
TORONTO CITY COUNCIL DECISION DOCUMENT SPECIAL MEETING ON JUNE 14, 2006

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

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Deferred Clauses:**Administration Committee Report 2****6b Remuneration and Expenses of Members of Council and of the Council Appointees to Local Boards and Other Special Purpose Bodies for the year ended December 31, 2005**

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the June 14, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motion moved by Councillor Shiner for consideration on June 27, 2006:

“That the Treasurer be requested to amend Table 1 and Appendix B to the report (April 18, 2006) from the Treasurer to include, for the permanent record, a footnote to Councillor Shiner’s account for photocopying charges.”

Council also considered the following:

- Report (June 12, 2006) from the City Clerk [Communication 9(a)].

Audit Committee Report 1**4b 2006 Audit Work Plan**

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the June 14, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and

- (2) any speaker's lists from the June 14, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker's list to add their names."

Motions moved for consideration on June 27, 2006:

Moved by Councillor Moscoe:

"That the Auditor General be requested to consider adding the following to his work plan:

'Policies and practices related to outside work performed by City Arborists and related staff.' "

Moved by Councillor Davis:

"That Appendix I to the report (January 18, 2006) from the Auditor General be amended by adding the following to the 2006 Work Plan of the Auditor General:

'An evaluation of the Corporation as a whole in achieving its access, equity and human rights goals.' "

Planning and Transportation Committee Report 2

10b Harmonization of the Sign By-law Concerning Posters on Public Property

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also considered the following:

Communications:

- (March 1, 2006) from Josh Paterson, Acting Director, Freedom of Expression Project, Canadian Civil Liberties Association [Communication 1(a)(1)];
- (May 19, 2006) from Ken Chasse [Communication 1(a)(2)];
- (May 19, 2006) from Kevin Golding [Communication 1(a)(3)];
- (May 19, 2006) from Leah Stokes [Communication 1(a)(4)];

- (May 19, 2006) from Deanne Taylor [Communication 1(a)(5)];
- (May 19, 2006) from David McCallum, Associate Editor, Musicworks Magazine [Communication 1(a)(6)];
- (May 19, 2006) from Patrick Cameron [Communication 1(a)(7)];
- (May 19, 2006) from Shawn Syms [Communication 1(a)(8)];
- (May 19, 2006) from Daniel Quinn [Communication 1(a)(9)];
- (May 19, 2006) from Steve McKay [Communication 1(a)(10)];
- (May 19, 2006) from Meagan Bennell [Communication 1(a)(11)];
- (May 19, 2006) from Melissa Brizuela [Communication 1(a)(12)];
- (May 19, 2006) from Philbert Kim [Communication 1(a)(13)];
- (May 19, 2006) from Kate Hoffmann [Communication 1(a)(14)];
- (May 19, 2006) from Corinne Alstrom [Communication 1(a)(15)];
- (May 19, 2006) from Caroline Chan [Communication 1(a)(16)];
- (May 19, 2006) from Chiara Purdy [Communication 1(a)(17)];
- (May 19, 2006) from Janis Demkiw [Communication 1(a)(18)];
- (May 19, 2006) from Mark Daye [Communication 1(a)(19)];
- (May 19, 2006) from Stephanie Forder [Communication 1(a)(20)];
- (May 20, 2006) from Kate Chung [Communication 1(a)(21)];
- (May 21, 2006) from Kawai Lam [Communication 1(a)(22)];
- (May 21, 2006) from Grace Willan [Communication 1(a)(23)];
- (May 21, 2006) from Pete Carmichael [Communication 1(a)(24)];
- (May 22, 2006) from Yvonne Parti [Communication 1(a)(25)];
- (May 22, 2006) from Penelope Tyndale [Communication 1(a)(26)];
- (May 22, 2006) from Avi Lewis [Communication 1(a)(27)];
- (May 22, 2006) from Ben Marans [Communication 1(a)(28)];
- (May 22, 2006) from Murray D. Lumley [Communication 1(a)(29)];
- (May 22, 2006) from Alice Barton [Communication 1(a)(30)];
- (May 21, 2006) from Motek W. Sherman [Communication 1(a)(31)];
- (May 23, 2006) from Erin Siegel [Communication 1(a)(32)];
- (May 23, 2006) from Liam O'Doherty [Communication 1(a)(33)];
- (May 23, 2006) from Allison Jack [Communication 1(a)(34)];
- (May 23, 2006) from Anna Przychodzki [Communication 1(a)(35)];
- (May 23, 2006) from Andrew Woodrow [Communication 1(a)(36)];
- (May 24, 2006) from Carrie Brown [Communication 1(a)(37)];
- (May 24, 2006) from Daibhid James [Communication 1(a)(38)]; and
- (June 13, 2006) from Alison Gorbould, Toronto Public Space Committee [Communication 1(a)(39)].

