spadina Road and 97 Walmer Road and Request for Authority to Enter into a Heritage Easement Agreement and Approval of Alterations to a Heritage Building - 100 Spadina Road (Ward 20 - Trinity-Spadina)".

NOTICES OF MOTION

- J(7) Moved by Councillor Augimeri, seconded by Councillor Mammoliti, regarding Harmonized Permit Rates (All Wards).

J(22) Moved by Councillor Shiner, seconded by Councillor Stintz, regarding Funding of New Year's Eve Fireworks Display.

*Procedural Motion:*

Councillor Soknacki moved the following procedural motion:

“That:

- (1) all motions moved at the October 31, 2005 meeting of City Council on any Item remaining on the Agenda, be forwarded to the next regular meeting of Council on December 5, 2005, or to a special meeting, should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and
- (2) any speaker's list from the October 26, 27 and 28, 2005 meeting of City Council be carried forward to the next regular meeting of Council on December 5, 2005, or to a special meeting, should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on this matter at that meeting, and that a provision be allowed for any Members who were not on the speaker's list to add their names.”

*Vote on Procedural Motion:*

Carried, more than two-thirds of Members present having voted in the affirmative.

[Note: Mayor Miller subsequently called a Special Meeting of City Council for Thursday, November 24, 2005.]

**BILLS AND BY-LAWS**

Mayor Miller in the Chair.

10.95 On October 26, 2005, at 10:50 a.m., Councillor Jenkins, seconded by Councillor McConnell, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 853	By-law No. 860-2005	To authorize the borrowing upon instalment debentures in the principal amount of \$150,000,000.00 for purposes of the City Of Toronto.
Bill No. 854	By-law No. 861-2005	To authorize the borrowing upon sinking fund debentures in the principal

amount of \$50,000,000.00 for purposes  
of the City of Toronto,

the vote upon which was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Cho, Cowbourne, Davis, De Baeremaeker, Del Grande, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 27.

Deputy Mayor Feldman in the Chair.

- 10.96 On October 26, 2005, at 6:55 p.m., Councillor Moscoe, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 873	By-law No. 862-2005	To effect interim control for the lands shown on Schedule "1" to this By-law being the portion of Castlefield Caledonia Design and Décor District located in the former City of North York.
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Bill No. 874	By-law No. 863-2005	To effect interim control for the lands shown on Schedule "1" to this By-law being the portion of Castlefield Caledonia Design and Décor District located in the former City of York.
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- 10.97 On October 26, 2005, at 6:56 p.m., Councillor Li Preti, seconded by Councillor Cho, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 943	By-law No. 864-2005	To confirm the proceeding of the Council at its meeting held on the 26th day of October, 2005,
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the vote upon which was taken as follows:

Yes - 29 Councillors:	Ashton, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Shiner, Soknacki, Thompson, Walker, Watson
No - 1 Councillor:	Ford

Carried by a majority of 28.

Deputy Mayor Bussin in the Chair.

- 10.98 On October 27, 2005, at 7:43 p.m., Councillor Ootes, seconded by Councillor Filion, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 944	By-law No. 865-2005	To confirm the proceedings of the Council at its meeting held on the 26th and 27th days of October, 2005,
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the vote upon which was taken as follows:

Yes - 30 Mayor: Councillors:	Miller Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki
No - 8 Councillors:	Del Grande, Ford, Kelly, Nunziata, Stintz, Thompson, Walker, Watson

Carried by a majority of 22.

- 10.99 On October 28, 2005, at 5:47 p.m., Councillor Hall, seconded by Councillor Cowbourne, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 842	By-law No. 866-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting taxicab fares.
Bill No. 843	By-law No. 867-2005	To amend Municipal Code Chapter 681, Sewers, respecting the implementation of Best Management Practices and other matters.
Bill No. 844	By-law No. 868-2005	To acquire certain interests in land for or in connection with the Scarborough Rapid Transit Right-of-way Protection Project.
Bill No. 845	By-law No. 869-2005	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 846	By-law No. 870-2005	To adopt Amendment No. 339 to the Official Plan for the former City of Toronto with respect to lands municipally known as 61 Harvard Avenue.
Bill No. 847	By-law No. 871-2005	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 61 Harvard Avenue.
Bill No. 848	By-law No. 872-2005	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1512 King Street West.
Bill No. 849	By-law No. 873-2005	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1518 King Street West.

Bill No. 850	By-law No. 874-2005	To permanently close a portion of the Halton Street road allowance, abutting Premises No. 199 Ossington Avenue.
Bill No. 851	By-law No. 875-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting St. Lawrence Street.
Bill No. 852	By-law No. 876-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Boon Avenue.
Bill No. 855	By-law No. 877-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Overlea Boulevard and Thorncliffe Park Drive.
Bill No. 856	By-law No. 878-2005	To amend By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Thorncliffe Park Drive.
Bill No. 857	By-law No. 879-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Phipps Street and St. Nicholas Street.
Bill No. 858	By-law No. 880-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Camden Street.
Bill No. 859	By-law No. 881-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glenlake Avenue and Runnymede Road.
Bill No. 860	By-law No. 882-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street.

Bill No. 861	By-law No. 883-2005	To amend By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York, regarding Cosburn Avenue.
Bill No. 862	By-law No. 884-2005	To adopt Amendment No. 137-2005 to the Official Plan for the former City of Etobicoke with respect to lands municipally known as 450 Horner Avenue.
Bill No. 863	By-law No. 885-2005	To amend Chapters 320 and 324 of the former Etobicoke Zoning Code with respect to certain lands located on the north side of Horner Avenue, west of Aldercrest Road, municipally known as 450 Horner Avenue, to permit the development of eight townhouse dwelling units and two semi-detached dwelling units.
Bill No. 864	By-law No. 886-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Duart Park Road, Linsmore Crescent and Rhodes Avenue.
Bill No. 865	By-law No. 887-2005	To designate the Cabbagetown South area as a heritage conservation district.
Bill No. 866	By-law No. 888-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Laneway system bounded by Dundas Street West, Federal Street, Gladstone Avenue and Stonehouse Crescent.
Bill No. 867	By-law No. 889-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 868	By-law No. 890-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and



		Parking, with respect to speed control zones.
Bill No. 869	By-law No. 891-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gilgorm Road.
Bill No. 870	By-law No. 892-2005	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Mirvish Village Business Improvement Area and to establish a Board of Management for the Mirvish Village Business Improvement Area.
Bill No. 871	By-law No. 893-2005	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new West Queen West Business Improvement Area and to establish a Board of Management for the West Queen West Business Improvement Area.
Bill No. 872	By-law No. 894-2005	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to make changes to the size of various Business Improvement Area Boards of Management.
Bill No. 875	By-law No. 895-2005	To amend By-law No. 517-2000 and Chapter 324 of the former Etobicoke Zoning Code with respect to lands located at 2045 Codlin Crescent.
Bill No. 876	By-law No. 896-2005	To amend By-law No. 266-1999 being a by-law to designate 201 Guildwood Parkway under the Ontario Heritage Act as being of cultural heritage value or interest by adding Building 191 and the Sculpture Studio.
Bill No. 877	By-law No. 897-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines,

		to introduce parking machines on Beecroft Road and Bogert Avenue.
Bill No. 878	By-law No. 898-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, respecting Buttonwood Avenue, Fleming Crescent, Lea Avenue and Millwood Road.
Bill No. 879	By-law No. 899-2005	To authorize the alteration of Poplar Plains Road, between Cottingham Street and Poplar Plains Crescent, by the installation of speed humps.
Bill No. 880	By-law No. 900-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Bloor Street West.
Bill No. 881	By-law No. 901-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bloor Street West.
Bill No. 882	By-law No. 902-2005	To make a technical amendment to By-law No. 706-2005, a by-law to amend City of Toronto Municipal Code Chapter 545, Licensing, respecting limousines and limousine service companies.
Bill No. 883	By-law No. 903-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting Accessible Taxicab Licences.
Bill No. 884	By-law No. 904-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting business licensing fees.
Bill No. 885	By-law No. 905-2005	To exempt certain lands on Polarlights Way, Nightstar Road, Wharnsby Drive and Flycatcher Avenue from Part Lot Control.

Bill No. 886	By-law No. 906-2005	To amend Scarborough Zoning By-law No. 12466, the L'Amoreaux Community Zoning By-law; and to amend Scarborough Zoning By-law No. 17677, the Milliken Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10327, the West Hill Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12360, the Tam O'Shanter Community Zoning By-law; and to amend Scarborough Zoning By-law No. 14402, the Malvern Community Zoning By-law.
Bill No. 889	By-law No. 907-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Apache Trail and Yucatan Road.
Bill No. 890	By-law No. 908-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Apache Trail and Yucatan Road.
Bill No. 891	By-law No. 909-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Doris Avenue.
Bill No. 892	By-law No. 910-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Doris Avenue.
Bill No. 893	By-law No. 911-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Cocksfield Avenue.
Bill No. 894	By-law No. 912-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Cocksfield Avenue.

Bill No. 895	By-law No. 913-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Adelaide Street East.
Bill No. 896	By-law No. 914-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Manning Avenue.
Bill No. 897	By-law No. 915-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding Adelaide Street East.
Bill No. 898	By-law No. 916-2005	To amend former Metro By-law No. 32-92, to permit parking between 15 metres and 30.5 metres of a signalized intersection where authorized signs are displayed.
Bill No. 899	By-law No. 917-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Berkeley Street.
Bill No. 900	By-law No. 918-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Berkeley Street.
Bill No. 901	By-law No. 919-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding Berkeley Street.
Bill No. 902	By-law No. 920-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Stevenson Road and Silverstone Drive.
Bill No. 903	By-law No. 921-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, and Municipal Code Chapter 441, Fees, respecting Accessible Taxicab Licences.

