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These Minutes were confirmed by City Council on May 21, 2003

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

**MONDAY, APRIL 14, 2003,
TUESDAY, APRIL 15, 2003 AND
WEDNESDAY, APRIL 16, 2003**

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

CALL TO ORDER

- 4.1 Deputy Mayor Ootes took the Chair and called the Members to order.

The meeting opened with O Canada.

4.2 **CONFIRMATION OF MINUTES**

Councillor Holyday, seconded by Councillor Moscoe, moved that the Minutes of Council from the following meetings be confirmed in the form supplied to the Members:

- the regular meeting held on February 4, 5 and 6, 2003, and the special meetings held on February 7, 10 and 11, 2003;
- the special meetings held on February 24, 25, 26, 27 and 28, 2003, and March 3, 2003;
and
- the special meeting held on March 26, 2003.

PRESENTATION OF REPORTS

4.3 Councillor Nunziata presented the following Reports for consideration by Council:

Deferred Clauses:

Report No. 1 of The Policy and Finance Committee, Clause No. 24a
Report No. 14 of The Administration Committee, Clause No. 32b
Report No. 1 of The Administration Committee, Clauses Nos. 1a, 2a, 16a and 19a
Report No. 2 of The Administration Committee, Clauses Nos. 3a and 27a
Report No. 1 of The Community Services Committee, Clause No. 2a
Report No. 2 of The Community Services Committee, Clause No. 7a
Report No. 10 of The Economic Development and Parks Committee, Clause No. 9b
Report No. 1 of The Works Committee, Clause No. 9a
Report No. 1 of The Midtown Community Council, Clauses Nos. 31a, 32a and 33a

Reports:

Report No. 3 of The Policy and Finance Committee
Report No. 3 of The Community Services Committee
Report No. 3 of The Economic Development and Parks Committee
Report No. 4 of The Planning and Transportation Committee
Report No. 5 of The Planning and Transportation Committee
Report No. 3 of The Works Committee
Report No. 3 of The Administration Committee
Report No. 3 of The Humber York Community Council
Report No. 3 of The Midtown Community Council
Report No. 3 of The North York Community Council
Report No. 3 of The Scarborough Community Council
Report No. 4 of The Toronto East York Community Council
Report No. 2 of The Etobicoke Community Council
Report No. 3 of The Etobicoke Community Council
Report No. 2 of The Board of Health
Report No. 3 of The Nominating Committee
Report No. 2 of The Striking Committee

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

- 4.4 Councillor Nunziata, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 1 of The Audit Committee,

and moved, seconded by Councillor Hall, that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived in connection with this Report, and that Council now give

consideration to such Report, which carried, more than two-thirds of Members present having voted in the affirmative.

4.5 **DECLARATIONS OF INTEREST**

Councillor Altobello declared an interest in Clause No. 18 of Report No. 3 of The Scarborough Community Council, headed "Final Report Official Plan Amendment Application TF OPA 2002 0003 Zoning By-law Amendment Application TF ZBL 2002 0011 1475976 Ontario Ltd., 31 Greenvale Terrace West Hill Community (Ward 43 - Scarborough East)", in that his parents live within the immediate vicinity of the subject area.

Councillor Berardinetti declared an interest in Clause No. 15 of Report No. 3 of The Policy and Finance Committee, headed "Requests for Funding for Legal Fees for Certain Individuals Who Have Standing or Will Be Called as Witnesses at the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry", as it relates to the motion moved by Councillor Walker, in that he could be called as a potential witness at the Inquiry.

Councillor Chow declared an interest in Clause No. 1 of Report No. 2 of The Board of Health, headed "Toronto's Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms", in that her stepson is the Manager of a restaurant.

Councillor Feldman declared an interest in Clause No. 23 of Report No. 3 of The North York Community Council, headed "Final Report – Application to Amend the Official Plan and Zoning By-law 7625 & Draft Plan of Subdivision - TB CMB 2001 0013 and TB SUB 2001 0003 - Workplace Safety and Insurance Board - 115 Torbarrie Road - Ward 7 - York West", in that he is the Past President of a Golf and Country Club which is located immediately adjacent to the subject development.

Councillor Korwin-Kuczynski declared an interest in Clause No. 1 of Report No. 2 of The Board of Health, headed "Toronto's Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms", in that he has an interest in a restaurant/bar.

Councillor McConnell declared an interest in Clause No. 11 of Report No. 3 of The Community Services Committee, headed "2003 Food and Hunger Action Fund Allocations and Appeals", in that her husband is the Executive Director of the Riverdale Action Group, one of the applicants applying for a grant.

Councillor Mihevc declared an interest in Clause No. 13 of Report No. 3 of The Community Services Committee, headed "City of Toronto Homeless Initiatives Fund - Toronto Homeless Community Economic Development Program", in that his partner has a contract with a group receiving funds from this program.

Councillor Miller declared an interest in the following matters:

- (1) Clause No. 15 of Report No. 3 of The Policy and Finance Committee, headed “Requests for Funding for Legal Fees for Certain Individuals Who Have Standing or Will Be Called as Witnesses at the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry”, as it relates to the motion moved by Councillor Walker, in that he could be called as a potential witness at the Inquiry; and
- (2) Clause No. 2 of Report No. 3 of The Humber York Community Council, headed “20 Gothic Avenue - Ontario Municipal Board Hearing; Application to amend the former City of Toronto Official Plan and Zoning By-law No. 438-86, and Site Plan Approval; s/w corner of Gothic Avenue and Quebec Avenue (Ward 13 - Parkdale -High Park)”, in that he lives within the immediate vicinity of the subject area.

Councillor Walker declared an interest in the following matters:

- (1) Clause No. 1 of Report No. 5 of The Planning and Transportation Committee, headed “Central Waterfront Secondary Plan ‘Making Waves’, the Proposed Secondary Plan for the Central Waterfront (Parkdale-High Park, Trinity-Spadina, Toronto Centre -Rosedale, Broadview-Greenwood, Toronto-Danforth, Beaches-East York, Wards 14, 19, 20, 28, 30 and 32)”, in that he is one of the parties named in a litigation matter related to the Toronto Port Authority; and
- (2) Motion I(1), moved by Councillor Minnan-Wong, seconded by Councillor Moscoe, regarding a Request for a Status Report on the Legal Dispute with the Toronto Port Authority, in that he is one of the parties named in a litigation matter related to the Toronto Port Authority.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

4.6 The following Clauses were held by Council for further consideration:

Report No. 1 of The Policy and Finance Committee, Clause No. 24a

Report No. 14 of The Administration Committee, Clause No. 32b

Report No. 1 of The Administration Committee, Clauses Nos. 1a, 2a, 16a and 19a

Report No. 2 of The Administration Committee, Clauses Nos. 3a and 27a

Report No. 1 of The Community Services Committee, Clause No. 2a

Report No. 2 of The Community Services Committee, Clause No. 7a

Report No. 10 of The Economic Development and Parks Committee, Clause No. 9b

Report No. 1 of The Works Committee, Clause No. 9a

Report No. 1 of The Midtown Community Council, Clauses Nos. 31a, 32a and 33a

Report No. 3 of The Policy and Finance Committee, Clauses Nos. 2, 3, 4, 5, 6, 8, 10, 15, 16 and 19

Report No. 3 of The Community Services Committee, Clauses Nos. 1, 7, 8, 9, 11, 12, 22, 23, 24 and 25

Report No. 3 of The Economic Development and Parks Committee, Clauses Nos. 1, 4, 10, 11, 13, 14 and 16

Report No. 4 of The Planning and Transportation Committee, Clauses Nos. 3, 4, 5, 6 and 7

Report No. 5 of The Planning and Transportation Committee, Clause No. 1

Report No. 3 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 6, 7, 8, 9, 12, 13, 16, 17, 18, 22, 23, 24, 26, 30, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48

Report No. 3 of The Administration Committee, Clauses Nos. 1, 3, 5, 8, 9, 13, 15, 16, 22, 25, 34, 37, 38 and 48

Report No. 3 of The Humber York Community Council, Clauses Nos. 29 and 50

Report No. 3 of The Midtown Community Council, Clauses Nos. 12, 18, 38, 39 and 40

Report No. 3 of The North York Community Council, Clauses Nos. 1, 18, 19, 20, 22 and 26

Report No. 4 of The Toronto East York Community Council, Clauses Nos. 4, 6, 21, 39 and 67

Report No. 2 of The Etobicoke Community Council, Clause No. 11

Report No. 3 of The Etobicoke Community Council, Clauses Nos. 1, 6 and 19

Report No. 2 of The Board of Health, Clauses Nos. 1 and 2

Report No. 3 of The Nominating Committee, Clauses Nos. 1 and 2

Report No. 2 of The Striking Committee, Clauses Nos. 1 and 2

Report No. 1 of The Audit Committee, Clauses Nos. 1, 8 and 9

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

Report No. 14 of The Administration Committee, Clause No. 32b

Report No. 1 of The Administration Committee, Clause No. 19a

Report No. 10 of The Economic Development and Parks Committee, Clause No. 9b

Report No. 1 of The Works Committee, Clause No. 9a

Report No. 3 of The Policy and Finance Committee, Clauses Nos. 2, 8 and 10

Report No. 3 of The Community Services Committee, Clauses Nos. 12 and 23

Report No. 3 of The Economic Development and Parks Committee, Clauses Nos. 1, 4, 10, 13 and 16

Report No. 3 of The Works Committee, Clauses Nos. 1, 6, 7, 12, 13, 22 and 30

Report No. 3 of The Administration Committee, Clauses Nos. 3, 5, 9, 22 and 38

Report No. 3 of The Midtown Community Council, Clauses Nos. 12 and 18

Report No. 3 of The North York Community Council, Clause No. 19

Report No. 3 of The Etobicoke Community Council, Clause No. 19

Report No. 1 of The Audit Committee, Clauses Nos. 1 and 8

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

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

- 4.7 **Clause No. 29 of Report No. 3 of The Humber York Community Council, headed “Onslow Crescent - Introduction of Overnight On-Street Permit Parking and One-Hour Parking (Ward 15 – Eglinton-Lawrence)”.**

Motion:

Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council request the Toronto Parking Authority to examine the feasibility of installing parking meters on a portion of Onslow Crescent to accommodate the short-term visitor parking demand from adjacent residential property, as recommended by the President of the Toronto Parking Authority in his report dated April 9, 2003.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.8 **Clause No. 50 of Report No. 3 of The Humber York Community Council, headed “Other Items Considered by the Community Council”.**

Motion:

Councillor Miller moved that the Clause be received as information, subject to striking out and referring Item (b), entitled “Preliminary Report – 1900 Lake Shore Blvd. West; Application to Amend the Official Plan and Zoning By-law of the Former City of Toronto; 1291547 Ontario Inc. and 1356071 Ontario Inc. (Ward 13 - Parkdale-High Park)”, embodied therein, back to the Humber York Community Council for further consideration.

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, was received as information.

