
TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON MAY 17, 18 AND 19, 2005

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

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Deferred Clauses:**Policy and Finance Committee Report 2****24d Status of Labour Negotiations**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

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

Administration Committee Report 3**17a Swansea Town Hall - Amendment of Purchase Order 6012609, Previously Awarded to KaRy Construction (Ward 13 - Parkdale-High Park)**

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

Planning and Transportation Committee Report 3**1a Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law**

City Council on May 17, 18 and 19, 2005, amended this Clause:

- (1) in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (April 6, 2005) from the Commissioner of Urban Development Services (as contained at the end of the Clause):

“It is recommended that City Council:

- (1) amend Appendix A annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by adding the following definition:

‘ground-mounted sign’ means a sign upheld by one or more supports constructed or driven into the ground for the sign’s exclusive support but excludes a sign that is affixed to the ground by a self-supporting structure that has a permanent foundation below grade or above grade;

- (2) amend Appendix A annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by adding ‘(g) a ground-mounted sign’ to the definition of ‘temporary sign’;
 - (3) adopt the proposed by-law provisions for regulating ground-mounted signs contained in Appendix J, annexed hereto; and
 - (4) amend Appendix E, entitled ‘New Development Sign By-law Provisions’, annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by deleting ‘The number of signs per new development project will be a ratio of one sign to every ten units to a maximum of ten signs per project’, and inserting ‘The number of new development signs will not exceed ten signs per project.’;
- (2) by deleting from Recommendation (II)(2) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:
- “(II)(2) no A-Frame sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and, it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with this policy; and”;
- (3) by deleting from Recommendation (III)(1) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:
- “(III)(1) no mobile sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt; and it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with the policy; and”;

- (4) by deleting from Recommendation (IV) of the Planning and Transportation Committee, the word “residential” and inserting instead the word “new”, so that the Recommendation now reads as follows:

“(IV) with respect to New Development Signs:

No new development sign may be erected nor application for a permit for a new development sign shall be accepted until such time as the required zoning by-laws pertaining to that development have been approved by Council;”;

- (5) by amending Recommendation (VII) of the Planning and Transportation Committee to provide that:

(1) funds from licensing fees be used to authorize the Executive Director, Municipal Licensing and Standards, to hire four Municipal Standards Officers immediately, one for each District, at no net cost to the City; and

(2) funding be added to the Operating Budget for the salaries and costs associated with hiring the Officers, and that the Executive Director, Municipal Licensing and Standards, be requested to report back, through the 2006 budget process, on additional staffing requirements;

- (6) by adding to Recommendation (IX) of the Planning and Transportation Committee, the words “and the local Councillor”, after the words “BIA Board of Management”, so that the Recommendation now reads as follows:

“(IX) where an application for a Portable or Mobile Sign is received for a location within a registered Business Improvement Area (BIA) District, that the BIA Board of Management and the local Councillor be notified and requested to comment on the issuance of such permit and if they object, according to their approved criteria, Municipal Licensing and Standards staff shall refuse the application, which refusal may be appealed to Community Council; and”;

- (7) by further amending Appendix B, entitled “Proposed General Provisions – Temporary Signs”, by adding the following new Part (23), and re-numbering Parts (23) and (24) accordingly:

“(23) Temporary signs shall not obstruct or be located in a required parking space.”;

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- (8) by amending Appendix C, entitled “Portable Sign (including A-Frame Sign) By-law Provisions”, as follows:
- (a) by deleting Part (1) and inserting instead the following:

“(1) Portable signs shall allow for 2.1 metres (seven feet) of unobstructed sidewalk space or where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk.”;
 - (b) by deleting Part (7) and inserting instead the following:

“(7) Portable signs shall be located against the front wall of the premises directly adjacent to the business which it is advertising or where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk.”; and
 - (c) by adding the following new Part (13):

“(13) No permit shall be issued in relation to a premises with a frontage of less than twenty (20) feet.”;
- (9) by amending Appendix F, entitled “Real Estate Sign By-law Provisions - Open House Directional Signs”, by adding the following new Part (9):
- “(9) an open house directional sign shall include the address of the property for sale or lease and the date of the open house.”;
- (10) by amending Appendix G, entitled “Garage Sale Signs”, by adding the following new Part (5):
- “(5) a garage sale sign shall include the address of the property where the garage sale will be located and the date of the garage sale.”;
- (11) by referring Appendix H, entitled “Charitable and Religious Institutions, Community Organizations and Public or Separate Schools” back to the Planning and Transportation Committee to allow for further consultation and review, and requesting the Executive Director, Municipal Licensing and Standards, to report to the July 19, 2005, meeting of City Council, through the Planning and Transportation Committee, on the outcome of the consultations.

(12) by adding the following:

“That:

- (a) the A-Frame and Mobile Sign By-law be aggressively marketed and communicated to assist with compliance and acceptance;
- (b) the Executive Director, Municipal Licensing and Standards, be requested to contact each Member of Council to identify problem areas for the purposes of setting priority for sign by-law enforcement in their wards; and
- (c) Business Improvement Areas be requested to submit to the City their respective criteria and the review process employed in the approval of applications for a portable or mobile sign received within a registered Business Improvement Area.”

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

Council also considered the following:

- Confidential report (April 4, 2005) from the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Confidential Communication C.2(a)].

Communications:

- (March 24, 2005) from Paula J. Tenuta, Municipal Government Advisor, Greater Toronto Home Builders’ Association [Communication 1(a)];
- (April 8, 2005) from Carol McCause [Communication 1(b)]; and
- (May 9, 2005) from Gee Chung, President, The Greater Yorkville Residents Association [Communication 1(c)].

2a Harmonization of the Sign By-law Concerning Posters on Utility Poles

City Council on May 17, 18 and 19, 2005, referred this Clause to the Mayor’s Office to propose a postering by-law that will place limits on postering consistent with the objectives of the “Clean and Beautiful City Initiative” and the principle of “freedom of expression” as outlined in the confidential report (April 4, 2005) from the City Solicitor, and requested the Mayor to report directly to Council in four month’s time on this matter.

Council also considered the following:

Communications:

- (March 7, 2005) from Peter Couto [Communication 2(a)];
- (March 7, 2005) from Michael Stewart, Goodmans LLP, Barristers and Solicitors [Communication 2(b)];
- (April 8, 2005) from Carol McCanse [Communication 2(c)];
- (April 12, 2005) from Carol and Don McCanse [Communication 2(d)];
- (December 3, 2004) from Anthony St. Pierre [Communication 2(e)];
- (May 18, 2005) from Darren Cooney [Communication 2(f)]; and
- (undated) from the Toronto publicspace Committee [Communication 2(g)].

Works Committee Report 3

3a Implementation of Source Separated Organic Programs in Multi-Residential Buildings

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the General Manager, Solid Waste Management, be requested to notify all Condominium Associations, the Toronto Co-operative Housing Federation and the Toronto Community Housing Corporation of this pilot project, and submit a report to the Works Committee, in the Fall of 2005, advising which 30 buildings will be included in this pilot project.”

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

Joint Planning and Transportation Committee and Works Committee Report 1

1a Don Valley Corridor Transportation Master Plan (Beaches-East York, Don Valley East, Don Valley West, Toronto-Danforth, Willowdale)

City Council on May 17, 18 and 19, 2005, amended this Clause by:

- (1) amending the joint recommendations of the Planning and Transportation Committee and the Works Committee by:
 - (a) deleting from Recommendation (IV), the words “Council’s preferred alternative for future study”, and inserting instead the words “reviewed as a possible alternative”, so that Recommendation (IV) now reads as follows:

“(IV) other options other than the bus ramps to Castle Frank Station, such as a transit stop/station on Bayview Avenue, with a vertical connection to the Castle Frank Station by way of a people mover (elevator or covered escalator) be reviewed as a possible alternative;”; and
 - (b) amending Recommendation (V) to now read as follows:

“(V) opportunities for light rail be reviewed as an alternative to bus rapid transit, including designing the project to later convert to light rail if not presently the preferred option;”; and
- (2) adding the following:

“That:

 - (a) the Toronto Transit Commission be requested to begin a network study concurrent with this particular Environmental Assessment, as soon as possible;
 - (b) the Chief Planner and Executive Director, City Planning, be requested to convene a meeting of the Toronto Transit Commission, GO Transit, the Provincial Government and all other interested governmental agencies, to review an overall transportation strategy as it relates to the Don Valley Study area, as well as other areas of the City;
 - (c) staff be directed to meet with the West Don Lands Committee to discuss the potential impact of the proposed routing option that would create a ramp at Adelaide Street East and Bayview Avenue; and
 - (d) the option of carrying traffic directly from Adelaide Street East to the Don Valley Parkway, without connection to the Bayview extension, be included in the Environmental Assessment for the Downtown Core options.”

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

Council also considered the following:

Communications:

- April 10, 2005) from Helen Riley [Communication 3(a)];
- Petition (undated) submitted by Councillor Jane Pitfield, Ward 26, Don Valley West, containing approximately 504 signatures in support of the further study within the Don Valley Corridor Master Plan [Communication 3(b)]; and
- (undated) from Don Lake, D & E Lake Ltd. [Communication 3(c)];
- (May 12, 2005) from Barbara and Alan Bocking [Communication 3(d)];
- (undated) from Mary E. Thomas [Communication 3(e)]; and
- (May 11, 2005) from Philip Day [Communication 3(f)].

Toronto and East York Community Council Report 3

28a Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 55 Mill Street (Toronto Centre-Rosedale, Ward 28)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

New Reports:

Policy and Finance Committee Report 5

1 West Don Lands Precinct Plan and Environmental Assessment Master Plan

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (May 16, 2005) from the City Manager:

‘It is recommended that Council:

- (1) support the process developed by the Toronto Waterfront Revitalization Corporation (TWRC), the City of Toronto, Ontario Realty Corporation (ORC) and FoodShare to work collaboratively on the relocation of FoodShare from its current location at 200 Eastern Avenue to another location as follows:
 - (i) TWRC will assume the project lead for the relocation effort;
 - (ii) the relocation team will comprise representation from the TWRC, ORC, FoodShare and the City, including staff from Real Estate, Economic Development and the Waterfront Secretariat;
 - (iii) all parties agree that the relocation will be at no cost to FoodShare;
 - (iv) this process will be confirmed in a letter from the TWRC to FoodShare; and
 - (v) once confirmed, FoodShare will withdraw its request of the Ministry of the Environment (MOE) to elevate the Class Environmental Assessment (EA) for the Lower Don River Flood Protection to an Individual EA;
- (2) following the identification of a potential site for FoodShare, direct the Waterfront Project Director to bring forward a report advising as to the outcome of this process and how relocation costs are being addressed; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.’ ”

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

Council also considered the following:

- Report (May 16, 2005) from the City Manager [Communication 12(a)].

2 Enwave Energy Corporation - Special Shareholders' Meeting

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Municipal Property Assessment Corporation Council Requests for Further Information

City Council on May 17, 18 and 19, 2005, amended this Clause by amending Recommendation (2) of the Policy and Finance Committee to now read as follows:

- “(2) MPAC be requested to provide a presentation to the next meeting of the Policy and Finance Committee scheduled to be held on June 1, 2005, on:
- (a) the issues related to golf course assessment, including changes they have made in current assessment for golf courses; and
 - (b) the Resolution adopted by City Council [on January 27, 28 and 29, 2004, by adoption of Policy and Finance Committee Report 1, Clause 10, headed ‘2004 Current Value Assessment (CVA) Changes and Tax Policy Options (All Wards)’] that the Current Value Assessment system should be changed to introduce:
 - (i) more stability in property assessments;
 - (ii) a review for individual properties that have been the subject of successful appeals; and
 - (iii) more objective measures in property assessment.”

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

Mayor Miller declared an interest in this Clause, in that he is a member of a Golf Club which is subject to a City initiated assessment appeal.

Councillor Shiner declared an interest in this Clause, in that his son is an employee of the Municipal Property Assessment Corporation (MPAC).

4 City Initiated Assessment Appeals under Section 40 of the *Assessment Act* for 2005 Taxation Year

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the City Manager be requested to write to the Municipal Property Assessment Corporation (MPAC) advising it of the City’s concerns with its inadequate assessment processes which leave the City open to large gaps in tax revenue.”

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

Council also considered the following:

- Confidential Appendix A, entitled “List of Appeals Initiated by the Deputy City Manager and Chief Financial Officer”, appended to the report (April 21, 2005) from the Deputy City Manager and Chief Financial Officer. This Appendix is now public in its entirety [Confidential Communication C.3(a)].

[Appendix A will be noted at the end of this Clause.]

5 Financial Transaction with Toronto Port Authority

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (January 11, 2005) from the Chief Financial Officer and Treasurer and the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.4(a)].

6 Local 416 Job Evaluation Letters of Intent, Results of the Arbitration Award Dated March 24, 2005

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential communication (April 7, 2005) from the Employee and Labour Relations Committee. This communication is now public in its entirety and contains the following recommendation [Confidential Communication C.5(a)]:

“The Employee and Labour Relations Committee on April 7, 2005, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (March 29, 2005) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer entitled ‘Local 416 Job Evaluation Letters of Intent – Results of the Arbitration Award dated March 24, 2005’, such report to be considered in-camera as the subject matter relates to labour relations or employee negotiations.”

- Confidential report (March 29, 2005) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer. The following staff recommendations contained in the Recommendations Section of the report, and the attachments to the report (listed below), are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act*, 2001, as it contains information pertaining to labour relations or employee negotiations:

“It is recommended that:

- (1) City Council approve the 2005 increase in salary cost of \$6.9 million to implement the Local 416 Job Evaluation Arbitration Award (as detailed in Appendix A herewith attached) with no incremental financial impact in 2005, given that a sufficient provision was made in the Council-Approved 2005 Non-Program Budget;
 - (2) the Chief Financial Officer and Treasurer be authorized to transfer funds from the Non-Program Budget to Program Budgets based on the value of the wage rate increase for each classification and number of positions within each Program; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”
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- Appendix ‘A’ to the confidential report (March 29, 2005) from the Commissioner of Corporate Services and Chief Financial Officer and Treasurer. This Appendix is now public in its entirety.
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- Agreement between City of Toronto and Toronto Civic Employees' Union (TCEU) Local 416 - CUPE re Job Evaluation attached to the report (March 29, 2005) from the Commissioner of Corporate Services and Chief Financial Officer and Treasurer. This Agreement is now public in its entirety.

[The attachments will be noted at the end of this Clause.]

Councillor Shiner declared an interest in this Clause, in that his son is a seasonal employee of the City, under CUPE Local 416.

7 Extension of Current Natural Gas Supply Arrangements

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

8 Toronto Public Health 2005 Operating Budget Adjustments to One Hundred Percent Funded Program

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

9 Sheppard Subway Update

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential communication (May 5, 2005) from the Policy and Finance Committee. This communication is now public in its entirety and contains the following recommendations [Confidential Communication C.6(a)]:

“The Policy and Finance Committee recommends that:

- (1) City Council adopt the recommendations of the Budget Advisory Committee contained in the confidential communication (May 4, 2005) from the Committee;
- (2) the Toronto Transit Commission be requested to assess the legal account respecting the Sheppard Subway Project or request Osler, Hoskin and Harcourt, to consider a reduction in this account; and

- (3) the communication (April 7, 2005) from the General Secretary, Toronto Transit Commission respecting the Don Mills Station Claim be received, noting that City Council previously approved and authorized the settlement as part of the 2005 Budget process, pending approval by City Council of funding for the proposed Bayview Station Settlement.”
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- Confidential communication (May 4, 2005) from the Budget Advisory Committee. This communication is now public in its entirety and contains the following recommendations:

“The Budget Advisory Committee recommended to the Policy and Finance Committee that:

- (1) City Council authorize payment of the settlement as outlined in the confidential communication (April 7, 2005) from the General Secretary, Toronto Transit Commission;
 - (2) the Deputy City Manager and Chief Financial Officer, in consultation with the Toronto Transit Commission staff, review the additional funding requested resulting from the Sheppard Subway negotiated settlements of claim and report to the Budget Advisory Committee with the 2005 second quarter Capital Variance report on accommodating the additional funding required within the 2005 approved Toronto Transit Commission Capital Budget; and
 - (3) received the confidential communication (May 3, 2005) from the General Secretary, Toronto Transit Commission and directed that it be forwarded to Policy and Finance Committee and Council for information.”
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- Confidential communication (April 7, 2005) from the General Secretary, Toronto Transit Commission. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.
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- Confidential communication (May 3, 2005) from the General Secretary, Toronto Transit Commission. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

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- Confidential communication (April 7, 2005) from the General Secretary, Toronto Transit Commission. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

10 City of Toronto Membership in the Greater Toronto Marketing Alliance (GTMA)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

11 Canadian Tire Foundation for Families - Jump Start Program (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Donation to the City of an Outdoor Multi-Sport Complex from Nike Canada Limited (Ward 42 - Scarborough Rouge River)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

13 Proposed Lease of a Waterlot from the Toronto Port Authority for the Development of the Waters Edge Promenade at 339 Queens Quay West in Harbourfront (Ward 20 - Trinity-Spadina)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

14 Adjustments to the Parks, Forestry and Recreation Division's FY2005 Capital Budget

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That:

- (1) the Parks, Forestry and Recreation Capital Budget sub project (CPR 116-35-02) for Stan Wadlow Park skateboard park (Ward 31) be increased by \$0.040 million gross, zero net, to a 2005 cash flow of \$0.340 million; and

- (2) the Parks, Forestry and Recreation Capital Budget sub-project (CPR 117-35-09) for Taylor Creek Park, Stairs at Victoria Park, be reduced by \$0.040 million to a 2005 cash flow of \$0.060 million to offset the cost of the skateboard park in Stan Wadlow Park as indicated in Recommendation (1), above.”