Bill No. 904	By-law No. 922-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Deanecourt Road and Hallfield Road.
Bill No. 905	By-law No. 923-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Turbine Drive.
Bill No. 906	By-law No. 924-2005	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Silverthorn Avenue, Haverson Boulevard and Symes Road.
Bill No. 907	By-law No. 925-2005	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Silverthorn Avenue, Haverson Boulevard and Symes Road.
Bill No. 908	By-law No. 926-2005	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Hyde Avenue and Sykes Avenue.
Bill No. 909	By-law No. 927-2005	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Hyde Avenue and Sykes Avenue.
Bill No. 910	By-law No. 928-2005	To amend City of Toronto Municipal Code Ch. 910, Parking Machines, former City of Toronto Municipal Code Ch. 400, Traffic and Parking, former City of North York By-law No. 30742, former City of Etobicoke Municipal Code Ch. 187, former City of Scarborough By-law No. 22614, former City of York By-law No. 1645-89, former Metropolitan Toronto By-law No. 107-86, former

		Borough of East York By-law No. 197 and former City of York Municipal Code Ch. 982, to provide an exemption to motorcycles from payment at on street parking meters and parking machines.
Bill No. 911	By-law No. 929-2005	To amend City of Toronto Municipal Code Chapter 103, Heritage, to delegate authority for the issuance of heritage permits under Part IV of the Ontario Heritage Act to the Chief Planner and Executive Director, and to authorize the appointment of inspectors.
Bill No. 912	By-law No. 930-2005	To amend former City of Toronto Municipal Code Ch. 400, Traffic and Parking, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 913	By-law No. 931-2005	To amend City of Toronto Municipal Code Ch. 910, Parking Machines, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 914	By-law No. 932-2005	To amend former Borough of East York By-law No. 92-93, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 915	By-law No. 933-2005	To amend former Borough of East York By-law No. 197, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 916	By-law No. 934-2005	To amend former City of Etobicoke Municipal Code Ch. 187, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 917	By-law No. 935-2005	To amend former City of Etobicoke Municipal Code Ch. 240, to permit motorcycles to angle park up to 60 degrees to the curb.

Bill No. 918	By-law No. 936-2005	To amend former Metropolitan Toronto By-law No. 32-92, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 919	By-law No. 937-2005	To amend former Metropolitan Toronto By-law No. 107-86, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 920	By-law No. 938-2005	To amend former City of North York By-law No. 31001, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 921	By-law No. 939-2005	To amend former City of North York By-law No. 30742, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 922	By-law No. 940-2005	To amend former City of Scarborough By-law No. 22614, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 923	By-law No. 941-2005	To amend former City of Scarborough By-law No. 23503, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 924	By-law No. 942-2005	To amend former City of York By-law No. 196-84, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 925	By-law No. 943-2005	To amend former City of York By-law No. 1645-89, to permit motorcycles to angle park up to 60 degrees to the curb.
Bill No. 926	By-law No. 944-2005	To amend former City of York Municipal Code Ch. 982, to permit motorcycles to angle park up to 60 degrees to the curb.

Bill No. 927	By-law No. 945-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the proposed rear yard fence on the property municipally known as 17 Gaylord Avenue from the maximum height requirements.
Bill No. 928	By-law No. 946-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Highbury Road.
Bill No. 930	By-law No. 947-2005	To adopt Amendment No. 31 to the Official Plan of the City of Toronto with respect to lands known municipally as 2 McDonalds Place, 1-3 Concorde Gate and 10 and 12 Concorde Place.
Bill No. 933	By-law No. 948-2005	To designate the property at 71 Front Street West (Union Station) as being of cultural heritage value or interest.
Bill No. 934	By-law No. 949-2005	To adopt Amendment No. 1145 to the Official Plan for the former City of Scarborough respecting the Golden Mile Employment District Secondary Plan, the Oakridge Employment District Secondary Plan, the Birchmount Park Community Secondary Plan and the Warden Woods Community Secondary Plan.
Bill No. 935	By-law No. 950-2005	To enact a new City of Toronto Zoning By-law with respect to lands east of Warden Avenue north and south of St. Clair Avenue, to be known as the Warden Woods Community.
Bill No. 936	By-law No. 951-2005	To amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Oakridge Employment District), as amended, with respect to lands between St. Clair Avenue East and Danforth Road east of Warden Avenue.



Bill No. 937	By-law No. 952-2005	To amend former City of Scarborough By-law No. 20512, as amended, respecting the dedication of land for park purposes for residential development, to provide for the alternative dedication parkland rate with respect to lands in the Warden Woods Community.
Bill No. 938	By-law No. 953-2005	To adopt Amendment No. 352 to the Official Plan of the former City of Toronto with respect to lands known municipally as 77 Charles Street West.
Bill No. 939	By-law No. 954-2005	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally as 77 Charles Street West,

the vote upon which was taken as follows:

Yes - 37	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Thompson, Watson
No - 4	
Councillors:	Kelly, Shiner, Stintz, Walker

Carried by a majority of 33.

10.100 On October 28, 2005, at 5:50 p.m., Councillor Cho, seconded by Deputy Mayor Feldman, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 945	By-law No. 955-2005	To confirm the proceedings of the Council at its meeting held on the 26th, 27th and 28th days of October, 2005,
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the vote upon which was taken as follows:

Yes - 33	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Thompson, Watson
No - 7	
Councillors:	Altobello, Li Preti, Nunziata, Palacio, Shiner, Stintz, Walker

Carried by a majority of 26.

Mayor Miller in the Chair.

10.101 On October 31, 2005, at 4:08 p.m., Councillor Saundercook, seconded by Councillor Stintz, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 929	By-law No. 956-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bleecker Street.
Bill No. 940	By-law No. 957-2005	To amend By-law No 69-2005, being a by-law "To authorize agreements respecting the issue and sale of debentures for the year 2005".
Bill No. 941	By-law No. 958-2005	To exempt lands municipally known as 75 Logan Avenue from Part Lot Control.
Bill No. 942	By-law No. 959-2005	To exempt lands municipally known as 78 Logan Avenue from Part Lot Control,

the vote upon which was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman,

Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson	
No - 2	
Councillors:	Del Grande, Nunziata

Carried by a majority of 33.

10.102 On October 31, 2005, at 4:10 p.m., Councillor Di Giorgio, seconded by Councillor Grimes, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 946	By-law No. 960-2005	To confirm the proceedings of the Council at its meeting held on the 31st day of October, 2005,
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the vote upon which was taken as follows:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson
No - 2	
Councillors:	Del Grande, Nunziata

Carried by a majority of 33.

The following Bills were withdrawn:

Bill No. 887	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Paulson Road.
Bill No. 888	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Paulson Road.

- Bill No. 931            To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Trethewey Drive.
- Bill No. 932            To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Trethewey Drive.

### **OFFICIAL RECOGNITIONS:**

#### **10.103 Condolence Motions**

##### **October 26, 2005:**

Mayor Miller in the Chair.

Councillor Rae, seconded by Mayor Miller, moved that:

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of George Hislop; and

**WHEREAS** George Hislop has been recognized as Canada’s leading gay rights activist; and

**WHEREAS** George Hislop was a co-founder of the University of Toronto Homophile Association in 1969, and the Community Homophile Association of Toronto in 1971; and

**WHEREAS** George Hislop and his partner Ronnie Shearer were leading business people in downtown Toronto for many years, operating restaurants, bars, bathhouses and publishing magazines; and

**WHEREAS** George Hislop was at the forefront of the successful resistance to the notorious 1981 bathhouse raids and was a leader in lobbying Parliament for equal rights, including the inclusion into the Charter of Rights and Freedoms; and

**WHEREAS** George Hislop was a member of the AIDS Committee of Toronto and served as the first President of the Hassle Free Clinic and served on a board that developed housing for people living with HIV/AIDS; and

**WHEREAS** George Hislop also served his beloved City of Toronto for over thirty years as a member of the Planning Board, the Planning Advisory Committee and the City’s Committee of Adjustment and was the first openly gay candidate for both a seat here at Toronto City Council and a seat in the Legislature at Queen’s Park;

and

**WHEREAS** George Hislop spearheaded a class action lawsuit against the federal government for CPP same sex survivor pensions, which resulted in the largest class action trial judgment in Canadian legal history; and

**WHEREAS** the City of Toronto honoured George Hislop by creating the ‘George Hislop Parkette’ in the heart of our dynamic lesbian and gay village;

**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 George’s family, to his caregiver Christopher Hudspeth, his dear friend Peter Bochove and his extended family – the LGBT community in Canada.”

Councillor Walker, seconded by Councillor Altobello, moved that:

**WHEREAS** Curban Ali died on August 17, 2005, after a courageous battle against cancer; and

**WHEREAS** Zeena Ali, loving wife of Curban Ali died suddenly on August 25, 2005, seven days after her beloved Curban; and

**WHEREAS** Curban and Zeena Ali were both born in Trinidad and Tobago, were married in 1958 and raised four beautiful children; and

**WHEREAS** the whole Ali family immigrated to Canada in 1968, settled in Toronto and became part of the North Toronto Community; and

**WHEREAS** Curban Ali worked in several professional positions starting with IBM and ending with the Provincial Ministry of Consumer and Commercial Relations at his retirement; and

**WHEREAS** Zeena Ali remained at home, raised her children and worked 25 years part-time with children of Maurice Cody Public School and volunteered herself and her children to many community events over the years; and

**WHEREAS** both Curban and Zeena Ali were very proud of their children, grandchildren and one great grandchild – their family was everything to them;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be requested to convey, on behalf of the Mayor and Members of Toronto City Council our sincere sympathy to the members of the Ali family: children Steve, Joan, Clive and Sandra, grandchildren Krystal, Adam and Julian and great grandchild Nicholas.”

Leave to introduce the Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late George Hislop and Curban and Zeena Ali.

**October 27, 2005:**

Deputy Mayor Feldman in the Chair.