4.9 **Clause No. 1 of Report No. 3 of The North York Community Council, headed “Lane Designation - Bishop Avenue at Yonge Street – Ward 23 - Willowdale”.**

Motion:

Councillor Shiner moved that the Clause be amended by striking out the recommendations embodied in the report dated February 28, 2003, from the Director, Transportation Services, District 3, and inserting in lieu thereof the following:

“It is recommended that:

- (1) the northerly westbound lane on Bishop Avenue, from the easterly limit of Yonge Street to a point 30 metres easterly thereof, be designated for right turns only;

- (2) the southerly westbound lane on Bishop Avenue, from the easterly limit of Yonge Street to a point 30 metres easterly thereof, be designated for shared through and left turns only; and
- (3) the appropriate by-law(s) be amended accordingly.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

4.10 **Clause No. 39 of Report No. 3 of The Midtown Community Council, headed “Rolph Road - School Bus Loading Zone (Don Valley West - Ward 26)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pitfield moved that Council adopt the report dated April 7, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the existing ‘No Stopping 8:00 a.m. to 5:00 p.m., Monday to Friday’ regulation on the east side of Rolph Road, between Southvale Drive and Sutherland Drive, be rescinded;
- (2) a ‘School Bus Loading Zone’ be created on the east side of Rolph Road, from a point 79 metres north of Southvale Drive to a point 40 metres further north thereof;
- (3) a ‘Ten-Minute Maximum, 8:30 a.m. to 9:30 a.m., 11:00 a.m. to 1:30 p.m. and 3:30 p.m. to 4:30 p.m., Monday to Friday’ parking regulation be enacted on the east side of Rolph Road, between a point 9.0 metres north of Southvale Drive and a point 70 metres further north thereof and between a point 119.0 metres north of Southvale Drive and a point 71 metres further north thereof;

- (4) a 'No Parking, 9:30 a.m. to 11:00 a.m., 1:30 p.m. to 3:30 p.m., Monday to Friday' parking regulation be enacted on the east side of Rolph Road, between a point 9.0 metres north of Southvale Drive and a point 70 metres further north thereof and between a point 119.0 metres north of Southvale Drive and a point 71 metres further north thereof;
- (5) a 'No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday' parking regulation be enacted on the west side of Rolph Road, from a point 79 metres north of Southvale Drive to a point 40 metres further north thereof; and
- (6) the appropriate City officials be authorized to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required."

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

4.11 **Clause No. 4 of Report No. 4 of The Toronto East York Community Council, headed "Draft By-laws - Official Plan Amendment and Rezoning/ Designation/Alterations to Heritage Property/Tree Removal and Injury - 100 Queen's Park (Royal Ontario Museum) (Trinity-Spadina, Ward 20)".**

Motion:

Councillor Pantalone moved that the Clause be amended by deleting from the recommendation of the Toronto East York Community Council, the preamble to Recommendation No. (6), and Part (a) thereof, and inserting in lieu thereof the following:

- "(6) a permit for removal of eight trees at 100 Queen's Park be approved, subject to:
 - (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Rezoning and Site Plan Approval Application No. 202017 commence which warrant the destruction of the trees;"

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

4.12 **Clause No. 39 of Report No. 4 of The Toronto East York Community Council, headed “The Infinity Public Art Plan - 185 Bremner Boulevard (Trinity-Spadina, Ward 20)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the report dated March 17, 2003, from the Commissioner of Urban Development Services, as contained in the Clause, be adopted; and
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Toronto East York Community Council, for consideration at its meeting scheduled to be held on May 6, 2003, on the installation of bicycle lanes in the vicinity of this new development, including Lower Simcoe Street, between Bremner Boulevard and Queen’s Quay, and Bremner Boulevard between Spadina Avenue and Lake Shore Boulevard.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

4.13 **Clause No. 6 of Report No. 3 of The Etobicoke Community Council, headed “Introduction of Newspaper Dispensing Boxes on Public Roads (Wards 1 - 6)”.**

Motion:

Councillor Milczyn moved that the Clause be amended to provide that the newspaper box located at the north-east side of the Royal York subway station be included in the Newspaper Dispensing Box Agreement.

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

4.14 **Clause No. 19 of Report No. 3 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Miller moved that the Clause be received as information, subject to:

- (1) referring a copy of Items (a) and (b), entitled “Chief Administrative Officer’s Workplan” and “Finance Department Workplan - 2003 - All Wards”, respectively, to the Administration Committee for information; and
- (2) referring a copy of Items (c) and (d), entitled “Comparison of Benefit Coverage - City of Toronto and Toronto Police Service” and “Merging of Benefit Carriers - City of Toronto and Agencies, Boards and Commissions”, respectively, to the Personnel Sub-Committee for information.

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, was received as information.

4.15 **Clause No. 1a of Report No. 1 of The Administration Committee, headed “Use of Communications Services and Resources During an Election Year”.**

Motion:

Councillor Moscoe moved that the Clause be amended by amending the recommendations embodied in the report dated October 17, 2002, from the Commissioner of Corporate Services, as amended by the Administration Committee, so that they now read as follows:

“It is recommended that:

- (1) Members of Council may not use the services of any staff in the City of Toronto to assist in any communication activity related to the preparation or distribution of campaign related materials or events;
- (2) no photographic or video materials may be created by City staff for use in any campaign materials; and

- (3) consistent with the recommendations of the Administration Committee contained in Clause No. 2a of Report No. 1 of The Administration Committee, headed “Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year”, as amended [see Page 13 of these Minutes], commencing September 25 and ending December 31 in a municipal election year:
- (a) Members of Council will not distribute media releases using the City of Toronto media relations or departmental communications networks or distribution systems unless such a release is considered to be consistent with their duties as an elected official;
 - (b) no advertising paid for by the City of Toronto will contain the name of a Councillor or the Mayor unless consistent with their duties as an elected official;
 - (c) the City of Toronto logo will not be used in any campaign related materials;
 - (d) the City of Toronto media clippings package will be made available to the general public through copies provided for viewing at the central library and at the counter of all Civic Centres; and
 - (e) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.”

Votes:

Part (1) of the motion by Councillor Moscoe carried.

Part (2) of the motion by Councillor Moscoe carried.

Adoption of the preamble to Part (3) of the motion by Councillor Moscoe:

Yes - 29	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Duguid, Feldman, Filion, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Tziretas
No - 13	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Flint, Ford, Hall, Holyday, Lindsay Luby, Nunziata, Pitfield, Soknacki, Sutherland, Walker

Carried by a majority of 16.

Parts (3)(a) to (3)(e) of the motion by Councillor Moscoe carried.

Adoption of the Clause, as amended:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas
No - 9	
Mayor:	Lastman
Councillors:	Flint, Ford, Hall, Holyday, Nunziata, Pitfield, Sutherland, Walker

Carried by a majority of 24.

4.16 Clause No. 2a of Report No. 1 of The Administration Committee, headed “Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year”.

Motion:

Councillor Moscoe moved that the Clause be amended by amending the recommendations embodied in the report dated September 20, 2002, from the City Clerk, as amended by the Administration Committee, as follows:

- (1) deleting from Recommendation No. (5), the date “August 1”, and inserting in lieu thereof the date “September 25”;
- (2) amending Part (d) of Recommendation No. (7) to now read as follows:
 - “(d) enter into joint ventures using City funds outside their existing wards from September 25 to Election Day, in the year of a municipal election, unless specifically approved by Council. At all other times a signed agreement between Ward Councillors is required.”;
- (3) deleting the following Recommendation No. (8):
 - “(8) in an election year, activities, events and programs which require the City to fund, or staff to attend, organize, program or participate in, should be minimized between September 1 and nomination day, and suspended from nomination day to election day; unless it is part of an ongoing series of consultations or seminars and cannot be rescheduled for operational or program reasons, is time sensitive, or involves scheduling dignitaries or representatives of other levels of government. Commissioners shall evaluate any events or activities proposed for September through November to determine if the event or activity can be scheduled at another time.”;
- (4) inserting in Recommendation No. (9), the word “directly”, in front of the words “election-related”;
- (5) deleting from Recommendation No. (10), all of the words after the words “campaign material”;
- (6) deleting the following Recommendation No. (11):
 - “(11) the City Clerk or her designate shall be responsible at all times for setting of committee agendas, in consultation with the Chair of the Standing Committee.”;
- (7) adding the following new Recommendation No. (13):
 - “(13) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.”; and
- (8) renumbering the original recommendations accordingly.

Votes:

Adoption of Part (1) of the motion by Councillor Moscoe:

Yes - 27	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Duguid, Filion, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Tziretas
No - 15	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Feldman, Flint, Ford, Hall, Holyday, Lindsay Luby, Minnan-Wong, Nunziata, Pitfield, Soknacki, Sutherland, Walker

Carried by a majority of 12.

Adoption of Part (2) of the motion by Councillor Moscoe:

Yes - 29	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Duguid, Filion, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Soknacki, Tziretas
No - 13	
Mayor:	Lastman
Councillors:	Di Giorgio, Feldman, Flint, Ford, Hall, Holyday, Lindsay Luby, Miller, Nunziata, Shiner, Sutherland, Walker

Carried by a majority of 16.

Adoption of Part (3) of the motion by Councillor Moscoe:

Yes - 22	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Duguid, Feldman, Filion, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Shaw, Shiner, Tziretas
No - 20	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Chow, Di Giorgio, Flint, Ford, Hall, Holyday, I. Jones, Lindsay Luby, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Soknacki, Sutherland, Walker

Carried by a majority of 2.

Part (4) of the motion by Councillor Moscoe carried.

Part (5) of the motion by Councillor Moscoe carried.

Withdrawal of Motion:

Councillor Moscoe, with the permission of Council, withdrew Part (6) of his motion.

Part (7) of the motion by Councillor Moscoe carried.

Part (8) of the motion by Councillor Moscoe carried.

Adoption of the Clause, as amended:

Yes - 30	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Tziretas
No - 12	
Mayor:	Lastman
Councillors:	Augimeri, Flint, Ford, Hall, Holyday, Moeser, Nunziata, Pitfield, Soknacki, Sutherland, Walker

Carried by a majority of 18.

In summary, Council amended the Clause by amending the recommendations embodied in the report dated September 20, 2002, from the City Clerk, as amended by the Administration Committee, so that such recommendations now read as follows:

“It is recommended that:

- (1) corporate resources and funding may not be used for any election-related purposes;
- (2) staff of Members of Council may not canvass or actively work in support of a municipal, provincial or federal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
- (3) Members of Council may not use their constituency office for any election-related purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office;
- (4) the Office Budgets for Members of Council for the period January 1 to Election Day in a municipal election year be restricted to 11/12ths of the approved global budget amount with the provision that subsequent to election day:
 - (a) new Members of Council be allocated a budget equal to 1/12th of the approved budget amount for the month of December; and
 - (b) re-elected Members of Council have available to them the balance of funds remaining as of Election Day;
- (5) the following be discontinued for Members of Council from September 25 in a municipal election year to Election Day:
 - (a) all forms of advertising, including in City publications;
 - (b) all printing, high speed photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council;
 - (c) the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and
 - (d) the ordering of stationery;

- (6) Members of Council may not deliver any unsolicited material outside their existing ward where the printing and/or distribution costs are paid by the City. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only (with accommodation made for the normal spillage associated with Canada Post postal walks). This recommendation to be effective not only during an election year but at all times;
- (7) Members of Council may not:
 - (a) print or distribute any material paid by City funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
 - (b) profile (name or photograph), or make reference to, in any material paid by City funds, any individual who is registered as a candidate in any election;
 - (c) print or distribute any material using City funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; and that Minutes of City Council and Committee meetings be exempt from this policy; and
 - (d) enter into joint ventures using City funds outside their existing wards from September 25 to Election Day, in the year of a municipal election, unless specifically approved by Council. At all other times a signed agreement between Ward Councillors is required;
- (8) Members of Council are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. funded by the City for the operation of each Councillor's Office, is not directly election-related;
- (9) web sites or domain names that are funded by the City of Toronto may not include any election-related campaign material;
- (10) the City Clerk or her designate shall be responsible at all times for setting of committee agendas, in consultation with the Chair of the Standing Committee;
- (11) Members of Council may not use the City's voice mail system to record election related messages;
- (12) the above recommendations also apply to an acclaimed Member or a Member not

seeking re-election; and

- (13) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them; and
- (14) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

4.17 Clause No. 24a of Report No. 1 of The Policy and Finance Committee, headed “Policy on Political Activities for Grant Recipients”.

