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These Minutes were confirmed by City Council on December 5, 2005.

**MINUTES OF A SPECIAL MEETING
OF THE COUNCIL OF THE
CITY OF TORONTO**

THURSDAY, NOVEMBER 24, 2005

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

CALL TO ORDER - 9:40 a.m.

S11.1 Deputy Mayor Pantalone took the Chair and called the Members to order.

The special meeting opened with O Canada.

S11.2 NOTICE OF SPECIAL MEETING

Deputy Mayor Pantalone read the following Notice of Special Meeting:

“In accordance with §27-5 of Chapter 27 of the City of Toronto Municipal Code, the Mayor has called a special meeting of Council on 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.”

S11.3 PETITION

Councillor Fletcher submitted a petition from approximately 1,414 individuals requesting further information on the proposal for supportive housing at 795 Gerrard Street East in

Ward 30.

The above-noted petition was received and forwarded to the City Manager, with a request that she, or the proponent, respond to the petitioners regarding the proposal for supportive housing at 795 Gerrard Street East in Ward 30.

PRESENTATION OF REPORTS

S11.4 Councillor Mihevc presented the following Deferred Clauses for consideration by Council:

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

Administration Committee Report 6, Clause 28c
Etobicoke York Community Council Report 6, Clause 8c
North York Community Council Report 6, Clauses 8c and 23c

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

Policy and Finance Committee Report 8, Clauses 12b and 47b
Economic Development and Parks Committee Report 8, Clause 18b

Deferred Clauses from October 26, 27, 28 and 31, 2005:

Policy and Finance Committee Report 9, Clauses 9a, 31a, 32a, 34a, 40a, 43a, 45a
and 46a
Administration Committee Report 8, Clauses 1a, 5a and 9a
Economic Development and Parks Committee Report 9, Clauses 2a and 4a
Works Committee Report 9, Clauses 1a, 3a, 4a, 5a, 6a and 11a
North York Community Council Report 8, Clause 30a
Toronto and East York Community Council Report 8, Clause 5a

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

S11.5 DECLARATIONS OF INTEREST

Deputy Mayor Pantalone requested Members of Council to state any interest they have in the Clauses to be considered. No Declarations of interest were made.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

S11.6 **The following Clauses were held by Council for further consideration:**

Administration Committee Report 6, Clause 28c

Etobicoke York Community Council Report 6, Clause 8c

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

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

Economic Development and Parks Committee Report 8, Clause 18b

Policy and Finance Committee Report 9, Clauses 9a, 31a, 32a, 34a, 40a, 43a, 45a and 46a

Administration Committee Report 8, Clauses 1a, 5a and 9a

Economic Development and Parks Committee Report 9, Clauses 2a and 4a

Works Committee Report 9, Clauses 1a, 3a, 4a, 5a, 6a and 11a

North York Community Council Report 8, Clause 30a

Toronto and East York Community Council Report 8, Clause 5a

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

Policy and Finance Committee Report 9, Clause 9a and 45a

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

S11.7 Policy and Finance Committee Report 9, Clause 31a, headed “Toronto Transit Commission - Streetcar Fleet Plan”.

Motions:

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

“That the Toronto Transit Commission be requested to advise City Council on the additional costs in order to make streetcars accessible, and provide an opportunity for City Council to consider these additional costs prior to a decision being made by the Toronto Transit Commission as to any refurbishing of current streetcars or purchase of new street cars.”

- (b) Councillor Watson moved that the Clause be amended by deleting the Recommendation of the Policy and Finance Committee, and that Council adopt the Recommendation of the Budget Advisory Committee contained in the communication (October 14, 2005).

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 next regular meeting of City Council on December 5, 2005.

S11.8 Economic Development and Parks Committee Report 9, Clause 4a, headed “Toronto Arts Council 2004 Annual Allocations Report (All Wards)”.

Motion:

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

“That, in future, when the Toronto Arts Council’s name and logo is displayed or otherwise expressed as a funding source, the City of Toronto’s logo or name be likewise expressed.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

Mayor Miller in the Chair.

S11.9 Policy and Finance Committee Report 8, Clause 12b, headed “Toronto District School Board Application Requesting Debentures”.

Motion:

Councillor Shiner moved that consideration of the Clause be postponed to the meeting of City Council on January 31, 2006, and that the Provincial Government be requested to issue this debt on behalf of the Toronto District School Board.

Vote on Deferral:

The motion by Councillor Shiner carried.

Deputy Mayor Pantalone in the Chair.

S11.10 Policy and Finance Committee Report 9, Clause 40a, headed “Indemnification Policy for Members of Council and Management and Excluded Staff”.

Procedural Motion:

Councillor Moscoe moved that Council vary the order of business as previously decided (to consider all ‘time critical’ items before dealing with other business), in order to conclude consideration of this Clause, the vote upon which was taken as follows:

Yes - 15 Councillors:	Augimeri, Carroll, Cowbourne, De Baeremaeker, Filion, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Pitfield, Watson
No - 14 Councillors:	Cho, Davis, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, McConnell, Milczyn, Nunziata, Palacio, Pantalone, Rae, Thompson

Carried by a majority of 1.

Motions:

- (a) Councillor Moscoe moved that the Clause be amended in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (October 25, 2005) from the City Solicitor [as contained in the Clause]:

“It is recommended that the amendments to the proposed Councillor policy set out in Appendix 1 to this report be adopted.”,

subject to amending Amendment 2 in Appendix 1 by:

- (a) adding the words “or when requested by the Councillor involved”, after the words “in appropriate circumstances”; and
- (b) deleting the words “may consult”, and inserting instead the words “shall consult”,

so that Amendment 2 in Appendix 1 now reads as follows:

“Where a request for reimbursement of legal expenses has been named under this policy, the City Solicitor shall provide a report and a recommendation to the Employee and Labour Relations Committee and to City Council for their consideration. In appropriate circumstances, or when requested by the Councillor involved, the City Solicitor shall consult with the Integrity Commissioner and/or external counsel in the preparation of the report.”

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

“That the City Solicitor be requested to report to the Employee and Labour Relations Committee on similar provisions for legal representation for Councillors at Ontario Municipal Board hearings in instances where the Councillor determines that such representation is necessary in order to properly represent their community, or when the Councillor has been summoned to appear before the Board as a witness.”

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

“That the City of Toronto request the Province to include, as part of the *City of Toronto Act*, the parliamentary practice of being immune from prosecution for comments made in Chambers.”

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 28	
Councillors:	Augimeri, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae, Shiner, Thompson, Walker, Watson
No - 6	
Councillors:	Feldman, Ford, Holyday, Minnan-Wong, Nunziata, Palacio

Carried by a majority of 22.