Works Committee Report 2

15b Terms and Conditions for the 2005 Flood Damages Grant Program (City-wide)

City Council on June 14, 2006, amended this Clause by:

- (1) amending Recommendation (1)(c) contained in the staff report (February 23, 2006) from the General Manager, Toronto Water, so that it now reads as follows:

“(1)(c) the applicant’s uninsured damages, for building, vehicles and contents, are to be assessed based on depreciated values and not on replacement costs and the maximum amount of the grant be established as follows:

- (a) the only eligible applicants for the 2005 Flood Damages Grant Program will be those properties contained on Toronto Water’s list of affected properties, as of April 19, 2006;
- (b) the City’s independent adjuster will adjudicate each application and determine the eligible loss (EL) for each complete application received;
- (c) the maximum eligible loss for any applicant is established at \$3,000.00;
- (d) all applicants with an eligible loss less than or equal to \$900.00 (Group A applicants), will receive a grant amount equal to their eligible loss as soon as their application has been processed;
- (e) all applicants with an eligible loss greater than \$900.00 (Group B applicants), will receive an initial grant amount of \$900.00 as soon as their application has been processed;
- (f) an additional grant will be paid to Group B applicants, if there are funds remaining from the initial \$4 million budget, after all applications have been adjudicated and all initial grants paid out and the administration fees paid to the independent adjuster;
- (g) the additional grant to Group B applicants will be equal to the prorated portion of the funds remaining based on their eligible losses minus the \$900.00 already paid to them, as a fraction of the total eligible claims remaining, and provided the amount so calculated is greater than \$5.00; and
- (h) the following formula will be used to calculate the additional grant to Group B applicants:

$$AG = [EL - 900] * [TFR]/[TELB - NB * 900]$$

Where: AG = Additional Grant for the applicant
EL = Eligible Loss for the applicant
TFR = Total Funds Remaining out of the \$4 million after all initial grants and administration fees have been paid out
TELB = Total Eligible Losses for all of Group B
NB = Number of Group B applicants;” and

(2) adding the following:

“That the following motions be referred to the Works Committee for consideration at its meeting on July 5, 2006, and the General Manager, Toronto Water, be requested to report to the Committee at that time:

Moved by Councillor Watson:

‘That if claimants in Group B have eligible claims of \$1,100.00 or more, and they do not recover at least \$1,100.00 from the available funds, then additional funds from Operating Budget under-expenditures within 2006 be sought, so as to give Group B claimants with eligible claims of \$1,100.00 or more, a minimum recovery of \$1,100.00, if possible.’

Moved by Councillor Shiner:

‘That:

(1) the motion by Councillor Watson be amended by deleting the words “if possible”, and increasing the grant amount from \$1,100.00 to \$2,000.00, so that it now reads as follows:

“That if claimants in Group B have eligible claims of \$2,000.00 or more, and they do not recover at least \$2,000.00 from the available funds, then additional funds from Operating Budget under-expenditures within 2006 be sought, so as to give Group B claimants with eligible claims of \$2,000.00 or more, a minimum recovery of \$2,000.00.”;

OR, in the event Part (1) fails,

- (2) the motion by Councillor Watson be amended by deleting the words “if possible”, so that it now reads as follows:

“That if claimants in Group B have eligible claims of \$1,100.00 or more, and they do not recover at least \$1,100.00 from the available funds, then additional funds from Operating Budget under-expenditures within 2006 be sought, so as to give Group B claimants with eligible claims of \$1,100.00 or more, a minimum recovery of \$1,100.00.” ‘

Moved by Deputy Mayor Bussin:

‘That:

- (1) Council expand the Basement and Flooding Home Isolation Program to include properties impacted by the May 17, 2006 storm;
- (2) the Works Committee approve a No-Fault Grant Program, to be funded through the Wastewater Capital Reserve Fund, for other residences that experienced a similar occurrence due to the May 17, 2006 storm, and further, that an ongoing fund be established to deal with similar matters on an ongoing basis; and
- (3) the General Manager, Toronto Water, report to the Works Committee on July 5, 2006, on the acceleration of the Downspout Disconnect Program, with particular priority given to those areas of the City that have experienced chronic basement flooding.’ ”

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

21b Solid Waste Requirements for Lands at Ingram Transfer Station

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also adopted the following procedural motion:

“That any speaker’s lists from the June 14, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker’s list to add their names.”

Council also considered the following:

- Briefing Note (June 13, 2006) from the General Manager, Solid Waste Management Services, entitled “Ingram Transfer Station Lands” [Communication 2(d)].
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Communications:

- (April 21, 2006) from Nicolò Fortunato [Communication 2(a)];
- (April 26, 2006) from Nicolò Fortunato [Communication 2(b)]; and
- (June 8, 2006) from Nicolò Fortunato [Communication 2(c)].