Motion:

Councillor Mihevc moved that the Clause be amended by deleting the recommendation of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that Council adopt the report dated January 29, 2003, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) the revised policy on political activities contained in Appendix 1 of this report be approved and applied to all City grant programs;
- (2) the Commissioner of Community and Neighbourhood Services submit a report to the Grants Sub-Committee within a year on the impact of this policy, after consultation with stakeholders; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

4.18 **Clause No. 16a of Report No. 1 of The Administration Committee, headed “External Human Rights Investigation”.**

Advice by Deputy Mayor Ootes:

Deputy Mayor Ootes advised the Council that the Administration Committee had requested him to rule as to whether the privilege of Councillor Mammoliti or the privilege of Council had been violated, during the incident being investigated. Deputy Mayor Ootes ruled, in accordance with the provisions of §27-21 of Chapter 27 of the City of Toronto Municipal Code, that a ruling on a point of privilege or personal privilege must occur when it arises, and cannot be made after the fact. He advised that in order for the Chair to make a ruling at this time, a two-thirds vote would be required.

Motion:

Councillor Miller moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to allow the Deputy Mayor to now make a ruling with respect to this matter, the vote upon which was taken as follows:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Kelly, Pitfield

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

Ruling by Deputy Mayor:

Deputy Mayor Ootes ruled that the privilege of Councillor Mammoliti had been violated, however, was subsequently corrected by the apology issued by Councillor Ford. The matter of privilege was then dealt with and closed.

Disposition:

Having regard to the foregoing ruling, the Clause was received.

4.19 **Clause No. 27a of Report No. 2 of The Administration Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (c), entitled “Toronto Olympic Plebiscite”, embodied therein, back to the Administration Committee for further consideration.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

4.20 **Clause No. 2a of Report No. 1 of The Community Services Committee, headed “Delegation of Authority to the City Solicitor to Commence Legal Proceedings to Recover Childcare Subsidy Overpayment”.**

Motion:

Councillor Chow moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the report dated March 18, 2003, from the City Solicitor, embodying the following recommendations:

‘It is recommended that:

- (1) Council ratify all legal steps taken to date in legal proceedings initiated to protect the interests of the City in recovering the childcare subsidy overpayment; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

4.21 **Clause No. 26 of Report No. 3 of The North York Community Council, headed “Other Items Considered by the Community Council”.**

Motion to Re-Open:

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

Motion:

Councillor Augimeri moved that the Clause be received as information, subject to striking out and referring Item (l), entitled “Preliminary Report – Application to Amend the Zoning By-law and Draft Plan of Subdivision - TB ZBL 2003 0002 & TB SUB 2003 0001 - Bombardier Inc./Dehavilland Limited – Beffort Road – Ward 9 – York Centre”, embodied therein, back to the North York Community Council for further consideration.

Votes:

The motion by Councillor Augimeri carried.

The Clause, as amended, was received as information.

4.22 **Clause No. 7a of Report No. 2 of The Community Services Committee, headed “Child Care Occupancy Cost Agreements with the Boards of Education”.**

Motion:

Councillor Holyday moved that the Clause be struck out and referred back to the Community Services Committee for further consideration.

Vote on Referral:

Adoption of the motion by Councillor Holyday:

Yes - 11	
Councillors:	Augimeri, Feldman, Flint, Ford, Holyday, Li Preti, Lindsay Luby, Moeser, Nunziata, Ootes, Soknacki
No - 14	
Mayor:	Lastman

Councillors: Balkissoon, Chow, Di Giorgio, Hall, I. Jones, L. Jones, Mihevc, Miller, Moscoe, Pantalone, Rae, Sutherland, Walker

Lost by a majority of 3.

Disposition:

Having regard that Council did not conclude its consideration of this matter prior to the end of this meeting, consideration the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.23 Clause No. 3 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto Plan of Action for the Elimination of Racism and Discrimination”.

Motion:

Councillor Kelly moved that the Clause be amended by amending Appendix 1, headed “Vision Statement on Access, Equity and Diversity”, to the report dated March 20, 2003, from the Chief Administrative Officer, by:

- (1) deleting from the third paragraph, the words “and their right to self determination”, so that such paragraph now reads as follows:

“The City recognizes the unique status and cultural diversity of the Aboriginal communities.”;
and

- (2) deleting from the sixth paragraph, the word “outcomes” and inserting in lieu thereof the word “opportunities”, so that such paragraph now reads as follows:

“The City of Toronto will implement positive changes in its workforce and communities to achieve access and equality of opportunities for all residents and to create a harmonious environment free from discrimination, harassment and hate.”

Votes:

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

Yes - 8	
Councillors:	Altobello, Duguid, Ford, Holyday, Kelly, Lindsay Luby, Mammoliti, Ootes
No - 26	

Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Fillion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Soknacki, Walker

Lost by a majority of 18.

Adoption of Part (2) of the motion by Councillor Kelly:

Yes - 9	
Councillors:	Altobello, Flint, Ford, Hall, Holyday, Kelly, Lindsay Luby, Nunziata, Ootes
No - 25	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, I. Jones, L. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Shaw, Silva, Soknacki, Walker

Lost by a majority of 16.

Adoption of the Clause, without amendment:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, Flint, Ford, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
No - 2	
Councillors:	Holyday, Kelly

Carried by a majority of 30.

4.24 **Clause No. 11 of Report No. 3 of The Economic Development and Parks Committee, headed “The Boulevard Club, 1491 Lake Shore Boulevard West, Amended Lease Agreement (Ward 14 – Parkdale-High Park)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by inserting after the words “reconstruct the facility”, in the fourth paragraph of Section 1 - General Terms, of Appendix “A”, headed “Terms of Amended Lease Agreement”, to the joint report dated February 28, 2003, from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Corporate Services, the following:

“with a project value of not less than \$5.0 million and subject to acceptable financing by The Boulevard Club, and”,

so that such fourth paragraph now reads as follows:

“The Boulevard Club will within five (5) years of commencement of the agreement demolish and/or renovate the existing buildings or a portion thereof and reconstruct the facility, with a project value of not less than \$5.0 million and subject to acceptable financing by The Boulevard Club, and in accordance with plans and specifications approved by the City’s Commissioner of Economic Development, Culture and Tourism or his designate (the ‘Commissioner’), acting reasonably, at The Boulevard Club’s sole expense and at no cost to the City whatsoever. The Boulevard Club shall provide letters of credit, Performance Bonds and other security as required by the Commissioner and in a form satisfactory to the City Solicitor.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

- 4.25 **Clause No. 38 of Report No. 3 of The Midtown Community Council, headed “Application to Amend the Official Plan and the Zoning By-law No. 7652, 45 York Mills Road, File No. TD ZBL 2002 0004 and TD OPA 2002 0001 and TD SPC 2002 0039 (Don Valley West - Ward 25)”.**

Motion to Re-Open:

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

Motion:

Councillor Flint moved that the Clause be amended in accordance with the following recommendation embodied in the report dated April 10, 2003, from the Commissioner of Works and Emergency Services:

“It is recommended that the City’s easement be reduced from 12 metres to 5 metres as shown on the attached plan, subject to the City obtaining appropriate compensation commensurate with the market value of the easement area being relinquished, as determined by the Director of Real Estate Services, as part of the development negotiations conducted

by the Commissioner of Urban Development Services.”

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

4.26 **Clause No. 1 of Report No. 3 of The Etobicoke Community Council, headed “Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community Bounded by Kipling Avenue, Eglinton Avenue West, Islington Avenue and Rathburn Road (Ward 4 - Etobicoke Centre)”.**

Motion:

Councillor Lindsay Luby moved that the Clause be amended by inserting the name “Princess Margaret Boulevard”, after the name “Princess Anne Crescent”, in Recommendation No. (1) of the report dated March 12, 2003, from the Director, Transportation Services, District 2, so that such recommendation now reads as follows:

“(1) the speed limit on Abilene Drive, Ashwood Crescent, Aylesbury Road, Ballantyne Court, Bemersyde Drive, Benedict Road, Blair Athol Crescent, Bournemouth Road, Byland Road, Cheviot Place, Evesham Court, Forfar Court, Friars Lane, Grimsby Court, Ireland Court, Kingsfold Court, Oldham Road, Orkney Crescent, Palace Arch Drive, Pheasant Lane, Plumbstead Court, Prince George Drive, Princess Anne Crescent, Princess Margaret Boulevard, Ravensbourne Crescent, Sir Williams Lane, Tettenhall Road, The Wynd, Thornbury Crescent, Thorncrest Road, Totteridge Road, Twyford Court, and Winterbourne Court be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved; and”.

Votes:

The motion by Councillor Lindsay Luby carried.

The Clause, as amended, carried.