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

15 Public Art Restoration and Maintenance (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

16 Metro Hall Cooling System - Legislative Requirements

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That, in light of the recent announcement that many of the legislative buildings at Queen’s Park will be cooled by deep lake water cooling and that the Enwave cooling network will now be extended and will be easily accessible to Toronto City Hall, and noting Council’s stated objective of carbon dioxide (CO₂) reduction by maximizing the environmental benefits through the use of clean, sustainable and renewable energy such as district heating and deep lake water cooling, the Chief Corporate Officer be requested to review all options to connect City Hall to the deep lake water cooling system and report to the June 28, 2005 meeting of the Administration Committee.”

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

Council also considered the following:

- Confidential report (December 21, 2004) from the Commissioner of Corporate Services. 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 or local board. [Confidential Communication C.7(a)].
- Confidential report (April 5, 2005) from the Commissioner of Corporate Services. 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 or local board.

17 Acquisition of No. 3326 Bloor Street West (Ward 5 - Etobicoke Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 22, 2005) from the Deputy City Manager and Chief Financial Officer. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality [Confidential Communication C.8(a)]:

“It is recommended that:

- (1) the 2005 Capital Budget of Facilities and Real Estate be increased by \$2,977,000.00, with an offsetting increase in recoveries of \$2,977,000.00 provided from the Land Acquisition Reserve Fund;
- (2) the acquisition of the Legion Property be funded from the Land Acquisition Reserve Fund;
- (3) the Offer to Sell from The Colonel J.E.L. Straight Branch No. 210 of The Royal Canadian Legion to the City, of the Legion Property, in the amount of \$2,925,000.00, be accepted on the terms outlined in the body of this report;
- (4) the City Solicitor be authorized to complete the transaction on behalf of the City including payment of any necessary expenses and amending the closing date to such earlier or later date as considered reasonable;
- (5) the report be referred to Policy and Finance Committee for consideration and approval; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

18 110 Edward Street - Extension of Emergency Shelter and Referral Centre Programs (Ward 27 - Toronto Centre-Rosedale)

City Council on May 17, 18 and 19, 2005, amended this Clause by amending staff Recommendation (1) contained in the Recommendations Section of the report (April 21, 2005) from the General Manager, Shelter, Support and Housing Administration, to now read as follows:

“(1) the General Manager, Shelter, Support and Housing Administration, be directed to continue to operate 110 Edward Street on a month-to-month basis until April 30, 2006, as an emergency shelter and referral program, subject to the terms of the month-to-month agreement between the owners of 110 Edward Street and the City of Toronto, and the Deputy City Manager and Chief Financial Officer report to the Budget Advisory Committee, prior to the end of 2005, on the source of 2006 funding;”.

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

19 Snow Shovelling and Grass Cutting Supports to Seniors and People with Disabilities

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the mandate of the Advisory Group’s review be expanded to include a report on the feasibility of a program operated to co-ordinate the partnering of senior or mobility-challenged property owners with community volunteer gardeners from nearby multi-residential abodes without gardens.”

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

20 2005-2009 Toronto Child Care Service Plan

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

21 2005 Transportation Services Operating Budget, Adjustment for Utility Cut Repairs (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

22 Renewal of the Republic-Wilson Contract

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 15, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information relating to litigation or potential litigation [Confidential Communication C.9(a)].

23 Weighscale Software Upgrades and Maintenance Renewal for a Three-Year Term with Two One-Year Options - GEOWARE Inc.

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

24 Amendments to the Water Supply Agreement between the City of Toronto and the Regional Municipality of York

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

25 International Blue Flag Program Accreditation for Waterfront Beaches (Wards 6, 13, 14, 20, 30, 32, 36 and 44)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

26 Approval of a Change of Location for the Alexandra Park Basketball Court

City Council on May 17, 18 and 19, 2005, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (May 9, 2005) from the General Manager, Parks, Forestry and Recreation:

“It is recommended that:

- (1) the General Manager of Parks, Forestry and Recreation be authorized to execute a nominal sum License Agreement with the Toronto Community Housing Corporation (TCHC) and the Atkinson Housing Co-operative for the shared use of the proposed outdoor basketball court, in accordance with terms acceptable to the City Solicitor;

- (2) City Council approve the construction of the basketball court on property owned by the TCHC located at 71 Augusta Square; and
- (3) 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:

- Report (May 9, 2005) from the General Manager, Parks, Forestry and Recreation [Communication 5(a)].

27 Proposal by Toronto Hydro Energy Services Inc. to Develop Renewable Energy Cogeneration Projects at Selected City Sites

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

28 2004 Operating Budget Variance Reports Ending August 31, 2004 and September 30, 2004, for the Toronto Police Service and Toronto Police Service Parking Enforcement Unit

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

29 Response to City of Toronto Request for Information on Savings Achieved Through Civilianization Initiatives

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

30 Sale of Assets Under the Purview of the Works Committee

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

31 Disposition of Toronto Transit Commission's Retained Earnings

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

32 Allocation of the 2005 Non-Program Amounts for the Insurance Reserve Fund

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

33 2003 Expenditures for Consulting Services, Hummingbird Centre for the Performing Arts

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

34 City of Toronto 2006 Budget Process, Directions and Guidelines

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to report to City Council, through the Policy and Finance Committee and the Budget Advisory Committee, in October 2005, for information only, providing a top level summary of the budget submissions of the agencies, boards, commissions and divisions (ABCDs), this summary to show initial budget pressures prior to the application of any non-program revenues, gas tax revenues or other extraordinary revenues.”

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

35 2004 Year-End Capital Variance Report

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the City Manager, in consultation with the three Deputy City Managers, report to City Council through the Budget Advisory Committee and the Policy and Finance Committee, by July 30, 2005, or as soon as possible, on the results of the half-year Capital Variance Report and what their plans will be to reach a target of 100 percent spent of the Capital Budget by December 31, 2005.”

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

36 2004 Reserves and Reserve Funds Year-End Variance Report

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That:

- (1) that the Deputy City Manager and Chief Financial Officer be requested to report to the Budget Advisory Committee and the Policy and Finance Committee on the transfers to reserves and reserve funds during 2005 that were not part of the 2005 Council approved budget; and
- (2) that the Deputy City Manager and Chief Financial Officer be requested to report to the Budget Advisory Committee and the Policy and Finance Committee with the City protocol on the treatment and presentation to the Budget Advisory Committee of any positive operating variance for 2005 and future years.”

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

37 2004 Year-End Operating Variance Report

City Council on May 17, 18 and 19, 2005, amended this Clause in accordance with the following Recommendations:

- “(1) \$0.156 million of the additional 2004 year-end surplus be contributed to the Exhibition Place Stabilization Reserve;
- (2) the remaining \$0.255 million of the additional 2004 year-end surplus be contributed to the City’s Capital Financing Reserve (in accordance with City policy) to fund 2005 TTC bus purchases, and that recommendation (1) in the report (May 2, 2005) from the Deputy City Manager and Chief Financial Officer be amended to reflect this; and
- (3) the settlement with the Royal Agricultural Winter Fair for \$0.143 million be reflected as a non-program expenditure”.

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

38 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Administration Committee Report 4

1 Status - Energy Management Program (EMP) for City Facilities

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Declaration as Surplus - Additional Lands at the Wychwood Car Barns Site - Portion of 76 Wychwood Avenue (Ward 21 - St. Paul's)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Declaration as Surplus Parcel of Vacant Land - West Side of Gamma Street, Between Nos. 184B and 186 Gamma Street (Ward 6 - Etobicoke Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Disposition of City-owned Property Located on the East Side of Grand Avenue Between Algoma Street and Manitoba Street (Ward 6 - Etobicoke Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 2005 Computer Maintenance Contracts

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Jenkins declared an interest in this Clause, in that he is a retired pensioned employee of IBM Canada Ltd.

6 Disclosure of Proponents' Responses to Certain Sections of Request for Proposal (RFP) 3401-04-3216 - Supply, Delivery and Installation of Desktop and Notebook Computers and Related Products and Services

City Council on May 17, 18 and 19, 2005, amended this Clause by:

- (1) amending the recommendation of the Administration Committee by:
 - (a) deleting the words "a protocol for access for information", and inserting instead the words "revisions to the purchasing policies and the purchasing by-law which would allow information to be provided"; and
 - (b) inserting the words "(similar to the Toronto Transit Commission)", after the words "procurement process",

so that the recommendation of the Administration Committee now reads as follows:

“The Administration Committee recommends that the Director of Purchasing and Materials Management Division, in consultation with the Corporate Access and Privacy Office and the City Solicitor be requested to report to the Administration Committee, at its June meeting, on revisions to the purchasing policies and the purchasing by-law, which would allow information to be provided to Members of Council at various stages of the procurement process (similar to the Toronto Transit Commission), in order to clarify roles and responsibilities and facilitate appropriate oversight by Members of Council, and such report also to address the issue of consent for releasing information in all call documents.”; and

(2) adding the following:

“That:

- (a) the e-City Committee be allowed to have access to the Request for Proposals (RFP) that pertains to this computer purchase; and
- (b) all RFP documents contain written advice to proponents that their responses to the RFP will be made available to Members of Council on a confidential basis.”

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

7 Application of the Municipal Freedom of Information and Protection of Privacy Act to Requests for Information and 2004 Compliance Report to the Information and Privacy Commissioner (IPC)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That:

- (1) the Chief Building Official and Executive Director of Building be requested to report monthly to each Councillor on the number of building permit applications filed by Ward and the details of each application; and
- (2) the City Clerk be requested to:

- (a) report to the next meeting of the Administration Committee on actions taken to secure access to on-line assessment roll data for Members of Council; and
- (b) submit a progress report on this matter to the Administration Committee every three months.”

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

8 Council Travel Policy

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

9 Extension of Contract - Administrative and Underwriting Services for Employee Benefit Plans

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

10 2005 Insurance Program Renewal

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the supplementary confidential report (May 9, 2005) from the Deputy City Manager and Chief Financial Officer. 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.”

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

Council also considered the following:

- Confidential report (April 12, 2005) from the Chief Financial Officer and Treasurer. 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 Communication C.10(a)].
- _____

- Confidential report (May 9, 2005) from the Deputy City Manager and Chief Financial Officer. 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 Communication C.10(b)].

11 Apportionment of Property Taxes

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Tax Adjustment *Municipal Act, 2001* Sections 357 & 358

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

13 Apportionment of Taxes – Treasurer Initiated Applications

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

14 Write-off of Uncollectable Miscellaneous Receivables - Update

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

15 Shortage of Justices of the Peace in Toronto

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That, as part of the new *City of Toronto Act* discussions, the City of Toronto seek the authority to appoint its own Justices of the Peace.”

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

Council also considered the following:

- Confidential communication (April 28, 2005) from the Administration Committee. This communication is now public in its entirety and contains the following recommendations [Confidential Communication C.11(a)]:

“The Administration Committee recommends that:

- (A) Council adopt the staff recommendations in the Recommendations Section of the confidential report (April 12, 2005) from the City Solicitor, subject to amending Recommendation (1) by adding the words “and all other Ontario Municipalities” after the word “Toronto” wherever it appears; and amending Recommendation (3) by deleting “representing Toronto ridings”, so that the recommendations now read:
- (1) Council request the Premier and Attorney General of Ontario take immediate action to increase the number of justices of the peace in Toronto and all other Ontario Municipalities, to be assigned by the Ontario Court of Justice for the purpose of ensuring that community safety is not compromised by the closure of Provincial Offences courts in Toronto and all other Ontario Municipalities;
 - (2) Council direct the City Solicitor to submit a further report to Council on any legal remedies which may be available to the City to respond to the shortage of justices of the peace; and
 - (3) a copy of Council’s resolution be sent to the Honourable Justice Roy McMurtry, the Chief Justice of Ontario; the Honourable Justice Brian Lennox, the Chief Justice of the Ontario Court of Justice; the Honourable Justice Donald Ebbs, Associate Chief Justice of the Ontario Court of Justice and Coordinator of Justices of the Peace of Ontario; the Honourable Justice Annemarie E. Bonkalo, Regional Senior Justice for Toronto and to His Worship Ralph Faulkner, Regional Senior Justice of the Peace for Toronto and to all Members of the Provincial Parliament;”; and
- (B) because the report relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, under the *Municipal Act, 2001*, discussions about this report be held in camera.”
-

- Confidential report (April 12, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public as amended, 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) Council request the Premier and Attorney General of Ontario take immediate action to increase the number of justices of the peace in Toronto and all other Ontario Municipalities to be assigned by the Ontario Court of Justice for the purpose of ensuring that community safety is not compromised by the closure of Provincial Offences courts in Toronto and all other Ontario Municipalities;
- (2) Council direct the City Solicitor to submit a further report to Council on any legal remedies which may be available to the City to respond to the shortage of justices of the peace; and
- (3) a copy of Council’s resolution be sent to the Honourable Justice Roy McMurtry, the Chief Justice of Ontario; the Honourable Justice Brian Lennox, the Chief Justice of the Ontario Court of Justice; the Honourable Justice Donald Ebbs, Associate Chief Justice of the Ontario Court of Justice and Coordinator of Justices of the Peace of Ontario; the Honourable Justice Annemarie E. Bonkalo, Regional Senior Justice for Toronto and to His Worship Ralph Faulkner, Regional Senior Justice of the Peace for Toronto and to all Members of the Provincial Parliament.”

16 Settlement of Claim - York Civic Centre Cafeteria Operator (Ward 12 - York South-Weston)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 11, 2005) from the Commissioner of Economic Development, Culture and Tourism and the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.12(a)].

17 Fleet Services Green Fleet Transition Plan

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

18 Lease of Office Space for Toronto Social Services Located at 150 Eglinton Avenue East (Ward 22 - St. Paul's)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

19 2880 Bayview Avenue Abandonment of Expropriated Land (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

20 734-758 Sheppard Avenue East Registration of Correcting Plan of Expropriation (Ward 24 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

21 Legal Proceedings to Recover Amounts Owing on Outstanding Invoices Related to Property Damage During Motor Vehicle Accidents

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 7, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.13(a)]:

“It is recommended that:

- (1) authority be granted to the City Solicitor to continue legal proceedings already commenced with respect to an invoice in the amount of \$19,366.81, to ratify any action already taken, to appeal any decision where warranted, to discontinue or settle such claim or action where it is concluded that it is reasonable to do so and to execute any documents in furtherance thereof;

- (2) authority be granted to the City Solicitor to commence legal proceedings with respect to an invoice in the amount of \$21,094.31, to ratify any action already taken, to appeal any decision where warranted, to discontinue or settle such claim or action where it is concluded that it is reasonable to do so and to execute any documents in furtherance thereof; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

22 Impact of Divisional Court Decision on Future City Projects

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 5, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Confidential Communication C.14(a)].

23 Wireless Hotspot Pilot for Nathan Phillips Square

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

24 Expense Claims - Members of Council

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

25 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Board of Health Report 4

1 Pandemic Influenza Planning in the City of Toronto

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the Medical Officer of Health be directed to ensure that the Pandemic Influenza Steering Committee works closely with the City of Toronto’s Office of Emergency Management to ensure that the pandemic influenza plan is consistent with and embedded into the overall City of Toronto Emergency Plan.”

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

Community Services Committee Report 4

1 2005 Community Services Grant Program (CSGP) - Changes in Allocation Patterns Due to Allocation Pressures as a Result of 2004 Budget Increases to CSGP

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Proposed Restrictions on Access to Newer Medications under the Ontario Drug Benefit Program

City Council on May 17, 18 and 19, 2005, amended this Clause by amending the recommendation of the Community Services Committee to now read as follows:

“The Community Services Committee recommends that the Chair of the Community Services Committee and the Mayor, on behalf of City Council, request the Minister of Health and Long-Term Care, in the review of the Ontario Drug Benefit Formulary, relating to atypical antipsychotic drug products, to maintain access to all current medications and include new medications being developed and approved by Health Canada; and further, that the Minister be requested to treat all Ontarians and seniors, including those with schizophrenia, bipolar disorder and major depression, in a fair and equitable manner so that there are no greater barriers to good health due to the introduction of new drugs.”

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

3 Status of the Property and Related Tenant Issues at 1765 and 1775 Weston Road (Ward 11 - York South-Weston)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the supplementary report (May 18, 2005) from the Deputy City Manager and Chief Financial Officer, the City Solicitor, and the Executive Director, Municipal Licensing and Standards, subject to the following amendments:

- (i) adding to the end of Recommendation (2), the words “and that legal remedies be exercised to recover the costs”; and
- (ii) adding the following new recommendations:
 - (3) the General Manager, Shelter, Support and Housing Administration be requested to report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on:
 - (a) the outcome of the Tribunal proceedings, including the full transcript of the decision and final cost paid by the City for this action; and
 - (b) recommended changes required to the mandate, process and criteria for allocating Tenant Support Grants in support of tenant actions before the Ontario Rental Housing Tribunal emanating from the City of Toronto’s experiences in relation to 1765 and 1775 Weston Road; and
 - (4) the City Solicitor report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on any concerns or conflicts that may arise from the funding of these actions on behalf of the tenants and our regulatory/enforcement roles, such as Fire Code enforcement, MLS enforcement, etc.’,

so that the recommendations, as amended, now read as follows:

“It is recommended that:

- (1) the Executive Director of Municipal Licensing and Standards, in consultation with the Fire Chief and the City Solicitor, be directed to report to the Planning and Transportation Committee on an urgent basis on the status of orders at 1765 and 1775 Weston Road, including:

-
- (a) the enforcement/litigation strategy and projected timelines currently underway aimed at ensuring compliance with legislated, by-law and Court imposed requirements pertaining to these buildings;
 - (b) information pertaining to the estimated costs of the required repairs, the point at which it is advisable for staff to use the aforementioned authority to hire contractors to make some or all of those repairs, including the ability to recover those costs in the circumstance; and
 - (c) other options that may be available to ensure that this work is undertaken in an expeditious manner, including the possibility for the work to be undertaken under the specific direction and/or supervision of the Courts;
- (2) City Council authorize the Executive Director of Municipal Licensing and Standards to engage the services of an independent engineer to undertake inspections and testing at 1765 and 1775 Weston Road, as necessary, to ensure that a full and proper engineering assessment of the building systems and structure is available, and to be relied upon for the issuance of orders necessary to direct major repairs, as necessary, and that legal remedies be exercised to recover the costs;
 - (3) the General Manager, Shelter, Support and Housing Administration be requested to report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on:
 - (a) the outcome of the Tribunal proceedings, including the full transcript of the decision and final cost paid by the City for this action; and
 - (b) recommended changes required to the mandate, process and criteria for allocating Tenant Support Grants in support of tenant actions before the Ontario Rental Housing Tribunal emanating from the City of Toronto's experiences in relation to 1765 and 1775 Weston Road; and

- (4) the City Solicitor report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on any concerns or conflicts that may arise from the funding of these actions on behalf of the tenants and our regulatory/enforcement roles, such as Fire Code enforcement, MLS enforcement, etc.’ “

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

Council also considered the following:

- Report (May 18, 2005) from the Deputy City Manager and Chief Financial Officer, the City Solicitor and the Executive Director, Municipal Licensing and Standards [Communication 14(a)].