23b Planning Study for an Expanded Public Source Separated Organic Processing System - Recommendations Regarding Sites and Technologies

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also considered the following:

Communications:

- (April 20, 2006) from the City Clerk, City of Pickering [Communication 3(a)];
- (April 25, 2006) from the Clerk, Town of Ajax [Communication 3(b)];
- (May 24, 2006) from Gord Weeden, Chair, Rouge Park Alliance [Communication 3(c)]; and
- (June 8, 2006) from Nicolò Fortunato [Communication 2(c)].

Etobicoke York Community Council Report 3

2b Refusal Report - 829, 833, 839 Oxford Street and 156, 160 Evans Avenue; OPA and Rezoning Application Applicant: CIC Millwork Ltd. (Ward 6 - Etobicoke-Lakeshore)

City Council on June 14, 2006, amended this Clause by amending Part (2) of the Operative Paragraph contained in the motion by Councillor Grimes, to provide that the statutory public meeting be held on July 11, 2006 or such other date for which proper notice can be provided in accordance with the provisions of the *Planning Act*.

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

Council also considered the following:

Communications and Petition:

- (April 25, 2006) from Peter M. Sirois, President and Chief Executive Officer, Etobicoke Chamber of Commerce [Communication 4(a)];
- (April 25, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 4(b)];
- (May 23, 2006) from Paul Scrivener, Toronto Industry Network [Communication 4(c)];
- (May 19, 2006) from the President, Leaside Business Park Association [Communication 4(d)];
- (May 23, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 4(f)]; and
- Petition (undated) containing approximately 255 signatures respecting the conversion of lands at 156 and 160 Evans Avenue and 833, 835 and 839 Oxford Street, from Industrial to Residential, submitted by Councillor Mark Grimes, Ward 6, Etobicoke-Lakeshore [Communication 4(e)].

3b Final Report - Local Area Review for the lands located Between Sheppard Avenue West, CPR Rail Line, Starview Lane and rear property lines of the Residential Properties along Weston Road and Official Plan and Rezoning Application, Subdivision Application; Applicant: Robert Truman 2277-2295 Sheppard Avenue West and 100 Mainshep Road (Ward 7 - York West)

City Council on June 14, 2006, amended this Clause in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (April 24, 2006) from the Chief Planner and Executive Director, City Planning:

“It is recommended that:

- (1) the revised draft Zoning By-law Amendment attached as Attachment 1 to this report replace the draft Zoning By-law Amendment attached as Attachment 10 to the Final Report from the Director, Community Planning, Etobicoke York District dated March 21, 2006;

- (2) the revised draft Official Plan Amendment (former City of North York) attached as Attachment 2 to this report replace the draft Official Plan Amendment attached as Attachment 8 to the Final Report from the Director, Community Planning, Etobicoke York District dated March 21, 2006;
- (3) no further notice of public meeting be given in respect of the proposed By-law as amended pursuant to Section 34(17) of the *Planning Act*; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

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

Council also considered the following:

Communications:

- (April 21, 2006) from N. Jane Pepino, Aird & Berlis, Barristers and Solicitors [Communication 5(a)];
- (April 24, 2006) from Paul Scrivener, The Toronto Industry Network [Communication 5(b)];
- (April 25, 2006) from Murray H. Chusid, Q.C., Blaney McMurtry LLP [Communication 5(c)];
- (April 25, 2006) from Peter M. Sirois, President and Chief Executive Officer, Etobicoke Chamber of Commerce [Communication 5(d)];
- (April 25, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 5(e)];
- (May 19, 2006) from Terry Neal, Chairman, Toronto North Community Awareness and Emergency Response Group [Communication 5(f)];
- (May 19, 2006) from N. Jane Pepino, Aird & Berlis, Barristers and Solicitors [Communication 5(g)];
- (May 23, 2006) from Paul Scrivener, Toronto Industry Network [Communication 5(h)];
- (May 19, 2006) from the President, Leaside Business Park Association [Communication 5(i)];

- (May 23, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 5(j)]; and
- (May 19, 2006) from Murray H. Chusid, Q.C., Blaney McMurtry LLP [Communication 5(k)].

8b Sign Variance Application Report - Applicant: Gabe Faraone 2160 Weston Road (Ward 11 - York South-Weston)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

10b Application for an Exemption to Toronto Municipal Code Chapter 447, Fences - 59 Westhampton Drive (Ward 2 - Etobicoke North)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also considered the following:

Communication:

- (April 18, 2006) from Latika James, submitted by Councillor Giorgio Mammoliti, Ward 7, York West [Communication 6(a)].

Policy and Finance Committee Report 4

3a City of Toronto Program Review Framework

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

5a City of Toronto 2005 Investment Report

City Council on June 14, 2006, adopted this Clause without amendment.

22a 2005 Final Year-end Operating Variance Report

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

29a Harmonization of Sick Leave Plans for Management and Non-Union Employees

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

32a Surplus School Board Sites and Review of the Inventory of City-Owned Properties (All Wards)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Community Services Committee Report 3

6a Systems of Survival, Systems of Support: An Action Plan for Social Assistance in the City of Toronto

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also adopted the following procedural motion:

“That all motions moved at the June 14, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved.”