Adoption of motion (b) by Councillor Mammoliti:

Yes - 23 Councillors:	Augimeri, Carroll, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Giambrone, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Thompson, Walker
No - 12 Councillors:	Cowbourne, Feldman, Fletcher, Ford, Hall, Holyday, Milczyn, Minnan-Wong, Nunziata, Rae, Shiner, Watson

Carried by a majority of 11.

Adoption of motion (c) by Councillor Del Grande:

Yes - 31 Councillors:	Augimeri, Carroll, Cho, Chow, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Rae, Shiner, Thompson, Walker, Watson
No - 4 Councillors:	Davis, Ford, Holyday, Pantalone

Carried by a majority of 27.

Adoption of the Clause, as amended:

Yes - 32 Councillors:	Augimeri, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Rae, Shiner, Thompson, Walker, Watson
No - 3 Councillors:	Ford, Holyday, Nunziata

Carried by a majority of 29.

In summary, Council amended this Clause:

- (1) in accordance with the following staff recommendation contained in the Recommendation Section of the supplementary report (October 25, 2005) from the City Solicitor [as contained in the Clause]:

“It is recommended that the amendments to the proposed Councillor policy set out in Appendix 1 to this report be adopted.”,

subject to amending Amendment 2 in Appendix 1 by:

- (a) adding the words “or when requested by the Councillor involved”, after the words “in appropriate circumstances”; and
- (b) deleting the words “may consult”, and inserting instead the words “shall consult”,

so that Amendment 2 in Appendix 1 now reads as follows:

“Where a request for reimbursement of legal expenses has been named under this policy, the City Solicitor shall provide a report and a recommendation to the Employee and Labour Relations Committee and to City Council for their consideration. In appropriate circumstances, or when requested by the Councillor involved, the City Solicitor shall consult with the Integrity Commissioner and/or external counsel in the preparation of the report.”; and

- (2) by adding the following:

“That:

- (a) the City of Toronto request the Province to include, as part of the *City of Toronto Act*, the parliamentary practice of being immune from prosecution for comments made in Chambers; and
- (b) the City Solicitor be requested to report to the Employee and Labour Relations Committee on similar provisions for legal representation for Councillors at Ontario Municipal Board hearings in instances where the Councillor determines that such representation is necessary in order to properly represent their community, or when the Councillor has been summoned to appear before the Board as a witness.”

Mayor Miller in the Chair.

S11.11 Toronto and East York Community Council Report 8, Clause 5a, headed “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)”.

Motion:

Councillor Chow moved that the Clause be amended:

- (1) to provide that the sum of \$250,000.00, to be required as a Section 37 benefit, be increased to \$350,000.00 and be required prior to the issuance of the first building permit, such amount to be used for local park improvements, and further, that the first \$100,000.00 be made available after the Official Plan Amendment and zoning by-law is final and binding; the funds should be allocated as follows: 90 percent to Jean Sibelius Park and 10 percent to Park Walmer Road Circle;

- (2) by deleting Recommendation (8) contained in the report (May 17, 2005) from the Director, Community Planning, South District, and inserting instead the following:

“(8) require the owner to enter into a heritage easement agreement for the heritage building at 100 Spadina Road prior to introducing the necessary Bills to City Council for enactment, and such agreement is to be registered against the portion of the lands containing such heritage building within 30 days of the by-laws becoming final.”;

- (3) in accordance with the following staff recommendation contained in the Recommendation Section of the report (November 17, 2005) from the Chief Planner and Executive Director, City Planning:

“It is recommended that City Council adopt the further revised Conditions of Site Plan Approval document, attached as Attachment 1.”,

subject to the following amendments to Attachment 1, headed “Revised Conditions of Site Plan Approval”:

- (a) revising Section A 2.(c) by deleting the words “and register”, so that Part (c) now reads as follows:

“(c) the Owner shall enter into, to the satisfaction of the City Solicitor, a Heritage Easement Agreement for the heritage building at 100 Spadina Road;”;

- (b) revising Section B 3.(k) to include the following matters:

- (i) the required letter of credit is to be increased to \$250,000.00, allocated as follows:
- Tree 50 - European Beach - \$100,000.00
 - Tree 52 - Honeylocust - \$20,000.00
 - Tree 53 - 7 Elms - (such amount to be allocated equally for each Elm) \$40,000.00
 - Tree 54 - Honeylocust \$20,000.00
 - Tree 55 - Green Ash \$50,000.00
 - Tree 60 - Tree of Heaven-\$20,000.00;
- (ii) in the case of the destruction, the balance of the Maximum Allocated Amount for the subject Impacted Tree, if any, after replacement of such tree, shall be drawn down on the City for the purposed of capital improvements to Jean Sibelius Park, only in the case where the Impacted Tree is removed and replaced, and such destruction was caused by the construction of the proposed development; and
- (iii) in the case of a dispute with respect to the cause of destruction, the matter can be referred to an independent arborist satisfactory to Urban Forestry Services and the owner, for a final determination;
- (c) deleting from Section B 3.(1) the words “but in no case shall the height when planted exceed 15 feet”, and inserting instead the words “but in no case shall the height when planted be less than 15 feet or greater than 20 feet, for the first replacement if required by Urban Forestry Services, and thereafter such replacement shall be less than 15 feet if required by Urban Forestry Services”, so that Part (1) now reads as follows:
- “(1) the Owner shall install and maintain trees, shrubs and other vegetation in accordance with the Landscape Plan L2 date stamped April 28, 2005, Planting Plan L4 date stamped September 14, 2005, Planting Plan Sections L-4A, date stamped, April 28, 2005, and Landscape Details Sheet L5, date stamped April 28, 2005 (the ‘Landscape Plan’) and shall thereafter maintain the trees, shrubs and other vegetation shown on the Landscape Plan for so long as the proposed building exists, subject to the following. Any tree, shrub or vegetation which dies, is no longer viable, is potentially hazardous or is hazardous, or which in the opinion of the General Manager of Parks, Forestry and Recreation should be removed, shall be removed by the Owner at its expense. Such

tree, shrub and vegetation shall be replaced by the Owner forthwith, at the expense of the Owner, with a new tree, shrub or vegetation meeting or exceeding the original specification, unless the General Manager of Parks, Forestry and Recreation determines otherwise. If a white cedar required in Section 3(w), and which was originally planted at the height of 20-25 feet requires replacement as determined by the General Manager of Parks, Forestry and Recreation, the height of such replacement white cedar trees shall be determined by the General Manager of Parks, Forestry and Recreation, but in no case shall the height when planted be less than 15 feet or greater than 20 feet, for the first replacement if required by Urban Forestry Services, and thereafter such replacement shall be less than 15 feet if required by Urban Forestry Services;”;

- (d) adding to the end of Section B 3.(u), the sentence “On or before one week following any pruning, a further report documenting the size and quantity of the branches that were pruned shall be submitted from a qualified tree expert.”, so that Part (u) now reads as follows:

“(u) the Owner shall complete on its property, pruning of the branches of private trees in accordance with the report of Bruce Tree Expert Company Ltd., dated May 5, 2005. Pruning of the subject private trees on the property of the adjacent property owners shall be offered in writing, at the Owner’s expense, to the adjacent owners if such pruning is recommended by the Owner’s arborist, at the time of the aforementioned pruning to provide for holistic pruning, however, such additional pruning is not required, if the subject adjacent property owner does not consent in writing within ten days of receiving such offer. The Owner shall not otherwise, in connection with or for purposes of construction, prune or damage any branches on a tree which is to be protected unless permission is granted by the General Manager of Parks, Forestry and Recreation. The Owner shall notify the two residents’ representatives at least one week prior to any pruning on its property or on the adjacent properties. A written report setting out the size and quantity of branches pruned shall be submitted not less than one week in advance of any pruning by the Owner’s arborist to the General Manager of Parks, Forestry and Recreation, with a copy in writing to the local resident’ representatives. On or before one week following any pruning, a further report documenting the size and quantity of the branches that were pruned shall be submitted from a qualified tree expert;” and

- (e) deleting from Section B 3.(gg), the word “building” and inserting instead the word “buildings”, so that Part (gg) now reads as follows:

“(gg) the Owner shall not provide any documentation to residents of the existing and/or proposed buildings that would assist such residents in obtaining on-street permit parking;” and

- (4) by adding the following:

“That the bills and the agreements for this development be approved by the December 5, 6 and 7, 2005, City Council meeting.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

Deputy Mayor Bussin in the Chair.

S11.12 Policy and Finance Committee Report 9, Clause 32a, headed “Meeting the Needs of School Aged Children through a Child Care and Recreation Service Model”.

Ruling by Deputy Mayor:

Councillor Shiner requested the Deputy Mayor to rule on whether the Recommendation of the Policy and Finance Committee required a re-opening of the Operating Budget.

Deputy Mayor Bussin ruled that the Clause was in order.

Councillor Soknacki challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 13	
Councillors:	Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Fletcher, Holyday, Li Preti, McConnell, Mihevc, Milczyn, Moscoe
No - 12	
Councillors:	Altobello, Di Giorgio, Feldman, Ford, Hall, Kelly, Lindsay Luby, Nunziata, Shiner, Soknacki, Thompson, Watson

Carried by a majority of 1.

Motions:

- (a) Councillor Soknacki moved that the Clause be referred to the Deputy City Manager and Chief Financial Officer, to determine in consultation with Deputy City Manager Sue Corke, whether the model for an after-school recreation and care program for children 6-12 years of age was approved within the 2005 Operating Budget;
- if so, then the Recommendations of the Policy and Finance Committee will be operative and the funds be deemed to be part of the 2005 Operating Budget and be disbursed;
 - if not, then the recommendations of the General Manager, Children's Services Division, will be operative and this matter be referred to the Budget Advisory Committee for consideration in the 2006 Children's Services Operating Budget.
- (b) Councillor Cho moved that the Clause be amended by adding the following:

“That City Council request the Prime Minister of Canada to provide the City of Toronto with \$3.7 million for child care services, before the next federal election.”

Vote on Referral:

Adoption of motion (a) by Councillor Soknacki:

Yes - 11	
Councillors:	Feldman, Ford, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Ootes, Pitfield, Shiner, Soknacki, Watson
No - 18	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Thompson, Walker

Lost by a majority of 7.

Votes:

Adoption of motion (b) by Councillor Cho:

Yes - 27	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Shiner, Soknacki, Thompson, Walker, Watson
No - 0	

Carried, unanimously.

Adoption of the Clause, as amended:

Yes - 23	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Kelly, Li Preti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Thompson, Walker
No - 7	
Councillors:	Feldman, Ford, Holyday, Lindsay Luby, Shiner, Soknacki, Watson

Carried by a majority of 16.

S11.13 Administration Committee Report 8, Clause 5a, headed “Declaration as Surplus - 47 Terrace Avenue (Ward 23 - Willowdale)”.

Motions:

- (a) Deputy Mayor Feldman moved, on behalf of Councillor Filion, that the Clause be amended by adding to Recommendation (1) contained in the report (September 20, 2005) from the Chief Corporate Officer, the words “and to provide the existing tenant, David Yaron, with one opportunity to offer to purchase the Property for \$10.00 more than the highest recommendable offer received”, so that Recommendation (1) now reads as follows:

“(1) the property municipally known as 47 Terrace Avenue, being part of Lots 24, 25 and 26 on Plan 3178, designated as Part 3 on Reference Plan 64R-1480 (the ‘Property’), be declared surplus to the City’s requirements, and the Chief Corporate Officer be authorized to list the Property for sale on the open market, and to provide the existing tenant, David Yaron, with one opportunity to offer to purchase the Property for \$10.00 more than the highest recommendable offer received;”.

- (b) Councillor Moscoe moved that the Clause be referred back to the Administration Committee to allow the tenant an opportunity to appear before the Committee.

Vote on Referral:

Adoption of motion (b) by Councillor Moscoe:

Yes - 24	
Councillors:	Altobello, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Soknacki, Thompson, Walker
No - 3	
Councillors:	Feldman, Holyday, Milczyn

Carried by a majority of 21.

Due to the above decision of Council, motion (a) by Deputy Mayor Feldman, on behalf of Councillor Filion, was not put to a vote.

S11.14 Works Committee Report 9, Clause 6a, headed “Draft Terms of Reference for the Peer Review of the Biosolids and Residuals Master Plan Decision Making Model”.

Motion:

Councillor Fletcher moved that the Clause be referred to the Board of Health.

Vote on Referral:

The motion by Councillor Fletcher carried.

S11.15 Administration Committee Report 8, Clause 9a, headed “Indefinite Closure of the First Attendance Program in Toronto Provincial Offences Courts”.

Motions:

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

“That a copy of this Clause be forwarded to the City of Toronto Act Negotiating Team, with a request that the Team explore legislative alternative court options.”

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

“That the Director of Court Services be requested to report to the January 5, 2006 meeting of the Administration Committee on the impact of the changes proposed by the Government of Ontario to the *Access to Justice Act*, in particular, the proposal to permit alternative methods to resolve municipal by-law disputes, such as parking infractions.”

Vote:

Adoption of the Clause, as amended by motion (a) by Councillor Moscoe, and motion (b) by Councillor Davis:

Yes - 26
Councillors: Altobello, Augimeri, Bussin, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Soknacki, Thompson, Walker
No - 0

Carried, without dissent.

S11.16 IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

Deputy Mayor Pantalone in the Chair.

Procedural Motion:

Councillor Lindsay Luby, at 11:20 a.m., 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*:

- Works Committee Report 9, Clause 11a, headed “Contract 05SSD-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)”, as it contains information pertaining to litigation or potential litigation.