4 Update on the Development of 1,000 Affordable and Transitional Housing Units (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 Update on Toronto’s Call to Action on Physical Activity

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

6 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Economic Development and Parks Committee Report 5

1 “Everybody into the Pool” - An Outdoor Pool Provision Strategy for City of Toronto and the Development of an Aquatics Program Plan (All Wards)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the May 17, 18 and 19, 2005 meeting of City Council on Economic Development and Parks Committee Report 5, Clause 1, be forwarded to the next regular meeting of Council on June 14, 2005, and these motions be deemed to be moved; and
- (2) the speaker's list from the May 17, 18 and 19, 2005 meeting of City Council on Economic Development and Parks Committee Report 5, Clause 1, be carried forward to the next regular meeting on June 14, 2005, and be adopted for continuing the debate on this matter at that meeting, and that a provision be allowed for any Members who were not on the speaker's list to add their names."

Council also considered the following:

- Report (May 17, 2005) from the General Manager, Parks, Forestry and Recreation Division [Communication 10(c)].

Communications:

- (May 12, 2005) from Ellen Schwartzel forwarding a petition signed by approximately 15 members of the Earl Beatty community [Communication 10(a)]; and
- (May 5, 2005) from Robert Miller [Communication 10(b)].

2 Harmonized Permit Rates (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Greater Toronto Hockey League (GTHL) Governance, Financial Accountability and the Potential Impact on Participation Levels in Minor Hockey (All Wards)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That:

- (1) the City of Toronto Ice Allocation Policy be further amended to require that the GTHL submit an audited annual financial statement to the General Manager, Parks, Forestry and Recreation;
- (2) the General Manager, Parks, Forestry and Recreation, in consultation with the Auditor General, examine the feasibility and ability of the City of Toronto to perform a special audit of the GTHL's operations, as required, and report thereon to the Economic Development and Parks Committee in March 2006; and
- (3) the GTHL be requested to develop a family pass system for admission to GTHL games commencing in September 2005, in order to make the games more accessible to the public and families of players, and to report on the status of this pass system to the General Manager of Parks, Forestry and Recreation, who in turn will report the results to the Economic Development and Parks Committee."

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

4 Request for Proposals 9155-04-7395 Operation of Toronto Island Marina in Toronto Island Park (Ward 28 Toronto Centre-Rosedale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 Parking Lot in Rouge Marsh Park (Ward 44 Scarborough East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

6 Museum Grants - Campbell House Toronto's First Post Office, Friends of Fort York, (Ward 19 Trinity Spadina, Ward 20 Trinity-Spadina and Ward 28 Toronto Centre-Rosedale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

7 New Toronto Revitalization Incentive Program - Status Report (Ward 6 Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

8 How the St. Clair Avenue West Transit Improvements Support the Goals and Objectives of the St. Clair West Revitalization Committee Report “Our Future Together” (Ward 11 - York South Weston, Ward 17 - Davenport and Ward 21 - St. Paul’s)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

9 Upper Village (Toronto) Business Improvement Area 2005 Operating Budget (Ward 21 St. Paul’s)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

10 Poll Results - Request to Repeal the Designation of the York Eglinton Business Improvement Area (BIA) (Ward 15 - Eglinton-Lawrence and Ward 17 - Davenport)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

11 Donation of a Playground to the Parks, Forestry and Recreation Division by the Scarborough Boys and Girls Club - Galloway Road Park (Ward 43 - Scarborough East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Planning and Transportation Committee Report 4

1 Licensing of Livery Vehicles in the City of Toronto

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Nunziata declared an interest in this Clause, in that her brother is acting on behalf of an applicant.

2 Taxicab Driver Safety and Training

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Nunziata declared an interest in this Clause, in that her brother is acting on behalf of an applicant.

3 Regulation of Airport Taxicabs and Licensing of Hotels

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Nunziata declared an interest in this Clause, in that her brother is acting on behalf of an applicant.

4 Identification of Ambassador Taxicabs; Framework for Regulating Advertising on or in Taxicabs; and Advertising of Taxi Rates to Pearson International Airport

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Nunziata declared an interest in this Clause, in that her brother is acting on behalf of an applicant.

5 Accessible Taxicab Licences

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the Executive Director, Municipal Licensing and Standards be requested to report to the Planning and Transportation Committee on the issue of on-demand service for accessible cabs by November 2005, and that Accessible Transportation Advocates be included in the consultation.”

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

Councillor Nunziata declared an interest in this Clause, in that her brother is acting on behalf of an applicant.

6 Technical Amendments to Business Licensing Fees and Related Items

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

7 Proposed Public Uses in Hydro Corridors City-Wide

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

8 Graffiti Transformation Grants Program: 2005 Recommendations

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That the Executive Director, Municipal Licensing and Standards, be requested to submit to the Planning and Transportation Committee, before and after photographs of locations where graffiti has been removed and new murals painted.”

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

Council also considered the following:

- Report (May 12, 2005) from the Chief Planner and Executive Director, City Planning [Communication 6(a)].

9 Proposed Settlement of Appeals to the New Official Plan 003011

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 6, 2005) from the Commissioner of Urban Development Services and the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report, together with Appendix A, are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.15(a)]:

“It is recommended that:

- (1) Council approve the proposed settlement of the appeal to the Official Plan by 1098748 Ontario Limited, in the form of modifications as substantially set out in Appendix 'A';
- (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to the proposed settlements; and
- (3) the appropriate City officials be authorized to execute any necessary documentation, including Minutes of Settlement in relation thereto, in a form satisfactory to the City Solicitor."

[Appendix A will be noted at the end of this Clause.]

10 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Striking Committee Report 2

1 Appointment of Members of Council as Deputy Mayor, to Standing and Other Committees of Council and to City and External Agencies, Boards, Commissions and Corporations for the Second Half of Council's Term

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council was advised that the following Committees of Council, at their respective meetings held on May 17, 2005, elected the following Members of Council as their Chairs and Vice Chairs for a term of office starting immediately after the end of the Council meeting scheduled for June 14, 15 and 16, 2005, and ending November 30, 2006 and until a successor is appointed:

Administration Committee

S. Watson, Chair

J. Davis, Vice-Chair

Community Services Committee

J. Mihevc, Chair

G. Cowbourne, Vice-Chair

Economic Development and Parks Committee

G. Lindsay Luby, Chair

M. Augimeri, Vice-Chair

Planning and Transportation Committee

J. Fillion, Chair

K. Stintz, Vice-Chair

Works Committee

S. Carroll, Chair

A. Giambrone, Vice-Chair

Audit Committee

D. Holyday, Chair

M. Del Grande, Vice-Chair

Budget Advisory Committee

D. Soknacki, Chair

J. Mihevc and S. Watson, Vice-Chairs

Council was also advised that the Community Councils, at their respective meetings held on May 17, 2005, elected the following Members of Council as their Chairs and Vice Chairs for a term of office starting immediately after the end of the Council meeting scheduled for June 14, 15 and 16, 2005, and ending November 30, 2006 and until a successor is appointed:

Etobicoke York Community Council

F. Nunziata, Chair

S. Hall, Vice-Chair

North York Community Council

M. Augimeri, Chair

K. Stintz, Vice Chair

Scarborough Community Council

M. Thompson, Chair

M. Del Grande

Toronto and East York Community Council

J. Davis, Chair

P. Fletcher

[A copy of the Committee Memberships is attached to this Decision Document.]

Council also considered the following:

- Procedures (undated) headed "Election of Committee Chair and Vice-Chair" [Communication 13(a)].

Works Committee Report 4

1 Solid Waste Management Services Multi-Year Business Plan

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

2 Request for Qualifications No. 9121-05-7134 - Processing of Source Separated Organic Material

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Works Committee Report 5

1 Reconstruction of Royal York Road Between Mimico Creek and Usher Avenue - Pavement Width (Ward 5, Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following:

“That:

- (1) the Acting General Manager, Transportation Services, be directed to:
 - (i) develop a ‘bike-route’ pavement marking design that will complement the bike-route signs to be applied on each side of Royal York Road between Mimico Creek and Usher Avenue, within the recommended 9.1 metre pavement width, that encourages drivers to travel to the left side of their travel lane, by painting a solid white edge line 1.25 metres from the curb face, and that emphasizes the presence of the bike route on this section of Royal York Road, thereby improving the margin of safety and comfort for cyclists;
 - (ii) install signage indicating that the bike lane narrows, at the point where the bike lanes narrow from 1.50 metres to 1.25 metres; and
 - (iii) report to the Works Committee on the feasibility of:
 - (a) using this type of pavement marking on other City of Toronto roads in the future; and
 - (b) retrofitting existing bike paths which currently are marked with signage only;
- (2) Council adopt the following staff recommendation contained in the Recommendation Section of the report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District:

‘It is recommended that the Acting General Manager, Transportation Services, report further to the Etobicoke York Community Council on the details of the provision of cycling facilities on Stephen Drive and Norseman Street prior to the 2006 construction season.’; and

- (3) a copy of this Clause be forwarded to the Toronto Cycling Committee with a request that the Committee provide comments on the design of these pavement markings.”

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

Council also considered the following:

Communication:

- (May 13, 2005) from the Etobicoke York Community Council [Communication 9(a)]; and
- (May 16, 2005) from Crawford Murphy [Communication 9(b)];
- (May 18, 2005) from Crawford Murphy [Communication 9(c)];
- (May 19, 2005) from Martin Koob, Judy Adler, Janice Etter and Rhona Swarbrick [Communication 9(d)];
- (May 17, 2005) from Martin Koob [Communication 9(e)];
- (May 17, 2005) from Nikki Rendle [Communication 9(f)]; and
- (May 16, 2005) from Dr. Judy Adler [Communication 9(g)].

2 Collapse of Driveway Culvert - 2 Cranleigh Court (Ward 4 - Etobicoke Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 On-Street Permit and Off-Street Residential Parking Fees

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Transport Canada Strategic Highway Infrastructure Program: Trip Information System (TripInfo) - Advanced Video Management Systems (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 GO Transit Georgetown Corridor Rail Expansion Environmental Assessment Study - From Bathurst Street to the Bramalea GO Station (Including the Air Rail Link Between Union Station and Lester B. Person Airport)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

6 Modifications to the Parking Regulations and Set Fines Associated with the “On-Street Parking and Loading Spaces for Use by Motor Coaches” Initiative - Various Streets in South District

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

7 Use of Former Municipal Identifiers in Official City Records and Amendments to the Municipal Code Respecting the Posting of Numbers of Properties (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

8 Storm Sewer Extension and Slope Stabilization at 345 Riverview Drive (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (May 13, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Confidential Communication C.20(a)].

9 Proposed Settlement - Culvert Reconstruction Project on Lawrence Avenue East

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (March 15, 2005) from the Acting Commissioner of Works and Emergency Services and the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.16(a)].

10 Legal Proceedings to Recover Tipping Fees Owing from the Region of Durham for Waste Hauled to Keele Valley Landfill Site Up to December 31, 2002

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (April 19, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Confidential Communication C.17(a)].

11 Request for Approval of Amendment to Blanket Contract No. 47004758 for Waste Collection - South and West Districts (York Contracted Area)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Update on the Implementation of the Water Efficiency Program - 2004 (All Wards)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

13 Establishment of a Wet Weather Flow Management Master Plan Implementation Advisory Committee

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

14 Community Program for Stormwater Management - Terms and Conditions of Agreement with Toronto and Region Conservation Authority

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

15 Community Program for Stormwater Management - Recommendations for Selection of Applications

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

16 Other Items Considered by the Committee

City Council on May 17, 18 and 19, 2005, waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (f), entitled “2005 Toronto Cycling Committee Budget”, and adopted the following:

“That the Chief Planner and Executive Director, City Planning, the General Manager, Parks, Forestry and Recreation, and the Acting General Manager, Transportation Services, be requested to prepare a joint report to the Toronto Cycling Committee meeting on June 20, 2005, detailing the cost and the human resources needed to implement the Toronto Bike Plan, as originally envisioned through the Operating Budget.”

The balance of this Clause was received for information.

Etobicoke York Community Council Report 4

1 Section 37 Agreement Amendment – 5233 Dundas Street West Holding Limited and 1442923 Ontario Inc.; Dundas Street West and Kipling Avenue (Viking Road Area) (Ward 5 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Final Report - Official Plan Amendment and Rezoning Application - Applicant: Toula Nessinis, Marlston Planning Consultants Architect: Rafael + Bigauskas Architects - South Side of Frith Road and a portion of the lands municipally know as 45 Bartel Drive (Ward 7 - York West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Councillor Mammoliti declared an interest in this Clause, in that his parents own property in the immediate area.

3 Further Report - Subdivision Approval Application Applicant; Eros Fiacconi, EGF Associates 115 Torbarrie Road (Ward 7 - York West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Final Report - Application to Amend the Etobicoke Zoning Code, Sky Top Developments Ltd. 1276 Islington Avenue (Ward 5 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (May 2, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Confidential Communication C.18(a)].

5 Removal of Three (3) Privately Owned Trees 47 Edenbrook Hill (Ward 4 - Etobicoke Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

6 Removal of One Privately Owned Tree - 153 The Kingsway (Ward 5 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, amended this Clause by deleting the recommendation of the Etobicoke York Community Council, and adopting instead the following:

“That City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 29, 2005) from the General Manager, Parks, Forestry and Recreation, as contained in the Clause.”

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

Council also considered the following:

- Report (May 11, 2005) from the General Manager, Parks, Forestry and Recreation [Communication 7(a)].

7 Inclusion on the City of Toronto Inventory of Heritage Properties - 2700 Eglinton Avenue West (York Civic Centre) (Ward 12 - York South-Weston)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

8 Appointment to the Montgomery's Inn Community Museum Board (Ward 4 - Etobicoke Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential Attachment 1 listing the recommended nominee for appointment to the Montgomery's Inn Community Museum Board. This Attachment is now public in its entirety and contains the following recommendation [Confidential Communication C.19(a)]:

“Candidate recommended for the Montgomery's Inn Community Museum Board:

1. Robert Given.”

9 Application for an Exemption to Toronto Municipal Code Chapter 447, Fences, 304 Old Weston Road (Ward 17 - Davenport)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

10 Application for Outdoor Cafe Encroachment at 3575 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

11 Request for Extension of Operating Hours for Outdoor Cafe at 3653 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Exemption from Part-Lot Control - Weston Country Properties Ltd., 2209 Weston Road (Ward 11 - York South-Weston)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 13 Approval Under the Cemeteries Act (Revised) - Site Plan Approval Application - Applicant: Robert A. Dragicevic, Walker, Nott, Dragicevic Associates Limited Architect: Baird Sampson Neuert Architects 1450 St. Clair Avenue West (Prospect Cemetery) (Ward 17 - Davenport)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 14 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code for a Temporary Non-illuminated Banner sign on the south wall of Molson's Brewhouse (April to September, 2005) 1 Carlingview Drive (Ward 2 - Etobicoke North)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 15 Naming of Private Lane at 165 Dixon Road (Ward 4 - Etobicoke Centre)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 16 Reduction of the Speed Limit from 50 km/h to 40 km/h on The Kingsway between Anglesey Boulevard and Dundas Street West (Ward 4 - Etobicoke Centre)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 17 Proposed No Parking Prohibition on the south side of St. Clair Avenue West (Ward 11 - York South-Weston)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 18 Establishment of a "Disabled Persons' Loading Zone" Regulation Davenport Road, north side, from a point 4.5 metres west of Perth Avenue to a point 11 metres further west (Ward 17 - Davenport)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

- 19 Appointment to the Swansea Town Hall Board of Management (Ward 13 - Parkdale-High Park)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

20 Designation of Jamaica Independence Day Celebration as a Community Event (Ward 12 - York South-Weston)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

21 Sale of Surplus Property - Vacant Parcel at the Rear of 37 Poplar Avenue (Ward 5 - Etobicoke-Lakeshore)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

22 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Ward 13 - Parkdale High-Park and Ward 17 - Davenport)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

23 Amendment to the Purchase Price for the Sale of Vacant Land at the rear of 160 Symes Road (Ward 11 - York South-Weston)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

24 Designation of “Salsa Festival” as a Community Event (Ward 17 - Davenport)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

25 Prohibition of Stopping Regulation on Windermere Avenue, west side, from Bloor Street West to a point 65.5 metres further north (Ward 13 - Parkdale-High Park)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

26 Declaration of “Summer Fiesta” and “Fiestas Patronals De El Salvador De El Mundo” as Community Events (Ward 7-York West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

27 Other Items Considered by the Community Council

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

North York Community Council Report 4**1 Draft By-law - Renaming of Heathbridge Park Road and Heathbridge Park Drive to "Heathbridge Park" (Ward 26 - Don Valley West)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Encroachment Agreement Application - 631 Sheppard Avenue West (Ward 10 - York Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of five illuminated ground signs and eleven illuminated poster units attached to existing lamp pole standards at Fairview Mall - 1800 Sheppard Avenue East (Ward 33 - Don Valley East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a projecting sign at 1887 Avenue Road (Ward 16 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 Traffic Calming Measures (speed humps) - Lauder Avenue, Vaughan Road to Amherst Avenue (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

6 Traffic Calming Measures (speed humps) - Roselawn Avenue, Dufferin Street to Miranda Avenue (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

7 Traffic Calming Measures (speed humps) - Times Road, Stayner Avenue to Lilywood Road (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

8 Parking Prohibitions - Church Avenue (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

9 Disabled Loading Zone - Roslin Avenue (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

10 Pedestrian Crossing Restrictions: Jane Street at Giltspur Drive (Ward 9 - York Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

11 All Way Stop Control: Beth Neilson Drive at Wicksteed Avenue (Ward 26 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Stopping and Parking Prohibitions/Restrictions - Old Sheppard Avenue (Ward 33 - Don Valley East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

13 Amendments to Stopping Restrictions - Banbury Road (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

14 On-Street Pay and Display Parking - Kilgour Road (Ward 26 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

15 All Way Stop Control - Van Horne Avenue at Clipper Road/Taverly Road (Ward 33 - Don Valley East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

16 Temporary Speed Reduction/Turn Restrictions - Wilson Heights Boulevard Bridge over W.R. Allen Road Ramp, north of Wilson Avenue (Ward 10 - York Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

17 Right Turns On Red Prohibition - Doris Avenue at Greenfield Avenue (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

18 Proposed Parking Prohibitions - Benner Avenue (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

19 Parking Prohibitions - Esandar Drive (Ward 26 - Don Valley West)

City Council on May 17, 18 and 19, 2005, amended this Clause by deleting from Recommendation (1) contained in the report (April 14, 2005) from the Director, Transportation Services, North District, the words "Industrial Road", and inserting instead the words "Industrial Street", so that Recommendation (1) now reads as follows:

“(1) parking be prohibited at anytime both sides of Esandar Drive, from easterly limits of Laird Drive to southerly limit of Industrial Street; and”.