Motions moved for consideration on June 27, 2006:

Moved by Councillor Moscoe:

“That the General Manager, Social Services, be requested to advise the Toronto Transit Commission (TTC) on what funding will be provided by Social Services to support the reduced fare media.”

Moved by Councillor Mihevc:

“That the Clause be amended in accordance with the staff recommendations contained in the Recommendations Section of the supplementary report (May 17, 2006) from the General Manager, Social Services, and the Executive Director, Social Development, Finance and Administration.”

Economic Development and Parks Committee Report 3**4a Long-Term Strategy for Retaining Employment Lands and Stimulating New Investment and Job Creation (All Wards)**

City Council on June 14, 2006, amended this Clause by:

- (1) adding to Recommendation (2) of the Economic Development and Parks Committee, the words “and with a view to formulating a comprehensive industrial preservation and enhancement strategy for the Greater Toronto Area (GTA)”, so that Recommendation (2) now reads as follows:

“(2) a Working Group be established composed of the Chair and two members of the Economic Development and Parks Committee, working in consultation with staff of the Economic Development, Culture and Tourism Division and representatives of TEDCO, to meet with the Ministry of Economic Development and Trade to discuss Toronto’s Industrial Strategy, and with a view to formulating a comprehensive industrial preservation and enhancement strategy for the Greater Toronto Area (GTA);”; and

- (2) adding the following:

“That:

- (1) the General Manager of Economic Development, Culture and Tourism develop a further process, in consultation with Ward Councillors, which would allow local communities to identify industrial commercial lands that need to be revitalized, and report to the Planning and Transportation Committee and the Economic Development and Parks Committee with recommendations related to specific lands that have been identified; and
- (2) the Working Group also consider the report (April 12, 2006) from the Chief Planner and Executive Director, City Planning, entitled ‘Profile Toronto, 2005 Employment Survey’.”

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

5a Consideration of Requests for Additional City-to-City Relationships Under the International Alliance Program (All Wards)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Planning and Transportation Committee Report 3**7a Operation of Construction Equipment in Residential Neighbourhoods on Sundays and Statutory Holidays**

City Council on June 14, 2006, adopted this Clause without amendment.

Works Committee Report 3**1a Co-ordinated Street Furniture Program - Design and Policy Guidelines and Directions Report (All Wards) and Supplementary Information on the Eucan Recycling/Litter Bin Test**

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the June 14, 2006 meeting of City Council on any items remaining on the agenda be forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and these motions be deemed to be moved; and
- (2) any speaker’s lists from the June 14, 2006 meeting of City Council be carried forwarded to the next regular meeting of City Council, or a special meeting of City Council should one be called to complete consideration of unfinished business, and be adopted for continuing the debate on those matters at that meeting, and that a provision be allowed for any Members who were not on a speaker’s list to add their names.”

Motions moved for consideration on June 27, 2006:

Moved by Councillor Carroll:

“That the Clause be amended in accordance with the staff recommendations contained in the Recommendations Section of the confidential report (May 18, 2006) from the City Solicitor.”

Moved by Councillor Shiner:

“That the Clause be amended by adding to Recommendation (6) contained in the Recommendations Section of the report (April 18, 2006) from the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, the following words:

‘provided that staff shall include language in the RFP and agreement with a successful proponent which will permit the City to require a successful proponent to undertake programs allowing for the exploration of new street furniture opportunities at fair market value to the City and, where the proponent cannot so provide, the City shall be permitted to undertake such programs with a third party’.”

Moved by Councillor Moscoe:

“That:

- (1) the report requested of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, by the Works Committee, in Part (III) of the Action Taken by the Works Committee, also include the following additional principle:
 - ‘(7) ensuring that the City has the right to determine the location and relocation of any street furniture at its discretion.’;
- (2) once the RFP has been issued, the project be placed under a blackout with a prohibition against discussing the RFP with individual Members of Council, and all communication with any bidder or potential bidder be through an official point of contact in accordance with the call document;
- (3) the RFP require the winning bidder to remove all posters and graffiti, and to repair any damage within a designated time frame to the satisfaction of the General Manager, Solid Waste Management, and consideration be given to extending this requirement to other street elements, including hydro poles, parking pay and display machines and traffic control boxes within the vicinity of street furniture;
- (4) the General Manager, Solid Waste Management be requested to report to the Works Committee on how to deal with the existing bus shelters when their ownership reverts to the City;

- (5) the City Manager be requested to review all City expenditures on street maintenance to determine how to co-ordinate those expenditures with the obligations for maintenance imposed through the street furniture RFP; and
- (6) the Toronto Parking Authority be requested to establish a program for the ongoing removal of posters and graffiti from pay and display parking machines on other properties under their management.”