4.27 **Clause No. 1 of Report No. 3 of The Nominating Committee, headed “Vacancy on the Toronto Licensing Tribunal”.**

Motion:

Councillor Milczyn moved that the Clause be amended by adding thereto the following:

“It is further recommended that the citizens appointed to the Toronto Licensing Tribunal be requested to submit annual reports to the Planning and Transportation Committee, in accordance with Council’s policy in this regard.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

- 4.28 **Clause No. 18 of Report No. 3 of The North York Community Council, headed “Final Report – Application to Amend the Official Plan and Zoning By-law No. 7625 - TB CMB 2002 0010 - 1379288 Ontario Corporation – 4691 Bathurst Street, 500 Ellerslie Avenue and 45-51 Farrell Avenue - Ward 23 – Willowdale”.**

Motion:

Councillor Filion moved that the Clause be amended in accordance with the following Motion:

“**WHEREAS** North York Community Council at its meeting of April 2, 2003, neither adopted the Final Report (March 17, 2003) from the Acting Director, Community Planning, North District, nor recommended refusal of the proposed project; and

WHEREAS a Pre-hearing Conference is scheduled before the Ontario Municipal Board on the appeal of the proposed Official Plan and Zoning By-law Amendments and Site Plan on April 24, 2003; and

WHEREAS it is necessary to provide instructions to the City Solicitor for the OMB Pre-hearing Conference with respect to the City’s position in regard to the proposed project;

NOW THEREFORE BE IT RESOLVED THAT the recommendations of the North York Community Council embodied in Clause No. 18 of Report No. 3 of The North York Community Council, be struck out and the following be substituted for them:

- ‘(1) The proposal in its current form be refused and the applicant be requested to revise the proposal to widen all internal access roads to permit the possible pick up of garbage and removal of snow by the City Works and Emergency Services Department;

- (2) The City Solicitor be directed to defend the City's position at the Ontario Municipal Board and to retain any necessary consultants to give evidence at the Board;
- (3) In the event the Ontario Municipal Board is inclined to approve this project, the City Solicitor be directed to request the Ontario Municipal Board to withhold its Order approving the Official Plan and Zoning By-law Amendments until the Owner enters into a Site Plan Agreement under Section 41 of the Planning Act, addressing the Site Plan Conditions attached to this Motion, these conditions to include:
- (i) the Ellerslie Avenue access be restricted so that outbound left-turn movements are prohibited by the enactment of an appropriate by-law with signage and physical channelization of the access, to the satisfaction of the Commissioner of Works and Emergency Services at no cost to the City of Toronto;
 - (ii) revisions to the most easterly unit of Block A in the form of a corner "rounding" to provide improved transition between it and the existing houses to the east, similar to unit 1;
 - (iii) revisions to Block F to accommodate a widened road with channelization island (as noted in Part (i) above) as well as a corner "rounding" of the most easterly unit of this block similar to unit 51; and
 - (iv) the owner be required to include a clause in all agreements for the purchase and sale or leases, in a form satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor, that the development may not be served by City garbage pick-up and snow removal and that all garbage pick-up and snow removal may be required to be done by a private contractor; and
- (4) The site plan conditions be amended where necessary to accommodate the widening of the internal roads as referred to in Recommendation No. (1) above.' "

Votes:

The motion by Councillor Filion carried.

The Clause, as amended, carried.

4.29 Clause No. 16 of Report No. 3 of The Administration Committee, headed "Surplus Land Declaration and Proposed Closing of the Public Land Known as Roy's Square, Extending

Easterly from Yonge Street then Northerly to Bloor Street East (Ward 27 - Toronto Centre-Rosedale)”.

Motion:

Councillor Rae moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendations of the Toronto East York Community Council, as embodied in the communication dated April 4, 2003, from the City Clerk:

‘The Toronto East York Community Council recommends that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001 and following Council’s approval of a sale of the Lane known as Roy’s Square, the Lane be permanently closed as public highway;
- (2) following Council’s approval of a sale of the Lane, notice be given to the public of a proposed by-law to permanently close the Lane, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and that the Toronto East York Community Council hear any member of the public who wishes to speak to this matter;
- (3) following the closure of the Lane, easements be granted to Bell Canada, Toronto Hydro, Rogers Cable and Enbridge to protect their respective existing services in the Lane, or, with the consent of the said utility companies, the services be removed from the Lane and/or relocated, at the sole cost of the purchaser of the Lane; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

4.30 **Clause No. 4 of Report No. 3 of The Policy and Finance Committee, headed “Provincial Policy for Secondary Uses in Hydro Corridors”.**

Motion:

Councillor Moscoe moved that the Clause be amended by inserting the words “and commuter parking lots”, after the words “park uses”, in Recommendation No. (1) embodied in the report dated March 21, 2003, from the Chief Administrative Officer, so that such recommendation now reads as follows:

“(1) request the Province of Ontario to amend its policy on secondary uses in hydro corridors to provide lands to municipalities for park uses and commuter parking lots without imposing the property tax pass-through;”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.31 **Clause No. 37 of Report No. 3 of The Administration Committee, headed “2002 - 2003 Insurance Program Renewal”.**

Motion:

Councillor Holyday moved that the Clause be amended in accordance with the recommendations embodied in the confidential report dated April 11, 2003, from the Chief Financial Officer and Treasurer, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it concerns matters related to the security of property of the municipality.

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

4.32 **Clause No. 1 of Report No. 2 of The Board of Health, headed “Toronto’s Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms”.**

Procedural Motion:

- (a) Councillor Mihevc moved that Council vote sequentially on motions respecting the end dates for Designated Smoking Rooms, starting with the earliest date.

Motions:

- (b) Councillor Mihevc moved that the Clause be amended by adding to Recommendation No. (1) of the Board of Health, the words “and which employees are not required to access”, so that such recommendation now reads as follows:

“(1) City of Toronto Municipal Code, Chapter 709 - Smoking, be amended immediately to further define a Designated Smoking Room as a room to which no patron under the age of 19 years is permitted and which employees are not required to access;”.

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

(1) deleting from Recommendation No. (2) of the Board of Health, the date “June 1, 2005”, and inserting in lieu thereof the dated “June 1, 2008”, so that such recommendation now reads as follows:

“(2) City of Toronto Municipal Code, Chapter 709 - Smoking, be amended by deleting the exemption for existing Designated Smoking Rooms in workplaces and public places effective June 1, 2008;” and

(2) amending Recommendation No. (3) of the Board of Health to provide that the grandfathering provisions outlined in Recommendation No. (2) apply only to Designated Smoking Rooms applied for before June 1, 2003, and erected before June 1, 2004.

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

“It is further recommended that:

(1) all Designated Smoking Rooms be fitted with devices that automatically close doors to these areas, and that they be fully operational and in good working order at all times; and

(2) the City Solicitor be requested to apply for increased set fines for premises that fail to comply with Designated Smoking Room requirements, as defined in the Smoking By-law.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on whether the practice of distributing free cigarettes at City shelters should be discontinued.”

- (f) Councillor Lindsay Luby moved that the Clause be amended by adding thereto the following:

“It is further recommended that Designated Smoking Rooms, in order to remain so designated, must pass an inspection by the Public Health Department to ensure that they are operating satisfactorily.”

- (g) Councillor Sutherland moved that the Clause be amended by striking out and referring the following Board of Health Recommendations Nos. (2) and (3) and Recommendation No. (4) [only insofar as it pertains to Recommendations No. (2) and (3)], to the Economic Development and Parks Committee:

“The Board of Health recommends that:

- (2) City of Toronto Municipal Code Chapter 709 – Smoking be amended by deleting the exemption for existing Designated Smoking Rooms in workplaces and public places effective June 1, 2005;
- (3) no new applications be approved for Designated Smoking Rooms in workplaces and public places effective immediately;
- (4) the City Solicitor be given the authority to prepare and introduce a Bill in Council to give effect to Recommendations Nos. (2) and (3); and”,

with a request that the Economic Development and Parks Committee:

- (i) hold discussions with industry representatives; and
 - (ii) submit its recommendations in this regard to City Council by September 2003.
- (h) Councillor Minnan-Wong moved that the Clause be amended by deleting Recommendations Nos. (2) and (3) of the Board of Health.
- (i) Mayor Lastman moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the appropriate City staff be authorized to use all the tools at their disposal, including exercising the authority to obtain court prohibition orders forcing bar and restaurant owners/operators to comply with the rules and spirit of the rules under the City of Toronto's by-law in the operation of Designated Smoking Rooms; and
 - (2) the City Solicitor be requested to submit a report to the appropriate Committee on ways in which the City of Toronto can obtain authority to close Designated Smoking Rooms in accordance with the rules or the spirit of the rules under the City of Toronto's by-law."
- (j) Councillor Kelly moved that the Clause be amended by amending Recommendation No. (2) of the Board of Health to provide that existing Designated Smoking Rooms be grandfathered with no time limit.
- (k) Councillor Altobello moved that motion (g) by Councillor Sutherland be amended to provide that the Economic Development and Parks Committee's discussion with industry representatives be limited specifically to the issue of how to implement the phase-out of Designated Smoking Rooms.
- (l) Councillor Flint moved that the Clause be amended by adding thereto the following:
- "It is further recommended that the matter of financial implications be referred to the Commissioner of Economic Development, Culture and Tourism, with a request that he submit a report thereon to the Economic Development and Parks Committee."
- (m) Councillor I. Jones moved that the Clause be amended by adding thereto the following:
- "It is further recommended that the Board of Health be requested to enter into discussions with industry representatives on how to implement the phase-out of Designated Smoking Rooms."
- (n) Councillor Di Giorgio moved that the Clause be amended to provide that effective the date of the enactment of the amendment to the Smoking By-law, food preparation and liquor dispensing areas be excluded from any area to be used as a Designated Smoking Room.
- (o) Councillor Feldman moved that the Clause be amended by adding thereto the following:
- "It is further recommended that:

- (1) the Medical Officer of Health be requested to review any regulations pertaining to smoking on patios, and submit a report thereon to the Economic Development and Parks Committee; and
- (2) the Restaurant and Bar Association be requested to provide the Economic Development and Parks Committee with its views on total smoking or total non-smoking restaurants and bars.”

Withdrawal of Motion:

Councillor Flint, with the permission of Council, withdrew her motion (l).

Votes:

Motion (b) by Councillor Mihevc carried.

Adoption of motion (k) by Councillor Altobello:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Di Giorgio, Duguid, Filion, Flint, I. Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 11	
Councillors:	Cho, Feldman, Hall, Holyday, L. Jones, Kelly, Milczyn, Minnan-Wong, Nunziata, Pitfield, Silva

Carried by a majority of 16.

Adoption of motion (g) by Councillor Sutherland, as amended:

Yes - 19	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Duguid, Feldman, Hall, Holyday, Kelly, Li Preti, Milczyn, Nunziata, Ootes, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 19	

Councillors:	Augimeri, Berardinetti, Bussin, Cho, Filion, Flint, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Tziretas, Walker
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Lost, there being an equality of votes.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to Councillor Minnan-Wong's pronouncement that his affirmative vote had not been recorded as part of the vote taken with respect to the adoption of motion (g) by Councillor Sutherland, ruled that the results of such vote be revised to reflect Councillor Minnan-Wong's affirmative vote.

Councillor Mihevc challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 21	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Feldman, Hall, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 18	
Councillors:	Augimeri, Bussin, Cho, Duguid, Filion, Flint, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Walker

Carried by a majority of 3.

Having regard to the foregoing decision of Council, the vote on the adoption of motion (g) by Councillor Sutherland, as amended, was as follows:

Yes - 20	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Duguid, Feldman, Hall, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 19	

Councillors: Augimeri, Berardinetti, Bussin, Cho, Filion, Flint, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Tziretas, Walker

Carried by a majority of 1.

Having regard to the foregoing decision of Council, Deputy Mayor Ootes declared the following motions redundant:

- motion (a) by Councillor Mihevc;
- motion (c) by Councillor Filion;
- motion (h) by Councillor Minnan-Wong; and
- motion (j) by Councillor Kelly.

Motion (d) by Councillor Moscoe carried.

Adoption of motion (e) by Councillor Nunziata:

Yes - 21	Councillors: Altobello, Balkissoon, Berardinetti, Di Giorgio, Flint, Hall, L. Jones, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Sutherland, Tziretas
No - 18	Mayor: Lastman Councillors: Ashton, Augimeri, Bussin, Cho, Duguid, Feldman, Filion, Holyday, I. Jones, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Soknacki, Walker

Carried by a majority of 3.

Motion (f) by Councillor Lindsay Luby carried.

Motion (i) by Mayor Lastman carried.

Motion (m) by Councillor I. Jones carried.