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

20 Parking/Stopping Amendments - Campbell Crescent (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

21 Surplus Land Declaration and Proposed Closing of a Portion of the Dufferin Street Road Allowance, abutting 2069 Dufferin Street (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

22 Request for Special Occasion Permit for Community Event - Festival de Verano Summer Festival - Parc Downsview Park - August 14, 2005 (Ward 9 - York Centre)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

23 Special Occasion Beer Garden Permit Requests for Community Events (Ward 23 – Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

24 Proposed Naming of a new Park located on lands north of Murray Ross Parkway and to the east and west of Sentinel Road to Dan Iannuzzi Park (Ward 8 - York West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

25 Final Report - Part Lot Control Application - 04 194858 NNY 23 PL - Randy Lebow, Sherman Brown Dryer Karol Gold Lebow - 85 & 87 Finch Avenue East (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

26 Final Report - Part Lot Control Application - 04 113610 NHY 15 PL - Andrew Ip, Masongsong Associates Engineering Ltd. - 108 - 122 Neptune Drive (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

27 Final Report - Part Lot Control Application - 05 105685 NNY 23 PL - William Friedman - 8, 10, 12 Clairtrell Road (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

28 Sale of Surplus Portion of the Phippen Avenue Road Allowance (Commonly known as Parklea Drive), abutting 206 Hanna Road (Ward 26 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

29 Ontario Municipal Board Hearing - Committee of Adjustment Application - 187 Gordon Road (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

30 Ontario Municipal Board Hearing - Committee of Adjustment Application - 207 Dawlish Avenue (Ward 25 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

31 Special Occasion Beer Garden Permit – Community Event – Paragon Arts and Music Festival – July 30, 2005 at Mel Lastman Square (Ward 23 - Willowdale)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

32 Municipal Representation Request – Alcohol and Gaming Commission Liquor Licence Application Hearings – Spice Isle Sports Bar - 1928 Eglinton Avenue West (Ward 15 - Eglinton-Lawrence)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

33 Community Festival Permit Application - Cypriot Community of Toronto Inc. - Cultural and Wine Festival – June 25 and 26, 2005 (Ward 26 - Don Valley West)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

34 Other Items Considered by the Community Council

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Scarborough Community Council Report 4**1 Part of Pitt Avenue (Closed) South Side of Donside Drive between Victoria Park Avenue and Maybourne Avenue (Ward 35 - Scarborough Southwest)**

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Inclusion on the City of Toronto Inventory of Heritage Properties 300 Danforth Road (Lily Cups Office Building) (Ward 35 - Scarborough Southwest)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Options for Improvements to Garbage Storage and Collection at the Scarborough Civic Centre

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Assumption of Services Intracorp Developments (Rouge Hill) Ltd. Southeast Corner of Port Union Road and Lawrence Avenue East (Ward 44 - Scarborough East)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

5 Proposed Traffic Controls within the Sullivan Community (Ward 40 - Scarborough Agincourt)

City Council on May 17, 18 and 19, 2005, amended this Clause by amending Appendix 1 to the report (March 9, 2005) from the Director, Transportation Services, East District, by deleting from Column 1, headed "Highway Being Entered", the words "Pharmacy Avenue" and inserting instead the words "Sheppard Avenue East."

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

6 Proposed Turn Prohibitions 2094 Brimley Road (Ward 41 - Scarborough Rouge River)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

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- 7 Proposed Parking Regulations Changes on MacDuff Crescent in the Vicinity of Anson Park Public School (Ward 36 - Scarborough Southwest)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 8 Proposed Parking Regulation Changes on Midholm Drive, South of Bertrand Avenue (Ward 37 - Scarborough Centre)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 9 Proposed Parking Regulation Changes on L'Amoreaux Drive in the Vicinity of 121/151 L'Amoreaux Drive (Ward 39 - Scarborough Agincourt)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 10 Request for Direction Rezoning Application 04 164413 ESC 44 OZ and Site Plan Control Application 04 171394 ESC 44 SA Canadian Tire Real Estate Limited (Armstrong Goldberg Hunter), 6714-6736 Kingston Road (Ward 44 - Scarborough East)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 11 Final Report Official Plan Amendment Application 04 183984 ESC 41 OZ Rezoning Application 04 151999 ESC 41 OZ Kreader Enterprises Inc. (Architect: Gross Kaplin Coviensky) 2150 McNicoll Avenue - Milliken Employment District (Ward 41 - Scarborough Rouge River)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 12 Final Report Rezoning Application 04 128687 ESC 37 OZ 447112 Ontario Limited - 45 Munham Gate Dorset Park Employment District (Ward 37 - Scarborough Centre)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.
- 13 Final Report Rezoning Application (Temporary Use) 01 036133 ESC 40 OZ Maria and Peter Meramveliotakis 3719, 3721 and 3723 Sheppard Avenue East Tam O'Shanter Community (Ward 40 - Scarborough Agincourt)**
- City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

14 Other Items Considered by the Community Council

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Toronto and East York Community Council Report 4

1 Final Report - Application to Amend the former City of Toronto Zoning By-law – 1512 King Street West (North side of King Street West, between Beaty Avenue and Wilson Park Road) (Parkdale-High Park, Ward 14)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

2 Final Report - Application to Amend the former City of Toronto Zoning By-law - 1518 King Street West (North side of King Street West at the intersection of Wilson Park Road) (Parkdale-High Park, Ward 14)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

3 Final Report - Application to Amend the former City of Toronto Zoning By-law - 18 Spencer Avenue (West side of Spencer Avenue, between Springhurst Avenue and King Street West) (Parkdale-High Park, Ward 14)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

4 Final Report - Rezoning Application - 901-903 Coxwell Avenue (Beaches-East York, Ward 31)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding to the recommendation of the Toronto and East York Community Council, the words “and that the City Solicitor be directed to attend at the Ontario Municipal Board opposing the Applicant’s appeal of the 2003 Toronto and East York Panel of the Committee of Adjustment decision denying variances to allow the expansion of the existing restaurant use of 901-903 Coxwell Avenue, Committee of Adjustment File No. A0423/03TEY, now pending at the Ontario Municipal Board”, so that the recommendation of the Community Council now reads as follows:

“The Toronto and East York Community Council recommends that City Council refuse the application to amend the Zoning By-law for 901-903 Coxwell Avenue, and that the City Solicitor be directed to attend at the Ontario Municipal Board opposing the Applicant’s appeal of the 2003 Toronto and East York Panel of the Committee of Adjustment decision denying variances to allow the expansion of the existing restaurant use of 901-903 Coxwell Avenue, Committee of Adjustment File No. A0423/03TEY, now pending at the Ontario Municipal Board.”

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

5 Final Report - Official Plan Amendment and Rezoning Application - 6 and 16 Plymouth Avenue (Trinity-Spadina, Ward 19)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

6 Final Report - Official Plan Amendment and Rezoning Application and Alterations to a Heritage Building and Authority to Enter into a Heritage Easement Agreement - 76 Wychwood Avenue – The TTC Car Barns (St. Paul’s, Ward 21)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

7 Final Report - Official Plan Amendment, Rezoning Application and Draft Plan of Condominium Application - 34 Rowanwood Avenue (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

Communications:

- (May 2, 2005) from Tara McCall and Paul Cairns [Communication 8(a)];
- (undated) from Laura and Bram Ordell [Communication 8(b)]; and
- (May 18, 2005) from Paul Cairns and Tara McCall [Communication 8(c)].

8 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 931 Yonge Street (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

9 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code – 13-15 Bloor Street West (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

10 Residential Demolition Application - 184 St. Patrick Street (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

11 Residential Demolition Application - 403 Adelaide Street West (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

12 Request for Permission to Demolish a Residence within the South Rosedale Heritage Conservation District - 4 Dale Avenue (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

13 Inclusion of 37 Properties on the City of Toronto Inventory of Heritage Properties – King-Spadina Area Study (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

14 Traffic Management Plan - Deer Park Area (Area Bounded by Avenue Road, St. Michael's Cemetery and Rosehill Avenue, Vale of Avoca and Mount Pleasant Cemetery and Frobisher Avenue) (St. Paul's, Ward 22)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

15 Request for Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles - 319 Glenayr Road (St. Paul's, Ward 21)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

16 Request for an Exemption from Chapter 313 of the former City of Toronto Municipal Code to Permit Residential Boulevard Parking for Two Vehicles - 2 Dunbar Road (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

17 Request for Fence Exemption - 266 Arlington Avenue (St. Paul's, Ward 22)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

18 Preliminary Report - Application to Amend Zoning By-law - 46 - 62 Spadina Avenue and 378 Wellington Street West (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, adopted the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Director, Community Planning, South District, as contained in the Clause.

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

19 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1 St. Clair Avenue West (St. Paul's, Ward 22)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

20 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 651 Yonge Street (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

21 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 79 Queen Street East (Toronto-Centre Rosedale, Ward 28)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

22 Speed Hump Poll Results - Kenwood Avenue, between St. Clair Avenue West and Vaughan Road (St. Paul's, Ward 21)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

23 Installation of Speed Humps - Riverdale Avenue between Broadview Avenue and Carlaw Avenue (Toronto-Danforth, Ward 30)

City Council on May 17, 18 and 19, 2005, deferred consideration of this Clause to its next regular meeting on June 14, 2005.

24 Poll Results - Implementation of Overnight On-Street Permit Parking - Queensdale Avenue, between Coxwell Avenue and Woodington Avenue (Beaches-East York, Ward 31)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

25 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Parkdale-High Park, Ward 14; Davenport, Ward 18; and Toronto-Danforth, Ward 30)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

26 Proposed Installation of a “Delivery Vehicle Parking Zone” and Amendments to Parking Regulations - St. Helen’s Avenue, between Dublin Street and Whytock Avenue (Davenport, Ward 18)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

27 Proposed Amendments to Parking Regulations - College Street, between Manning Avenue and Bathurst Street (Trinity-Spadina, Ward 19)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

28 Reduction of Permit Parking Hours - Hocken Avenue, between Wychwood Avenue and Vaughan Road (St. Paul’s, Ward 21)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

29 Prohibition of Parking - Bayview Avenue, West Side, from Glazebrook Avenue to Roehampton Avenue (St. Paul’s, Ward 22)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

30 Amendment to the Existing Student Pick-up/Drop-off Zone 41 - 43 Millwood Road (St. Paul’s, Ward 22)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

31 Amendments to Parking Regulations associated with the Student Pick-up/Drop-off area in front of St. Lawrence Co-op Daycare - Market Street, south of The Esplanade (Toronto Centre-Rosedale, Ward 28)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

32 Designation of Student Pick-up/Drop-off Area - Kew Park Montessori School (Beaches-East York, Ward 32)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

33 Designation of Student Pick-up/Drop-off Area - Beach Montessori School Daycare - Glen Manor Drive (Beaches-East York, Ward 32)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

34 Prohibition of Standing at All Times - Elizabeth Street, west side, south of Gerrard Street West (Toronto-Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

35 Proposed Amendment to the Eastbound Left-Turn Prohibition – Davenport Road and Avenue Road (Trinity-Spadina, Ward 20 and Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

36 Prohibition of Right Turns on the Red Signal Indication - Danforth Avenue and Westlake Avenue (Beaches-East York, Wards 31 and 32)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

37 Proposed Construction Staging Area - 43 Hanna Avenue (Trinity-Spadina, Ward 19)

City Council on May 17, 18 and 19, 2005, amended this Clause by amending the staff recommendations contained in the Recommendations Section of the report (April 14, 2005) from the Director, Transportation Services, South District, by:

- (1) deleting from Recommendation (3) the words “pay-and-display parking operation”, and inserting instead the words “parking meter/machine regulations”, so that Recommendation (3) now reads as follows:
 - “(3) the existing parking meter/machine regulations in effect on the east side of Hanna Avenue be rescinded between the limits noted in Recommendation (2) above, and that the applicant be responsible to pay to the Toronto Parking Authority a fee to cover lost parking revenues for the duration of this project;”; and
- (2) deleting from Recommendation (5), the word “east”, so that Recommendation (5) now reads as follows:
 - “(5) the existing parking prohibition at any time on the north and west sides of Hanna Avenue for its entire length be amended to operate from Atlantic Avenue to the north/south section of Hanna Avenue and from Liberty Street to the southerly terminus of Hanna Avenue;”.

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

38 Request by Concord Adex to amend the Railway Lands Central Daycare Agreement (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, adopted the following staff Recommendation (2) contained in the Recommendations Section of the report (May 19, 2005) from the City Solicitor:

- “(2) in the event (given Concord Adex’s concerns about delays to the registration of the Harbourview Estates - Phase 1 condominium), City Council wishes to amend the Agreement for the Railway Lands Central as requested by Concord Adex, it is recommended that authority be granted to amend the provisions of the Railway Lands Central Daycare Agreement for the purpose of allowing the required daycare facilities to be located in a separate parcel of land (rather than provided as part of the common elements of the associated condominium building) subject to Concord Adex entering into an agreement with the City:
 - (a) to secure the implementation of its proposal for the joint ownership of the daycare facility by the seven area condominium corporations;
 - (b) binding the owner of Block 22 to be responsible for 100 percent of the landlord’s obligations under the daycare lease;

- (c) precluding the seven area condominiums from divesting their ownership of the daycare building, without the consent of the City, by means of a restriction registered against title pursuant to Section 118 of the *Lands Titles Act*; and
- (d) acknowledging that this should not be regarded as a precedent for the Railway Lands West or any other development within the City of Toronto.”

Council also considered the following:

- Report (May 19, 2005) from the City Solicitor [Communication 15(a)].

39 Use of Nathan Phillips Square: Toronto African Dance Festival - July 22 and 23, 2005 (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

40 Use of Nathan Phillips Square: The Toronto Urban Music Festival - Irie Music Festival - July 29 to August 1, 2005 (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

41 Use of Nathan Phillips Square: Hiroshima Day Commemoration - August 6, 2005 (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

42 Use of Nathan Phillips Square: Toronto Cuba Friendship Day - August 27, 2005 (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

43 Use of Nathan Phillips Square: Toronto World Costumes Festival - August 25, 2005 (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

44 2005 Celebrate Toronto Street Festival Non-Objection Letter for Alcohol and Gaming Commission (Eglinton-Lawrence, Ward 16; St. Paul's, Ward 22; Don Valley West, Ward 25 and Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

Council also considered the following:

Communication:

- (May 9, 2005) from the North York Community [Communication 4(a)].

45 Requests for Endorsement of Events for Liquor Licensing Purposes (Parkdale-High Park, Ward 14, Davenport, Ward 18, Trinity-Spadina, Ward 20, Toronto Centre-Rosedale, Ward 28, Toronto-Danforth, Ward 29, Toronto-Danforth, Ward 30, Beaches-East York, Ward 31)

City Council on May 17, 18 and 19, 2005, amended this Clause by adding the following Parts (l), (m), (n), (o) and (p) to Recommendation (1) of the Toronto and East York Community Council:

- “(l) 39th Annual CHIN International Picnic – July 1-3, 2005, to be held at Exhibition Place on July 1, 2005, from 12:00 noon to 12:00 midnight; July 2, 2005, from 4:00 p.m. to 12:00 midnight, and July 3, 2005, from 12:00 noon to 12:00 midnight;
- (m) Caribana 2005 to be held at Exhibition Place on Sunday, July 31, 2005, from 11:00 a.m. to 11:00 p.m.;
- (n) 13th Annual ‘Dano Festival’, a Korean cultural heritage spring festival, to be held at Christie Pits Park on Saturday, June 4, 2005, from 11:00 a.m. to 8:00 p.m.;
- (o) eighth annual ‘Inti Raymi’ festival, to celebrate the Andean indigenous peoples culture, to be held at Christie Pits Park on Saturday, June 25, and Sunday, June 26, 2005; and
- (p) Sixth Annual ‘Muhtadi International Drumming Festival’, to be held at Queen’s Park North on June 4 and 5, 2005, from 10:00 a.m. to 8:00 p.m.”

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

46 Membership - Central Eglinton Community Centre Board of Management

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

47 Amendments to Parking Regulations - Carroll Street, between Matilda Street and Dundas Street East (Toronto-Danforth, Ward 30)

City Council on May 17, 18 and 19, 2005, referred this Clause to the Director, Transportation Services, South District, with a request that a further report be submitted to a future meeting of the Toronto and East York Community Council.