Moved by Councillor Stintz:

“That the Clause be amended by:

- (1) amending the staff recommendations contained in the Recommendations Section of the report (April 18, 2006) from the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning, by:
 - (a) deleting the following staff Recommendations (6) and (9):
 - ‘(6) as a condition of the contract(s) for co-ordinated street furniture, no other advertising program be authorized on any other street element, and no future pilot program involving advertising within the public road allowance be approved by the City over the duration of the contract(s);
 - (9) the RFP be based on the premise that one contract for the range of street furniture specified be awarded for the entire City of Toronto to a single corporate vendor or a consortium of companies on acceptable terms, and the term of such contract be 20 years;’; and
 - (b) deleting staff Recommendation (11) and inserting instead the following:
 - ‘(11) the RFP be formulated in such a way as to allow a matrix that evaluates equally:
 - (a) design;
 - (b) beautify;
 - (c) functionality;

- (d) maintenance provisions for street furniture; and
- (e) provisions for flexibility on length of contract versus advertising;’; and

(2) adding the following:

‘That a final report on the RFP go to a joint meeting of the Works Committee and the Planning and Transportation Committee.’ ”

Moved by Councillor Del Grande:

“That the Clause be amended to provide that the RFP provide for two options: a 10 year and a 20 year contract.”

Moved by Councillor Cho:

“That staff Recommendation (9) contained in the Recommendations Section of the report (April 18, 2006) from the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning be amended by:

- (1) deleting the words ‘and the term of such contract be 20 years’; and
- (2) inserting the following words:

‘and the initial term of such contract be for 10 years, with an option for a further 10 years, provided that:

- (a) the contractor is not in breach of the contract; and
- (b) the City shall have the opportunity, as a condition of renewal, to require that the financial terms in the contract be renegotiated to increase the financial return to the City;’,

so that staff Recommendation (9) now reads as follows:

‘(9) the RFP be based on the premise that one contract for the range of street furniture specified be awarded for the entire City of Toronto to a single corporate vendor or a consortium of companies on acceptable terms, and the initial term of such contract be for 10 years, with an option for a further 10 years, provided that:

- (a) the contractor is not in breach of the contract; and

- (b) the City shall have the opportunity, as a condition of renewal, to require that the financial terms in the contract be renegotiated to increase the financial return to the City;’.”

Moved by Councillor Davis:

“That the Clause be amended:

- (1) by amending Recommendation (B) of the Works Committee by amending the staff recommendations in the Recommendations Section of the report (April 19, 2006) from the General Manager, Solid Waste Management Services, headed ‘Supplementary Information on the Eucan Recycling/Litter Bin Test’, as follows:
 - (a) by inserting in Recommendation (3), after the words, ‘remain in place’, the words, ‘unless requested by the local Councillor’, so that Recommendation (3) now reads as follows:

‘(3) the Eucan bins installed for the test remain in place, unless requested by the local Councillor, under the existing terms and conditions, until a final decision is reached by Council on the award of the Co-ordinated Street Furniture program, subject to concurrence by Eucan.’; and
 - (b) by adding the following new Recommendation (4):

‘(4) any pilot Eucan bin removed as per Recommendation (3) above from a pre-existing silver box location, be replaced by a silverbox, at the expense of Eucan.’;
- (2) to provide that the report requested by the Works Committee related to possible annual revenues from different sizes of advertising space also consider a reduction of 20 percent, so the request now reads:

‘(III) requested the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning to report to the Works Committee on:

 - (1) possible annual revenues if advertising space was:

- (a) held constant at the current 198,200 square feet; or
 - (b) increased by 10 percent; or
 - (c) increased by 20 percent; or
 - (d) reduced by 20 percent; and
- (3) by adding the following:

‘That:

- (a) the General Manager, Solid Waste Management, and the General Manager, Transportation Services, be requested to report to the Works Committee, in July 2006, with a further review of existing contract(s) for benches, such report to summarize the terms and conditions of the contracts related maintenance or type of bench used, the numbers of benches currently on the street; and
- (b) no additional benches with advertising be approved and installed under the existing contracts.’ ”

Moved by Councillor De Baeremaeker:

“That the Clause be amended by deleting Recommendation (A)(2)(i) and inserting instead the following:

‘(A)(2)(i) bicycle stands;’ ”

Council also considered the following:

- Confidential report (April 26, 2006) from the City Solicitor [Confidential Communication C.1(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality.
- Confidential report (May 18, 2006) from the City Solicitor [Confidential Communication C.1(b)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality.

10a Water and Sewer Services Connection and Disconnection Rates to December 31, 2006 (All Wards)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

12a Community Program for Stormwater Management - Recommendations for Selection of Applications

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

16a Apartment and Multi-Residential Bulk Lift Collection of Garbage, Recyclables and Bulky Garbage in the Former Toronto, York, Etobicoke and East York

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

17a Progress Report on the Options for Addressing Currently Contracted Curbside Waste and Recycling Collection Operations in the Former Etobicoke and York

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also considered the following:

- Confidential communication (May 3, 2006) from the Works Committee [Confidential Communication C.2(a)]. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality.
- Confidential report (April 19, 2006) 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 related to the security of the property of the Municipality.