Vote:

The motion by Councillor Lindsay Luby carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 11:23 a.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 12:28 p.m., and recessed at 12:29 p.m.

S11.17 Works Committee Report 9, Clause 11a, headed “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)”.

Mayor Miller in the Chair.

Report of the Committee of the Whole:

Mayor Miller, in accordance with the provisions of the *Municipal Act, 2001*, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

Motions:

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

“That:

- (1) Council adopt the staff recommendations contained in the Recommendations Section of the confidential joint report (October 25, 2005) from the City Solicitor, the Treasurer, the Executive Director, Technical Services, and the General Manager, Transportation Services, such report to remain confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation, subject to adding to the end of staff Recommendation (1) the following words:

“and further, before any agreement is entered into, the appropriate staff report to City Council on the terms of the proposed agreement”;

- (2) all the costs associated with starting the St. Clair Avenue construction work in advance of the hearing of the judicial review be reported to City Council; and

(3) the City Manager, in consultation with the City Solicitor, be requested to report to the Policy and Finance Committee on a policy whereby the City or any of its agencies, boards and commissions would not enter into any contracts if notice of litigation has been served concerning the subject matter of the proposed contract.”

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

“That no further contracts be entered into by the City of Toronto or the Toronto Transit Commission, respecting reconstruction of the TTC track allowance, pavement, curb and sidewalk, in connection with the St. Clair Avenue West streetcar line set out in this Clause, without approval by City Council.”

Votes:

Part (1) of motion (a) by Councillor Watson carried.

Part (2) of motion (a) by Councillor Watson carried.

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

Yes - 21	
Mayor:	Miller
Councillors:	Altobello, Ashton, Cho, Davis, Feldman, Ford, Holyday, Jenkins, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Palacio, Pitfield, Shiner, Soknacki, Thompson, Walker, Watson
No - 14	
Councillors:	Bussin, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes

Carried by a majority of 7.

Ruling by Mayor:

Mayor Miller ruled motion (b) by Councillor Shiner, as it relates to the Toronto Transit Commission entering into contracts, out of order, as Council cannot give direction to the Commission.

Councillor Shiner challenged the ruling of the Mayor.

Vote to Uphold Ruling of Mayor:

Yes - 22	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Thompson
No - 12	
Councillors:	Feldman, Ford, Li Preti, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Walker, Watson

Carried by a majority of 10.

Votes:

The balance of motion (b) by Councillor Shiner carried.

Adoption of the Clause, as amended:

Yes - 29	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Shiner, Soknacki, Thompson, Watson
No - 6	
Councillors:	Ford, Minnan-Wong, Nunziata, Palacio, Pitfield, Walker

Carried by a majority of 23.

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

“That:

- (1) Council adopt the staff recommendations contained in the Recommendations Section of the confidential joint report (October 25, 2005) from the City Solicitor, the Treasurer, the Executive Director, Technical Services, and the General Manager, Transportation Services, such report to remain confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation, subject to adding to the end of staff Recommendation (1) the following words:

“and further, before any agreement is entered into, the appropriate staff report to City Council on the terms of the proposed agreement”;

- (2) all the costs associated with starting the St. Clair Avenue construction work in advance of the hearing of the judicial review be reported to City Council;
- (3) no further contracts be entered into by the City of Toronto respecting reconstruction of the TTC track allowance, pavement, curb and sidewalk, in connection with the St. Clair Avenue West streetcar line set out in this Clause, without approval by City Council; and
- (4) the City Manager, in consultation with the City Solicitor, be requested to report to the Policy and Finance Committee on a policy whereby the City or any of its agencies, boards and commissions would not enter into any contracts if notice of litigation has been served concerning the subject matter of the proposed contract.”

Councillor Kelly in the Chair.

Procedural Motion:

Councillor Davis, at 2:43 p.m., 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*:

- Administration Committee Report 8, Clause 1a, headed “Union Station - Status Report on Station Lease With The Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)”, as it contains information pertaining to the security of the property of the municipality or local board and litigation or potential litigation.

Vote:

The motion by Councillor Davis carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 2:48 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 4:05 p.m., and met in public session in the Council Chamber.

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

S11.18 Administration Committee Report 8, Clause 1a, headed “Union Station - Status Report on Station Lease With The Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)”.

The Clause was submitted without recommendation.

Report of the Committee of the Whole:

Mayor Miller, in accordance with the provisions of the *Municipal Act, 2001*, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

Motions:

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

“That, given that the *City of Toronto Act* may extend to the City the additional authorization to establish a Corporation, the City Manager be requested to report, in the event that this transaction does not close, on a contingency plan to establish a Municipal Corporation to renovate, manage, and develop Union Station and the surrounding precinct.”

- (b) Councillor Soknacki moved that Council adopt the following:

“That, if either the station lease or the closing agreement deadlines are not met, then staff is instructed to terminate the transaction.”

Motions moved in Public Session:

- (c) Councillor Holyday moved that Council adopt the following:

“That City Council:

- (1) endorse the Negotiating Team’s position on the outstanding issues outlined in Appendix A to the report (September 27, 2005) from the Deputy City Manager and Chief Financial Officer;
- (2) concur with Union Pearson Group to set a due diligence date of December 15, 2005, and a closing deadline of May 31, 2006;
- (3) instruct the Deputy City Manager and Chief Financial Officer to advise Union Pearson Group that, in the event the parties fail to meet either of these deadlines, the transaction is to be terminated immediately without further instruction from City Council; and

(4) authorize and direct the appropriate City staff to take all necessary actions to give effect thereto.”

(d) Councillor Watson moved that Council adopt the following:

“That City Council choose Option B and that the City negotiating team be instructed to terminate the transaction with UPG; in doing so, City Council relies on the fact that, notwithstanding the passage of two deadlines, the station lease has not been finalized.”

(e) Councillor Fletcher moved that Part (2) of motion (c) by Councillor Holyday be deleted, and that Council adopt the following instead:

“(2) set a station lease execution date of December 15, 2005, and a closing deadline of March 31, 2006;”.

Votes:

Adoption of motion (e) by Councillor Fletcher, as it pertains to setting a lease execution date of December 15, 2005:

Yes - 10	
Councillors:	Davis, Fletcher, McConnell, Milczyn, Nunziata, Palacio, Pitfield, Thompson, Walker, Watson
No - 25	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Ootes, Shiner, Soknacki

Lost by a majority of 15.

Adoption of motion (e) by Councillor Fletcher, as it pertains to a closing deadline of March 31, 2006:

Yes - 10 Councillors:	Davis, Fletcher, Jenkins, McConnell, Milczyn, Nunziata, Palacio, Pitfield, Walker, Watson
No - 25 Mayor: Councillors:	Miller Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Ootes, Shiner, Soknacki, Thompson

Lost by a majority of 15.