Deputy Mayor Feldman, with the permission of Council, seconded by Councillor Thompson, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mrs. Rosa Parks; and

**WHEREAS** Rosa Parks gained notoriety when, on December 1, 1955, she refused to give up her bus seat to a white man in segregated Montgomery, Alabama, which led to her arrest and conviction of violating the segregation laws; and

**WHEREAS** what appeared to be a simple act of defiance was, in fact, a courageous and heroic act by Mrs. Parks that inspired a generation and eventually led to the elimination of racial segregation on American public transit systems; and

**WHEREAS** her arrest triggered a 381-day boycott of the bus system, organized by a then little known Baptist minister, Reverend Martin Luther King Jr., who later earned the Nobel Peace Prize for his work; and

**WHEREAS** Rosa Parks and her friend Elaine Eason Steele founded the Rosa and Raymond Parks Institute for Self Development in 1987, to help Detroit’s youth develop leadership and awareness of the importance of civil rights; and

**WHEREAS**, in 1996, she received the Presidential Medal of Freedom before being awarded the United States’ highest civilian honour, the Congressional Gold Medal, in 1999; and

**WHEREAS** Mrs. Parks was a true leader who made a significant contribution to the protection and preservation of civil rights, human dignity and freedom for all people; and

**WHEREAS** Rosa Parks proved that one person can make a difference;

**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 the Rosa and Raymond Parks Institute for Self Development.”

Councillor Grimes, seconded by Deputy Mayor Feldman, moved that:

**“WHEREAS** the Members of City Council are saddened to learn of the passing of Tom Cheek, longtime voice of the Toronto Blue Jays, at his home in Oldsmar Florida on October 9, 2005, after a courageous battle against cancer; and

**WHEREAS** Tom Cheek represented the spirit of the Toronto Blue Jays since their first game on April 7, 1977, to June 3, 2004, including two consecutive World Series Championships in 1992 and 1993; and

**WHEREAS** Tom Cheek did not miss a single broadcast in 27½ seasons, a streak encompassing 4,306 regular season games and playoff games; and

**WHEREAS** Tom Cheek was far more than just an outstanding announcer, he was a great goodwill ambassador for baseball in Toronto and Canada; and

**WHEREAS** Tom Cheek’s popularity with baseball fans was never more evident than during his absence last season, when thousands of fans sent in cards and e-mails wishing him well; and

**WHEREAS** a crowd of over 44,000 honoured him on August 29, 2004, when the Toronto Blue Jays added him to their Level of Excellence with the number ‘4,306’ beside his name, signifying his streak; and

**WHEREAS** Canada’s Sports Hall of Fame has introduced the Tom Cheek Media Leadership Award, intended to recognize, from time-to-time, an individual from the media who, in the opinion of the Board of Governors of CSHOF, has played a vital role in promoting Canadian sports in an extraordinary and enduring way - Tom Cheek was selected as the first recipient of the award, which will forever carry his name; and

**WHEREAS** Torontonians and baseball fans around the world will sorely miss the voice of summer and of the Toronto Blue Jays;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be requested to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Shirley and their three children and seven grandchildren.”

Councillor Pitfield, seconded by Councillor Stintz, moved that:

**“WHEREAS** the Members of City Council are deeply saddened by the 64 murders in the City of Toronto so far this year; and

**WHEREAS** 44 of those murdered this year are due to gun violence; and

**WHEREAS** countless other members of our City are victims of violence each year; and

**WHEREAS** violence in the form of gun violence, domestic violence, youth violence, child abuse and racial violence has touched the lives of too many people in our City; and

**WHEREAS** participation by all levels of government, community organizations, schools, places of worship and individual citizens is required to bring an end to such violence; and

**WHEREAS** it is of grave concern to the Members of Council and the citizens of our City that violent crimes using weapons is on the rise and that all efforts to reduce these violent acts should be encouraged and supported;

**NOW THEREFORE BE IT RESOLVED THAT** City Council pause for a moment of silence to remember those who have lost their lives and those whose lives have been forever changed due to senseless acts of violence.”

Leave to introduce the Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Rosa Parks, Tom Cheek and those who have lost their lives due to senseless acts of violence in the City of Toronto.

#### 10.104 **Presentations/Introductions/Announcements:**

##### **October 26, 2005:**

Deputy Mayor Pantalone, during the morning session of the meeting, introduced the students of Sir Adam Beck Public School, present at the meeting.

Deputy Mayor Bussin, during the morning session of the meeting, introduced the students of Duke of Connaught Junior and Senior Public School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, invited Councillor Augimeri to the podium for a presentation on the 2005 Toronto Youth Games. Councillor Augimeri advised Council that the Games, which are an annual project of the Parks, Forestry and Recreation Division, bring together youth between the ages of 13 and 16, to compete in a variety of sporting events. Councillor Augimeri announced the winning team for the Games, The Central Etobicoke Cyclones, present at the meeting, and presented a memento to the team's representatives.

Mayor Miller, during the afternoon session of the meeting, introduced the students of Baythorne Public School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, introduced the students of Earl Haig Secondary School, present at the meeting.



Mayor Miller, during the afternoon session of the meeting, introduced the students of Jesse Ketchum Public School, present at the meeting.

**October 27, 2005:**

Mayor Miller, during the morning session of the meeting, invited Councillor Cowbourne to the podium for a presentation to the Canadian Junior Dragon Boat Team. Councillor Cowbourne welcomed the Team Members present in the Chamber, and congratulated them, on behalf of the Mayor and Members of Council, on being named Junior World Champions after their win in Berlin, Germany. She presented a plaque to the Team's representatives to mark the occasion.

Deputy Mayor Feldman, during the morning session of the meeting, introduced the students of Newtonbrook Secondary School, present at the meeting.

Mayor Miller, during the morning session of the meeting, honoured the Under 17 Women's Basketball Team, and the Under 17 Men's Basketball Team, and advised that both Teams had won Gold at the Canada Summer Games in Regina, Saskatchewan. He welcomed the players and coaches present at the meeting, and together with Councillor Moscoe, presented a plaque to each Team.

Councillor Fletcher, with the permission of Council, during the afternoon session of the meeting, read out a Proclamation declaring October 2005 as Child Abuse and Neglect Prevention Month. She advised Council that a ceremony was planned for October 30, 2005, to dedicate a tree and bench at Greenwood Park in memory of Jeffery Baldwin, and invited all to attend.

**October 28, 2005:**

Mayor Miller, during the morning session of the meeting, invited Deputy Mayor Pantalone, the City's Tree Advocate, to the podium to address Council respecting the success of the Tree Advocacy Program, now in its sixth year. He called the 2005 Sponsors to the podium and presented them with a token of appreciation for their participation in this Program.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced the students of Thorncliffe Park Public School, present at the meeting.

Deputy Mayor Bussin, during the afternoon session of the meeting, introduced The Honourable William Graham, Federal Minister of National Defence, present at the meeting.

*Notice of Special Meeting:*

Mayor Miller advised that a Special Meeting of City Council had been called for Monday, October 31, 2005, in the Council Chamber, Toronto City Hall, such meeting to start at 9:30 a.m., for the following purposes:

- (1) to complete consideration of unfinished business from the Council meeting on October 26, 27 and 28, 2005;
- (2) to introduce and enact General Bills; and
- (3) to introduce and enact a confirming by-law for this special meeting.

**October 31, 2005:**

Mayor Miller, during the morning session of the meeting, introduced the students of Vaughan Secondary School, present at the meeting.

Deputy Mayor Pantalone, with the permission of Council, during the afternoon session of the meeting, introduced a delegation visiting Toronto from Modugno, Bari, Italy, present at the meeting.

*Notice of Special Meeting:*

Mayor Miller advised that a Special Meeting of City Council had been called for Thursday, November 24, 2005, in the Council Chamber, Toronto City Hall, such meeting to start at 9:30 a.m., for the following purposes:

- (1) to complete consideration of unfinished business from the Council meetings on October 26, 27, 28 and 31, 2005;
- (2) to introduce and enact General Bills; and
- (3) to introduce and enact a confirming by-law for this special meeting.

**10.105 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE**

*Vary the order of proceedings of Council:*

**October 26, 2005:**

Councillor Ootes, at 10:46 a.m., moved that Council vary its proceedings and request the City Manager to continue her briefing, which was started at the September 28-30, 2005 meeting of Council, respecting various personnel issues, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor De Baeremaeker, at 10:47 a.m., requested that Policy and Finance Report 9, Clause 1, headed “Potential Impacts of Existing Sewers and Proposed Trunk Sewers in York Region on Waterbodies in the City of Toronto”, be considered as ‘time sensitive’, which carried.

Councillor Moscoe, at 10:48 a.m., requested that North York Community Council Report 8, Clause 29, headed “Committee of Adjustment Application A0693/05NY - Northeast corner of Sheppard Avenue East and Bayview Avenue (Ward 24 - Willowdale)”, and Clause 30, headed “Request for Investigation of Breach of Procedure By law and Council Code of Conduct”, both be considered as ‘time sensitive’, which carried.

**October 27, 2005:**

Councillor Walker, at 2:20 p.m., moved that Council vary the order of its proceedings to consider Motion J(1), respecting Election Campaign Finance Reform, as the first item of business after Council concludes consideration of Joint Policy and Finance Committee and Economic Development and Parks Committee Report 2, Clause 1, headed “Final Recommendations Enhancing Toronto’s Business Climate It’s Everybody’s Business (All Wards)”, the vote upon which was taken as follows:

Yes - 18	
Mayor:	Miller
Councillors:	Altobello, Carroll, Cho, Cowbourne, De Baeremaeker, Del Grande, Fletcher, Grimes, Holyday, Jenkins, Li Preti, Nunziata, Ootes, Pitfield, Stintz, Thompson, Walker
No - 16	
Councillors:	Augimeri, Bussin, Chow, Davis, Di Giorgio, Feldman, Filion, Giambrone, Hall, McConnell, Mihevc, Moscoe, Pantalone, Rae, Soknacki, Watson

Carried by a majority of 2.

**October 28, 2005:**

Councillor Mammoliti, at 9:56 a.m., moved that Council vary the order of its proceedings to consider Policy and Finance Committee Report 9, Clause 21, headed “Approval of the Best Start Service and Transition Plan as Amendments to the 2005 2009 Toronto Child Care Service Plan”, as the first item of business after Council concludes consideration of North York Community Council Report 8, Clause 29, headed “Committee of Adjustment Application A0693/05NY Northeast corner of Sheppard Avenue East and Bayview Avenue (Ward 24 Willowdale)”, which carried.