48 Naming of Public Lane - Gerrard Street East to Dundas Street East, between Sherbourne Street and Seaton Street (Toronto Centre-Rosedale, Ward 28)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

49 Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)

City Council on May 17, 18 and 19, 2005, amended this Clause by deleting Recommendation (1) contained in the report (April 15, 2005) from the Director, Policy and Research, City Planning Division, and inserting instead the following:

“(1) City Council identify the area shown in Attachment No. 1 of this report as the Queen Street West Heritage Conservation District Study Area.”

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

50 Limiting Distance Agreement - Affecting City-owned Parklands adjoining 11 May Street (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

51 Liquor Licence Endorsement - Panasonic Theatre (Toronto Centre-Rosedale, Ward 27)

City Council on May 17, 18 and 19, 2005, adopted this Clause without amendment.

52 Other Items Considered by the Community Council

City Council on May 17, 18 and 19, 2005, received this Clause, for information.

Notices of Motions:**I(1) Review of Councillor Remuneration**

Moved by Councillor Mammoliti, seconded by Councillor Moscoe

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

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

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

Salary Comparison
Mayors and Councillors

Mayor’s Salaries

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

Councillor’s Salaries

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

NOW THEREFORE BE IT RESOLVED THAT:

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

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Administration Committee.

Council also considered the following:

Communications:

- (May 11, 2005) from Linda Ewles [Communication 11(a)];

(undated) from Councillor Mammoliti; entitled “Comparison of Salaries of Mayors and Councillors” [Communication 11(b); and

(May 16, 2005) from Ms. Pereira.

- Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(1) Appointment of the Striking Committee

Moved by Mayor Miller, seconded by Deputy Mayor Pantalone

“**WHEREAS** under Municipal Code Chapter 27, Council Procedures, §102, the Mayor recommends to Council the members of the Striking Committee, which is composed of up to seven members of Council including the Mayor, or the Deputy Mayor if the Mayor so designates, as Chair; and

WHEREAS Council Procedures § 107, provides that Members shall be appointed to committees for a term office of 18 months and until their successors are appointed, unless Council decides otherwise; and

WHEREAS Striking Committee Report 2, now before Council, recommends that members of Council be appointed to standing committees and agencies, boards, commissions and corporations for a term starting immediately after the end of Council’s June 14, 15 and 16, 2005 meeting and ending November 30, 2006, and until their successors are appointed, so that June committee agendas can be sent to known Chairs and Members;

NOW THEREFORE BE IT RESOLVED THAT the following Members of Council be appointed to the Striking Committee for a term of office starting immediately after the end of Council’s June 14, 15 and 16, 2005 meeting and ending November 30, 2006, and until their successors are appointed:

Councillor Brian Ashton;
Councillor Sandra Bussin;
Councillor Shelley Carroll;
Councillor John Filion;
Councillor Gloria Lindsay Luby; and
Councillor David Soknacki;

AND BE IT FURTHER RESOLVED THAT the Deputy Mayor is appointed as the Mayor's designate as Chair:

Deputy Mayor Joe Pantalone;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement these recommendations."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(2) Appointment of Two Deputy Mayors by Resolution

Moved by Mayor Miller, seconded by Deputy Mayor Pantalone

"WHEREAS section 242 of the *Municipal Act, 2001*, (the 'Act') provides that City Council may appoint by by-law or resolution a member of the Council to act in the place of the head of Council when the head of Council is absent or refuses to act or the office is vacant, and while so acting, such member has all the powers and duties of the head of Council; and

WHEREAS, under City of Toronto Municipal Code Chapter 27, §27-99, Council Procedures, City Council has appointed, on Striking Committee's recommendation, a Member of Council as Deputy Mayor to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City, or is absent through illness or the office of Mayor is vacant, and such Member, while so acting, will have all the rights, powers and authority of the Mayor, except the by-right-of-office powers of the Mayor as a member of a community council; and

WHEREAS this Deputy Mayor is the acting head of Council when required, as provided for in section 242 of the *Act*; and

WHEREAS there are currently two other Members of Council appointed as 'Deputy Mayor', to assist the Mayor from time to time, these positions being distinct from the Deputy Mayor appointed by by-law under Chapter 27, Council Procedures and section 242 of the Act, and this has proved successful;

NOW THEREFORE BE IT RESOLVED THAT the following two Members of Council be appointed as Deputy Mayors to assist the Mayor from time to time for a term of office starting immediately after the end of Council's June 14, 15 and 16, 2005 meeting, at the same time as the standing committee appointments, and ending on November 30, 2006, and until their successors are appointed:

Councillor Sandra Bussin; and
Councillor Mike Feldman;

AND BE IT FURTHER RESOLVED THAT these two Deputy Mayors shall not have the powers of an acting head of Council provided for in section 242 of the *Act*, or the authority or responsibilities of the Deputy Mayor referred to in Chapter 27, Council Procedures, of the City of Toronto Municipal Code, even when the Mayor or the Deputy Mayor appointed by by-law are absent from the City or absent through illness or when the office of the Mayor or Deputy Mayor are vacant."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(3) Request for Exemption from the City of Toronto Municipal Code Chapter 447, Fences - 185 Lambton Avenue

Moved by Councillor Nunziata, seconded by Councillor Palacio

"WHEREAS at its meeting of April 12, 13 and 14, 2005, Toronto City Council adopted Etobicoke York Community Council Report 3, Clause 12, headed 'Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11- York South-Weston)', which recommended receipt of a staff report to refuse an exemption from the City of Toronto Municipal Code Chapter 447, Fences at 185 Lambton Avenue;

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 12, headed 'Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11 - York South-Weston)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Toronto City Council approve the exemption to Chapter 447 of the City of Toronto Municipal Code for 185 Lambton Avenue;

AND BE IT FURTHER RESOLVED THAT authority be granted for the introduction of the necessary Bills in Council to give effect thereto."

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened Etobicoke York Community Council Report 3, Clause 12, headed “Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11 - York South-Weston)”, for further consideration, and adopted the balance of this Motion, without amendment.

J(4) Issuance of Debentures

Moved by Mayor Miller, seconded by Councillor Soknacki

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

WHEREAS, pursuant to By-law No. 69-2005, as amended, the Mayor and the treasurer appointed under section 286 of the *Municipal Act, 2001* (the ‘Treasurer’) are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$500,000,000.00 for the purposes of the City of Toronto, including the purposes of the former Municipality of Metropolitan Toronto; and

WHEREAS the Mayor and Treasurer have entered into an agreement dated May 5, 2005, for the issue and sale of debentures and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

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

NOW THEREFORE BE IT RESOLVED THAT Council consider the report (May 11, 2005) from the Deputy City Manager and Chief Financial Officer, entitled ‘Issuance of Debentures’, and the staff recommendations contained in the Recommendations section of the report be adopted;

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

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(4), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 11, 2005) from the Deputy City Manager and Chief Financial Officer:

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on May 17, 2005, to give effect to the issuance of debentures as described in this report; and*
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”*

Council also considered the following:

- Report (May 11, 2005) from the Deputy City Manager and Chief Financial Officer.

J(5) Percentage by Which Tax Decreases are Limited in 2005 for Properties in the Commercial, Industrial and Multi-Residential Property Classes

Moved by Councillor Soknacki, seconded by Councillor Mihevc

“**WHEREAS** subsection 330(1) of the *Municipal Act, 2001* (the ‘*Act*’) provides that the council of a municipality, other than a lower-tier municipality, may pass a by-law to establish a percentage by which tax decreases are limited for 2005 in respect of properties in any property class subject to Part IX of the *Act* in order to recover all or part of the revenues foregone as a result of the application of section 329 of the *Act* to other properties in the property class; and

WHEREAS at its meeting of April 12, 13 and 14, 2005, City of Toronto Council adopted Policy and Finance Committee Report 4, Clause 25, headed ‘2005 Education Levy By-law and Other Tax Related Matters’, which established the percentage by which tax decreases are limited in 2005 for properties in the Commercial, Industrial and Multi-Residential Property Classes, and adopted By-law No. 334-2005 to give effect thereto; and

WHEREAS, in reviewing and verifying the tax bill calculations, staff identified an inconsistency in the calculation of the annualized taxes used to establish the percentage by which tax decreases are limited in 2005 for properties in the Commercial, Industrial and Multi-Residential Property Classes; and

WHEREAS the City is scheduled to commence mailing its tax bills on May 17, 2005, and therefore, it is imperative that Council approval to amend the necessary by-law be secured on the first day that Council meets;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 4, Clause 25, headed ‘2005 Education Levy By-law and Other Tax Related Matters’, be re-opened for further consideration, only as it pertains to the clawback percentage rates specified therein;

AND BE IT FURTHER RESOLVED THAT the tax decreases adopted by Council at its meeting of April 12, 13 and 14, 2005, be corrected so that the tax decreases for the 2005 taxation year on properties in the City of Toronto in the property class set out in Column I shall be limited by the percentage of the tax decrease set out in Column II, in order to recover the revenues foregone as a result of capping, so that the percentage of the tax decrease set out in Column III is the decrease received in 2005 by such properties:

Column I (Property Class)	Column II (Clawback Percentage)	Column III (Allowable Decrease Percentage)
Commercial	89.814104%	10.185896%
Industrial	82.468448%	17.531552%
Multi-residential	97.589975%	02.410025%

AND BE IT FURTHER RESOLVED THAT By-law No. 334-2005 be amended accordingly, and that authority be granted for the introduction of the necessary bills in Council to give effect hereto.”

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened Policy and Finance Report 4, Clause 25, headed “2005 Education Levy By-law and Other Tax Related Matters”, for further consideration, only as it pertains to the clawback percentage rates specified therein, and adopted the balance of this Motion, without amendment.

J(6) Licensing of Traditional Medical Establishments and Practitioners

Moved by Councillor Altobello, seconded by Councillor Chow

“**WHEREAS** last year, City Council placed a moratorium on the implementation of licensing traditional medical establishments and practitioners and also stopped the consultation with this sector, as the Province of Ontario had indicated its willingness to regulate this industry; and

WHEREAS City staff is to report in July 2005 on its consultation regarding massage parlours and the moratorium is to expire the end of the year; and

WHEREAS the Ministry of Health established a task force, chaired by MPP Tony Wong, which has recently concluded its consultations on this matter, and both the Premier of Ontario and the Ministry of Finance have pledged to take action; and

WHEREAS the City of Toronto has urged the Provincial Government to regulate traditional medical establishments and practitioners through the Ministry of Health, and given recent developments, there is no need for the City to duplicate the efforts of the Province;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 5, Clause 11, headed ‘Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences’, be re-opened for further consideration, only as it pertains to traditional medical establishments and practitioners;

AND BE IT FURTHER RESOLVED THAT the City of Toronto return the mandate of licensing traditional medicine establishments and practitioners to the Provincial Ministry of Health;

AND BE IT FURTHER RESOLVED THAT City Council consider amending Chapter 545-452, Licensing, in order to delete those provisions relating to traditional medical establishments and practitioners;

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

Disposition:

City Council on May 17, 18 and 19, 2005 re-opened Policy and Finance Committee Report 5, Clause 11, headed ‘Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences’, only as it pertains to traditional medical establishments and practitioners, and adopted the balance of this Motion, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Executive Director of Municipal Licensing and Standards be requested to report to the public meeting of the Planning and Transportation Committee on this matter.”

Council also considered the following:

- Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(7) Request of Toronto Police Services Board to Decentralize Police Parking Enforcement

Moved by Councillor Walker, seconded by Councillor Jenkins

“WHEREAS parking enforcement in the City of Toronto is conducted by the Toronto Police Service; and

WHEREAS the Toronto Police Service has centralized parking enforcement to operate from a parking enforcement headquarters separate from the community Police divisions; and

WHEREAS Toronto Police Services’ Parking Enforcement Officers have ‘performance targets’ (or ‘quotas’) for the required number of parking tickets each officer must issue per shift; and

WHEREAS if a Parking Enforcement Officer does not meet their performance target/quota, the employee is disciplined; and

WHEREAS many parking tickets are repeatedly given to residents on their own street, particularly late at night; and

WHEREAS it seems Parking Enforcement Officers are targeting residential areas unfairly; and

WHEREAS a Parking Enforcement Officer should not be able to fill their quota by visiting the same areas, often low-priority enforcement areas, time after time; and

WHEREAS many parking tickets are withdrawn due to improper issuance (20 percent are withdrawn); and

WHEREAS many withdrawn parking tickets may not have been issued if the local Police division was involved and local ‘parking consideration’ was given to the situation; and

WHEREAS if parking enforcement was conducted by the local community Police divisions, more control and discretion over ticket issuance would be exercised; and

WHEREAS the primary purpose of parking enforcement should be to gain compliance - not to generate revenue - and the best way to achieve that is to have parking enforcement done locally, through each Police Division, which would complete the circle of community policing;

NOW THEREFORE BE IT RESOLVED THAT City Council petition the Toronto Police Services Board to consider decentralizing Parking Enforcement and return it to the control of the individual community Police Divisions;

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

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Administration Committee.

Council also considered the following:

- Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(8) Ongoing Care, Maintenance and Enhancement of the Katyn Monument, Toronto

Moved by Councillor Milczyn, seconded by Councillor Watson

“**WHEREAS** the Katyn Monument on Roncesvalles Avenue, at the intersection of King Street, was erected and dedicated in 1980 and was the first in the world on public property; and

WHEREAS the Katyn Monument is in remembrance of the Polish prisoners of war, including over 20,000 Polish officers who were executed in 1940 from camps in the former USSR at Kozelsk/ Ostashkov/Starobelsk. Of these, over four thousand were later discovered in mass graves at Katyn near Smolensk, murdered by the Soviet State Security Police; and

WHEREAS, although the monument is cleaned annually, the Polish community of Toronto has voiced their concerns that the lighting, security, flags and surrounding landscaping at this Toronto memorial are not being regularly maintained; and

WHEREAS Councillor Watson has co-ordinated, with City staff, the renewal of the area surrounding the Katyn Monument with new landscaping, as part of the City of Toronto’s Clean and Beautiful City initiative; and

WHEREAS the Polish Community has expressed the desire to combine two adjoining areas at Roncesvalles Avenue and King Street, one containing the Katyn Monument and the other containing the Siberian monument commemorating the transportation of Polish citizens to Siberia and their deaths arising from this transportation, so as to create a Commemorative Square for the Polish Community;

NOW THEREFORE BE IT RESOLVED THAT Council direct appropriate City staff to ensure that proper and ongoing maintenance and cleaning of the Katyn Monument is arranged for and scheduled on a regular basis, including the maintenance of the flags, lighting and landscaping;

AND BE IT FURTHER RESOLVED THAT the Economic Development and Culture Division work with the Ward 14 Councillor, the Canadian Polish Congress National Office, the Canadian Polish Congress District Office, Polish Veterans, Polish Scouting, Canadian Polish Women's Foundation and other community groups to redesign and rebuild the area surrounding the Katyn and Siberian monuments, so as to create a Commemorative Square and focal point for gatherings of the Polish community."

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Economic Development and Parks Committee.

Council also considered the following:

- Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(9) Amendment to Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2002 0013 – Nikolai Shtepa (M-Arch Design Group Inc.) – 631 Sheppard Avenue West (Ward 10 – York Centre)

Moved by Deputy Mayor Feldman, seconded by Councillor Shiner

“WHEREAS at its regular meeting held on May 21, 22 and 23, 2003, City Council adopted, without amendment, North York Community Council Report 4, Clause 12, headed ‘Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2002 0013 – Nikolai Shtepa (M-Arch Design Group Inc.) – 631 Sheppard Avenue West (Ward 10 – York Centre)’, to permit the construction of a second floor on the existing dwelling and convert the building into a medical office; and

WHEREAS staff Recommendation (3) included in the adopted Clause provided that, before introducing the necessary Bill to Council for enactment, Council require the applicant to:

- (i) obtain site plan approval from the Acting Director, Community Planning, North District;
- (ii) convey a 2.76 metre road widening along the entire Sheppard Avenue West frontage of the site to the City of Toronto; and
- (iii) if necessary, enter into an agreement with Works and Emergency Services to allow for any encroachment of the existing stairs, which may partially encroach on the Sheppard Avenue West road allowance; and

WHEREAS, in proceeding to satisfy these requirements the applicant:

- (i) obtained site plan approval from the Director, Community Planning, North District on November 9, 2004 and in the proposed site plan agreement will be required to convey the 2.76 metre road widening to the City upon execution of the Site Plan Agreement; and
- (ii) applied for an Encroachment Agreement and North York Community Council, at its meeting of May 3, 2005, recommended to City Council that such an agreement be entered into with the applicant; and

WHEREAS the applicant has, therefore, substantially completed the required conditions, and will have completed all outstanding items prior to execution of the Site Plan Agreement; and

WHEREAS the applicant wishes to obtain a building permit for the proposed development at the earliest opportunity;

NOW THEREFORE BE IT RESOLVED THAT Parts (ii) and (iii) of staff Recommendation (3) contained in the report (April 23, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, as contained in North York Community Council Report 4, Clause 12, as adopted by City Council at its meeting held on May 21, 22 and 23, 2003, be deleted.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(10) Sole Source Contracts for Processing of Source Separated Organics
Moved by Councillor Pitfield, seconded by Councillor Giambrone

“WHEREAS the City is currently collecting source separated organic material (SSO) at an annualized rate of approximately 95,000 tonnes per year, through the Yellow Bag and Green Bin Programs; and

WHEREAS the City’s existing City-owned and contracted processing capacity is not sufficient to meet the City’s needs and new long-term processing capacity resulting from contracts awarded through RFP No. 9155-03-5280 will not begin to come into effect until between September 2005 and January 2007; and

WHEREAS Ferti-Val Inc. and GSI Environnement Inc. are prepared to provide haulage and processing services for the City’s excess SSO; and

WHEREAS the need for SSO haulage and processing is immediate and it is, therefore, necessary to consider this issue at the May 2005 meeting of City Council;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached report (May 11, 2005) from the General Manager, Solid Waste Management Services, entitled ‘Source Separated Organic Material Haulage and Processing Services - Ferti-Val Inc. and GSI Environnement Inc.’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on May 17 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(10), without amendment, Council adopted, without amendment, the following recommendations contained in the Recommendations Section of the report (May 11, 2005) from the General Manager, Solid Waste Management Services:

“It is recommended that:

- (1) the General Manager of Solid Waste Management Services be authorized to negotiate and enter into an agreement on a sole source basis with Ferti-Val Inc. to provide source separated organic material processing services, including haulage, in accordance with their proposal dated May 2, 2005, for a term of two years commencing as early as June 1, 2005, plus up to two additional one-year extensions to haul and process up to a maximum of 20,000 tonnes per year of source separated organic material at their facility located at 800 chemin du Parc Industriel, Bromptonville, Quebec at a per tonne fee of \$130.00 plus GST, indexed for inflation as described in this***

report, such agreement to be on the terms and conditions described in this report and otherwise on terms and conditions consistent with this report and satisfactory to the General Manager of Solid Waste Management Services, and in a form satisfactory to the City Solicitor;

- (2) *the General Manager of Solid Waste Management Services be authorized to negotiate and enter into an agreement on a sole source basis with GSI Environnement Inc. to provide source separated organic material processing services, including haulage, in accordance with their proposal dated May 3, 2005, for a term of three years commencing as early as June 1, 2005, plus up to two additional one-year extensions to haul and process up to a maximum of 20,000 tonnes per year of source separated organic material at their various organic processing facilities located in Quebec, as described in this report, at a per tonne fee of \$130.00 plus GST, indexed for inflation as described in this report, such agreement to be on the terms and conditions described in this report and otherwise on terms and conditions consistent with this report and satisfactory to the General Manager of Solid Waste Management Services, and in a form satisfactory to the City Solicitor; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

Council also considered the following:

- Report (May 11, 2005) from the General Manager, Solid Waste Management Services.