Adoption of motion (n) by Councillor Di Giorgio, insofar as it pertains to food preparation areas:

Yes - 35	Mayor: Lastman
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Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4 Councillors:	Ashton, Holyday, Milczyn, Sutherland

Carried by a majority of 31.

Adoption of motion (n) by Councillor Di Giorgio, insofar as it pertains to liquor dispensing areas:

Yes - 25 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Feldman, Filion, Flint, I. Jones, L. Jones, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 14 Mayor: Councillors:	Lastman Ashton, Duguid, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Soknacki, Sutherland

Carried by a majority of 11.

Adoption of Part (1) of motion (o) by Councillor Feldman:

Yes - 33 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, I. Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 6 Councillors:	Holyday, L. Jones, Milczyn, Minnan-Wong, Nunziata, Sutherland

Carried by a majority of 27.

Adoption of Part (2) of motion (o) by Councillor Feldman:

Yes - 12	
Councillors:	Duguid, Feldman, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shaw, Silva, Soknacki, Tziretas
No - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shiner, Sutherland, Walker

Lost by a majority of 15.

Adoption of the Clause, as amended:

Yes - 21	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Feldman, Filion, Hall, Li Preti, Lindsay Luby, Milczyn, Moscoe, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki
No - 18	
Councillors:	Augimeri, Duguid, Flint, Holyday, I. Jones, L. Jones, Kelly, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Pitfield, Rae, Sutherland, Tziretas, Walker

Carried by a majority of 3.

In summary, Council amended the Clause:

- (1) by adding to Recommendation No. (1) of the Board of Health, the words “and which employees are not required to access”, so that such recommendation now reads as follows:
 - “(1) City of Toronto Municipal Code, Chapter 709 - Smoking, be amended immediately to further define a Designated Smoking Room as a room to which no patron under the age of 19 years is permitted and which employees are not required to access;”;
- (2) by striking out and referring the following Board of Health Recommendations Nos. (2) and (3) and Recommendation No. (4) [only insofar as it pertains to Recommendations No. (2) and (3)], to the Economic Development and Parks Committee:

“The Board of Health recommends that:

- (2) City of Toronto Municipal Code Chapter 709 – Smoking be amended by deleting the exemption for existing Designated Smoking Rooms in workplaces and public places effective June 1, 2005;
- (3) no new applications be approved for Designated Smoking Rooms in workplaces and public places effective immediately;
- (4) the City Solicitor be given the authority to prepare and introduce a Bill in Council to give effect to Recommendations Nos. (2) and (3); and”

with a request that the Economic Development and Parks Committee:

- (i) hold discussions with industry representatives, such discussions to be limited specifically to the issue of how to implement the phase-out of Designated Smoking Rooms; and
 - (ii) submit its recommendations in this regard to City Council by September 2003;
- (3) to provide that effective the date of the enactment of the amendment to the Smoking By-law, food preparation and liquor dispensing areas be excluded from any area to be used as a Designated Smoking Room; and
 - (4) by adding thereto the following:

“It is further recommended that:

- (a) the Board of Health be requested to enter into discussions with industry representatives on how to implement the phase-out of Designated Smoking Rooms;
- (b) all Designated Smoking Rooms be fitted with devices that automatically close doors to these areas, and that they be fully operational and in good working order at all times;
- (c) Designated Smoking Rooms, in order to remain so designated, must pass an inspection by the Public Health Department to ensure that they are operating satisfactorily;
- (d) the City Solicitor be requested to apply for increased set fines for premises that fail to comply with Designated Smoking Room requirements, as defined in the Smoking

By-law;

- (e) the appropriate City staff be authorized to use all the tools at their disposal, including exercising the authority to obtain court prohibition orders forcing bar and restaurant owners/operators to comply with the rules and spirit of the rules under the City of Toronto's by-law in the operation of Designated Smoking Rooms;
- (f) the City Solicitor be requested to submit a report to the appropriate Committee on ways in which the City of Toronto can obtain authority to close Designated Smoking Rooms in accordance with the rules or the spirit of the rules under the City of Toronto's by-law;
- (g) the Medical Officer of Health be requested to review any regulations pertaining to smoking on patios, and submit a report thereon to the Economic Development and Parks Committee; and
- (h) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on whether the practice of distributing free cigarettes at City shelters should be discontinued."

4.33 **Clause No. 13 of Report No. 3 of The Administration Committee, headed "Civic Centre Food Services - (City Hall - Ward 27 - Toronto Centre-Rosedale) (Metro Hall - Ward 20 - Trinity-Spadina) (East York - Ward 29 - Toronto-Danforth) (Etobicoke - Ward 3 - Etobicoke Centre) (North York - Ward 23 - Willowdale) (Scarborough - Ward 38 - Scarborough Centre) (York - Ward 12 - York South-Weston)".**

Motion:

Councillor Mammoliti moved that the Clause be amended by adding thereto the following:

"It is further recommended that Council adopt the following recommendation of the North York Community Council, embodied in the communication dated April 4, 2003, from the City Clerk:

'The North York Community Council recommends that City Council and the food service consultants be advised that the North York Community Council does not support the recommendations contained in the report (March 18, 2003) from the Commissioner of Corporate Services as it pertains to the North York Civic Centre cafeteria and that the existing cafeteria space should be retained for use by staff and visitors.' "

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

Councillor Ford requested that his opposition to this Clause be noted in the Minutes of the Meeting.

4.34 **Clause No. 15 of Report No. 3 of The Administration Committee, headed “Surplus Land Declaration and Proposed Closing of a Portion of the Kenaston Gardens Road Allowance (Ward 24 - Willowdale)”.**

Motion:

Councillor Mammoliti moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendation of the North York Community Council, embodied in the communication dated April 4, 2003, from the City Clerk:

‘The North York Community Council recommends the adoption of Recommendation No. (2) embodied in the joint report (March 7, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, viz.:

- “(2) that the North York Community Council recommend to Council, conditional upon Council’s approval of the recommendations to the Administration Committee set out herein that the Highway be declared surplus, that:
- (a) subject to compliance with the requirements of the Municipal Act, 2001, and following Council’s approval of a sale of the Highway, the Highway be permanently closed as a public highway;
 - (b) Notice of Completion be published in accordance with the requirements of the Municipal Class Environmental Assessment (‘Class EA’) for a Schedule ‘B’ project, at an estimated cost of \$2,500.00 to be paid by the applicant referred to herein, on the understanding that any such costs paid by the applicant will not be refunded to the applicant unless the Highway is closed and sold to a party other than the applicant, its successors or assigns;

- (c) following Council's approval of a 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;
- (d) following the closure of the Highway, easements be granted to any affected utility companies for the existing utilities plant located in the Highway or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies; and".' "

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

4.35 **Clause No. 36 of Report No. 3 of The Works Committee, headed "Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-101UT, Tender Call No. 343-2002 (Wards 31 and 32 - Beaches-East York)".**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

"It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing."

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.36 **Clause No. 37 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-102TU, Tender Call No. 344-2002 (Wards 26, 29, 30 and 32)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.37 **Clause No. 38 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-103TU, Tender Call No. 345-2002 (Wards 22, 25, 26, 27, 28 and 29)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.38 **Clause No. 39 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-104TU, Tender Call No. 346-2002 (Wards 20, 27 and 28)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.39 **Clause No. 40 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-105TU, Tender Call No. 347-2002 (Wards 19 and 20 - Trinity-Spadina)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.40 **Clause No. 41 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1106TU, Tender Call No. 348-2002 (Wards 13, 14, 18 and 19)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.41 **Clause No. 42 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-107TU, Tender Call No. 349-2002 (Wards 11, 13, 14, 17, 18, 19 and 27)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.42 **Clause No. 43 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-108TU, Tender Call No. 350-2002 (Wards 11, 12, 15 and 17)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.43 **Clause No. 44 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-109TU, Tender Call No. 351-2002 (Wards 15, 17 and 21)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.44 **Clause No. 45 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-110TU, Tender Call No. 352-2002 (Wards 16, 20, 21, 22, 25 and 27)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.45 **Clause No. 46 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-100TU, Tender Call No. 10-2003 (Wards 3, 5 and 6)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.46 **Clause No. 47 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-101TU, Tender Call No. 11-2003 (Wards 3, 4 and 5)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.47 **Clause No. 48 of Report No. 3 of The Works Committee, headed “Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-102TU, Tender Call No. 4-2003 (Wards 1, 2 and 4)”.**

Motion:

Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

4.48 **Clause No. 4 of Report No. 3 of The Works Committee, headed “Policy Review of Solid Waste Management Service Provision to Institutions, Charities and Religious Organizations”.**

Motion to Re-Open:

Councillor Silva, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 18	
Councillors:	Ashton, Augimeri, Balkissoon, Cho, Flint, Holyday, I. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Silva, Soknacki, Tziretas, Walker
No - 17	
Mayor:	Lastman
Councillors:	Altobello, Bussin, Di Giorgio, Duguid, Feldman, Ford, Hall, L. Jones, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner

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

Vote:

The Clause carried, without amendment.

4.49 **Clause No. 40 of Report No. 3 of The Midtown Community Council, headed “Bloorview MacMillan Centre - 350 Rumsey Road (Don Valley West - Ward 26)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pitfield moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the Acting Director, Community Planning, North District, be requested to submit a report to the Midtown Community Council on the lifting of the Holding symbol with respect to this site, such report to provide for the enactment of the lifting by-law upon the registration of the Subdivision Agreement and the Plan of Subdivision,

thereby creating the public road from Rumsey Road to Bayview Avenue; and

- (2) the City Clerk be requested to give Notice, in accordance with the provisions of the Planning Act, of Council's intention to pass a by-law lifting the Holding symbol."

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

4.50 Clause No. 2 of Report No. 3 of The Nominating Committee, headed "Resignations from and Appointment to Community Advisory Committees on Access and Equity".

Motion:

Councillor McConnell moved that the Clause be amended by inserting the following new Part (d) in Recommendation No. (1) of the Nominating Committee:

"(d) from the Status of Women Committee, Marie Simpson;"

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

4.51 Clause No. 6 of Report No. 4 of The Planning and Transportation Committee, headed "Recommendations of the Towing Industry Working Group".

Motion:

Councillor Balkissoon moved that the Clause be amended to provide that Recommendation No. (1) of the Licensing Sub-Committee be subject to implementation effective September 1, 2003.

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 4.52 **Clauses Nos. 3 and 4 of Report No. 4 of The Planning and Transportation Committee, headed “Development of a Formula to Determine the Number of Ambassador Tax Licences to be Issued”, and “Development of a Formula to Review Taxi Meter Rates for Possible Fare Increases”, respectively.**

Procedural Motion:

Councillor Moscoe moved that Council consider Clauses Nos. 3 and 4 of Report 4 of The Planning and Transportation Committee together, given that they both pertain to taxicabs, which carried.