*Procedural Motion:*

Councillor Soknacki moved the following procedural motion:

“That:

- (1) all motions moved at the October 26, 27 and 28, 2005 meeting of City Council on any Item remaining on the Agenda, be forwarded to the Special meeting of Council on October 31, 2005, and these motions be deemed to be moved; and
- (2) any speaker’s list from the October 26, 27 and 28, 2005 meeting of City Council be carried forwarded to the special Council meeting on October 31, 2005, and be adopted for continuing the debate on this matter at that meeting, and that a provision be allowed for any Members who were not on the speaker’s list to add their names.”

*Vote on Procedural Motion:*

Yes - 40	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Mammoliti

Carried, more than two-thirds of Members present having voted in the affirmative.

*Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:*

**October 27, 2005:**

Councillor Chow, at 7:22 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Policy and Finance Committee Report 9, Clause 36, headed “Soccer Stadium at Exhibition Place”, which carried, more than two-thirds of Members present having voted in the affirmative.

**October 31, 2005:**

Councillor Chow, at 3:54 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement to adjourn at 4:00 p.m., as previously decided, in order to conclude consideration of Policy and Finance Committee Report 9, Clause 29, headed “Funding for and Purchase of 110 Edward Street for Affordable and Supportive Housing Purposes (Ward 27)”, which carried, more than two-thirds of Members present having voted in the affirmative.

**10.106 ATTENDANCE**

Councillor Davis, seconded by Councillor Cho, moved that the absence of Councillors Altobello, Balkissoon, Lindsay Luby and Minnan-Wong from the special meeting of Council on October 31, 2005, be excused, which carried.

Councillor Del Grande requested that his opposition to this motion be noted in the Minutes of this meeting.

October 26, 2005	9:39 a.m. to 12:30 p.m.*	2:10 p.m. to 6:57 p.m.*	Ctte. of the whole In-Camera 7:00 p.m.	7:29 p.m. to 7:30 p.m.*
Miller	x	x	-	-
Altobello	x	x	-	-
Ashton	x	x	x	x
Augimeri	x	x	-	-
Balkissoon	x	-	-	-
Bussin	x	x	x	x
Carroll	-	x	x	x
Cho	x	x	-	-
Chow	x	x	x	x
Cowbourne	x	x	x	x
Davis	x	x	x	x
De Baeremaeker	x	x	x	x
Del Grande	x	x	x	x
Di Giorgio	x	x	-	-
Feldman	-	x	x	x
Filion	x	x	x	x
Fletcher	x	-	-	-
Ford	x	x	-	-
Giambrone	x	x	x	x

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October 26, 2005	9:39 a.m. to 12:30 p.m.*	2:10 p.m. to 6:57 p.m.*	Ctte. of the whole In-Camera 7:00 p.m.	7:29 p.m. to 7:30 p.m.*
Grimes	x	x	x	x
Hall	x	x	x	x
Holyday	x	x	x	x
Jenkins	x	x	x	x
Kelly	x	x	x	x
Li Preti	x	x	x	x
Lindsay Luby	x	x	x	x
Mammoliti	x	x	-	-
McConnell	x	x	x	x
Mihevc	x	x	x	x
Milczyn	x	x	x	x
Minnan-Wong	x	x	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Palacio	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	x	x	x
Rae	x	x	x	x
Saundercook	x	x	-	-
Shiner	x	x	x	x
Soknacki	x	x	x	x
Stintz	x	x	-	-
Thompson	x	x	-	-
Walker	x	x	-	-
Watson	x	x	x	x
Total	43	43	31	31

\* Members were present for some or all of the time period indicated.

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October 27, 2005	9:40 a.m. to 12:30 p.m.*	Roll Call 10:15 a.m.	2:10 p.m. to 7:44 p.m.*	Roll Call 3:28 p.m.	Roll Call 4:13 p.m.
Miller	x	-	x	-	-
Altobello	-	-	x	x	-
Ashton	x	-	x	-	x
Augimeri	x	x	x	x	-
Balkissoon	-	-	-	-	-
Bussin	x	x	x	-	x
Carroll	x	x	x	x	x
Cho	x	x	x	x	-
Chow	x	-	x	-	-
Cowbourne	x	-	x	x	x
Davis	x	-	x	x	x
De Baeremaeker	x	x	x	x	x
Del Grande	x	x	x	x	x
Di Giorgio	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	-	-	x	-	-
Fletcher	x	-	x	x	-
Ford	x	x	x	-	-
Giambrone	x	-	x	-	-
Grimes	x	x	x	x	x
Hall	x	x	x	-	x
Holyday	x	x	x	x	x
Jenkins	x	x	x	x	-
Kelly	x	x	x	x	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	x	x
McConnell	x	-	x	-	-
Mihevce	x	-	x	-	-
Milczyn	x	-	x	-	-

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October 27, 2005	9:40 a.m. to 12:30 p.m.*	Roll Call 10:15 a.m.	2:10 p.m. to 7:44 p.m.*	Roll Call 3:28 p.m.	Roll Call 4:13 p.m.
Minnan-Wong	-	-	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	-	x
Ootes	x	-	x	x	-
Palacio	x	-	x	x	-
Pantalone	x	-	x	x	x
Pitfield	x	x	x	x	x
Rae	x	x	x	-	-
Saundercook	x	x	x	-	x
Shiner	x	x	-	-	-
Soknacki	x	x	x	-	-
Stintz	x	x	x	x	x
Thompson	x	x	x	x	x
Walker	x	-	x	-	-
Watson	x	x	x	x	x
Total	41	27	42	26	24

\* Members were present for some or all of the time period indicated.

October 28, 2005	9:36 a.m. to 12:27 p.m.*	2:06 p.m. to 5:51 p.m.*
Miller	x	x
Altobello	x	x
Ashton	x	x
Augimeri	x	x
Balkissoon	-	-
Bussin	x	x
Carroll	x	x
Cho	x	x
Chow	x	x
Cowbourne	x	x
Davis	x	x



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October 28, 2005	9:36 a.m. to 12:27 p.m.*	2:06 p.m. to 5:51 p.m.*
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	-
Giambrone	x	x
Grimes	x	x
Hall	x	x
Holyday	x	x
Jenkins	x	x
Kelly	x	x
Li Preti	x	x
Lindsay Luby	x	x
Mammoliti	x	x
McConnell	x	x
Mihevc	x	x
Milczyn	-	x
Minnan-Wong	-	-
Moscoe	x	x
Nunziata	x	x
Ootes	x	x
Palacio	x	x
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Soknacki	x	x

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October 28, 2005	9:36 a.m. to 12:27 p.m.*	2:06 p.m. to 5:51 p.m.*
Stintz	x	x
Thompson	x	x
Walker	x	x
Watson	x	x
Total	42	42

\* Members were present for some or all of the time period indicated.

October 31, 2005	9:40 a.m. to 12:58 p.m.*	2:06 p.m. to 4:11 p.m.*
Miller	x	x
Altobello	-	-
Ashton	x	x
Augimeri	x	x
Balkissoon	-	-
Bussin	x	x
Carroll	x	x
Cho	x	-
Chow	x	x
Cowbourne	x	x
Davis	x	x
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	-
Giambrone	x	x
Grimes	-	x
Hall	x	-
Holyday	x	x

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October 31, 2005	9:40 a.m. to 12:58 p.m.*	2:06 p.m. to 4:11 p.m.*
Jenkins	x	x
Kelly	x	x
Li Preti	x	x
Lindsay Luby	-	-
Mammoliti	x	x
McConnell	x	x
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	-	-
Moscoe	x	x
Nunziata	x	x
Ootes	x	x
Palacio	x	x
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Soknacki	-	x
Stintz	x	x
Thompson	x	x
Walker	x	x
Watson	x	x
Total	39	38

\* Members were present for some or all of the time period indicated.

**Council adjourned on Monday, October 31, 2005, at 4:11 p.m.**

**DAVID R. MILLER,**  
Mayor

**ULLI S. WATKISS,**  
City Clerk

**ATTACHMENT 1**

Enquiry (September 26, 2005) from Councillor Howard Moscoe, regarding the Voluntary Lobbyist Registry (See Minute 10.4, Page 2):

1. Which Members of Council have participated in the voluntary lobbyist registry?
2. Which Members of Council have never done so?
3. Which Members of Council regularly file lobbyist reports with the Clerk?

Thank you for your consideration of this matter.

**ATTACHMENT 2**

Answer (October 11, 2005) to Enquiry, from the City Clerk (See Minute 10.4, Page 2):

Your inquiry, dated September 26, 2005, asked three questions regarding the voluntary lobbyist registry:

1. Which Members of Council have participated in the voluntary lobbyist registry?
2. Which Members of Council have never done so?
3. Which Members of Council regularly file lobbyist reports with the Clerk?

The attached table lists the Members of Council, for the current term, who have submitted copies of their voluntary lobbyist registry or who have advised that they have no lobbyist entries in their respective registries.

The table shows that 13 Members have participated in the voluntary lobbyist registry, while 32 Members have not submitted lobbyist reports. The table shows the frequency of Members filing lobbyist reports with the City Clerk's Office.

The voluntary lobbyist registry was established by City Council in February 2003. Participating Members of Council submit their lobbyist registry reports to the Secretariat Unit, City Clerk's Office. Secretariat staff maintain a binder of all lobbyist reports received from Members for public review on the 12th floor West, City Hall. Some Members advise the City Clerk in writing of no lobbyist entries in their respective registries.