J(11) Increasing the Composition of the Audit Committee

Moved by Councillor Soknacki, seconded by Deputy Mayor Pantalone

“**WHEREAS** Municipal Code Chapter 27, Council Procedures, Section 100 establishes the Audit Committee with a composition of five members of Council who are not the Chairs of the Standing Committees, the Chairs of Community Councils or the members of the Budget Advisory Committee; and

WHEREAS it is desirable to increase the composition of the Audit Committee to six members; and

WHEREAS the *Municipal Act, 2001*, and Municipal Code Chapter 162, Notice, Public, require that notice be given to amend Council Procedures by posting on the notices page of the City's Web site for at least the minimum notice period, immediately preceding the City committee meeting at which the matter will be considered, and an opportunity is provided for members of the public to speak to the matter, and the minimum notice period starts on the earlier of the publication of the main agenda for the City committee meeting and the fourth working day before the City committee meeting;

NOW THEREFORE BE IT RESOLVED THAT Council consider increasing the composition of the Audit Committee;

AND BE IT FURTHER RESOLVED THAT notice of a proposed By-law to amend Chapter 27, Council Procedures, be given in accordance with Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the *Municipal Act, 2001*, and that the Policy and Finance Committee consider this matter at its meeting to be held on June 1, 2005."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(12) Tax Receipts for Funds Donated for Monument to George Faludy

Moved by Councillor Soknacki, seconded by Councillor Rae

“WHEREAS the City of Toronto Legacy Committee, whose mandate is to celebrate Toronto's great artists and thinkers by weaving their names into the fabric of the City through the naming of streets, parks, squares and other public places, wishes to honour George Faludy, for his outstanding accomplishments in poetry and literature; and

WHEREAS Faludy, widely recognized as Hungary's finest living modern poet, became a Canadian citizen and made Toronto his home for over 20 years, and lectured at the University of Toronto and contributed to the intellectual life of this City; and

WHEREAS Faludy wrote and published several books while living in Toronto, including *East and West* (1987), *Learn This Poem of Mine by Heart* (1983) and *Selected Poems 1933-1980* (1985), part of the 'Modern Canadian Poets' series which included the finest poetry of contemporary English Canada; and

WHEREAS private donors have pledged funds for a monument, consisting of a plinth and medallion by noted sculptor Dora de Pedery-Hunt, for the green space directly across from the apartment building on St. Mary Street where Faludy lived for so many years; and

WHEREAS specific authorization by City Council is required by the Deputy City Manager and Chief Financial Officer, in order to issue tax receipts, as is normal, in these types of donations;

NOW THEREFORE BE IT RESOLVED THAT the Deputy City Manager and Chief Financial Officer be directed to issue the appropriate tax receipts for income tax purposes to the donors to the George Faludy Designation.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(13) Major Cultural Organizations Grants Program - Funding for Pride Toronto
Moved by Councillor Rae, seconded by Councillor McConnell

“**WHEREAS** Pride Week is the pre-eminent venue for the cultural and artistic expression of Toronto’s lesbian, gay, bisexual, transgender, transsexual, intersex and queer community; and

WHEREAS Pride Week has become undoubtedly one of the most diverse artistic festivals in Canada, offering 10 stages of performance over three days on its festival site with over 150 artists from divergent genres that reflect the cultural and artistic mosaic of Pride’s members; and

WHEREAS Pride Week hosts an annual event in downtown Toronto each year, during the last week in June, and Pride Week 2005 is scheduled for June 20 – 26, 2005; and

WHEREAS most recently Pride Week was considered by City Council to be a major cultural organization and \$100,000.00 in funding from the Major Cultural Organizations Grants Program within the 2005 Approved Budget for Community Partnership and Investment Program was designated towards Pride Week for its 2005 activities; and

WHEREAS a staff report dated May 9, 2005, entitled ‘2005 Cultural Grants Recommendations – Major Cultural Organizations - All Wards’, is to be heard at the Economic Development and Parks Committee on May 30, 2005; and

WHEREAS the regular reporting schedule of the above-noted staff report would not allow the City funds to be released to Pride Toronto until after their 2005 event;

NOW THEREFORE BE IT RESOLVED THAT \$100,000.00 of funding from the Major Cultural Organizations Grants Program within the 2005 Approved Budget for Community Partnership and Investment Program designated to Pride Toronto be immediately released so that it may be used for next month's Pride Week event."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(14) Request for City Legal and Planning Staff Representation at OMB Appeal for 39 Marydon Crescent (File A020/05SC)

Moved by Councillor Balkissoon, seconded by Councillor Del Grande

"**WHEREAS** the Committee of Adjustment (East) refused an application for a minor variance at 39 Marydon Crescent to construct a two-storey dwelling in excess of the allowable building height; and

WHEREAS the applicant in this matter has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor and Planning staff be directed to appear at the Ontario Municipal Board hearings to support the decision of the Committee of Adjustment in refusing the minor variance for 39 Marydon Crescent."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

Council also considered the following:

- Notice of Decision (March 16, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel.

J(15) Repair of the Knob Hill Plaza Parking Lot

Moved by Councillor Altobello, seconded by Councillor De Baeremaeker

"**WHEREAS** City Council at its meeting held on September 28, 29, 30 and October 1, 2004, adopted Motion J(15) regarding the repair of the Knob Hill Plaza Parking lot; and

WHEREAS since November 2004, staff of the Municipal Licensing and Standards and Technical Services Divisions have been working together on preparing the design plans and construction specifications that will be required in order to obtain quotations for the repair of the Knob Hill Plaza parking lot; and

WHEREAS Council expenditure approval, in accordance with the Financial Control By-law, is required in the 2005 Municipal Licensing and Standards budget in order to authorize the Deputy City Manager and Chief Financial Officer to advance the funds for the applicable contract; and

WHEREAS proceeding with an open tender call is the City's standard procurement method for this type of work; and

WHEREAS proceeding with an open tender call would allow staff to proceed in a timely manner; and

WHEREAS if the recommendations contained in the report dated May 16, 2005, from the Executive Director of Municipal Licensing and Standards and the Deputy City Manager and Chief Financial Officer are adopted, the parking lot repairs would start on schedule in mid-July;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the staff recommendations contained in the Recommendations Section of the attached report (May 16, 2005) from the Executive Director of Municipal Licensing and Standards and the Deputy City Manager and Chief Financial Officer, regarding the repair of the Knob Hill Plaza parking lot, 2605 to 2705 Eglinton Avenue East, Ward 35, Scarborough Southwest."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(15), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 16, 2005) from the Executive Director, Municipal Licensing and Standards, and the Deputy City Manager and Chief Financial Officer:

"It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer be given the authority to advance the funds to the 2005 Municipal Licensing and Standard's Operating Budget, in order to award the contract estimated at \$770,000.00, net of GST, related to the repair of the Knob Hill Plaza parking lot, in accordance with the normal purchasing processes as defined in Chapter 195 of the City of Toronto Municipal Code;***

- (2) *the authority of the Bid Committee be extended to make an award resulting from the tender call;*
- (3) *the funds be recovered by way of invoicing the 39 property owners, and any unpaid amounts be added to the tax roll of the properties; and*
- (4) *the Executive Director, Municipal Licensing and Standards and appropriate City officials be authorized to take the necessary action to give effect thereto.”*

Council also considered the following:

- Report (May 16, 2005) from the Executive Director, Municipal Licensing and Standards, and the Deputy City Manager and Chief Financial Officer.

J(16) Designation of a Graffiti Art Area in the City of Toronto

Moved by Councillor Jenkins, seconded by Councillor Carroll

“**WHEREAS** Graffiti culture is evolving in the City of Toronto; and

WHEREAS Graffiti art is frequently used as a method of communication and self expression for young artists; and

WHEREAS Graffiti art should not be confused with Gang Related/Vandalism Graffiti; and

WHEREAS the tragic death of Bardia Bryan Zargham, one of Toronto’s prominent graffiti artists, otherwise known as Alfa, has increased awareness for the need for more outlets for young artists to legally channel their talents in a positive way and to promote individual self-development; and

WHEREAS many cities across the world have used graffiti in a positive way;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with the General Manager of Economic Development and Culture and the General Manager of Parks, Forestry and Recreation, initiate a public consultation process, including the Toronto Police Service, youth, youth outreach workers, community youth organizations, and graffiti artists, to discuss and develop a plan with potential options and models for a Graffiti Art Area in order to provide opportunities for artists to express themselves in art;

AND BE IT FURTHER RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with the Economic Development and Culture and Parks, Forestry and Recreation Divisions, be directed to report back to the Economic Development and Parks Committee with the outcome of the public consultation process and with recommendations on potential options and models for a graffiti art area in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT staff do all things necessary to give effect to the intent of this Resolution.”

Disposition:

Notice of this Motion was given to permit consideration at the next regular meeting of City Council on June 14, 2005.

J(17) Surplus Land Declaration and Proposed Road Closing - Portion of Leslie Street Road Allowance

Moved by Councillor Shiner, seconded by Councillor Feldman

“**WHEREAS** the construction of the proposed Esther Shiner Boulevard and widening of Leslie Street is scheduled to start in the summer of 2005; and

WHEREAS to accommodate this work, the existing bridge connecting the North York General Hospital (‘NYGH’) and the Canadian College of Naturopathic Medicine (‘CCNM’) will be demolished and replaced with a new bridge; and

WHEREAS the new bridge will require construction of a new abutment on lands owned by NYGH; and

WHEREAS lands encumbered by the existing abutment, which form part of Leslie Street (the ‘Highway’) will be made available; and

WHEREAS Transportation Services staff has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and made available for the purpose of a possible exchange with NYGH; and

WHEREAS no other municipal purpose has been identified for these lands; and

WHEREAS the closing process requires three separate reports to City Council;

NOW THEREFORE BE IT RESOLVED THAT in order to meet the proposed construction schedule, City Council give consideration to the attached report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled ‘Surplus Land Declaration and Proposed Closing – Portion of Leslie Street Road Allowance’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(17), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer:

“It is recommended that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001, and subject to City Council approving the sale of the Highway, the Highway be permanently closed as a public highway;***
- (2) subject to City Council approving the sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and the North York Community Council hear any member of the public who wishes to speak to this matter;***
- (3) the Highway be declared surplus to the City’s requirements, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;***
- (4) the Chief Corporate Officer be authorized to invite an offer to purchase the Highway from the North York General Hospital in exchange for lands owned by it; and***
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.”***

Council also considered the following:

- Report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer.

J(18) Designation of 200 Russell Hill Road Under the Ontario Heritage Act
Moved by Councillor Walker, seconded by Councillor Jenkins

“**WHEREAS** the property at 200 Russell Hill Road contains a house that is a good example of Period Revival design dating to 1911 and was originally occupied by Frederick J. Capon, a dentist; and

WHEREAS the property has cultural resource value or interest for its architectural and contextual significance; and

WHEREAS area residents have expressed concern that the property is threatened by a development proposal for the site; and

WHEREAS the designation of the property under Part IV of the *Ontario Heritage Act* would delay demolition and allow staff to explore options to conserve the building;

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board, City Council give notice of its intention to designate the property at 200 Russell Hill Road (Frederick J. Capon House) under Part IV of the *Ontario Heritage Act*;

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 May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(19) Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives

Moved by Councillor Hall, seconded by Councillor Soknacki

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted, as amended, Policy and Finance Committee Report 4, Clause 37, headed ‘Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives’; and

WHEREAS the Council amendment to that Clause incorrectly referred to ‘Toronto Hydro Energy Services’, instead of referring to ‘Toronto Hydro-Electric System Limited’; and

WHEREAS in order to implement Council’s direction and enter into the necessary agreements, the Council amendment must refer to the correct Toronto Hydro corporate entity;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 4, Clause 37, entitled ‘Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives’, adopted, as amended, by City Council on April 12, 13 and 14, 2005, be re-opened for further consideration, solely for the purposes of making a technical amendment to the Council amendment to the Clause;

AND BE IT FURTHER RESOLVED THAT the City Council amendment to Policy and Finance Committee Report No. 4, Clause 37, adopted by City Council at its meeting of April 12, 13 and 14, 2005, as amended, be changed to refer to the correct corporate entity by deleting the reference to ‘Toronto Hydro Energy Services’ and replacing it with ‘Toronto Hydro-Electric System Limited’.”

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened Policy and Finance Report 4, Clause 37, headed “Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives”, for further consideration, solely for the purposes of making a technical amendment to the Council amendment to the Clause, and adopted the balance of this Motion, without amendment.

J(20) Committee of Adjustment Decision – 4135 Dundas Street West

Moved by Councillor Milczyn, seconded by Councillor Lindsay Luby

“**WHEREAS** the Etobicoke York Committee of Adjustment, at its meeting of January 8, 2004, granted approval to an application to demolish the existing buildings at 4135 Dundas Street West and to develop the property as the site of a 6-storey, 120-unit, residential condominium building with underground parking, with a 2.43-metre wide strip of land along Earlington Avenue; and

WHEREAS the Etobicoke York Committee of Adjustment, at its meeting of March 31, 2005, refused approval of an application to increase the number of dwelling units in the approved apartment building from 120 units to 138 units at 4135 Dundas Street West; and

WHEREAS the applicant has appealed the Committee’s decision to the Ontario Municipal Board on June 28, 2005; and

WHEREAS the increase in the number of units is more than minor in nature, is not appropriate and does not meet the intent of the Zoning By-law; and

WHEREAS the developer has reneged on a previous agreement with the community on the number of units to be developed;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor send a member of her staff to attend the Ontario Municipal Board to:

- (1) oppose the application;
- (2) ask that the City of Toronto be added as a party to the hearing;
- (3) make appropriate arrangements for expert witnesses; and
- (4) retain outside consultants where needed.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, subject to amending the first Recital by adding the words “to be dedicated to the City for road widening purposes”, so that the first Recital now reads as follows:

“WHEREAS the Etobicoke York Committee of Adjustment, at its meeting of January 8, 2004, granted approval to an application to demolish the existing buildings at 4135 Dundas Street West and to develop the property as the site of a 6-storey, 120-unit, residential condominium building with underground parking, with a 2.43-metre wide strip of land along Earlington Avenue to be dedicated to the City for road widening purposes; and”.

City Council also considered the following:

- Extract of Minutes (March 31, 2005) from the Committee of Adjustment, Etobicoke York Panel; and
- Extract of Minutes (January 8, 2004) from the Committee of Adjustment, Etobicoke York Panel.

J(21) Special Occasion Permit and Endorsement of Event for Liquor Licensing Purposes – Latin Fiesta

Moved by Councillor Mammoliti, seconded by Councillor Palacio

“WHEREAS William Baidal will be hosting a Latin Fiesta on July 8, 2005, at the Downsview Arena; and

WHEREAS a portion of the proceeds will go towards local community charities; and

WHEREAS this event is considered to be a community event; and

WHEREAS this event will include a Special Occasion Beer Garden; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires that, for events of this nature, approval be granted by City Council;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) permission be granted to hold this Special Occasion Beer Garden Permit event;
- (2) a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario be obtained;
- (3) a \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) proof of liability insurance coverage in the amount of \$2.0 million, naming the City of Toronto as additional insured be provided;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) all regulations outlined in all City of Toronto policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

AND BE IT FURTHER RESOLVED THAT City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

J(22) Development of Infrastructure Policy and Standards Review
Moved by Councillor Altobello, seconded by Councillor Milczyn

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted, as amended, Planning and Transportation Committee Report 3, Clause 15, headed ‘Development Infrastructure Policy and Standards Review’; and

WHEREAS City officials are processing planning applications that are at different stages in the planning process and have received varying levels of commitment to proceed, or are close to approval; and

WHEREAS some of the applications do not conform to Council's recent direction that all streets be designed to permit curbside garbage collection by City vehicles and other City services;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Committee Report 3, Clause 15, headed 'Development Infrastructure Policy and Standards Review', adopted, as amended, by City Council on April 12, 13 and 14, 2005, be re-opened for further consideration, only as it pertains to Recommendation (4);

AND BE IT FURTHER RESOLVED THAT the following Recommendation (4) contained in Planning and Transportation Report 3, Clause 15, adopted, as amended, by City Council at its meeting of April 12, 13 and 14, 2005, be referred to the Planning and Transportation Committee for consideration at its meeting on May 25, 2005, and to the Works Committee for consideration at its meeting on May 26, 2005:

'(4) all streets in new townhouse developments and subdivisions be designed to permit curbside garbage collection by City vehicles, as well as other City services, such as snow removal, street repair and maintenance, water and sewage maintenance, and Fire Services, etc.;.'