Motions:

- (a) Councillor Milczyn moved that Clause No. 3 be amended by striking out Recommendation No. (1) of the Planning and Transportation Committee, and inserting in lieu thereof the following:

“(1) Council approve the issuance of 217 Ambassador taxi plates as a ‘catch-up’ in the calendar year 2003, and that Municipal Code Chapter 545, Licensing, be so amended and authority be granted for the introduction of the necessary bill in Council to give effect thereto, and further approve:

- (a) that prior to any further taxi plates being issued, Council request the Commissioner of Urban Development Services to conduct a full study of current market conditions as they relate to the taxi industry and to review and enforce, where necessary, the plate issuance formula; and
- (b) that the Commissioner of Urban Development Services be requested to conduct a consumer satisfaction survey of users to determine what initiatives the City should undertake to improve the quality of taxi services to Toronto residents and visitors, and submit a report to the Planning and Transportation Committee by January 2004;”.

- (b) Councillor Korwin-Kuczynski moved that consideration of Clause No. 3 be deferred pending receipt of an economic impact study to be undertaken to determine the appropriate direction regarding the issuance of additional Ambassador plates, and further, that Council adopt the following recommendation:

“It is recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee in the first quarter of 2004, or earlier, on appropriate modification of the Reform Model.”

Vote on Deferral:

Adoption of motion (b) by Councillor Korwin-Kuczynski:

Yes - 10	
Councillors:	Berardinetti, Feldman, Holyday, Kelly, Korwin-Kuczynski, Mammoliti, Milczyn, Nunziata, Ootes, Silva
No - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Di Giorgio, Flint, Hall, L. Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Pitfield, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 13.

Motion:

- (c) Mayor Lastman moved that Part (1)(a) of motion (a) by Councillor Milczyn be amended to provide that after the 217 plates have been issued in 2003, the Commissioner of Urban Development Services be requested to review the necessity for the issuance of further Ambassador taxi licences on a yearly basis, and to submit a report to the Planning and Transportation Committee and Council, in order that Council may make a decision each year in this regard.

Votes:

Adoption of motion (c) by Mayor Lastman:

Yes - 15	
Mayor:	Lastman
Councillors:	Ashton, Di Giorgio, Duguid, Feldman, Ford, Kelly, Korwin-Kuczynski, Mammoliti, Milczyn, Nunziata, Ootes, Shaw, Silva, Tziretas
No - 26	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shiner, Sutherland, Walker

Lost by a majority of 11.

Adoption of Part (1)(a) of motion (a) by Councillor Milczyn, without amendment:

Yes - 15	
Mayor:	Lastman
Councillors:	Ashton, Di Giorgio, Duguid, Feldman, Ford, Holyday, Kelly, Mammoliti, Milczyn, Nunziata, Ootes, Shaw, Silva, Tziretas
No - 26	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Fillion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shiner, Sutherland, Walker

Lost by a majority of 11.

Adoption of Part (1)(b) of motion (a) by Councillor Milczyn:

Yes - 19	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Di Giorgio, Duguid, Feldman, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Silva, Tziretas
No - 22	
Councillors:	Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Fillion, Flint, Hall, I. Jones, L. Jones, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Pitfield, Rae, Sutherland, Walker

Lost by a majority of 3.

Adoption of Clause No. 3, without amendment:

Yes - 30	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Feldman, Fillion, Flint, Hall, I. Jones, L. Jones, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Walker
No - 11	
Mayor:	Lastman

Councillors:	Ashton, Di Giorgio, Duguid, Ford, Holyday, Korwin-Kuczynski, Milczyn, Nunziata, Ootes, Tziretas
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Carried by a majority of 19.

Adoption of Clause No. 4, without amendment:

Yes - 40
Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 0

Carried, without dissent.

4.53 **Clause No. 33 of Report No. 3 of The Works Committee, headed “Reduction of Speed Limit on Don Valley Parkway During Construction of Road Emergency Services Communications Unit (RESCU) System Expansion (Don Valley West, Toronto-Danforth, Don Valley East)”.**

Motion to Re-Open:

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

Motion:

Councillor Duguid moved that the Clause be amended to provide that all occurrences of the words “Three Valley Drive” throughout the Clause be deleted, and the words “Three Valleys Drive” be inserted in lieu thereof.

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

4.54 **Clause No. 5 of Report No. 4 of The Planning and Transportation Committee, headed “Amendment to Municipal Code, Chapter 545, Licensing, Relative to Ambassador Taxicab Owner's Licences”.**

Motion:

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

“It is further recommended that:

- (1) the report dated April 11, 2003, from the City Solicitor, be received; and
- (2) authority be granted for the introduction of the necessary bill in Council to enact the following action taken by City Council at its meeting on November 25, 26 and 27, 1998, by its adoption, as amended, of Clause No. 1 of Report No. 13 of The Emergency and Protective Services Committee, entitled ‘Final Report of the Task Force to Review the Taxi Industry’:

‘That Recommendation No. (14)(d) of Appendix 1 of the report (November 25, 1998) from the Commissioner of Urban Development Services be amended by adding the following new paragraph:

“Standard licence owners shall not be permitted to sell, transfer, lease or assign a licence to a corporation that owns one licence or more, effective immediately.”’ ”

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (a) by Councillor Moscoe, ruled such part out of order.

Councillor Chow challenged the ruling of the Deputy Mayor:

Vote to Uphold Ruling of Deputy Mayor:

Yes - 17	
Mayor:	Lastman
Councillors:	Ashton, Di Giorgio, Duguid, Feldman, Ford, Holyday, Kelly, Korwin-Kuczynski, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Silva, Soknacki, Sutherland
No - 22	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Filion, Flint, Hall, I. Jones, L. Jones, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pantalone, Rae, Shaw, Shiner, Walker

Lost by a majority of 5.

Motions:

- (b) Councillor Balkissoon moved that the Clause be amended by deleting the words “Toronto Licensing Tribunal” from Recommendation No. (2) of the Planning and Transportation Committee, and inserting in lieu thereof the words “Municipal Licensing and Standards Division, Urban Development Services”, so that such recommendation now reads as follows:
- “(2) Schedule 8 of By-law 574-2000 be amended to establish that hours of operation for Ambassador Taxicabs be a minimum of 36 hours during any seven-day period unless specifically exempted on a short term basis due to vacation or illness which has been reported to the Municipal Licensing and Standards Division, Urban Development Services within a two week period;”.
- (c) Councillor Chow moved that the Clause be amended to provide that the City of Toronto Municipal Code, Chapter 545, Licensing, be amended to include the following conditions:
- (1) an owner may sell his or her standard taxicab and its equipment only to a corporation that does not hold one or more owner’s licences, or to any individual person; and
 - (2) upon the sale of a standard taxicab and its equipment, a new licence may be issued subject to the condition that where the purchaser is a corporation, the purchaser does not hold one or more owners’ licences.
- (d) Councillor Miller moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (i) the report dated April 11, 2003, from the City Solicitor, be received; and
- (ii) the City Solicitor be requested to bring forward to Council, the relevant Bill to implement the previous decision of Council.”

Withdrawals of Motions:

Councillor Chow, with the permission of Council, withdrew her motion (c).

Councillor Moscoe, with the permission of Council, withdrew his motion (a).

Votes:

Motion (b) by Councillor Balkissoon carried.

Adoption of motion (d) by Councillor Miller:

Yes - 29	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Walker
No - 7	
Mayor:	Lastman
Councillors:	Flint, Holyday, Kelly, Korwin-Kuczynski, Milczyn, Ootes

Carried by a majority of 22.

Adoption of the Clause, as amended:

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, I. Jones, L. Jones, Kelly, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Walker
No - 4	
Mayor:	Lastman

Councillors: Holyday, Korwin-Kuczynski, Milczyn

Carried by a majority of 27.

In summary, Council amended the Clause by:

- (1) deleting the words "Toronto Licensing Tribunal" from Recommendation No. (2) of the Planning and Transportation Committee, and inserting in lieu thereof the words "Municipal Licensing and Standards Division, Urban Development Services", so that such recommendation now reads as follows:

“(2) Schedule 8 of By-law 574-2000 be amended to establish that hours of operation for Ambassador Taxicabs be a minimum of 36 hours during any seven-day period unless specifically exempted on a short term basis due to vacation or illness which has been reported to the Municipal Licensing and Standards Division, Urban Development Services within a two week period;”; and

- (2) adding thereto the following:

“It is further recommended that:

- (i) the report dated April 11, 2003, from the City Solicitor, be received; and
- (ii) the City Solicitor be requested to bring forward to Council, the relevant Bill to implement the previous decision of Council.”

4.55 Clause No. 23 of Report No. 3 of The Works Committee, headed “Establishment of Kyoto Task Force”.

Motion:

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

“It is further recommended that Councillor Raymond Cho be added to the membership of the Kyoto Task Force.”

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

“It is further recommended that Councillor Brian Ashton be added to the membership of the Kyoto Task Force.”

Votes:

Motion (a) by Councillor Cho carried.

Motion (b) by Councillor Ashton carried.

The Clause, as amended, carried.

4.56 Clause No. 21 of Report No. 4 of The Toronto East York Community Council, headed "Ontario Municipal Board Hearing - 28 Rees Street (Trinity -Spadina, Ward 20)".

Motion:

Councillor Chow moved that the Clause be amended by striking out the recommendation of the Toronto East York Community Council, and inserting in lieu thereof the following:

“It is recommended that Council adopt the confidential report dated April 14, 2003, from the City Solicitor, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information that is subject to solicitor/client privilege.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

4.57 Clause No. 16 of Report No. 3 of The Works Committee, headed "Identification and Directional Road Signage Policy".

Motion:

Councillor Ashton moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on a policy for maintaining ‘orphaned’ road signage, i.e. signage which is no longer associated with a business improvement area or a community association.”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

4.58 **Clause No. 9 of Report No. 3 of The Works Committee, headed “Amendment to Design-Build Contract for Dufferin Organics Processing Facility”.**

Motion:

Councillor Moscoe moved that the Clause be amended to provide that the Contract include a component which requires the operator to better control truck queuing on Vanley Crescent, and if necessary, to develop stacking lanes on the site itself to avoid blocking driveways and impeding other industrial traffic within this neighbourhood.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.59 **Clause No. 11 of Report No. 2 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Zoning Code - Princess Garden Management, 1137-1141 Royal York Road - File No. TA ZBL 2001 0002 (Ward 4 - Etobicoke Centre)”.**

Motion:

Councillor Lindsay Luby moved that the Clause be amended by striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that Council adopt the following Motion:

‘WHEREAS City staff recommended that the application be approved with either a 17-storey height limit stepping down to 11 storeys, or a 14-storey height limit stepping down to 10 storeys (Option “C”); and

WHEREAS Etobicoke Community Council approved the application with the building footprint shown as Option “C”, but with a 10-storey height limit; and

WHEREAS the proposal for a 14-storey building, stepping down to a height of 10 storeys shown as Option “C” is an appropriate use of the land;

NOW THEREFORE BE IT RESOVED THAT Council adopt the recommendations embodied in the staff report dated February 24, 2003, from the Director, Community Planning, West District, to approve the development of a 14-storey building, stepping down to 10 storeys, using the footprint shown as Option “C”, subject to the following:

- (a) that all greenspace on the site be accessible to the residents of both the existing building and the new building;
- (b) before introducing the necessary Bills in Council for enactment, the City Solicitor shall be satisfied that the owner has provided a Letter of Understanding confirming the provision to the tenants of window coverings, and that there will be no flow through rent increases; and
- (c) before introducing the necessary Bills in Council for enactment, the Owner shall be required to enter into an agreement with the City of Toronto, respecting transportation improvements on Royal York Road and Royal York Court, a sidewalk on Royal York Court, and any other services deemed necessary by the Commissioner of Works and Emergency Services;

AND BE IT FURTHER RESOVLED THAT the following reports be received:

- (i) (December 18, 2002) from the Director, Community Planning, West District;
- (ii) (February 11, 2003) from the Director, Transportation Services, District 2; and
- (iii) (April 8, 2003) from the Commissioner of Urban Development Services.’
”

Votes:

The motion by Councillor Lindsay Luby carried.