On a monthly basis, Secretariat staff provide to Corporate Communications an updated list of Members who have submitted lobbyist reports to the City Clerk's Office, and those Members names are posted to the City's web site at: [www.toronto.ca/city\\_council/registry.htm](http://www.toronto.ca/city_council/registry.htm)

**Members of Council who have submitted copies  
of their Voluntary Lobbyist Registers  
(2003-2006 Council Term)**

	2003	2004												2005									
	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
Mayor Miller																							
Councillor Altobello																							
Councillor Ashton																							
Councillor Augimeri																							
Councillor Balkissoon																							
Deputy Mayor Bussin				x	x	x	x	x	x	x		x											
Councillor Carroll																							
Councillor Cho																							
Councillor Chow																							
Councillor Cowbourne																							
Councillor Davis		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
Councillor De Baeremaeker		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Councillor Del Grande	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x				
Councillor Di Giorgio																							
Deputy Mayor Feldman																							
Councillor Fillion																							
Councillor Fletcher																							
Councillor Ford																							
Councillor Giambrone				x	x	x	x	x	x	x	x	x	x	x	x	x							
Councillor Grimes																							
Councillor Hall																							
Councillor Holyday			x	x																			
Councillor Jenkins				x	x	x	x	x	x														
Councillor Kelly																							
Councillor Li Preti																							
Councillor Lindsay Luby		x	x	x	x	x	x	x	x	x	x	x											
Councillor Mammoliti																							
Councillor McConnell																							
Councillor Mihevc																							
Councillor Milczyn		x	x	x	x																		
Councillor Minnan-Wong																							
Councillor Moscoe							x		x	x							x		x	x	x	x	
Councillor Nunziata																							
Councillor Ootes																							
Councillor Palacio		x	x	x	x	x	x	x	x	x		x	x		x	x		x	x				
Deputy Mayor Pantalone																							
Councillor Pitfield		x	x	x	x	x	x	x		x	x	x					x						
Councillor Rae																							
Councillor Saundercook																							
Councillor Shiner																							
Councillor Soknacki																							
Councillor Stintz																							
Councillor Thompson																							
Councillor Walker	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x							
Councillor Watson																							

**ATTACHMENT 3 [Notice of Motion J(2)]**

Report (October 20, 2005) from the Deputy City Manager and Chief Financial Officer, entitled "Issuance of Debentures". (See Minute 10.66 , Page 98)

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on October 26, 2005 to give effect to the issuance of debentures of \$200 million that were syndicated in the domestic capital market on October 17, 2005.

Financial Implications and Impact Statement:

Debenture issuance in the Canadian domestic market of \$200 million on October 17, 2005, is required to finance previously approved capital expenditures. The debt charges associated with this issue have been included in the City's 2005 operating budget in corporate non-program and will be included in the 2006 budget on an annualized basis.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on October 26, 2005, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Background:

By-law No. 69-2005, as adopted by Council at its meeting on February 3, 2005, authorized the Mayor and Treasurer to enter into agreements for the issuance and sale of debentures during the year 2005 to provide an aggregate amount not exceeding \$500,000,000 for purposes of the City and the former municipality of Metropolitan Toronto. By-law No. 69-2005 was amended by Council at its meeting of May 17, 2005, to clarify that it is the Deputy City Manager and Chief Financial Officer, acting in his capacity as treasurer appointed under the *Municipal Act, 2001*, who is authorized to enter into such agreements along with the Mayor.

Any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments:

Acting in accordance with the aforementioned authorities and the unanimous advice of our investment syndicate lead managers Scotia Capital Inc., RBC Dominion Securities Inc. and CIBC World Markets Inc., negotiations were completed on October 17, 2005, for a public issuance of debentures in the Canadian domestic market.



This transaction is the City's second debenture issued in 2005 and received a positive reception in a stable bond market. The instalment debentures were issued with a par value of \$150 million ranging from 1 to 9 years terms-to-maturity with interest rates between 3.45 percent to 4.30 percent per annum. Sinking fund debentures in the amount of \$50 million were also issued at 4.375 percent for a ten-year term. The overall net cost of financing the \$200 million issue is 4.257 percent.

The issue's maturity structure blends current capital market conditions with the matching of the economic life of various capital expenditures to their financing terms. The structure and pricing of the transaction achieved the lowest cost of funds available relative to other potential structures, markets and currencies as permitted by provincial legislation.

With the inclusion of the \$300 million debenture issue previously settled on May 20, 2005, the City has borrowed up to the Council-authorized limit of \$500 million and has completed its borrowing program for 2005.

Delivery of the debentures and the receipt of proceeds will occur on October 28, 2005. The issue will be book-based with no physical definitive certificates as were previous debenture issues. This process continues to generate savings for the City related to the printing, registration and distribution of the securities since The Canadian Depository for Securities Limited (CDS) administers the interest and principal payments to the debenture holders at no cost to the City.

Conclusion:

The City has issued \$200 million in debentures for settlement on October 28, 2005, as authorized under By-law No. 69-2005 as adopted by Council on February 3, 2005. As the Capital projects to be financed with the proceeds of this issue were previously approved, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings, given current favourable capital market conditions.

This debenture issue completes the City's borrowing program for 2005.

Contact Names and Telephone Numbers:

Len Brittain, Director, Corporate Finance  
Tel: 416-392-5380, Fax: 416-397-4555  
E-mail: [lbrittai@toronto.ca](mailto:lbrittai@toronto.ca)

Martin Willschick, Manager, Treasury Services  
Tel: 416-392-8072, Fax: 416-397-4555  
E-mail: [mwillsch@toronto.ca](mailto:mwillsch@toronto.ca)

**ATTACHMENT 4 [Notice of Motion J(10)]**

Report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled "Proposed Planning Study and Interim Control By-law - Castlefield Caledonia Design and Décor District - Ward 15 - Eglinton-Lawrence and Ward 12 York South-Weston". (See Minute 10.74, Page 114)

Purpose:

To seek Council's direction to conduct a study of the zoning regulations and planning policies, focusing on appropriate uses for a design district and to recommend enactment of an Interim Control By-law for the Castlefield and Caledonia Design and Décor District, as illustrated in Attachment 1, to prohibit incompatible uses and retail stores and design centres with a gross floor area greater than 2,500 m<sup>2</sup>.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

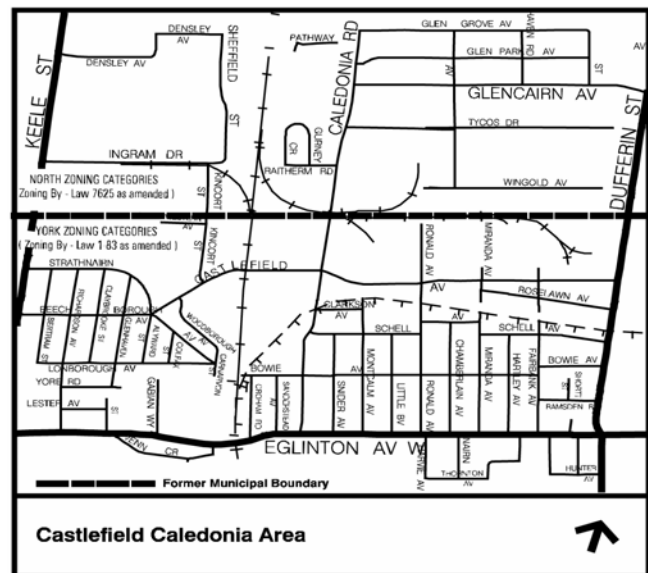
It is recommended that:

- (1) Planning staff be directed to undertake a review and study of the zoning regulations and planning policies which apply to the area as shown in Attachment 1 and report back to Community Council within one year; and
- (2) pursuant to Section 38 of the *Planning Act*, City Council enact two Interim Control By-laws, Attachments 2 and 3, each for a one year period.

Background:

Castlefield Caledonia Design and Décor District Charette

City Council approved a design charette for the Castlefield Caledonia Design and Décor District (CCDDD) in the 2005 Budget to develop a more cohesive urban design framework for the area, with particular attention to retail patterns, harmonious introduction of new retail facilities and improving the area streetscape. This charette is proposed to be held next spring.



The goal of the CCDDD charette is to produce a vision and implementation plan to address key development issues in the area. These include illustrating how:

- existing retail patterns can be optimized and enhanced;
- to achieve adaptive reuse of existing industrial buildings;
- new retail facilities can be introduced harmoniously; and
- to improve the area streetscape and pedestrian environment.

It will examine and make recommendations on changes to the street and block patterns, how to integrate large industrial lots into the area fabric, potential building scale, form and massing and how to achieve additional public roads through the redevelopment of large parcels.

The study area established in the CCDDD charette terms of reference encompasses lands in both the former City of York and former City of North York. The primary study area is based on a 500 m radius from the intersection of Castlefield Avenue and Caledonia Road. The larger context area for the charette is bounded by Keele Street, Eglinton Avenue, Dufferin Street and Lawrence Avenue. Economic Development Services terms lands generally within that area as the Design and Décor District.

The charette is intended to be a public realm review aimed at developing and enhancing the unique retail character that is emerging through recent private redevelopment in the area and does not explicitly address land use permissions.

The recommended study to review the zoning regulations, planning policies and impacts of large retail uses will complement the work of the CCDDD charette. This study area, as shown on Attachment 1, would focus on existing retail, commercial and industrial permissions and vacant sites within the charette study area.

#### Existing Official Plans

The former City of York Official Plan designates the Castlefield and Caledonia area as an Employment District. The Official Plan contains provisions for the Prestige Employment zone, which permits a wide range of employment activities, including large retail establishments of a size that would not normally fit in a commercial main street shopping area. The policy limits the extent of uses incidental to these retail permissions and its intent is to protect the viability of main street commercial areas by limiting large scale retail to Prestige Employment areas. The specific permissions for this zone will be reviewed in the Zoning By-law discussion below.

The former City of North York Official Plan provides for a wide range of industrial and employment uses which complement and support industrial uses. Large retail uses are restricted to arterial roads and their total floor area is restricted to a maximum of 0.5 FSI or 5,000 m<sup>2</sup>. Increases in retail uses are permitted subject to evaluation criteria including a traffic impact study and market impact study.

New City of Toronto Official Plan

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board.

The subject lands are designated Employment Area in the new Official Plan. The Employment Area policies restrict uses that are extensive land users, such as large scale, stand-alone retail stores, that are not directly supportive of the primary employment function of these areas. Large scale stand-alone retail stores are permitted in Employment Areas on lands fronting major streets that also form the boundary of the Employment Areas. The subject lands are also within an Employment District as illustrated on the Urban Structure map (Map 2) of the new Plan. This provides for policies that promote the distinctive character or specialized function of the area and the creation of streetscapes that attract new business ventures.