21a Other Items Considered by the Committee

City Council on June 14, 2006, postponed Item (n), entitled “The Wet Weather Flow Master Plan Implementation 2004-2005 (City-wide)”, contained in this Clause, to its next regular meeting on June 27, 2005.

Etobicoke York Community Council Report 4**6a Front Yard Parking - Request for an Exemption to the former City of Toronto Municipal Code - 94 Morningside Avenue (Ward 13 - Parkdale-High Park)**

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

12a Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code 3379 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

13a Status Report - Rezoning Application - Applicant: Grace Restoration (International) Ministries - 1736 Weston Road (Ward 11 - York South-Weston)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Council also considered the following:

Communications:

- (May 9, 2006) entitled “Rezoning Application, Applicant: Grace Restoration (International) Ministries - 1736 Weston Road (Ward 11-York South-Weston”, submitted by Councillor Frances Nunziata, Ward 11, York South-Weston [Communication 7(a)]; and
- (May 23, 2006) from Ronald M. Kanter, Gardiner Roberts, Barristers and Solicitors, on behalf of Grace Restoration (International) Ministries [Communication 7(b)].

North York Community Council Report 4**33a Ontario Municipal Board Hearing - Committee of Adjustment Application - 414 Cranbrooke Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on June 14, 2006, adopted this Clause without amendment.

Toronto and East York Community Council Report 4**4a Permanent Closing of part of the public lane known as Glenholme Place, at the rear of 185 Gerrard Street East and flanking 117 Pembroke Street (Ward 27 - Toronto Centre-Rosedale)**

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

35a Request for the Installation of Speed Humps - Fairleigh Crescent, between Eglinton Avenue West and the W. R. Allen Bridge (Ward 21 - St. Paul's)

City Council on June 14, 2006, postponed consideration of this Clause to its next regular meeting on June 27, 2006.

Notices of Motions**F(1) Report of Integrity Commissioner on a Complaint that a Councillor Violated the Code of Conduct by Revealing Confidential Information to the Press**

Moved by Mayor Miller, seconded by Deputy Mayor Feldman

“WHEREAS City Council appointed David Mullan as the Integrity Commissioner for the City of Toronto to provide independent and consistent complaint prevention and resolution, advice, opinion and education respecting the application of the Code of Conduct for Members of Council, and other by-laws/policies governing the ethical behaviour of members, including general interpretation of the *Municipal Conflict of Interest Act*; and

WHEREAS the Integrity Commissioner has submitted a report (April 12, 2006) forwarding a response to a complaint of Violation of the Councillor's Code of Conduct;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (April 12, 2006) from the Integrity Commissioner, and that the report be received for information.”

Disposition:

City Council on June 14, 2006, amended this Motion by adding the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT City Council express its displeasure and disappointment with Councillor Moscoe's breach of Council's Code of Conduct and failure to acknowledge the inappropriateness of his conduct;

AND BE IT FURTHER RESOLVED THAT Councillor Moscoe issue a written apology by the end of the day on June 16, 2006, to all Members of Council and Members of the Committee of Adjustment, North York Panel, without reservation and include in his apology acknowledgement of the ramifications of disclosing confidential information.”

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

In adopting Motion F(1), as amended, Council received the report (April 12, 2006) from the Integrity Commissioner for information.

Council also considered the following:

- Report (April 12, 2006) from the Integrity Commissioner.
- Memorandum (undated) from Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence.

F(2) Review of Certain Applications Before the North York Committee of Adjustment

Moved by Mayor Miller, seconded by Councillor Holyday

“**WHEREAS** at its meeting held on October 26-31, 2005, City Council adopted a motion to provide for the Auditor General to conduct a review ‘respecting the processing and hearing of certain applications to the Committee of Adjustment’; and

WHEREAS the motion further requested that the Auditor General’s findings be provided to the City Solicitor, and that the City Solicitor report, in consultation with the Integrity Commissioner, directly to Council, on 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

WHEREAS the Auditor General has completed his review and the Auditor General’s findings have been provided to the City Solicitor who has consulted with the Integrity Commissioner;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) adopt the staff recommendations contained in the Recommendations Section of the public report (April 13, 2006) from the Auditor General, which recommends that Council adopt the recommendations in the confidential report (April 13, 2006) from the Auditor General; and

- (2) receive the confidential report (April 19, 2006) from the City Solicitor.”

Disposition:

City Council on June 14, 2006, referred this Motion to the Auditor General with a request that he consult with affected Members of Council, the Committee of Adjustment, North York Panel, and City staff, in camera if necessary, and submit a supplementary report for consideration by City Council no later than its meeting of July 25, 2006, such report to also advise as to the reasons that the initial decision of the Committee of Adjustment was changed.