The Clause, as amended, carried.

- 4.60 **Clause No. 35 of Report No. 3 of The Works Committee, headed “Additional Expenditures - Mowing of Grass and Ancillary Litter Pick-Up on City of Toronto Roads, Don Valley Parkway and F.G. Gardiner Expressway - District 1 Area 1 – Contract No. 02D1-151TG, Tender Call No. 48-2002”.**

Motion:

Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the feasibility of a similar program enhancement for the William R. Allen Road.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 4.61 **Clause No. 1 of Report No. 5 of The Planning and Transportation Committee, headed “Central Waterfront Secondary Plan ‘Making Waves’, the Proposed Secondary Plan for the Central Waterfront (Parkdale-High Park, Trinity-Spadina, Toronto Centre-Rosedale, Broadview-Greenwood, Toronto-Danforth, Beaches-East York, Wards 14, 19, 20, 28, 30 and 32)”.**

Motions:

Councillor Nunziata in the Chair.

- (a) Councillor Altobello moved that the Clause be amended:

- (1) in accordance with the following recommendation embodied in the communication dated April 10, 2003, from the General Secretary, Toronto Transit Commission:

“The Toronto Transit Commission requests Toronto City Council to amend the Central Waterfront Secondary Plan by adding to Section 5: Making it Happen, of the report the following:

- ‘(2) District-Specific Transit Implementation Schedule Required Before Development Can Proceed

Because of the area-wide, integrated, nature of developing an effective transit network, transit implementation must be managed on a broader area-planning basis. It cannot be managed effectively through precinct planning, or a sub-area planning process. To achieve the objectives of the Central Waterfront Plan, a high level of transit use is required in each of the four development areas, and it is essential that transit-oriented travel patterns be established from the outset. For this reason, the implementation of transit improvements will require a separate financial planning and approval process.

For each of the four development areas, a staged implementation schedule, and accompanying financial plan for the construction and operation of transit facilities, will be required before development can proceed in that development area. This will ensure that high-order transit services are constructed at an early stage in the development process and that the transit-oriented objectives of the plan are achieved from the outset.' ”; and

- (2) in accordance with the following recommendations embodied in the report dated April 11, 2003, from the Commissioner of Urban Development Services:

“It is recommended that:

- (1) the proposed Secondary Plan for the Central Waterfront ‘Making Waves’ as attached to the report from the Commissioner of Urban Development Services dated March 12, 2003, as amended by the motions of the Planning and Transportation Committee at its meeting held on April 4, 2003, and as further amended by the recommendations of this report, attached as Appendix A and the accompanying maps be adopted as an amendment to the existing Official Plan for the former City of Toronto;
- (2) Council request the appropriate civic officials to take the necessary actions to modify the new City of Toronto Official Plan adopted by Council on November 26, 27, and 28, 2002, to reflect any changes resulting from the adoption of the Secondary Plan for the Central Waterfront; and
- (3) Council direct all City Departments, Agencies, Boards and Commissions and other related bodies owning, or managing land within the Central Waterfront Area to continue to manage their land holdings within the Central Waterfront in a manner which is consistent with the policies of the Secondary Plan and Council’s Reporting and Communications Protocol for Waterfront Revitalization.”

- (b) Councillor Feldman moved that Part (2) of motion (a) by Councillor Altobello be amended to provide that it be subject to:

- (1) amending Map A, headed “Central Waterfront Secondary Plan - Roads Plan”, to show the line between the Don Roadway and the Turning Basin, as a dashed line; and

- (2) requesting the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee on a strategy which will address the Toronto Film Media Complex in the Portlands, with respect to the final alignment of Basin Street.
- (c) Councillor Pantalone moved that:
- (1) the Clause be amended by adding thereto to the following:
- “It is further recommended that staff from the City of Toronto and the Toronto Waterfront Revitalization Corporation be congratulated for a job well done in completing a Secondary Plan that achieved the City’s objectives in a manner which has received widespread community support.”; and
- (2) all motions pertaining to uses in the development parcels of the Plan be referred to the Commissioner of Urban Development Services for consideration during the Precinct Plan.
- (d) Councillor Ashton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that Council reaffirm the principle that transit is a core element of the future redevelopment of the Waterfront.”

Deputy Mayor Ootes in the Chair.

- (e) Councillor Korwin-Kuczynski moved that the Clause be amended by amending Core Principles (P21) and (D25) contained in Appendix A to the report dated March 12, 2003, from the Commissioner of Urban Development Services, to now read as follows:
- “(P21) Pedestrian and cycling routes will be safe, attractive, comfortable and generously landscaped. Easy and safe cycling and pedestrian access from residential communities to the waterfront are a priority along the entire waterfront.”; and
- (D25) Exhibition Place, historically a place for celebration and exhibition, will expand into a dynamic area where people work and visit.”
- (f) Councillor Bussin moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the appropriate staff from Urban Development Services be requested to meet with the Friends of the Spit to discuss mutual interests and concerns with respect to a potential isthmus at the entry of the Leslie Street Spit.”

(g) Councillor Miller moved that the Clause be amended:

(1) in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, subject to amending the recommendation embodied therein to now read as follows:

“It is recommended that a 33-metre right-of-way be specified for the Front Street extension between Bathurst Street and a point 170 metres east of Strachan Avenue.”; and

(2) by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested:

(1) in consultation with the Chair of the Waterfront Reference Group, to work with the Toronto Waterfront Revitalization Corporation to develop a list of priority, quick start items, including an evaluation of the following ideas:

(i) starting the naturalization and parks projects;

(ii) starting the waters’ edge projects, including the proposed pedestrian/cycling bridge;

(iii) starting to build the TTC facilities; and

(iv) reviewing the IBI Group’s proposal regarding the F.G. Gardiner Expressway; and

(2) to submit a report, through the Waterfront Reference Group, on the status and timing of the precinct planning process by the end of 2003.”

(h) Councillor L. Jones moved that the Clause be amended by adding thereto the following:

“It is further recommended that the City of Toronto commit to the inclusion of green industrial uses over the promotion of any further heavy industrial uses within the Central Waterfront Plan.”

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

“It is further recommended that City Council recognize the efforts of Mayor Mel Lastman, who kick-started the Waterfront Plan initiative, and express its gratitude for this lasting legacy.”

Votes:

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

Yes - 21	
Councillors:	Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Ford, Holyday, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Soknacki
No - 12	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Feldman, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Nunziata, Shaw, Silva

Carried by a majority of 9.

Having regard to the foregoing decision of Council, motion (e) by Councillor Korwin-Kuczynski, and motion (h) by Councillor L. Jones, were referred to the Commissioner of Urban Development Services for consideration during the Precinct Plan.

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

Motion (b) by Councillor Feldman carried.

Part (2) of motion (a) by Councillor Altobello, as amended, carried.

Part (1) of motion (g) by Councillor Miller carried.

Adoption of Part (1) of motion (c) by Councillor Pantalone:

Yes - 33	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki
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No - 0

Carried, without dissent.

Motion (d) by Councillor Ashton carried.

Motion (f) by Councillor Bussin carried.

Part (2) of motion (g) by Councillor Miller carried.

Adoption of motion (i) by Councillor Pitfield:

Yes - 32	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki

No - 0

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki

No - 0

Carried, without dissent.

In summary, Council amended this Clause:

- (1) in accordance with the following recommendations embodied in the report dated April 11, 2003, from the Commissioner of Urban Development Services:

“It is recommended that:

- (1) the proposed Secondary Plan for the Central Waterfront 'Making Waves' as attached to the report from the Commissioner of Urban Development Services dated March 12, 2003, as amended by the motions of the Planning and Transportation Committee at its meeting held on April 4, 2003, and as further amended by the recommendations of this report, attached as Appendix A and the accompanying maps be adopted as an amendment to the existing Official Plan for the former City of Toronto;
- (2) Council request the appropriate civic officials to take the necessary actions to modify the new City of Toronto Official Plan adopted by Council on November 26, 27, and 28, 2002, to reflect any changes resulting from the adoption of the Secondary Plan for the Central Waterfront; and
- (3) Council direct all City Departments, Agencies, Boards and Commissions and other related bodies owning, or managing land within the Central Waterfront Area to continue to manage their land holdings within the Central Waterfront in a manner which is consistent with the policies of the Secondary Plan and Council's Reporting and Communications Protocol for Waterfront Revitalization.”

subject to:

- (i) amending Map A, headed “Central Waterfront Secondary Plan - Roads Plan”, to show the line between the Don Roadway and the Turning Basin, as a dashed line; and
 - (ii) requesting the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee on a strategy which will address the Toronto Film Media Complex in the Portlands, with respect to the final alignment of Basin Street;
- (2) in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, subject to amending the recommendation embodied therein to now read as follows:

“It is recommended that a 33-metre right-of-way be specified for the Front Street extension between Bathurst Street and a point 170 metres east of Strachan Avenue.”;
- (3) in accordance with the following recommendation embodied in the communication dated April 10, 2003, from the General Secretary, Toronto Transit Commission:

“The Toronto Transit Commission requests Toronto City Council to amend the Central Waterfront Secondary Plan by adding to Section 5: Making it Happen, of the report the

following:

(2) District-Specific Transit Implementation Schedule Required Before Development Can Proceed

Because of the area-wide, integrated, nature of developing an effective transit network, transit implementation must be managed on a broader area-planning basis. It cannot be managed effectively through precinct planning, or a sub-area planning process. To achieve the objectives of the Central Waterfront Plan, a high level of transit use is required in each of the four development areas, and it is essential that transit-oriented travel patterns be established from the outset. For this reason, the implementation of transit improvements will require a separate financial planning and approval process.