#### Zoning By-laws

The lands located in the former City of York are zoned Prestige Employment (PE). Prestige Employment permits a range of uses including industrial, office, design centre, retail store, motor vehicle sales and rentals and recreational. Retail stores with gross floor areas larger than 1,500 m<sup>2</sup> are permitted, with no restriction as to a maximum size. Smaller retail stores are permitted provided they are located on a lot containing at least one retail store with a gross floor area larger than 1,500 m<sup>2</sup>.

The lands in the former City of North York portion of the study area are zoned Industrial Zone Two (M2) and Industrial Zone Three (M3) which permit a wide range of industrial, commercial, educational and recreational uses. These zones permit retail stores to a maximum 0.25 FSI or a combined total gross floor area of 2,500 m<sup>2</sup>.

#### Comments:

The appropriate range of complementary land uses for a design and décor district and the size of retail establishments in the study area, as shown in Attachment 1, are key issues to be examined through the recommended planning study. This study will review the current planning policies and zoning permissions with respect to use and compatibility and will include, but not be limited to, an analysis of location, size and streetscape elements. The planning study will also complement and augment the public realm improvements contemplated in the CCDDD design charette.

There are three vacant parcels near the Castlefield and Caledonia intersection, including a 6.47 hectare site at the northeast corner of Castlefield and Caledonia. A site plan control application for retail uses was received on September 26, 2005 for the 6.47 hectare site. Development of these lands with large format retail uses may impact the area transportation network, the overall character and streetscape of the area and alter the course of the land use review.

The lands in the proposed study area are zoned Industrial Zone Two (M2), Industrial Zone Three (M3) and Prestige Employment (PE) and include site specific exceptions. These zones, as discussed above, permit a range of uses, with differing regulations with respect to the kinds of uses and the size of retail uses permitted. Several uses permitted in these zones and the limitations regarding their size may not be compatible with the emerging vision for a design and décor district.

The proposed Interim Control By-law contained in Attachment 2 applying to lands in the former City of York would prohibit motor vehicle sales and rentals, limit the size of design centres and generally allow for proposals for retail establishments with a gross floor area of 1,500 m<sup>2</sup> to 2,500 m<sup>2</sup> to proceed while the review is underway. This by-law excludes two properties, 1350-1400 Castlefield Avenue and 680 Caledonia Road, which are the subject of planning applications that have been under review for a considerable time.

The proposed Interim Control By-law contained in Attachment 3 applying to lands in the former City of North York would prohibit a range of motor vehicle uses and heavier industrial uses. The current provision providing for a maximum retail gross floor area of 2,500 m<sup>2</sup> would not be changed.

Conclusions:

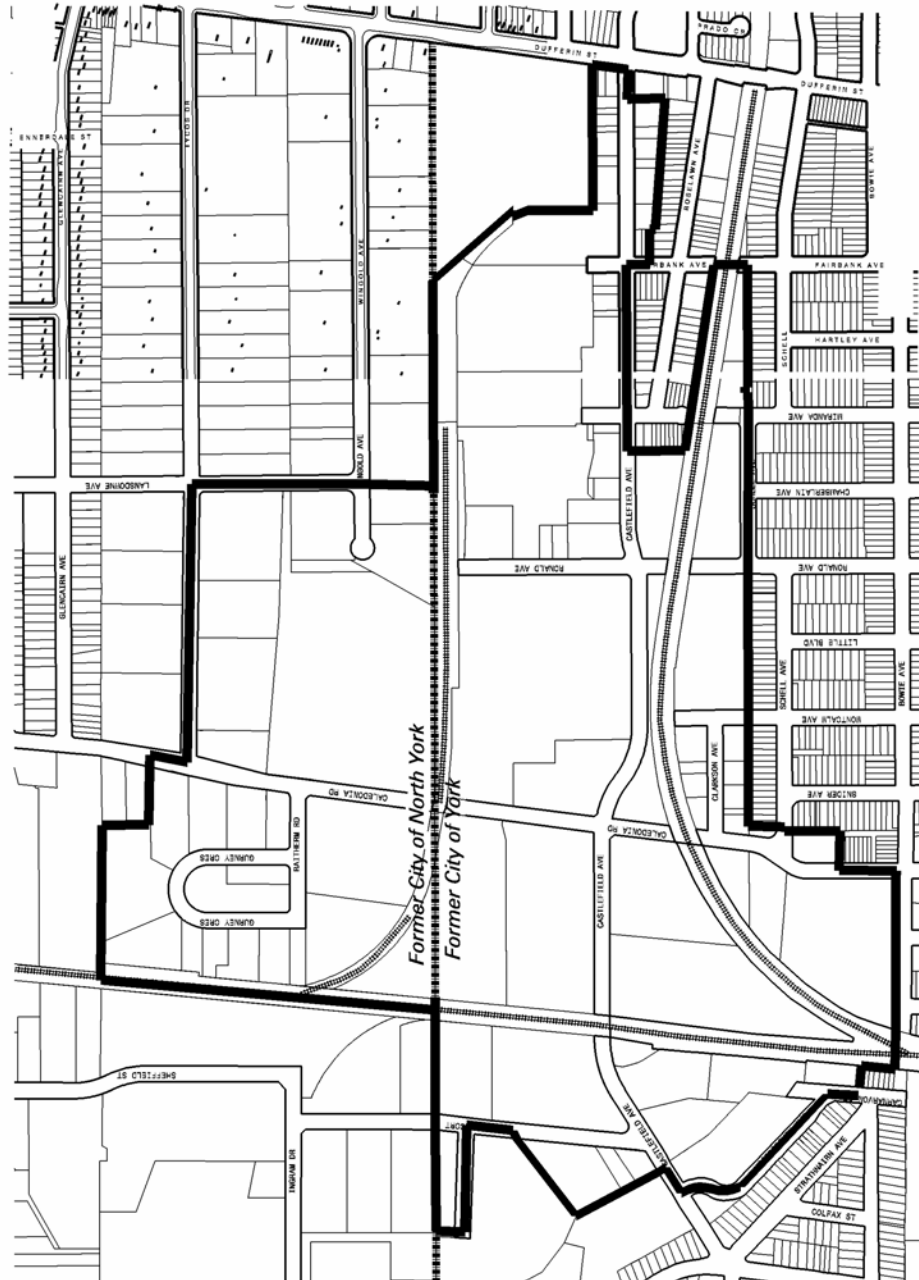
It is recommended that Council approve a study to review the land use permissions in the Castlefield Caledonia Design and Décor District in order to bring forward recommendations setting out appropriate land uses and development regulations. It is recommended that the proposed Interim Control By-laws (Attachments 2 and 3) for the employment lands in the study area be enacted for a one year period.

Contact:

Tom Keefe, Director, Community Planning, North York District  
Tel. No. (416) 395-7170; Fax No. (416) 395-7155; tkeefe@toronto.ca

List of Attachments:

- Attachment 1: Proposed Planning Study Area
- Attachment 2: Proposed Interim Control By-law, City of York By-law 1-83
- Attachment 3: Proposed Interim Control By-law, City of North York By-law 7625



Castlefield / Caledonia Study Area

North to Scale  
10/18/2005

Authority: Motion J( ) moved by Councillor seconded by Councillor as adopted  
by City of Toronto Council on October 26, 27, and 28, 2005  
Enacted by Council:

**CITY OF TORONTO**

**Bill No. 873**

**BY-LAW No. -2005**

**To effect interim control for the lands shown on Schedule 1 to this By-law being the portion of Castlefield Caledonia Design and Décor District located in the former City of North York.**

WHEREAS the Council of the City of Toronto has, by adopting Notice of Motion at its meeting of October 26, 27, and 28, 2005, directed that a review be undertaken in respect of the appropriate land uses and size of uses permitted in the Castlefield Caledonia Design and Décor District in the former City of North York;

WHEREAS authority is given to Council by subsection 38 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended to pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law for such purposes as are set out in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The following uses are prohibited on any of the lands shown within the heavy lines on Schedule 1 attached to this by-law:

- (i) abattoir
- (ii) asphalt plant
- (iii) boarding kennel
- (iv) car rental agencies
- (v) car washing establishment
- (vi) contractor's establishment
- (vii) fertilizer manufacturing
- (viii) gasoline station
- (ix) metal or mineral smelting
- (x) motor vehicle body repair shop
- (xi) motor vehicle dealership
- (xii) paint and varnish manufacturing
- (xiii) recycling facility
- (xiv) service station
- (xv) transfer station
- (xvi) transportation terminal

2. This By-law expires one year from the date of its enactment by Council.

ENACTED AND PASSED this    day of October, A.D. 2005.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)





<p><b>Toronto</b>  <small>CITY PLANNING DIVISION</small></p>	<p><b>SUBJECT PROPERTY</b></p>
<p><b>This is Schedule " 1 " to By-Law _____, passed</b>  <b>the _____ day of _____, 20 _____</b></p>	
<p>(Sgd.) _____</p>	<p>(Sgd.) _____</p>
<p>CLERK</p>	<p>MAYOR</p>
<p>File No. _____</p>	<p>Prepared by: J.M.</p>
<p>Date: October 18, 2005</p>	<p>Approved by: A.M.</p>
<p>Filename: North_Castlefield                  Bylaws oct 18</p>	<p>Location: K \ Studies</p>
<p>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.</p>	

Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.

Authority: Motion J( ) moved by Councillor seconded by Councillor as adopted by City of Toronto Council on October 26, 27, and 28, 2005.

Enacted by Council:

**CITY OF TORONTO**

**Bill No. 874**

**BY-LAW No. -2005**

**To effect interim control for the lands shown on Schedule 1 to this By-law being the portion of Castlefield Caledonia Design and Décor District located in the former City of York.**

WHEREAS the Council of the City of Toronto has, by adopting Notice of Motion at its meeting of October 26, 27, and 28, 2005, directed that a review be undertaken in respect of the appropriate land uses and size of uses permitted in the Castlefield Caledonia Design and Décor District in the former City of York;

WHEREAS authority is given to Council by subsection 38 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended to pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law for such purposes as are set out in the By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Motor vehicle sales and rentals are prohibited on any of the lands shown within the heavy lines on Schedule 1 attached to this by-law.
2. Retail stores and design centres with a gross floor area greater than 2,500 m<sup>2</sup> are prohibited on any of the lands shown within the heavy lines on Schedule 1 attached to this by-law.
3. This by-law shall not apply to:
  - (i) the lands known municipally as 1350-1400 Castlefield Avenue, more particularly described Part of Lot 2, Concession 3 West of Yonge Street more particularly described as Parts 2 to 6, Plan 64R-10215; and
  - (ii) the lands known municipally as 680 Caledonia Road, more particularly described as Part of Lots 1 and 2, Concession 3 West of Yonge Street.
4. This By-law expires one year from the date of its enactment by Council.