Adoption of motion (c) by Councillor Holyday, without amendment:

Yes - 26 Mayor: Councillors:	Miller Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Filion, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pitfield, Shiner, Soknacki, Thompson
No - 9 Councillors:	Davis, Fletcher, Ford, Jenkins, McConnell, Nunziata, Palacio, Walker, Watson

Carried by a majority of 17.

Adoption of motion (a) by Councillor Moscoe:

Yes - 14 Mayor: Councillors:	Miller Altobello, Augimeri, Bussin, Chow, Davis, De Baeremaeker, Di Giorgio, Filion, Jenkins, McConnell, Mihevc, Moscoe, Walker
No - 21 Councillors:	Ashton, Cho, Cowbourne, Feldman, Fletcher, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Thompson, Watson

Lost by a majority of 7.

Due to Council's adoption of motion (c) by Councillor Holyday, motion (b) by Councillor Soknacki and motion (d) by Councillor Watson were not put to a vote.

In summary, Council adopted the following:

“That City Council:

- (1) endorse the Negotiating Team’s position on the outstanding issues outlined in Appendix A to the report (September 27, 2005) from the Deputy City Manager and Chief Financial Officer;
- (2) concur with Union Pearson Group to set a due diligence date of December 15, 2005, and a closing deadline of May 31, 2006;
- (3) instruct the Deputy City Manager and Chief Financial Officer to advise Union Pearson Group that, in the event the parties fail to meet either of these deadlines, the transaction is to be terminated immediately without further instruction from City Council; and
- (4) authorize and direct the appropriate City staff to take all necessary actions to give effect thereto.”

Deputy Mayor Bussin in the Chair.

Procedural Motion:

Deputy Mayor Bussin, at 6:20 p.m., 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 matters on the Order Paper for this meeting of Council, in accordance with the provisions of the *Municipal Act, 2001*:

- (a) Works Committee Report 8, Clause 3a, headed “Solid Waste Management Contractual Issues”, as it contains information related to the security of the property of the Municipality;
- (b) Works Committee Report 8, Clause 4a, headed “Biosolids Management Contractual Issues”, as it contains information related to the security of the property of the Municipality; and
- (c) Works Committee Report 8, Clause 5a, headed “Claims of Harbour Remediation & Transfer Inc., Costa Trucking and Contracting Ltd. and Related Third Party Claim Arising from Fred Dominelli Action - Toronto-Danforth”, as it contains information that is subject to litigation or potential litigation.

Vote:

The motion by Deputy Mayor Bussin carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:22 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 6:31 p.m., and met in public session in the Council Chamber.

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

S11.19 Works Committee Report 9, Clause 3a, headed “Solid Waste Management Contractual Issues”.

Report of the Committee of the Whole:

Deputy Mayor Bussin, in accordance with the provisions of the *Municipal Act, 2001*, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

Motion:

Councillor Pitfield moved that the Clause be amended by deleting the Recommendation of the Works Committee, and issuing confidential instructions to staff. These instructions are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information that relates to the security of property of the Municipality.

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

S11.20 Works Committee Report 4, Clause 4a, headed “Biosolids Management Contractual Issues”.

Report of the Committee of the Whole:

Deputy Mayor Bussin, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Vote:

The Clause was adopted, without amendment.

S11.21 Works Committee Report 9, Clause 5a, headed “Claims of Harbour Remediation & Transfer Inc., Costa Trucking and Contracting Ltd. and Related Third Party Claim Arising from Fred Dominelli Action - Toronto-Danforth”.

Report of the Committee of the Whole:

Deputy Mayor Bussin, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Vote:

The Clause was adopted, without amendment.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

Deputy Mayor Bussin in the Chair.

S11.22 F(1) Harmonized Permit Rates (All Wards)

Consideration of the following Motion was postponed to the next regular meeting of City Council on December 5, 2005:

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.”

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 1, Page 43)

S11.23 F(2) Funding of New Year’s Eve Fireworks Display

Consideration of the following Motion was postponed to the next regular meeting of City Council on December 5, 2005:

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."

Fiscal Impact Statement:

City Council had before it, for consideration with Motion F(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 2, Page 44)

Mayor Miller in the Chair.

S11.24 J(1) 386 and 388 Dundas Street East - Minor Variance Appeals to the Ontario Municipal Board

Councillor McConnell 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 McConnell

Seconded by: Councillor Jenkins

“WHEREAS the owner of 386 and 388 Dundas Street East (the ‘subject lands’) submitted applications for minor variances to permit an increase in density in both buildings so as to reconfigure the dwelling rooms and provide each dwelling room with its own washroom; and

WHEREAS the Toronto and East York Panel of the Committee of Adjustment refused the applications by decisions dated May 26, 2005; and

WHEREAS the owner appealed the Committee’s refusals to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has scheduled a hearing in this matter for November 29, 2005; and

WHEREAS the owner is now prepared to make changes to his applications and

accept certain conditions, in order to settle the outstanding appeals, which are set out in the report by the City Solicitor attached to this motion;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the attached confidential report (November 21, 2005) from the City Solicitor.”

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 Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(1) to the Toronto and East 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(1), the following:

- (a) Notice of Decision (May 26, 2005) from the Acting Manager and Deputy Secretary Treasurer, Toronto and East York Panel, respecting 386 Dundas Street East;
- (b) Notice of Decision (May 26, 2005) from the Acting Manager and Deputy Secretary Treasurer, Toronto and East York Panel, respecting 388 Dundas Street East; and
- (c) confidential report (November 21, 2005) from the City Solicitor.

Vote:

Motion J(1) was adopted, without amendment.

Summary:

In adopting Motion J(1), without amendment, Council adopted, without amendment, the confidential report (November 21, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report and Schedule “A” to the report (See Attachment 1, Page 41) 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) the Minor Variances for 386 Dundas Street East consisting of a proposed gross floor area of approximately 439.06 m² and a window setback of 1.39 metres

from the west lot line be approved in principle, subject to the conditions as set out in Schedule 'A' attached to this report;

- (2) the Minor Variances for 388 Dundas Street East consisting of a proposed gross floor area of approximately 444.05 m² and a window setback of 1.26 metres from the east lot line be approved in principle, subject to the conditions as set out in Schedule 'A' attached to this report; and
- (3) City staff be authorized to appear at the Ontario Municipal Board ('OMB') hearing scheduled for November 29, 2005, in support of the variances and conditions described in Recommendations (1) and (2) above, and be directed to take the necessary actions to give effect thereto."

S11.25 J(2) **Agreement Between City of Toronto and CP Rail - Cavalcade of Lights Festival**

Councillor Rae 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 Rae

Seconded by: Councillor Walker

"WHEREAS Toronto's Cavalcade of Lights Festival commenced on November 16, 2005; and

WHEREAS an agreement between the City of Toronto and CP Rail is required for the lighting display installed on the railway overpass near Yonge and Summerhill; and

WHEREAS the agreement requires the City of Toronto to indemnify CP Rail and to assume all liability associated with the installation, maintenance and removal of the display;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director of Economic Development be authorized to enter into the said agreement."