In addition, Council requested:

- (1) ***that the Members of the Committee of Adjustment, North York Panel, be advised that they can make submissions directly to City Council if they so desire; and***
- (2) ***the City Solicitor to report on the implications on the City of Toronto’s defence of the libel suit and whether the affected Member of Council should participate in this debate.***

Council also considered the following:

- Public report (April 13, 2006) from the Auditor General.
- Confidential report (April 13, 2006) from the Auditor General [Confidential Communication C.3(a)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals; and
- Confidential report (April 19, 2006) from the City Solicitor [Confidential Communication C.3(b)]. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

Communication:

- (May 23, 2006) from Jon Williams [Confidential Communication C.3(c)]. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals.
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- Confidential Fiscal Impact Statement (May 24, 2006) from the Deputy City Manager and Chief Financial Officer [Confidential Communication C.3(d)].

F(3) Protection of Individuals at Toronto City Hall and Nathan Phillips Square

Moved by Councillor Pitfield, seconded by Councillor Stintz

“**WHEREAS** Councillor Michael Thompson and his assistant were aggressively approached by a panhandler at Nathan Phillips Square on April 26, 2006, at approximately 6:10 p.m.; and

WHEREAS Councillor Thompson was assaulted; and

WHEREAS panhandling is increasingly becoming a problem throughout the City;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) request the Chief Corporate Officer to report to the next meeting of City Council, through the Administration Committee, on measures that can be implemented to discourage panhandling at Toronto City Hall, Nathan Phillips Square and other Civic Centres;
- (2) request that the City Manager, in consultation with the Toronto Police Service, determine ways to ensure the safety and security of Toronto residents, businesses and tourists across the City and to discourage panhandling and report the findings, through the Policy and Finance Committee, to the next meeting of City Council; and
- (3) request the City Solicitor, in consultation with the appropriate staff, to report to next meeting of City Council, through the Policy and Finance Committee, on the possibility of a ‘quality-of-life’ by-law that would include a provision that ‘no person can impede any other person’s reasonable enjoyment of day-to-day activities through panhandling,’ such report to also include a communications strategy to notify residents, businesses, tourists and panhandlers of such a by-law, as well as an enforcement strategy.”

Disposition:

City Council on June 14, 2006, postponed consideration of this Motion to its next regular meeting on June 27, 2006.

F(4) Potential Ontario Municipal Board Hearing – 2 Traymore Crescent
Moved by Councillor Saundercook, seconded by Councillor Grimes

“**WHEREAS** the Committee of Adjustment held a public meeting on April 6, 2006, to consider a request for the granting of a minor variance at 2 Traymore Crescent; and

WHEREAS the Committee heard from area residents opposed to the granting of this variance; and

WHEREAS the Committee of Adjustment refused to grant the requested variance, on the basis that the general intent and purpose of the Official Plan and Zoning By-law is not maintained and the variances were neither minor in nature nor were they considered desirable for the appropriate development of the land; and

WHEREAS the proposal would legalize three additional dwelling units currently existing in the dwelling at 2 Traymore Crescent, by reducing the required number of parking spaces; and

WHEREAS the three additional dwelling units were built in the absence of a building permit and may be in violation of the Building Code; and

WHEREAS the applicant is expected to appeal this decision to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT in the event of an appeal of the Committee of Adjustment decision, the City Solicitor be directed to attend at the Ontario Municipal Board in defence of the City’s Committee of Adjustment decision.”

Disposition:

City Council on June 14, 2006, received this Motion.

Council also considered the following:

- Notice of Decision (April 7, 2006) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Etobicoke York Panel.

F(5) Official Plan Amendment and Rezoning Application for 252, 270, 272 and 276 Bering Avenue - Ward 5 – Etobicoke-Lakeshore

Moved by Deputy Mayor Bussin, seconded by Councillor Carroll

“**WHEREAS** the Official Plan Amendment and Rezoning Application for 252, 270, 272 and 276 Bering Avenue (Ward 5 - Etobicoke-Lakeshore) was before Council on April 25, 26 and 27, 2006; and

WHEREAS Dunpar Homes had consulted Etobicoke Planning staff and the local Councillor before acquiring the property; and

WHEREAS over \$1 million has been spent on site clean-up of the 1.7 acre contaminated industrial land; and

WHEREAS the property is surrounded on three sides by residential homes and has three homes currently on it; and

WHEREAS the community in the immediate neighbourhood are overwhelmingly in support of the application; and

WHEREAS the proposal meets the City of Toronto Official Plan guidelines with respect to housing intensification; and

WHEREAS the proposal is within walking distance to the Islington Subway station, a community centre, parks, schools and shopping; and

WHEREAS the Official Plan Amendment and Rezoning was approved by the Etobicoke York Community Council; and

WHEREAS at the Council meeting of April 25, 26 and 27, 2006, a motion was made that the application as recommended in the report (March 21, 2006) from the Director, Community Planning, Etobicoke York District be refused; and

WHEREAS there was some confusion about the impact of the motion and several Members of Council would have voted otherwise;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 3, Clause 57, headed ‘Final Report - Official Plan Amendment, Rezoning and Site Plan Approval Application; Applicant: Tom Giancos on behalf of 1322104 Ontario Inc., 252, 270, 272 and 276 Bering Avenue (Ward 5 - Etobicoke-Lakeshore)’, be re-opened for further consideration, in order to allow the vote to be taken again.”