ENACTED AND PASSED this day of October, A.D. 2005.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)



<p><b>Toronto</b> City Planning Division</p> <p>SUBJECT PROPERTY</p>	
<p><b>This is Schedule " 1 " to By-Law _____, passed the _____ day of _____, 20____</b></p> <p>(Sgd.) _____ (Sgd.) _____ MAYOR</p> <p>CLERK</p>	
File No.	
Prepared by: J.M.	
Approved by: A.M.	
Date: October 18, 2005	
Filename: York_Castlefield_Bylaw 18oct2005	
Location: K:\pln\urbandesign\graphics\gpNorth\Studies\Castlefield-Caledonia	
<p>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - North York Planning Department.</p> <p>Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</p>	

**ATTACHMENT 5 [Notice of Motion J(17)]**

Report (October 26, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled “Revised Maps for the Central Waterfront Secondary Plan 701003 - Ward 19, Trinity-Spadina and Ward 29, Toronto-Danforth”. (See Minute 10.81, Page 127)

Purpose:

This report seeks Council’s authorization for modifications to the proposed mapping for various areas within the Central Waterfront Secondary Plan as adopted by Council at its meeting on September 28, 2005.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Council approve the proposed modifications to the maps substantially as set out in Appendix A; and
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board Hearing to give effect to the proposed modifications.

Background:

My report dated September 22, 2005, on the Partial Settlements of Appeals to the Central Waterfront Secondary Plan, was adopted by Council at its meeting on September 28, 2005. This report had appended to it the proposed Central Waterfront Secondary Plan map changes. It has subsequently been discovered that these maps require minor adjustments primarily related to the location of bicycle paths within the West Don Lands, the timing of the development of a proposed new GO station and the categorization of future roads within the Portlands. These adjustments have been made and are reflected on the attached maps.

Comments:

Given the timing of the upcoming Ontario Municipal Board hearing on this matter on November 21, 2005, it is important that the modified maps be endorsed by Council.

Conclusions:

The appellants and interested parties have been advised of the proposed changes to the maps. The proposed changes will clarify the discrepancies identified by the parties to the hearing. The City Solicitor has been consulted in the preparation of this report.

Contact:

Angus Cranston, Senior Planner, East Section  
Telephone: 416-392-0425; Fax: 416-392-1330; E-mail: [acransto@toronto.ca](mailto:acransto@toronto.ca)

List of Attachments:

Appendix A: Revised Maps for the Central Waterfront Secondary Plan

(A copy of the Revised Maps for the Central Waterfront Secondary Plan is on file in the City Clerk's Office.)

**ATTACHMENT 6 [Notice of Motion J(23)]**

Report (October 27, 2005) from the General Manager, Transportation Services, entitled "Proposed Assignment of Molson Indy Agreement (Trinity-Spadina - Ward 20)". (See Minute 10.87, Page 137)

Purpose:

To recommend that City Council consent to the assignment of the current agreement with Molson Sports & Entertainment Inc. and Molson Canada 2005 to Champ Car World Series LLP and Grand Prix Association of Toronto, subject to the terms as set out in this report.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council consent to the assignment of the current agreement (January 1, 2005) with Molson Sports & Entertainment Inc. and Molson Canada 2005 (as indemnifier) for the operation of the Molson Indy in 2006 and 2007, subject to the following conditions:
  - (a) the agreement shall be assumed by Grand Prix Association of Toronto, with Champ Car World Series LLP ("Champ Car") as indemnifier of all of Grand Prix's obligations under the agreements;
  - (b) the level of insurance to be provided under the agreements shall be set at the Canadian equivalent of \$20 million U.S. (as set out in the attached letter from counsel for Champ Car) for the set up and take down periods before and after the Race Days and \$50 million Canadian on the Race Days in a form satisfactory to the Manager of Insurance and Risk Management as required under the agreement;
  - (c) Council's consent to this assignment shall be contingent upon approval by The Board of Governors of Exhibition Place of the assignment of the Board's agreement with Molson Sports & Entertainment Inc. and Molson Canada 2005 for the use of Exhibition Place as the site of the race; and
  - (d) Molson Sports & Entertainment Inc., Molson Canada 2005, Grand Prix Association of Toronto and Champ Car World Series LLP shall enter into an assignment agreement on such terms as may be required by the General Manager of Transportation Services, the Manager of Insurance and Risk Management and the City Solicitor; and

- (2) City Council direct staff to take all necessary actions to implement the above recommendations.

Background:

At its meeting of April 12, 13 and 14, 2005, City Council approved the entering into of an agreement with Molson Sports & Entertainment Inc. and Molson Canada 2005 (as indemnifier) to permit the operation of the Molson Indy in 2005, 2006 and 2007 (Clause 59, Toronto and East York Community Council Report 3).

In order to permit the use of Exhibition Place as the site of the race, Molson also has an agreement with The Board of Governors of Exhibition Place for 2005, 2006 and 2007.

By letter dated October 12, 2005, Molson has now requested that City Council and The Board of Governors of Exhibition Place consent to the assignment of the agreements to Champ Car World Series LLP, the sanctioning body and creator of the racing series of which the Molson Indy is a part. Champ Car has now formed a new Canadian entity, known as "Grand Prix Association of Toronto", which will assume the agreements and undertake the race in 2006 and 2007.

Comments:

Champ Car World Series LLC ("Champ Car") is an elite professional open-wheel racing series which traces its roots back to 1904. The principals of Champ Car are three successful entrepreneurs and racing enthusiasts. Staff are advised that these individuals have recently made a series of other strategic acquisitions via separately chartered, but affiliated entities to create a racing series which is competitive in the marketplace and yields a predictable cost structure from year to year. The first of these acquisitions was the purchase of Cosworth, an engineering and engine manufacturing company. Next, they acquired Pi Research, which is a data acquisition and analysis company. These two key acquisitions have proven quite beneficial as they ensure a supply of engines and electronics equipment is available to Champ Car and its teams at prices and specifications which can be easily monitored.

In addition, Champ Car is involved as both the sanctioning body and event promoter with respect to certain racing events in the U.S. and has entered into agreements with municipalities and others to permit the holding of Champ Car races in Long Beach, California; Cleveland, Ohio; Las Vegas, Nevada and Portland, Oregon. A similar arrangement is proposed for Toronto.

Champ Car has indicated that it views the proposed transaction in Toronto as significant as it feels strongly that Toronto is one of the marquee events on the Champ Car schedule. It has therefore formed a single purpose Canadian entity known as Grand Prix Association of Toronto ("GPAT"), to purchase the race assets from Molson. As with the other strategic acquisitions, this entity is not owned directly by Champ Car, but is an affiliated entity as the majority Champ Car owners are the principals of GPAT.



The current agreements with Molson include the participation of Molson Canada 2005, the Molson brewery operation, as an indemnifier of the obligations of Molson under the Agreement. This means that the financial obligations under the agreement are secured by the significant financial resources of the brewery operation. While Champ Car does not possess the same level of financial resources as the previous indemnifier, staff are recommending that it assume the role of indemnifier under the agreements. This will provide additional insurance coverage and additional financial recourse in the case of default in respect to the payment of the City's costs of road closure (estimated at approximately \$10,000.00 annually) or the provision of insurance. Other benefits will be the clear expertise which Champ Car and its affiliate will bring to the operation of the Toronto event (intended to be renamed the "Molson Grand Prix" as Molson intends to remain the main sponsor of the event) and a direct tie-in between this event and the racing series itself.

Attached to this report is a letter dated October 24, 2005 received from counsel for Champ Car respecting the provision of insurance under the Agreement (Appendix 'A'). It is suggested by Champ Car that the previous level of insurance (\$65 million) provided by Molson on the race days under the agreement far exceeds the levels of insurance required for other similar events which it is involved in. The Manager, Insurance and Risk Management has reviewed this comment and the parties are in agreement with a recommendation that the maximum coverage on the race days shall be \$50 million (consistent with a recent determination made in respect of the CNE air show). In return, Champ Car shall, as stated in the letter, provide increased insurance coverage (\$20 million U.S.) during the period of set-up and break-down.

Conclusions:

Champ Car World Series LLC ("Champ Car") is an elite professional open-wheel racing series which traces its roots back to 1904.

Champ Car has formed new Canadian entity, known as "Grand Prix Association of Toronto", which will assume the agreements and undertake the race in 2006 and 2007, with Champ Car as indemnifier of Grand Prix's obligations under the agreement. Staff, represented by Transportation Services, Legal Services, Insurance and Risk Management and The Board of Governors of Exhibition Place, have met with representatives of Champ Car and, subject to the recommendations outlined in this report, are confident that the currently known Molson Indy race will be managed in the same professional manner, and it is recommended that the proposed assignment of Molson Indy Agreements be approved.

Legal Services and Insurance and Risk Management have been consulted in the preparation of this report.

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List of Attachments:

Attachment No. 1 – Appendix ‘A’ – letter from Champ Car dated October 24, 2005  
(p:\2005\wes\tra\south\row\cc05084south.row – Appendix A)

(A copy of Appendix ‘A’, the letter (October 24, 2005) from Champ Car, is on file in the City Clerk’s Office.)