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

Procedural Vote:

The vote to waive referral of Motion J(2) to the Administration Committee carried, more than

two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(2) was adopted, without amendment.

S11.26 Consideration of the following matters was postponed to the next regular meeting of City Council on December 5, 2005, as they remained on the Order Paper at the conclusion of this meeting of Council:

Administration Committee Report 6

Clause 28c - "Court Service Agreement with GO Transit for Provincial Offences Fines".

Etobicoke York Community Council Report 6

Clause 8c - "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 8c - "Community Safety Zone - Grandravine Drive (Ward 8 - York West and Ward 9 - York Centre)".

Clause 23c - "Encroachment Agreement - 21 De Vere Gardens (Ward 16 - Eglinton-Lawrence)".

Policy and Finance Committee Report 8

Clause 47b - "Parking Tag Revenue".

Economic Development and Parks Committee Report 8

Clause 18b - "Other Items Considered by the Committee".
Item (j) - "Toronto City Hall Hockey Team".

Policy and Finance Committee Report 9

Clause 31a - "Toronto Transit Commission - Streetcar Fleet Plan".

- Clause 34a - "Update on Status of Discussions with Toronto Port Authority Concerning Payments in Lieu of Taxes".
- Clause 43a - "Application Submission: Safer Communities - 1,000 Officers Partnership Program".
- Clause 46a - "Other Items Considered by the Committee".
Item (f) - "City of Toronto Hiring Practices and Employment Policies".

Economic Development and Parks Committee Report 9

- Clause 2a - "International Alliance Program (All Wards)".

Works Committee Report 9

- Clause 1a - "Bicycle Lane Guidelines and Royal York Road Pavement Marking Options (All Wards)".

North York Community Council Report 8

- Clause 30a - "Request for Investigation of Breach of Procedure By-law and Council Code of Conduct".

NOTICES OF MOTION

- F(1) Moved by Councillor Augimeri, seconded by Councillor Mammoliti, regarding Harmonized Permit Rates.
- F(2) Moved by Councillor Shiner, seconded by Councillor Stintz, regarding Funding of New Year's Eve Fireworks Display.

BILLS AND BY-LAWS

Deputy Mayor Bussin in the Chair.

S11.27 At 6:07 p.m., Councillor Nunziata, seconded by Councillor Hall, 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. 947	By-law No. 965-2005	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as
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		30 Darrell Avenue.
Bill No. 948	By-law No. 966-2005	To authorize the entering into of an agreement for the provision of a municipal capital facility by Ghana Amansie Canadian Non Profit Homes.
Bill No. 949	By-law No. 967-2005	To authorize the entering into of an agreement for the provision of a municipal capital facility by Houses Opening Today Toronto Incorporated.
Bill No. 950	By-law No. 968-2005	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land municipally known as 2350 Finch Avenue West.
Bill No. 951	By-law No. 969-2005	To designate the property at 158 Sterling Road (Northern Aluminium Company Building) as being of cultural heritage value or interest.
Bill No. 953	By-law No. 970-2005	To authorize the use of languages other than English in notices, forms (other than prescribed forms) and other information for the 2006 municipal election.
Bill No. 954	By-law No. 971-2005	To establish the dates and times of advance votes for the 2006 municipal election.
Bill No. 955	By-law No. 972-2005	To authorize the payment of rebates to individuals who make contributions to candidates for an office on the municipal council in the 2006 municipal election.
Bill No. 956	By-law No. 973-2005	To provide for the entering into of an easement agreement for the relocation and conservation of a portion of a building on lands known as Nos. 230,

232, 234, 236, 238, 240, 242 and
244 Bloor Street, and 1 Bedford Road.

Bill No. 957	By-law No. 974-2005	To adopt Amendment No. 567 to the Official Plan for the former City of North York with respect to lands in the North York Centre Secondary Plan regarding provisions for bicycle parking,
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the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Augimeri, Bussin, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Thompson, Walker
No - 1	
Councillor:	Minnan-Wong

Carried by a majority of 26.

S11.28 At 6:08 p.m., Councillor Kelly, seconded by Councillor Minnan-Wong, 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. 958	By-law No. 975-2005	To confirm the proceeding of the Council at its meeting held on the 24th day of November, 2005,
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the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Soknacki, Thompson, Walker
No - 1	
Councillor:	Minnan-Wong

Carried by a majority of 26.

S11.29 At 6:36 p.m., Councillor Di Giorgio, seconded by Councillor Davis, 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. 959	By-law No. 976-2005	To confirm the proceedings of the Council at its meeting held on the 24th day of November, 2005,
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the vote upon which was taken as follows:

Yes - 23 Councillors:	Altobello, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pitfield, Soknacki, Thompson, Walker
No - 1 Councillor:	Ford

Carried by a majority of 22.

The authority for the following Bill was deferred to the Council Meeting of January 31, February 1 and 2, 2006:

Bill No. 952 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”.

OFFICIAL RECOGNITIONS:

S11.30 Condolence Motions

Deputy Mayor Pantalone in the Chair.

Mayor Miller, seconded by Councillor McConnell, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are saddened to learn of the passing of John J. Bussin, Q.C., beloved husband of the late June Bussin, suddenly at North York General Hospital on Thursday, November 3, 2005, in the presence of his family; and

WHEREAS as a passionate lifelong sailor, John, with other prominent members of the Toronto Jewish Community, established in the early 1950’s the Island Yacht Club

on Toronto Island; and

WHEREAS as a founding member and past Commodore of the Island Yacht Club, John helped establish an important symbol of achievement and hope for the Toronto Jewish Community, only a few years after the European Holocaust and sadly in a social context where anti-Semitism still persisted; and

WHEREAS John showed similar qualities of leadership and commitment in the establishment of a successful law firm in Toronto, attaining in his career the distinction of Queen's Counsel;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his sons and daughters in law, Mitchell and Helene Bussin, Bruce and Toronto City Councillor and Deputy Mayor Sandra Bussin and David and Jocie Bussin, and to his grandchildren James, Naomi, Audra and Gary, Ashley, Sam, Isaac, Rachel and Erin and great-grandchildren Jordana, Samantha, Sarah, Brian and Jack, brother to Jeanette Conway and Larry Bussin."

Councillor Giambrone, seconded by Councillor Chow, moved that:

"WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. Ryan Carriere; and

WHEREAS Ryan Carriere was a devoted father and husband; and

WHEREAS Ryan Carriere was a committed cyclist; and

WHEREAS Ryan Carriere was killed in a cycling collision with an automobile, as he rode home to be with his family on Halloween; and

WHEREAS, with passing of Mr. Carriere, Toronto's cycling community has lost a friend and advocate;

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 Mr. Carriere's family members and Toronto's Cycling Community."