Disposition:

This Motion was withdrawn at City Council on May 17, 18 and 19, 2005.

J(23) Endorsement of the Pan-Canadian Conference of Youth Cabinets

Moved by Councillor McConnell, seconded by Councillor Carroll

“WHEREAS the Toronto Youth Cabinet (TYC) is an official body of the City of Toronto that represents Toronto's young people at City Hall, and encourages youth-led civic engagement and capacity building among the City's youth; and

WHEREAS the TYC is currently planning the first-ever Pan-Canadian Conference of Youth Cabinets to share best-practice youth engagement models, build capacity among participants to become better advocates and encourage networking amongst youth from all municipalities; and

WHEREAS the World Association of Major Metropolises has established an International Youth Congress to explore Urban Youth issues worldwide and will gather in Toronto in June 2006, along with the Metropolises Annual Board meeting; and

WHEREAS the desired outcome of the Pan-Canadian Conference of Youth Cabinets would be a sustainable council of youth that can effectively advocate to all orders of government on issues that relate to young people;

NOW THEREFORE BE IT RESOLVED THAT the Pan-Canadian Conference of Youth Cabinets be endorsed by Toronto City Council;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Federation of Canadian Municipalities to endorse the Pan-Canadian Conference of Youth Cabinets;

AND BE IT FURTHER RESOLVED THAT the Toronto Youth Cabinet be requested to give consideration to holding the Pan-Canadian Conference of Youth Cabinets prior to June 2006, so that it can lead into the World Association of Major Metropolises International Youth Congress.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Executive Director, Social Development and Administration, be requested to report on any financial implications to the Budget Advisory Committee for their consideration.”

**J(24) Supplementary Report OPA & Rezoning Application 04 165304 WET 05 OZ
Applicant: 1265161 Ontario Ltd. Architect: Fernando Fabiani 515 Royal
York Road – Ward 5 - Etobicoke-Lakeshore**

Moved by Councillor Milczyn, seconded by Councillor Grimes

“WHEREAS City Council at its meeting on February 16, 2005 adopted, without amendment, Etobicoke York Community Council Report 2, Clause 2, headed ‘Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 - Etobicoke-Lakeshore’; and

WHEREAS the applicant has requested the Bills be forwarded for enactment at the May 17, 18, and 19, 2005 meeting of City Council; and

WHEREAS staff from City Planning and Works and Emergency Services have reviewed the request and have no objection to forwarding the Bills at this time; and

WHEREAS the local Councillor has also reviewed the request and has no objection to forwarding the Bills at this time;

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 2, Clause 2, headed ‘Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 – Etobicoke-Lakeshore’, be re-opened for further consideration, only as it pertains to conditions on the introduction of the Bills;

AND BE IT FURTHER RESOLVED THAT City Council consider the attached report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, and that the staff recommendation contained in the Recommendation Section of the report be adopted.”

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened Etobicoke York Community Council Report 2, Clause 2, headed “Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 - Etobicoke Lakeshore”, for further consideration, only as it pertains to conditions on the introduction of the Bills, and adopted the balance of this Motion, without amendment.

In adopting the balance of Motion J(24), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division:

“It is recommended that, notwithstanding staff recommendations contained within the report (January 20, 2005) from the Acting Director, Community Planning, West District, and adopted by City Council on February 16, 2005, the Bills be forwarded for enactment at the May 17, 18, and 19, 2005 meeting of City Council.”

Council also considered the following:

- Report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division.

J(25) GO Transit Rail-to-Rail Diamond Grade Separation “trench extension” – Report Request

Moved by Councillor Palacio, seconded by Councillor Nunziata

“WHEREAS GO Transit has recently completed an environmental assessment on the feasibility of a ‘Rail to Rail Diamond Grade Separation’ in the St. Clair Avenue West and Old Weston Road area, essentially bringing the existing North-South CN Weston Subdivision rail line below the grade of the existing East-West CP North-Toronto Subdivision rail line, in order to improve the efficiency of GO Transit service; and

WHEREAS at present, the ‘trench’ is planned to surface a few metres south of St. Clair Avenue West, leaving the existing narrow and aged overpass on St. Clair Avenue West as is, with no significant upgrades or changes of any kind; and

WHEREAS this section of St. Clair Avenue West represents a narrow ‘bottleneck’ location and continuing the trench a few hundred metres more so that it resurfaces north of St. Clair Avenue West could open up the surrounding area for redevelopment and revitalization; and

WHEREAS the City of Toronto and the Toronto Transit Commission are already planning on reconstructing the street and entire area as part of the St. Clair West Transit Improvement project in 2006;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City staff and agencies, be requested to report to the Planning and Transportation Committee on the potential planning, economic, transportation and other benefits and implications, including the impact to the St. Clair West Transit Improvement project, of extending the trench a few hundred metres more north of St. Clair Avenue West in this manner, and other potential co-operation with GO Transit in this endeavour;

AND BE IT FURTHER RESOLVED THAT this report be prepared in a timely matter, in time to influence the ongoing environmental assessments related to this GO transit corridor.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, subject to:

- (1) amending the first Operative Paragraph by adding the words “and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing”, so that the first Operative Paragraph now reads as follows:***

“NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City staff and agencies, be requested to report to the Planning and Transportation Committee on the potential planning, economic, transportation and other benefits and implications, including the impact to the St. Clair West Transit Improvement project, of extending the trench a few hundred metres more north of St. Clair Avenue West in this manner, and other potential co-operation with GO Transit in this endeavour and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing;”; and

(2) ***adding the following new Operative Paragraph:***

“AND BE IT FURTHER RESOLVED THAT this motion is in no way intended to interfere with the approved exclusive right-of-way on St. Clair Avenue or interfere with the St. Clair Avenue Environment Assessment.”

J(26) Rat Elimination Strategy for the City of Toronto – Report Request

Moved by Councillor Palacio, seconded by Councillor Nunziata

“WHEREAS rats and mice pose a public health hazard to all citizens of the City of Toronto, particularly in the case of infestations, and City property, including laneways and sewers, are often the largest sources of this problem; and

WHEREAS the burden is often put on private property owners to rid their property of rats and mice, even if they are seniors or low income, or the infestation involves a number of properties; and

WHEREAS the City of Toronto has set up a new ‘Rat Hotline’ to deal with rat complaints and many residents are dismayed when they call to find that the City will do nothing to help a private owner with their own rat problem; and

WHEREAS the former City of Toronto had a rat control program that was in place until the mid-90s and was discontinued because of cost;

NOW THEREFORE BE IT RESOLVED THAT the Medical Officer of Health and the Executive Director, Municipal Licensing and Standards, draft and bring forward a ‘Rat Elimination Strategy’ for the City of Toronto to an upcoming meeting of the Board of Health, that includes proactive measures for eliminating rats on both public and private property;

AND BE IT FURTHER RESOLVED THAT this report consider providing free advice and information to homeowners, rat eradication on a free and/or cost-recovery basis for homeowners, and a Municipal Licensing and Standards enforcement strategy that prioritizes the elimination of rat living and breeding conditions and any other measures staff deem appropriate;

AND BE IT FURTHER RESOLVED THAT this report highlight the health risks associated with rats, rat infestations and the net health benefit of adopting a 'Rat Elimination Strategy'."

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Board of Health.

J(27) The Implication of Bill 164, the Tobacco Control Statute Law Amendment Act, 2004, on Charity Bingo

Moved by Councillor Nunziata, seconded by Councillor Palacio

“WHEREAS Chapter 709, Smoking, Designated Smoking Room, of the City of Toronto Municipal Code, was amended by By-law 344-2003 to permit smoking in a Class ‘F’ public place where the principal business is the operation of a bingo hall, provided all requirements detailed in Subsection B of Section 709-1 are adhered to; and

WHEREAS Bill 164, the *Tobacco Control Statute Law Amendment Act, 2004*, when enacted, will no longer permit smoking in designated smoking rooms in bingo halls; and

WHEREAS the City of Toronto currently licenses 319 charitable organizations to manage and conduct bingo events in eight commercial bingo halls; and

WHEREAS the charity municipal bingo net profit was approximately \$3.4 million in 2002, and declined to \$2.4 million in 2004; and

WHEREAS municipal bingo licensing fees were approximately \$3.0 million in 2002, and \$2.3 million in 2004, with a further projected decline to \$1.8 million in 2005; and

WHEREAS the Municipalities of Chatham/Kent, Collingwood, Greater Sudbury, Guelph, Kitchener/Waterloo, London, Midland, North Bay, Ottawa and Sault Ste. Marie have experienced bingo hall closures, as a result of adopting a 100 percent smoke-free environment;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council send a Resolution to the Minister of Health and Long-Term Care stating that a total ban on smoking in public places is not appropriate, as it does not speak to the needs of the City of Toronto's communities, and requesting that the Province develop a fair compromise regarding the smoking issue;

AND BE IT FURTHER RESOLVED THAT the Minister of Health and Long-Term Care be requested to consider the outstanding contribution to community programs and services that charitable bingo provides and, therefore, make specific provisions in the new Legislation to ensure that charitable bingo is given special consideration in regard to the *Tobacco Control Statute Law Amendment Act, 2004.*"

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Board of Health.

J(28) Metal Detectors/Security Measures in Nightclubs

Moved by Councillor Mammoliti, seconded by Councillor Nunziata

“Whereas on Sunday, April 22, 2005, gun fire erupted in the Prestige Palace; and

Whereas when the shooting stopped, six people had been wounded and Livvette Miller had been gunned down; and

Whereas only a short time after Toronto Police responded to a shooting at a North York nightclub, authorities were summoned downtown in response to another shooting; and

Whereas a 33 year-old doorman was shot in the stomach outside of the Film Lounge near Dundas and Beverley, at approximately five in the morning, in front of several witnesses; and

Whereas there have been over 20 nightclub-related deaths in the last 15 years in the City of Toronto; and

Whereas steps need to be taken to minimize, if not end, these pointless acts of violence that take place in our City; and

WHEREAS City Council at its special meeting on May 4, 2005, by its adoption of Motion J(3), entitled ‘Interim Control By-Law - King-Spadina Part II Plan’, directed the Executive Director of Municipal Licensing and Standards to consult with the Chief of Police and report to the October meeting of the Planning and Transportation Committee on immediate amendments to Chapter 545, Licensing, to implement standards to define and regulate such uses, and that notice be given

as required by the Municipal Code Chapter 162, Notice, Public; and also requested the Executive Director to include in the 2006 budget process, a business case to undertake a broad review of the licensing requirements of all facilities that provide food and entertainment activities, and make recommendations to deal with problems, including security;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director of Municipal Licensing and Standards be directed to include in her forthcoming report on licensing amendments, a review of the requirement that all new nightclubs install metal detectors or other similar security measures as a condition to these clubs obtaining the necessary licenses to operate and that all existing clubs upgrade their security to include metal detectors or other similar security measures.”

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the Planning and Transportation Committee.

J(29) Budget Variance - Resources in Support of Council Priority Number 8: Improve the Planning Process

Moved by Councillor Filion, seconded by Councillor Altobello

“**WHEREAS** City Council at its meeting of February 1, 2 and 3, 2005, received Item (d), entitled ‘Council Priority for the 2003-2006 Term: Improve the Planning Process (All Wards)’, as contained in Planning and Transportation Committee Report 1, Clause 4, headed ‘Other Items Considered by the Committee’, for information; and

WHEREAS the report proposed a Listen, Learn, Lead action plan to address Council’s priority to improve the planning process, and reported on activity undertaken in support of this activity; and

WHEREAS the Planning and Transportation Committee referred the report to a Sub-Committee of the Planning and Transportation Committee to develop an improved Planning process; and

WHEREAS the Sub-Committee, composed of Councillors Filion, Jenkins, Milczyn, Palacio and Stintz, has met three times to discuss this issue and has directed City Planning staff to proceed with four District consultation meetings to be held with local ratepayer groups, industry members and such others as suggested by the local Councillors and these meetings are being scheduled for the month of June, in order to prepare a report to the Planning and Transportation Committee in the Fall of 2005; and

WHEREAS, in order to facilitate the four District meetings, resources will need to be dedicated to ensure a community consultation in the four Districts of the City. These meetings were not anticipated in the course of the 2005 budget preparations and will, of necessity, mean a re-allocation of resources in the City Planning Division. The total cost for these four District consultations is estimated to be up to \$12,000.00 and no new funds are being requested for this initiative;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled 'Budget Variance- Resources in Support of Council Priority Number 8: Improve the Planning Process', and that the report be received for information."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(29) without amendment, Council received the report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, for information.

Council also considered the following:

- Report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division.

J(30) Settlement Report – Ontario Municipal Board Hearing – 263-265 Davenport Road

Moved by Councillor Rae, seconded by Councillor McConnell

“**WHEREAS** City Council at its meeting of February 16, 2005, instructed the City Solicitor to attend at the Ontario Municipal Board in opposition to a Committee of Adjustment decision to permit a restaurant use at 263-265 Davenport Road; and

WHEREAS Legal Services has now appealed the Committee of Adjustment decision and has made the City a party to the upcoming Ontario Municipal Board hearing; and in the process of preparing for the hearing it has become necessary for the City Solicitor to seek further direction from Council; and

WHEREAS this is a time-sensitive matter, since the Board hearing is scheduled to commence on June 1, 2005; and

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

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the City Solicitor, and that staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(30) without amendment, Council adopted, without amendment, the confidential report (May 16, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information that is subject to solicitor-client privilege:

“It is recommended that:

- (1) the City Solicitor be authorized to withdraw from the above-noted Ontario Municipal Board hearing on condition that costs not be awarded against the City; and***
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

Council also considered the following:

- Confidential report (May 16, 2005) from the City Solicitor. The staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Communication C.21(a)].
- Confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(31) Legal Action – Harbourfront Fire Station

Moved by Councillor Chow, seconded by Councillor Mihevc

“**WHEREAS** City Council at its meeting of March 2, 3 and 4, 1999, adopted Corporate Services Committee Report 2, Clause 14, headed ‘Construction of Harbourfront Fire Station, 339 Queens Quay West - Project No. 880004FD, Tender No. 148-1998’; and

WHEREAS the City Solicitor has prepared a confidential report seeking instructions with respect to the conduct of the action;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(31) without amendment, Council adopted, without amendment, the confidential report (May 16, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.

Council also considered the following:

- Confidential report (May 16, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Communication C.22(a)].

-
- Confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(32) Offers of Additional Compensation - Expropriations for North York Centre Plan Service Road

Moved by Councillor Fillion, seconded by Councillor Moscoe

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted Motion J(12) with the attached confidential report from the Commissioner of Corporate Services; and

WHEREAS in adopting Motion J(12), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated April 8, 2005, from the Commissioner of Corporate Services; and

WHEREAS the confidential report requested authorization to make and serve Offers of Compensation on the former owners of the expropriated properties listed therein, in accordance with Section 25 of the *Expropriations Act*; and

WHEREAS in accordance with Section 25 of the *Expropriations Act* and pursuant to the April 12, 13 and 14, 2005 authority, Offers of Compensation were served on the former owners on April 25, 2005; and

WHEREAS staff have now been advised that new information has come to light with respect to the supporting appraisal reports for two of the six properties;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the Chief Corporate Officer, entitled 'Offers of Additional Compensation - Expropriations for North York Centre Plan Service Road', and that the staff recommendations contained in the Recommendations Section of the report be adopted."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(32) without amendment, Council adopted, without amendment, the confidential report (May 16, 2005) from the Chief Corporate Officer. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation:

"It is recommended that:

- (1) authority be granted to make additional offers of compensation on the former owners of the expropriated properties listed below, together with the supporting materials:***
 - (a) \$170,000.00 to 375655 Ontario Limited for total compensation of \$830,000.00 for fee simple title to all of 25 Holmes Avenue, which property is designated as Part 3 on Expropriation Plan AT 715116 registered on January 25, 2005; and***

- (b) *\$231,000.00 to Gino and Maddelena Gulia for total compensation of \$806,000.00 for fee simple title to all of 27 Holmes Avenue, which property is designated as Part 4 on Expropriation Plan AT 715116 registered on January 25, 2005;*
- (2) *if requested, the Chief Corporate Officer be authorized to extend, at his discretion, the date for possession of each expropriated property to a mutually agreeable date; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

Council also considered the following:

- Confidential report (May 16, 2005) from the Chief Corporate Officer. The staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Communication C.23(a)].
-
- Confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(33) Liquor Licence Matters – 925 Weston Road

Moved by Councillor Nunziata, seconded by Councillor Kelly

“**WHEREAS** the Alcohol and Gaming Commission of Ontario (AGCO) are reviewing the liquor sales licence of Da Place 2B Inc. operating as Da Place 2B located at 925 Weston Road, Toronto, Ontario, under AGCO licence number 40921; and

WHEREAS local residents, businesses, 12th Division of the Toronto Police Service and the Councillor’s office have significant concerns with respect to the numerous Provincial Offence and Criminal Code violations that have occurred in the past year (a summary of some of these violations is attached as confidential Schedule A) and the negative impact these activities have on the local residents; and

WHEREAS the Toronto Police Service specifically advised that there was an incident that occurred in the licensed establishment on May 14, 2005, in which a firearm was discharged in the premises during business hours, and charges have been laid against individuals for violations of the Criminal Code in connection with this occurrence; and

WHEREAS the Toronto Police Service has further advised the Councillor that there is an escalating and ongoing threat to public safety to patrons, pedestrians, neighbours and police officers in the area because of the ongoing criminal activities and arrests emanating from this location and the surrounding area; and

WHEREAS the Toronto Police Service has advised that, in its opinion, there is a correlation between these occurrences and the sale and service of alcohol in these premises; and

WHEREAS for all the reasons noted above, the continuation of the liquor sales licence of Da Place 2B Inc. poses an immediate and ongoing risk to public safety and is not in the public interest, having regard to the needs and wishes of the municipality in which the premises are located;

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

AND BE IT FURTHER RESOLVED THAT the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving a review of the liquor sales licence of Da Place 2B Inc. and that the City Solicitor and necessary staff be authorized to participate in any such proceedings."