**FISCAL IMPACT STATEMENT SUMMARY**  
**Notices of Motion**  
**Submitted by the Deputy City Manager and Chief Financial Officer**  
**Council Meeting – October 26, 27, 28 and 31, 2005**

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
F(1)	Removal of Thursday Parking Prohibition – St. Clarens Avenue, between College Street and Bloor Street West (Davenport, Ward 18)			Indeterminable revenue loss at this time.
I(1)	Licensing of Livery Vehicles	\$0	\$0	Consider.
J(1)	Election Campaign Finance Reform	\$0	\$0	No immediate financial impacts. See FIS.
J(2)	Issuance of Debentures			Already Considered by City Council on Oct. 25, 2005.
J(3)	Extension of Free Parking for Canadian Veterans	TBD	\$0	Refer to Policy and Finance Committee. See FIS.
J(4)	Reading and Display of Motions at Council for Viewers at Home	\$0	\$0	Consider
J(5)	Installation of Speed Humps - Bain Avenue, between Broadview Avenue and Ingham Avenue (Toronto-Danforth, Ward 30)	\$0	\$0	Consider.
J(6)	Maintaining Services at the East York Civic Centre	\$11,200	\$0	Inconsistent with staff implementation of Council's Approved 4 District Model. See FIS.
J(7)	Harmonized Permit Rates (All Wards)	\$0	\$0	Refer to Economic Development and Parks Committee.
J(8)	Request to Toronto Police Services Board to Expand Strategic Traffic Enforcement Measures (STEM) Team	Future year impact: \$995,764	\$0	Refer to Budget Advisory Committee for Consideration with 2006 Budget Process. See FIS.
J(9)	Reinstatement of East-To-North Left Turn Prohibition – 1654 Queen Street East	\$0	\$0	Consider.

Minutes of the Council of the City of Toronto  
October 26, 27, 28 and 31, 2005

<b>Motion #</b>	<b>Title</b>	<b>Operating \$ (net)</b>	<b>Capital \$ (net)</b>	<b>Comments</b>
J(10)	Request for Approval of a Planning Study and Enactment of Two Interim Control By-laws for the Castlefield Caledonia Design and Décor District			Already Considered by City Council on Oct. 25, 2005.
J(11)	Request to Provincial Government to Extend Tuition Fee Freeze	\$0	\$0	Consider.
J(12)	Use of Public Roads for Special Events	\$0	\$0	Consider.
J(13)	Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)	\$0	\$0	Consider.
J(14)	Use of the Scarborough Flag by the Scarborough Pipe Band	\$0	\$0	Consider.
J(15)	UTAG (Uniting Toronto Against Guns: Safer Streets, Stronger Communities) Day of Remembrance and Action on Gun Violence in Toronto – November 13, 2005	\$1,485	\$0	Consider. See FIS.
J(16)	Enforcing Municipal Licensing and Standards Notices – 1884 Davenport Road and 61 Pelham Park Gardens	\$0	\$0	Consider.
J(17)	Revised Maps for the Central Waterfront Secondary Plan 701003, Ward 19, Trinity-Spadina and Ward 29, Toronto-Danforth	\$0	\$0	See Report Attached to Motion.
J(18)	89 Kingsway Crescent - Conservation Review Board Report issued October 19, 2005, Notice of Intention to Designate under the <i>Ontario Heritage Act</i> , and Appeal of Demolition Refusal to the Ontario Municipal Board - Ward 5 (Etobicoke-Lakeshore)			<b><i>Confidential. See Confidential Report Attached to Motion.</i></b>
J(19)	Liquor Licence Matters - The Blue Moon Tavern (1374 Queen Street West)	\$0	\$0	See Report Attached to Motion.
J(20)	Aid to Earthquake Stricken Areas in Pakistan, India and Afghanistan	\$1,000,000	\$0	There are no available funds in the 2005 Operating Budget. Refer to Policy and Finance Committee. See FIS.
J(21)	Distribution of City of Toronto Tap Water – Toronto Pure			Notice Only.
J(22)	Funding of New Years Eve Fireworks	Current	\$0	Consider. See FIS.

<b>Motion</b>		<b>Operating</b>	<b>Capital</b>	
<b>#</b>	<b>Title</b>	<b>\$ (net)</b>	<b>\$ (net)</b>	<b>Comments</b>
	Display	Year: \$50,000; Future Year: \$50,000		
J(23)	Assignment of Molson Indy Agreement	\$0	\$0	Consider.
J(24)	Morningside Avenue/Markham By-pass Extension	\$0	\$0	Consider.

**FISCAL IMPACT STATEMENT 1 [Notice of Motion J(1)]**  
**(See Minute 10.65, Page 96)****Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$ 0 _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

**Impacts/Other Comments:**

- Service Level Impact: (Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – (J1) – There are no immediate financial impacts. This Notice of Motion is a request to reaffirm an earlier request by Council to the Province to review changes to the *Municipal Elections Act*. The financial impact will depend on the changes adopted and will need to be reported back should such changes be effected.

- Consider                       Refer to Standing Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 2 [Notice of Motion J(3)]  
(See Minute 10.67, Page 101)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>TBD</u> (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(3) – During the City Council meeting of July 19, 20, 21 and 26, 2005, Council adopted a motion to allow free parking for Canadian Veterans for the duration of 2005. This Motion extends free parking for all vehicles bearing a valid Ontario Veteran Licence Plate indefinitely. This motion should be referred to Policy and Finance Committee for report back from the President of TPA and any other appropriate ABC staff on the implication associated with this policy change.

- Consider
- Refer to Policy and Finance Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 3 [Notice of Motion J(6)]  
 (See Minute 10.70, Page 107)**

**Financial Implications:**

**Operating**

Current year impacts: \$ 11,200 (net)       Future year impacts: \$ \_\_\_\_\_ (net)

Following year  
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input checked="" type="checkbox"/> Funding sources to be identified.

Budget adjustments: \$ \_\_\_\_\_ (net)

Impact on staffing levels: \_\_\_\_\_ (positions)

**Capital**

Current year impacts: \$ \_\_\_\_\_ (net)       Future year impacts: \$ \_\_\_\_\_ (net)

Following year  
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ \_\_\_\_\_ (net)

Operating Impact:

Program costs: \$ \_\_\_\_\_ (net)  
 Debt service costs: \$ \_\_\_\_\_ (net)

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Inconsistent with staff impact of Council's 4 district model

Notice of Motion – J(6) – Maintaining Services at East York Civic Centre. There is a sunk cost of \$1,000.00, as renovations have already been completed. If Council adopts this motion to maintain services, funding of \$10,200.00 for the two months starting in November 2005 to fund the continuation of one position to year-end, which will have to be identified as there are no funds available in the City Clerk’s budget to accommodate this change. Future year impacts of \$61,500.00 will have to be addressed through the 2006 Operating Budget process.

- Consider                       Refer to Standing Committee

Submitted by: \_\_\_\_\_  
 Deputy City Manager & Chief Financial Officer

Date: October 27, 2005



**FISCAL IMPACT STATEMENT 4 [Notice of Motion J(7)]  
(See Minute 10.71, Page 110)**

**Financial Implications:**

<input type="checkbox"/> <b>Operating</b>
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> <b>Capital</b>
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

**Impacts/Other Comments:**

- Service Level Impact: (Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – (J7) – A delay in implementation of harmonized permit rates is revenue neutral; any changes to the approved policy may not be revenue neutral city-wide.

- Consider
- Refer to Economic Development and Parks Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 5 [Notice of Motion J(8)]  
(See Minute 10.72, Page 111)**

**Financial Implications:**

**Operating**

Current year impacts: \$ \_\_\_\_\_ (net)       Future year impacts: \$995,764 (net)

Following year  
 Future years

Funding sources (specify):

Accommodation within approved operating budget       Third party funding  
 New revenues       Tax rate impact  
 Reserve/Reserve Fund contributions       Other

Budget adjustments: \$ \_\_\_\_\_ (net)

Impact on staffing levels: \_\_\_\_\_ (positions)

**Capital**

Current year impacts: \$ \_\_\_\_\_ (net)       Future year impacts: \$ \_\_\_\_\_ (net)

Following year  
 Future years

Funding sources (specify):

Accommodation within approved capital budget       Third party funding  
 New revenues       Debt  
 Reserve/Reserve Fund contributions       Other

Budget adjustments: \$ \_\_\_\_\_ (net)

Operating Impact:

Program costs: \$ \_\_\_\_\_ (net)  
 Debt service costs: \$ \_\_\_\_\_ (net)

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(8) – The preliminary costs are estimated to be \$995,764.00. Refer to 2006 Budget Process.

- Consider       Refer to Budget Advisory Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 6 [Notice of Motion J(15)]  
(See Minute 10.79, Page 123)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$1,485 (net)	<input type="checkbox"/> Future year impacts: \$ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input checked="" type="checkbox"/> Revenue Loss	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ (net)	
<input type="checkbox"/> Impact on staffing levels: (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ (net)	<input type="checkbox"/> Future year impacts: \$ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ (net)	
<input type="checkbox"/> Debt service costs: \$ (net)	

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(15) – Permit Fee waived for this event represents \$1,485.00 of foregone revenue for Yonge-Dundas Square.

- Consider
- Refer to Standing Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 7 [Notice of Motion J(20)]  
 (See Minute 10.84, Page 133)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$1,000,000 (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(20) – There are no available funds in the 2005 Operating Budget. Refer to Policy & Finance Committee.

- Consider
- Refer to Policy & Finance Committee

Submitted by: \_\_\_\_\_  
 Deputy City Manager & Chief Financial Officer

Date: October 27, 2005

**FISCAL IMPACT STATEMENT 8 [Notice of Motion J(22)]  
(See Minute 10.86, Page 135)**

**Financial Implications:**

<input checked="" type="checkbox"/> <b>Operating</b>	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>50,000</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>50,000</u> (net)
	<input type="checkbox"/> Following year
	<input checked="" type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> <b>Capital</b>	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

**Impacts/Other Comments:**

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(22) –Funding of New Year’s Eve Fireworks Display – While \$50,000.00 for 2005 fireworks may be accommodated within the City Council budget through projected under-expenditures, the June 30 Variance Report projected a deficit at the year-end. Funding for the 2006 fireworks should be considered during the 2006 budget process.

- Consider
- Refer to Standing Committee

Submitted by: \_\_\_\_\_  
Deputy City Manager & Chief Financial Officer

Date: October 27, 2005