Mayor Miller, seconded by Deputy Mayor Pantalone, moved that:

"WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Beland Honderich on November 8, 2005, in his 86th year; and

WHEREAS Beland Honderich built the Toronto Star into Canada's largest

newspaper, devoting 52 years, including 22 as publisher and 11 as Board Chairman of the paper and its parent company, Torstar Corp; and

WHEREAS Mr. Honderich will be remembered as a great journalist with a passion for social justice; and

WHEREAS he was elected into the 1986 News Hall of Fame by journalists across the country for leading ‘Canadian newspapers into a new direction – taking readers backstage to explore and explain the current events that shaped their lives’; and

WHEREAS Mr. Honderich received the Order of Canada, in 1986, for his contributions to the news business; and

WHEREAS he made an indelible mark on the City of Toronto and the country;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Mayor and Members of Toronto City Council, our sincere sympathy to his family.”

Councillor Nunziata, seconded by Councillor Watson, moved that:

“**WHEREAS** Maria Teresa Milczyn passed away on Wednesday, November 9, 2005; and

WHEREAS Maria Milczyn was the beloved mother of Councillor Peter Milczyn; and

WHEREAS Maria Milczyn provided love, valuable support, insight and determination to her family; and

WHEREAS Maria Milczyn had a career in journalism and experienced hardships and joy in her life, combined with good work ethics, interest in culture and history, and provided a solid background for her son, Peter, throughout his life and career;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to her son, Peter Milczyn.”

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 John J. Bussin, Q.C., Ryan Carriere, Beland Honderich and Maria Milczyn.

S11.31 Presentations/Introductions/Announcements:

Deputy Mayor Bussin, during the morning session of the meeting, with the permission of Council, introduced participants of the New Knowledge/New Steps for Newcomers program, offered by the Neighbourhood Link/Senior Link Family of Agencies, present at the meeting.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced the ESL students from Firgrove Public School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, introduced students from L'Amoreaux Collegiate Institute, present at the meeting.

S11.32 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

Councillor Augimeri, at 10:03 a.m., requested that Motion F(1), moved by Councillor Augimeri, seconded by Councillor Mammoliti, respecting Harmonized Permit Rates (All Wards), be considered as 'time sensitive', which carried.

Councillor McConnell, at 10:04 a.m., requested that, in accordance with §27-5 of Chapter 27 of the City of Toronto Municipal Code, a Notice of Motion respecting 386 and 388 Dundas Street East - Minor Variance Appeals to the Ontario Municipal Board, be added to the agenda for this special meeting, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Mammoliti, at 10:05 a.m., requested that, in accordance with §27-5 of Chapter 27 of the City of Toronto Municipal Code, a Notice of Motion respecting a Request to Ban Federal Election Canvassing throughout the Holiday Season, be added to the agenda for this special meeting, the vote upon which was taken as follows:

Yes - 16	
Councillors:	Altobello, Ashton, Cowbourne, De Baeremaeker, Del Grande, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Walker, Watson
No - 21	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Davis, Di Giorgio, Feldman, Filion, Ford, Giambone, Holyday, Li Preti, Mihevc, Minnan-Wong, Ootes, Pantalone, Pitfield, Rae, Shiner, Thompson

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

Councillor Rae, at 10:06 a.m., requested that, in accordance with §27-5 of Chapter 27 of the City of Toronto Municipal Code, a Notice of Motion respecting an Agreement between the City of Toronto and CP Rail - Cavalcade of Lights Festival, be added to the agenda for this special meeting, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor McConnell, at 10:18 a.m., moved that Council vary the order of its proceedings to consider Administration Committee Report 8, Clause 1a, headed “Union Station - Status Report on Station Lease With The Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)”, at 2:00 p.m., which carried.

Councillor Jenkins, at 2:18 p.m., requested that, in accordance with §27-5 of Chapter 27 of the City of Toronto Municipal Code, a Notice of Motion respecting the Salary Adjustment for Elected Officials, be added to the agenda for this special meeting, the vote upon which was taken as follows:

Yes - 23	
Mayor:	Miller
Councillors:	Altobello, Ashton, Carroll, Cho, Chow, Davis, Holyday, Jenkins, Kelly, Li Preti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Shiner, Soknacki, Thompson, Walker, Watson
No - 14	
Councillors:	Augimeri, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Lindsay Luby, Mammoliti, McConnell, Moscoe, Pantalone, Rae

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

S11.33 ATTENDANCE

Councillor Augimeri, seconded by Councillor Minnan-Wong, moved that the absence of Councillors Balkissoon, Grimes, Saundercook and Stintz from the special meeting of Council on November 24, 2005, be excused, which carried.

	9:40 a.m. to 11:20 a.m.*	Ctte. of the whole In-Camera 11:25 a.m.	12:27 p.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 2:43 p.m.*	Ctte. of the whole In-Camera 2:48 p.m.
November 24, 2005						
Miller	x	-	-	x	x	x
Altobello	x	x	x	x	x	x
Ashton	x	x	x	-	x	x
Augimeri	x	x	x	x	x	x

Minutes of a Special Meeting of the Council of the City of Toronto
November 24, 2005

November 24, 2005	9:40 a.m. to 11:20 a.m.*	Ctte. of the whole In-Camera 11:25 a.m.	12:27 p.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 2:43 p.m.*	Ctte. of the whole In-Camera 2:48 p.m.
Balkissoon	-	-	-	-	-	-
Bussin	x	x	x	-	x	x
Carroll	x	x	x	x	x	x
Cho	x	x	x	x	x	x
Chow	x	x	x	x	x	x
Cowbourne	x	x	x	x	x	x
Davis	x	x	x	x	x	x
De Baeremaeker	x	x	x	-	x	x
Del Grande	x	x	x	-	-	-
Di Giorgio	x	x	x	x	x	x
Feldman	x	-	-	-	x	x
Filion	x	x	x	-	-	-
Fletcher	x	x	x	-	x	x
Ford	x	-	-	-	x	x
Giambrone	x	-	-	x	x	x
Grimes	-	-	-	-	-	-
Hall	x	x	x	-	x	x
Holyday	x	-	-	x	x	x
Jenkins	x	x	x	x	x	x
Kelly	x	x	x	x	x	x
Li Preti	x	-	-	x	x	-
Lindsay Luby	x	x	x	x	x	x
Mammoliti	x	x	x	x	x	-
McConnell	x	x	x	x	x	x
Mihevc	x	x	x	-	x	x
Milczyn	x	x	x	x	x	x
Minnan-Wong	x	x	x	-	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x

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Ootes	x	x	x	x	x	x
Palacio	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x
Rae	x	x	x	x	x	-
Saundercook	-	-	-	-	-	-
Shiner	x	x	x	x	x	x
Soknacki	x	x	x	x	x	x
Stintz	-	-	-	-	-	-
Thompson	x	x	x	x	x	x
Walker	x	x	x	-	x	x
Watson	x	x	x	x	x	x
Total	41	35	35	29	39	36

* Members were present for some or all of the time period indicated.