Disposition:

City Council on May 23, 24 and 25, 2006, re-opened Etobicoke York Community Council Report 3, Clause 57, headed “Final Report - Official Plan Amendment, Rezoning and Site Plan Approval Application; Applicant: Tom Giancos on behalf of 1322104 Ontario Inc., 252, 270, 272 and 276 Bering Avenue (Ward 5 - Etobicoke-Lakeshore)”, and postponed consideration of the balance of the Motion to its special meeting on June 14, 2006.

City Council on June 14, 2006, amended the balance of this Motion by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council adopt the Recommendations of the Etobicoke York Community Council contained in Etobicoke York Community Council Report 3, Clause 57, subject to:

(1) amending Recommendation (8) of the Etobicoke York Community Council by deleting the dates “June 27, 28, and 29, 2006”, and inserting instead the dates “July 25, 26 and 27, 2006”, so that Recommendation (8) now reads as follows:

‘(8) that the Director, Community Planning, Etobicoke York District, be requested to complete and report to the City Council meeting of July 25, 26 and 27, 2006, on a Site Plan Approval, based substantially on the plans submitted by the applicant to staff on January 30, 2006 and that Site Plan Control Provisions appended to this report as Attachment 11: Site Plan Control, be inserted into the Approval, however, deleting provision (y);’ and

(2) amending the Section 37 Agreement so that the developer is required to provide free monthly Metropasses to each household in the project for one year.”

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

Council also considered the following:

- Communication (May 23, 2006) from Glen E. Grunwald, President and Chief Executive Officer, The Toronto Board of Trade [Communication 8(a)].

F(6) 3030 Bloor Street West (Kingsway Theatre) – Intention to Designate under Part IV of the *Ontario Heritage Act* – Ward 5 (Etobicoke - Lakeshore)
Moved by Councillor Milczyn, seconded by Councillor Lindsay Luby

“**WHEREAS** the property located at 3030 Bloor Street West contains the Kingsway Theatre, which has design or physical value as a representative example of a movie theatre built between World Wars I and II with features of Art Deco styling, and has contextual value as a local landmark on Bloor Street West in the Kingsway neighbourhood; and

WHEREAS the Toronto Official Plan states that significant heritage resources will be conserved; and

WHEREAS this is an urgent motion as the property is for sale and, given that it is a commercial property, it has no protection from demolition;

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board at its meeting scheduled for June 22, 2006, Council of the City of Toronto give notice of its intention to designate the property at 3030 Bloor Street West (Kingsway Theatre) under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Disposition:

City Council on June 14, 2006, postponed consideration of this Motion to its next regular meeting on June 27, 2006.

Council also considered the following:

- Communication (June 12, 2006) from Janice Etter, Chair, Etobicoke York Community Preservation Panel [Communication 10(a)].

Condolence Motions

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

Seconded by: Mayor Miller

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Kenneth Thomson, 2nd Baron Thomson of Fleet, on June 12, 2006; and

WHEREAS Ken Thomson was one of Canada's greatest art collectors and the greatest benefactor of the Art Gallery of Ontario, including the donation of over 2000 art works to the AGO in 2002 – the finest private art collection in Canada; and

WHEREAS Ken Thomson gifted \$50 million to kick start the transformation of the AGO and an additional \$20 million to endow future Art Gallery operations; and

WHEREAS Ken Thomson was a world renowned collector and promoter of Canadian art and a patron of the arts; and

WHEREAS Ken Thomson donated \$4.5 million in 1982 for the construction of Roy Thomson Hall, home of the Toronto Symphony Orchestra;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife, Marilyn, his three children, David, Taylor and Peter, and his sister, Audrey Campbell.”

Disposition:

City Council on June 14, 2006, adopted this Motion unanimously.

(2) **Moved by:** **Councillor Rae**

Seconded by: **Mayor Miller**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Bernard Ostry on May 24, 2006; and

WHEREAS Bernard Ostry was a well known Canadian author, philanthropist, journalist and civil servant at all levels of government; and

WHEREAS Bernard Ostry was the past Chair and Chief Executive Officer of TV Ontario; and

WHEREAS Bernard Ostry was a famed patron of the arts and a staunch supporter of the Stratford Festival, the Toronto International Film Festival, the Shaw Festival and the National Ballet School; and

WHEREAS Bernard Ostry was named an Officer of the Order of Canada for being an outspoken advocate of cultural sovereignty, ethics in the public service and the preservation of public broadcasting;

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 Sylvia and his children, Adam and Jonathan.”

Disposition:

City Council on June 14, 2006, adopted this Motion unanimously.

Issued: June 15, 2006