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

Council also considered the following:

- Confidential Schedule "A". This schedule remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Communication C.24(a)].

-
- Confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(34) Request for City Solicitor to Attend the Ontario Municipal Board Hearing to Defend the Decision of the Committee of Adjustment with respect to 89 Kingsway Crescent

Moved by Councillor Milczyn, seconded by Councillor Lindsay Luby

“**WHEREAS** the applicant applied to the City to demolish the dwelling at 87 Kingsway Crescent and the detached garage at 89 Kingsway Crescent, and then to construct a single two-storey dwelling on both properties, while retaining the historical façade of the dwelling at 89 Kingsway Crescent; and

WHEREAS Toronto City Council at its meeting of February 16, 2005, agreed to revise the existing encroachment agreement for 89 Kingsway Crescent to protect the heritage designation of this property; and

WHEREAS the Etobicoke York Committee of Adjustment at its meeting of March 3, 2005, refused all variances pertaining to gross floor area, front yard setback and parking in the front yard; and

WHEREAS By-law 1993-108(1)(a) permits 150m² plus 25 percent of the lot area which is equal to 696m² and the applicant requested a gross floor area of 925.3m²; and

WHEREAS the applicants filed an appeal of the decision of the Committee of Adjustment to the Ontario Municipal Board (OMB) on March 17, 2005 (case #PL050300); and

WHEREAS the property owner is also appealing the non-issuance of the demolition permit, and is appealing the heritage designation of 89 Kingsway Crescent;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to attend the Ontario Municipal Board to oppose the application, as the variances are not minor in nature and are not in keeping with the spirit and intent of the Zoning By-laws for the area, and to retain outside consultants where needed.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

Council also considered the following:

- Extract of Minutes (March 3, 2005) from the Committee of Adjustment, Etobicoke York Panel; and
- Notice of Decision (May 13, 2005) from the Manager/Deputy Secretary Treasurer, Committee of Adjustment, Etobicoke York Panel.

J(35) Cash in lieu for Parkland Dedication – 2701 Keele Street (Ward 9 – York Centre)

Moved by Councillor Augimeri, seconded by Councillor Carroll

“WHEREAS City Council at its meeting on November 30, December 1 and 2, 2004, adopted, as amended, North York Community Council Report 9, Clause 32, headed ‘Final Report Application to Amend Zoning By-law 7652 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)’; and

WHEREAS there is a deficiency of parkland in Ward 9 and it is desirable to re-direct the required cash-in-lieu for parkland to the community;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report 9, Clause 32, headed ‘Final Report - Application to Amend Zoning By-law 7625 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)’, be re-opened for further consideration, only as it pertains to cash-in-lieu for parkland dedication;

AND BE IT FURTHER RESOLVED THAT the required cash-in-lieu for parkland dedication for this development be directed towards improvements to parkland within Ward 9, to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor.”

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened North York Community Council Report 9, Clause 32, headed “Final Report - Application to Amend Zoning By-law 7625 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)”, for further consideration, only as it pertains to cash-in-lieu for parkland dedication, and adopted the balance of this Motion, without amendment.

Council also considered the following:

- Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

J(36) Metro International Caravan 2005 – Designation as an Event of Municipal Significance

Moved by Councillor Augimeri, seconded by Councillor Thompson

“**WHEREAS** the Metro International Caravan is an important multicultural festival within the City of Toronto; and

WHEREAS the Metro International Caravan 2005 will be held at Downsview Park, from June 21 to July 4, 2005, from 11:00 a.m. to 1:00 a.m., daily; and

WHEREAS the Metro International Caravan is seeking a designation as an event of municipal significance for liquor licensing purposes and an application for this type of event must be accompanied by a Resolution from the local Council for the Municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare the Metro International Caravan 2005 to be an event of municipal significance; that it has no objection to this event taking place; and that the Alcohol and Gaming Commission of Ontario be so advised.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

Council also considered the following:

Communication:

- (May 16, 2005) from the President, Metro Toronto International Caravan.

J(37) Declaration of Surplus - Portion of Land at the Rear of 12 Canterbury Place

Moved by Councillor Filion, seconded by Councillor Minnan-Wong

“**WHEREAS** City Council at its meeting of July 20, 21 and 22, 2004, adopted Administration Committee Report 5, Clause 17, headed ‘Declaration of Surplus – Portion of 12 Canterbury Place and Authority to Negotiate the Acquisition of 37 Churchill Avenue for Park Purposes’, thereby declaring a portion of 12 Canterbury Place surplus to City requirements and authorizing staff to commence negotiations for the acquisition of 37 Churchill Avenue, shown as Part 4 on the attached sketch, in exchange for a portion of 12 Canterbury Place, shown as Parts 2 and 3 on the attached sketch; and

WHEREAS City Council, at its meeting of February 1, 2 and 3, 2005, adopted Administration Committee Report 2, Clause 8, headed 'Exchange of a Portion of 12 Canterbury Place for Lands Located at 37 Churchill Avenue for Park Purposes', thereby authorizing the Land Exchange Agreement between the City and 1402335 Ontario Ltd. ('1402335') for the acquisition of 37 Churchill Avenue, in exchange for a portion of 12 Canterbury Place, shown as Parts 2 and 3 on the attached sketch, plus \$61,000.00; and

WHEREAS the Land Exchange Agreement required that Part 2 be re-conveyed to the City for road purposes; and

WHEREAS the owner/developer, 1402335, requires 193 square metres of additional land area in order to complete its development at the southwest corner of Churchill Avenue and Canterbury Place, as anticipated; and

WHEREAS a strip of land of approximately 6 metres in width and 45 metres in length, owned by the City, along the east side of the proposed future North York Service Road and adjacent to the development and shown as Part 1 on the attached sketch ('Part 1'), is not required for North York Service Road purposes; and

WHEREAS a portion of Part 1 currently forms part of Canterbury Place Park and, if the new Official Plan comes into effect in its current form, the disposal policies related to City-owned lands in Parks and Open Space Areas, would prohibit the disposal of the site and, in the absence of an Official Plan amendment, would provide no discretion to Council to authorize the sale; and

WHEREAS the Official Plan has been appealed in its entirety, meaning that such prohibition is not in effect, and staff have launched a self protective, site-specific appeal and will include the Part 1 lands on the list; and

WHEREAS it is considered fair and reasonable that Part 1 be offered for sale to 1402335, on terms satisfactory to the Chief Corporate Officer, provided that the Official Plan is not adopted before the closing of any sale transaction;

NOW THEREFORE BE IT RESOLVED THAT City Council declare surplus to the City's requirements, a strip of land approximately 6 metres in width and 45 metres in length along the east side of the proposed future North York Service Road and shown as Part 1 on the attached sketch, and invite an offer to purchase from 1402335, the developer at the southwest corner of Churchill Avenue and Canterbury Place, conditional on there being no Official Plan prohibition of disposal of the site in effect at the time of closing, and conditional on the owner agreeing to convey back the strip of land to the City for buffer and/or municipal purposes, and the Chief Corporate Officer be requested to report to the Administration Committee on the results of that process;

AND BE IT FURTHER RESOLVED THAT staff be authorized to renegotiate the terms of the Land Exchange Agreement, if necessary, and report back on the results of such negotiations.”

Disposition:

City Council on May 17, 18 and 19, 2005, referred this Motion to the North York Community Council for consideration at its meeting on May 31, 2005, and requested the City Solicitor, in conjunction with the Acting Executive Director of Facilities and Real Estate and the Chief Planner and Executive Director, City Planning, to submit a report to the North York Community Council for consideration with this Motion.

Council also considered the following:

- Map of City-owned land at the rear of No. 12 Canterbury Place, Ward 23, Willowdale.

J(38) 268 Dundas Street East, Toronto, “Navaron Restaurant” - Report on Oral Decision of Alcohol and Gaming Commission of Ontario of May 6, 2005, and Request for Instructions

Moved by Councillor Rae, seconded by Mayor Miller

“**WHEREAS** City Council at its meeting on October 26, 27 and 28, 2004, adopted Motion J(8), thereby authorizing the City Solicitor to advise the Alcohol and Gaming Commission of Ontario (the ‘AGCO’) that the continuation of the liquor licence issued to the McCaul Trading Co. Ltd., operating as Navaron Restaurant at 268 Dundas Street East, was not in the public interest; and

WHEREAS the AGCO subsequently advised City Council that the AGCO Registrar has issued several Notices of Proposal to Revoke the Liquor Licence and that a hearing was scheduled to commence on May 6, 2005; and

WHEREAS the City Solicitor advised the AGCO, in advance of the hearing date, that it would be seeking party status; and

WHEREAS the City Solicitor attended the hearing at the AGCO and made representations to the panel that the City be granted party status at the hearing; and

WHEREAS the AGCO panel denied the City party status; and

WHEREAS the AGCO hearing of this matter is currently adjourned but may be rescheduled prior to the next Council meeting;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report (May 18, 2005) from City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

In adopting Motion J(38) without amendment, Council adopted, without amendment, the confidential report (May 18, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) City Council authorize the City Solicitor to seek judicial review and/or an appeal to the Divisional Court the oral decision of the Alcohol and Gaming Commission of Ontario on May 6, 2005, denying the City party status at the hearing regarding the review of the liquor licence issued to McCaul Trading Co. Ltd. for 268 Dundas Street East, Toronto, Ontario; and***
- (2) the City Solicitor take whatever additional steps that may be necessary to protect the City’s interests in this matter.”***

Council also considered the following:

- Confidential report (May 18, 2005) from the City Solicitor. The staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation [Communication C.25(a)].

J(39) Ashbridges Bay Treatment Plant Pelletizer Fire - Contract Amendment Agreement

Moved by Councillor Pitfield, Seconded by Deputy Mayor Bussin

“WHEREAS City Council at its meeting on February 1, 2 and 3, 2005, adopted, without amendment, Works Committee Report 1, Clause 10, and in so doing, adopted the staff recommendations contained in the Recommendations Section of the confidential report (December 2, 2004) from the Acting Commissioner of Works and Emergency Services, entitled ‘Ashbridges Bay Treatment Plant Pelletizer Fire-Rebuild Settlement Agreement and Contract Amendment Agreement’ (the ‘Report’); and

WHEREAS staff Recommendation (1) of the Report granted authority to finalize and execute an agreement between the City of Toronto and Veolia Water North America Operating Services (formerly doing business as USF Canada Inc.) with respect to the matter of the loss of use of the Ashbridges Bay Biosolids Pelletizer Facility due to fire (the ‘Contract Amendment Agreement’); and

WHEREAS staff Recommendation (1) of the Report, through inadvertence, incorrectly named Veolia Water North America Operating Services as the name of the contracting party and should have referred properly to Veolia Water Canada, Inc. (‘Veolia’) instead of Veolia Water North America Operating Services; and

WHEREAS the City and Veolia are now in the process of finalizing the Contract Amendment Agreement and, in order for the appropriate City officials to execute the Contract Amendment Agreement, it is necessary to amend the Council authority to correct Veolia’s name; and

WHEREAS there is an urgent need to correct this matter so as to permit the City to proceed with the rebuild of the Pelletizer facility;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Works Committee Report 1, Clause 10, headed ‘Ashbridges Bay Treatment Plant Pelletizer Fire - Rebuild Settlement Agreement and Contract Amendment Agreement’, be re-opened for further consideration, only for the purpose of deleting the reference to Veolia Water North America Operating Services and substituting instead Veolia’s proper legal name, Veolia Water Canada, Inc.;

AND BE IT FURTHER RESOLVED THAT the Clause be amended by deleting the reference to ‘Veolia Water North America Operating Services’, wherever it occurs, and inserting instead Veolia’s proper legal name, ‘Veolia Water Canada, Inc.’.”

Disposition:

City Council on May 17, 18 and 19, 2005, re-opened Works Committee Report 1, Clause 10, headed ‘Ashbridges Bay Treatment Plant Pelletizer Fire - Rebuild Settlement Agreement and Contract Amendment Agreement’, for further consideration, only for the purpose of deleting the reference to Veolia Water North America Operating Services and substituting instead Veolia’s proper legal name, Veolia Water Canada, Inc., and adopted the balance of the Motion, without amendment.

J(40) World Partnership Walk Day

Moved by Mayor Miller, Seconded by Councillor Pitfield

“WHEREAS the World Partnership Walk is a volunteer initiative of the Aga Khan Foundation which is fully supported by the Canadian International Development Agency; and

WHEREAS the World Partnership Walk raises funds to support sustainable and cost-effective development in the world’s poorest countries; and

WHEREAS the World Partnership Walk began in 1985, and has grown into a nation-wide event, raising more than \$27 million in its 21-year history; and

WHEREAS all Councillors have been invited to participate in this year’s walk which starts at Metro Hall;

NOW THEREFORE BE IT RESOLVED THAT City Council endorse the aims of the World Partnership Walk and declare Sunday, May 29, 2005, as ‘World Partnership Walk Day’.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion, without amendment.

Condolence Motions:

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

Seconded by: Mayor Miller and Deputy Mayor Bussin

“WHEREAS the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Ms. Dorothy Thomas on Monday, May 9, 2005, in her 67th year; and

WHEREAS Dorothy Thomas, as a proud Torontonion, served the City of Toronto well as a Toronto Alderman from 1973 to 1976 and 1981 to 1985; and

WHEREAS Dorothy Thomas further served the people of Toronto as a member of the Rent Review Tribunal and Social Assistance Review Board, as well as the Chair of the Metropolitan Toronto Licensing Commission and the Toronto Licensing Tribunal; and

WHEREAS Dorothy Thomas was not only a strong advocate for women, but also one who followed through on her commitment to become one of the founders of the City of Toronto’s Person’s Day Award and Mayor’s Task Force on the Status of Women; and

WHEREAS Dorothy Thomas was an avid lover of reading, jazz, gardening, cooking and film and volunteered with and enriched numerous groups within the City of Toronto; and

WHEREAS Dorothy Thomas, while volunteering for her community and working for our City, touched the hearts and minds of countless people and will be truly missed by neighbours, Toronto residents, Toronto City Hall colleagues, and her numerous friends;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to her son Nye Thomas, her daughter-in-law, Karen Mann and her granddaughter Mei Leigh.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion unanimously.

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

Seconded by: Mayor Miller

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. Terry Michelin on April 26, 2005, in his 78th year; and

WHEREAS Terry Michelin was born in Northern Italy and immigrated to Canada to join his father in Timmons, Ontario when he was only 9 years old, and came to Toronto as a young man to manage the meat department of a local Dominion store in Sherway Gardens; and

WHEREAS Terry Michelin became a highly valued and deeply loved member of the Cabbagetown neighbourhood for 35 years, who was actively involved in all community fundraisers and events; and

WHEREAS Terry Michelin was a dedicated and hard-working business owner, whose St. James Town Steak and Chops on Parliament Street was the central meeting place, especially during the Thanksgiving and Christmas holidays, where he made everyone feel welcome; and

WHEREAS Terry Michelin was a longstanding and active member of the Old Cabbagetown Business Improvement Area, who traditionally commenced festivities at the annual Cabbagetown Festival by overseeing the cutting of the official cabbage; and

WHEREAS Terry Michelin, after losing his son to an act of violence in 1992, set up the Santo Michelin Fund, through the Cabbagetown Youth Centre, to provide sports scholarships for local youth through an annual fundraising event; and

WHEREAS Terry Michelin was a joyful, generous, and dedicated father and grandfather to his sons and their families, as well as a devoted husband to his late wife Doris;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to his son Mark Michelin and his wife Silvia, his son Lorne Michelin and his wife Donna, his grandchildren Leane, Travis, Jesse, Noah and Alexander, his sister Odelia Mezzavilla, his companion Jean McNutt, and the entire Michelin family for their loss.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion unanimously.

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

Seconded by: Councillor Walker

“**WHEREAS** the Mayor and Members of Toronto City Council are saddened to learn of the sudden passing of Mr. John Sydney Woods on May 11, 2005; and

WHEREAS John Woods had a long and distinguished career with the City of Toronto from 1976 to 1998 in the Finance Department; and

WHEREAS John Woods was the Acting Commissioner of Finance and the City Treasurer in 1993, before being appointed City Auditor in 1994, where he worked until his retirement in 1998; and

WHEREAS John Woods was a passionate cricket fan and was the Captain and Chief Organizer of the City Hall Cricket Club;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to John’s widow Pirkko, his sons, Thomas and John and daughter Anneli, and all his friends and family.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion unanimously.

(4) **Moved by:** **Councillor Hall**

Seconded by: **Councillor Nunziata**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of a City staff member, Edward (Ted) Hodgson on Friday, May 6, 2005; and

WHEREAS Ted Hodgson began employment with the City of Toronto (Etobicoke) on March 26, 1990, where he worked in the Economic Development, Culture and Tourism Department as Recreation Staff in the Parks and Recreation Division; and

WHEREAS he was known to his co-workers and the numerous permit groups that he dealt with in the arenas of Etobicoke, the Etobicoke Olympium and, most recently, the Thistleton Multi Service Centre, as a generous, fun loving and caring man, always willing to lend a hand; and

WHEREAS Ted Hodgson was an invaluable asset to the City of Toronto and his colleagues, an avid curler, hunter and outdoorsman, and will be greatly missed by his friends and business associates;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to his wife Jean, his daughter Lisa, son-in-law Edward Tubaro, sons, Teddy and Ken, daughter-in-law Robin, his grandchildren Emma and Owen and the entire Hodgson family.”

Disposition:

City Council on May 17, 18 and 19, 2005, adopted this Motion unanimously.

Issued: **May 25, 2005**

Attachment: Membership of Committees of City Council