November 24, 2005	4:05 p.m. to 6:20 p.m.*	Roll Call 5:17 p.m.	Ctte. of the whole In-Camera 6:22 p.m.	6:31 p.m. to 6:52 p.m.*	Roll Call 6:52 p.m.
Miller	x	-	-	-	-
Altobello	x	x	x	x	x
Ashton	-	-	-	-	-
Augimeri	x	-	-	x	x
Balkissoon	-	-	-	-	-
Bussin	x	x	x	x	x
Carroll	-	-	x	x	x
Cho	x	-	-	-	-
Chow	x	x	-	-	-
Cowbourne	x	x	x	x	x
Davis	x	x	-	x	x
De Baeremaeker	x	x	x	x	x

Minutes of a Special Meeting of the Council of the City of Toronto
November 24, 2005

November 24, 2005	4:05 p.m. to 6:20 p.m.*	Roll Call 5:17 p.m.	Ctte. of the whole In-Camera 6:22 p.m.	6:31 p.m. to 6:52 p.m.*	Roll Call 6:52 p.m.
Del Grande	-	-	-	-	-
Di Giorgio	x	x	x	x	x
Feldman	x	x	x	x	-
Filion	x	-	-	-	-
Fletcher	x	x	x	x	x
Ford	x	x	x	x	x
Giambrone	x	-	-	-	-
Grimes	-	-	-	-	-
Hall	x	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	-
Lindsay Luby	x	x	x	x	x
Mammoliti	-	-	-	x	-
McConnell	x	-	x	x	x
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Minnan-Wong	x	-	x	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	-	x	x	-
Palacio	x	-	x	-	-
Pantalone	-	-	-	-	-
Pitfield	x	-	x	-	-
Rae	-	-	-	-	-
Saundercook	-	-	-	-	-
Shiner	x	x	-	-	-
Soknacki	x	x	x	x	-
Stintz	-	-	-	-	-

November 24, 2005	4:05 p.m. to 6:20 p.m.*	Roll Call 5:17 p.m.	Ctte. of the whole In-Camera 6:22 p.m.	6:31 p.m. to 6:52 p.m.*	Roll Call 6:52 p.m.
Thompson	x	x	x	x	x
Walker	x	x	x	x	x
Watson	x	x	x	x	-
Total	35	23	28	28	22

* Members were present for some or all of the time period indicated.

At 6:37 p.m., the City Clerk rang the bells to call for quorum for a period of 15 minutes. At 6:52 p.m., the Clerk called the Roll and the following Members of Council were present at the Call of the Roll:

Altobello, Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Thompson, Walker - 22.

In accordance with §27-9 of Chapter 27 of the City of Toronto Municipal Code, Absence of Quorum, the meeting was adjourned at 6:52 p.m., as Council failed to achieve quorum.

Council adjourned on November 24, 2005, at 6:52 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT 1 [Notice of Motion J(1)]

Schedule “A” to the confidential report (November 21, 2005) from the City Solicitor. This Schedule is now public (See Minute S11.24, Page 28):

Schedule “A”

1. The owner shall be required to:
 - (a) reduce the length of the third floor additions by 1.83 m for each building so that the gross floor area for 386 Dundas Street East would be reduced to approximately 439.06 m² (density of 1.79 x lot area) and 388 Dundas Street East would be reduced to approximately 444.05 m² (density of 1.83 x lot area). Both additions would feature a sloped roofline;
 - (b) construct the dwelling rooms and fence substantially in accordance with the plans and drawings submitted to and approved by the Director of Community Planning, Toronto and East York District, which will be attached to the Decision/Order of the OMB;
 - (c) relocate a window from the west elevation at 386 Dundas Street East and relocate a window from the east elevation at 388 Dundas Street East to the rear or northerly elevations of both buildings to reduce overlook;
 - (d) add a common room with kitchen facilities with an area of at least 9.29 m² in 388 Dundas Street East and reinstate the common room with kitchen facilities in 386 Dundas Street East in accordance with the 2001 OMB settlement basement plan A-1;
 - (e) add laundry facilities at both 386 and 388 Dundas Street East;
 - (f) ensure that the occupancy of the Subject Lands shall be limited to not more than one person per dwelling room. Further, the owner shall, prior to the entering into of a lease, advise a returning or prospective tenant that occupancy of the dwelling room is limited to not more than one person and shall require the tenant to acknowledge same in writing;
 - (g) ensure that the Subject Lands will never be used as a tourist home or guest home;
 - (h) provide a full-time on-site superintendent for 386 Dundas Street East and 388 Dundas Street East and the telephone number of the superintendents shall be provided to the Ward Councillor;
 - (i) install window wells on the Subject Lands so that they are not accessible to

- any person except the appropriate tenant;
- (j) ensure that the front doors of the Subject Lands are locked at all times and to install and maintain in proper working order, a voice intercom system at the front entrance of 386 and 388 Dundas Street East so as to enable visitors to contact each tenant of the Subject Lands;
 - (k) erect a fence along the perimeter of the rear of 382, 386 and 388 Dundas Street East so as to enclose the back yards of all three properties and create a common back yard, existing garages to be considered part of the fence;
 - (l) ensure that the building and landscape plans are built substantially in accordance with the 2001 OMB settlement with respect to 382 and 386 Dundas Street East, specifically pertaining to the front porch, tree planting and landscape designs;
 - (m) ensure that there are no kitchen facilities installed or permitted in any of the dwelling rooms of the Subject Lands. This would include, but not limited to kitchen sinks, stoves and hot plates. Refrigerators and microwave ovens would be permitted;
 - (n) ensure that no rear decks or balconies be built on the north elevations of the third floor additions to the Subject Lands;
 - (o) provide rear access for the tenants of the Subject Lands from each building so that the tenants can access the back yard. The rear entrances of the Subject Lands shall be locked at all times and only accessible by the tenants;
 - (p) provide Toronto Police Service with a master key and permission to enter the Subject Lands at any time; and
 - (q) enter into an agreement, to be registered on title and binding on successors in title, agreeing to the foregoing conditions.

**FISCAL IMPACT STATEMENT 1 [Notice of Motion F(1)]
(See Minute S11.22, Page 26)**

Financial Implications:

<input type="checkbox"/> Operating	
<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"/> 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"/> Capital	
<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 – F(1) – 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 2 [Notice of Motion F(2)]
(See Minute S11.23, Page 27)**

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<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"/> Capital	
<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 – F(2) –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