For each of the four development areas, a staged implementation schedule, and accompanying financial plan for the construction and operation of transit facilities, will be required before development can proceed in that development area. This will ensure that high-order transit services are constructed at an early stage in the development process and that the transit-oriented objectives of the plan are achieved from the outset.' ”; and

(4) by adding thereto the following:

“It is further recommended that:

(a) Council reaffirm the principle that transit is a core element of the future redevelopment of the Waterfront;

(b) the Commissioner of Urban Development Services be requested:

(1) in consultation with the Chair of the Waterfront Reference Group, to work with the Toronto Waterfront Revitalization Corporation to develop a list of priority, quick start items, including an evaluation of the following ideas:

(i) starting the naturalization and parks projects;

(ii) starting the waters’ edge projects, including the proposed pedestrian/cycling bridge;

(iii) starting to build the TTC facilities; and

(iv) reviewing the IBI Group’s proposal regarding the F.G. Gardiner

Expressway; and

- (2) to submit a report, through the Waterfront Reference Group, on the status and timing of the precinct planning process by the end of 2003;
- (c) the appropriate staff from Urban Development Services be requested to meet with the Friends of the Spit to discuss mutual interests and concerns with respect to a potential isthmus at the entry of the Leslie Street Spit;
- (d) the following motions pertaining to uses in the development parcels of the Plan be referred to the Commissioner of Urban Development Services for consideration during the Precinct Plan:
 - (1) Moved by Councillor L. Jones:

‘It is recommended that the City of Toronto commit to the inclusion of green industrial uses over the promotion of any further heavy industrial uses within the Central Waterfront Plan.’; and
 - (2) Moved by Councillor Korwin-Kuczynski:

‘That the Clause be amended by amending Core Principles (P21) and (D25) contained in Appendix A to the report dated March 12, 2003, from the Commissioner of Urban Development Services, to now read as follows:

“(P21) Pedestrian and cycling routes will be safe, attractive, comfortable and generously landscaped. Easy and safe cycling and pedestrian access from residential communities to the waterfront are a priority along the entire waterfront.”; and

(D25) Exhibition Place, historically a place for celebration and exhibition, will expand into a dynamic area where people work and visit.” ’;
- (e) City Council recognize the efforts of Mayor Mel Lastman, who kick-started the Waterfront Plan initiative, and express its gratitude for this lasting legacy; and
- (f) staff from the City of Toronto and the Toronto Waterfront Revitalization Corporation be congratulated for a job well done in completing a Secondary Plan that achieved the City’s objectives in a manner which has received widespread community support.”

4.62 **Clause No. 6 of Report No. 3 of The Policy and Finance Committee, headed “2003 Caribana Festival (All Wards)”.**

Motion:

Councillor Cho moved that the Clause be amended to provide that the 2003 funding of the Caribana Festival include clear provisions for the Junior Carnival at Scarborough Malvern.

Votes:

The motion by Councillor Cho carried.

The Clause, as amended, carried.

4.63 **Clause No. 67 of Report No. 4 of The Toronto East York Community Council, headed “Other Items Considered by the Community Council”.**

Procedural Motion:

Councillor Chow moved that Council waive the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, in order to allow her to move a motion with respect to Item (t), entitled “Ontario Municipal Board Appeal - 466-468 Brunswick Avenue (Trinity Spadina, Ward 20)”, embodied in the Clause, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Chow moved that the Clause be received as information, subject to amending Item (t), entitled “Ontario Municipal Board Appeal - 466-468 Brunswick Avenue (Trinity Spadina, Ward 20)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, by:

- (1) receiving the confidential report dated April 11, 2003, from the City Solicitor; and
- (2) issuing confidential instructions to staff,

such report and instructions to remain confidential, in their entirety, in accordance with the provisions of the Municipal Act, having regard that they are subject to solicitor/client privilege.

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, was received as information.

4.64 **Clause No. 18 of Report No. 3 of The Works Committee, headed “Disposal of Abandoned Shopping Carts”.**

Motion:

Councillor Hall moved that the Clause be amended:

- (1) to provide that the program for the disposal of abandoned shopping carts:
 - (a) in no way precludes continuation of existing arrangements for dealing with shopping carts abandoned in ravines and other locations; and
 - (b) include, as part of the public information campaign, the retrieval of shopping carts from ravines; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit reports to the Works Committee:

 - (a) in one year’s time, on the success of this partnership;
 - (b) on other measures that retailers have undertaken to ensure that shopping carts are kept on-site as a preventative measure; and
 - (c) on the feasibility of creating a by-law to ensure that shopping carts are kept on-site.”

Votes:

The motion by Councillor Hall carried.

The Clause, as amended, carried.

4.65 **Clause No. 8 of Report No. 3 of The Administration Committee, headed “Death Benefits Versus Severance Payments, Members of Council”.**

Motion:

Councillor Walker moved that the Clause be received.

Vote on Receipt:

The motion by Councillor Walker carried.

4.66 **Clause No. 15 of Report No. 3 of The Policy and Finance Committee, headed “Requests for Funding for Legal Fees for Certain Individuals Who Have Standing or Will Be Called as Witnesses at the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry”.**

Motions:

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

“It is further recommended that:

- (1) Council adopt the joint report dated April 11, 2003, from the Chief Administrative Officer and the City Solicitor, embodying the following recommendation:

‘It is recommended that City Council approve funding for legal representation for Brendan Power who has standing at the Inquiry, based on the terms set out in this report.’; and

- (2) the City Solicitor be requested to submit a report to Council, through the Policy and Finance Committee, with a list of current and former employees who have sought funding for legal fees, such report to include information on those who are being funded, those who are not, and the extent to which funding is, will or has been granted.”

- (b) Councillor Walker moved that the Clause be amended by adding the words “and Members of Council” after the words “City employees”, in Recommendation No. (2), embodied in the joint report dated March 31, 2003, from the Chief Administrative Officer and the City Solicitor, so that such recommendation now reads as follows:

“(2) confirm that funding for legal representation to City employees and Members of Council who will be called as witnesses will also be available to staff who leave their employment with the City before the completion of the Inquiry on the terms set out in this report.”

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 24 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Duguid, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Silva, Walker
No - 4 Councillors: Ford, Holyday, Li Preti, Nunziata

Carried by a majority of 20.

Adoption of motion (b) by Councillor Walker:

Yes - 21 Councillors: Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Duguid, Flint, Hall, I. Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Walker
No - 4 Councillors: Ford, Holyday, Li Preti, Nunziata

Carried by a majority of 17.

The Clause, as amended, carried.

4.67 Clause No. 9 of Report No. 3 of The Community Services Committee, headed “Purchase Contract for Supply of TTC Tickets”.

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 2 Councillors: Ashton, Ford
No - 26 Mayor: Lastman Councillors: Augimeri, Bussin, Chow, Duguid, Flint, Hall, L. Jones, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker

Lost by a majority of 24.

The Clause carried, without amendment.

Councillor Ford requested that his opposition to this Clause be recorded in the Minutes of the Meeting.

4.68 Clause No. 34 of Report No. 3 of The Administration Committee, headed “Purchase of Toronto Transit Commission Tokens”.

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 2 Councillors: Ford, Minnan-Wong
No - 28 Mayor: Lastman Councillors: Ashton, Augimeri, Bussin, Chow, Duguid, Flint, Hall, Holyday, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker

Lost by a majority of 26.

Adoption of the Clause, without amendment:

Yes - 29	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Chow, Duguid, Flint, Hall, Holyday, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 28.

4.69 Clause No. 6 of Report No. 4 of The Toronto East York Community Council, headed “Supplementary Settlement Report - 22 Bathurst Street (St. Mary’s Cement) (Trinity-Spadina, Ward 19)”.

Motion:

Councillor Pantalone moved that the Clause be amended in accordance with the report dated April 14, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) Attachment 1 to the March 18, 2003 supplementary settlement report respecting St. Mary’s Cement from the Director of Community Planning, South District, be replaced with Attachment 1 to this report; and
- (2) the draft Zoning By-law and Zoning By-law maps:
 - (a) set a minimum 7 metre height limit along Fort York Boulevard between the west property line of St. Mary’s and the 15-storey building facing Street ‘B’;
 - (b) set a minimum 20 metre height limit along Fort York Boulevard at the north end of the 15-storey building along Street ‘B’; and

- (c) require building setbacks along Street 'B'."

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

4.70 **Clause No. 11 of Report No. 3 of The Community Services Committee, headed “2003 Food and Hunger Action Fund Allocations and Appeals”.**

Motions:

(a) Councillor Ford moved that:

(1) the Clause be received; and

(2) Council adopt the following recommendation:

“It is recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee providing further details on the actual expenditures made by the recipients of Food and Hunger Action Fund grants, with respect to their administrative expenses versus food costs.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to enter into discussions with officials from the Toronto Atmospheric Fund regarding partnership initiatives.”

Votes:

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

Yes - 1 Councillor:	Ford
No - 30 Mayor:	Lastman

Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Walker
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Lost by a majority of 29.

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

Yes - 20	
Mayor:	Lastman
Councillors:	Balkissoon, Cho, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Walker
No - 11	
Councillors:	Ashton, Augimeri, Bussin, Chow, Di Giorgio, I. Jones, L. Jones, Miller, Moscoe, Pantalone, Rae

Carried by a majority of 9.

Motion (b) by Councillor Moeser carried.

Adoption of the Clause, as amended:

Yes - 30	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Walker
No - 2	
Councillors:	Ashton, Ford

Carried by a majority of 28.

- 4.71 **Clause No. 14 of Report No. 3 of The Economic Development and Parks Committee, headed "Assignment of Toronto Island Marina Lease (Ward 28 – Toronto Centre -Rosedale)".**

Motion:

Councillor McConnell moved that the Clause be amended in accordance with the following recommendations:

“It is recommended that:

- (1) in addition to the requirements outlined in the March 24, 2003 recommendations of the Economic Development and Parks Committee, the assignment shall be conditional upon all prepaid mooring fees being transferred by the existing tenant to the City, such funds to be held in trust or in a separate account, as deemed appropriate by the Chief Financial Officer and Treasurer, all but \$100,000.00 of which shall be distributed to the assignees immediately following the effective date of the assignment;
- (2) the \$100,000.00 in prepaid mooring fees retained by the City shall be returned to the assignees in \$25,000.00 payments to be made monthly or at such times as the Commissioner of Economic Development, Culture and Tourism is satisfied that the required infrastructure repairs are being made to bring the marina to a safe operating condition, the last payment not to be released until the Commissioner is satisfied with the condition of the marina;
- (3) the existing obligations under the lease for the marina be maintained to require that, at the conclusion of the lease in October 2005, the marina must be left in a first class condition, and further that first class condition be clarified to mean that the marina is safe, meets all legislative and operational requirements as is necessary for the continued safe and prudent operation of the marina, to the satisfaction of the Commissioner;
- (4) Council confirm that staff should commence a proposal call process in the fall of 2004 for the operation of the Marina past October 2005; and
- (5) the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Corporate Services and the City Solicitor be requested to report to the Administration Committee on appropriate clauses to include in new leases to ensure that when lessors are in default of their obligations under their lease, their ability to influence the assignment of their lease is limited and that Council’s option to re-tender such lease is secured.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

4.72 Clause No. 7 of Report No. 4 of The Planning and Transportation Committee, headed “York Rapid Transit Plan (YRTP) and the Quick Start Program”.*Motion:*

Councillor Shiner moved that the Clause be amended by:

- (1) deleting from Recommendation No. (3) of the Planning and Transportation Committee, the words “Premier of Ontario not support the Mayor’s” and inserting in lieu thereof the words “Prime Minister of Canada not support the Premier’s”, so that such recommendation now reads as follows:

“(3) should the Prime Minister of Canada not support the Premier’s request as outlined in Recommendation No. (2), then the Premier be requested to commit the Province of Ontario to return to 75 percent funding for TTC capital; and”;

- (2) amending Recommendation No. (4) of the Planning and Transportation Committee to now read as follows:

“(4) the Premier of Ontario be advised of the City’s concerns regarding the Quick Start Program as proposed by York Region.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

4.73 Clause No. 9 of Report No. 1 of The Audit Committee, headed “SAP Financial and Human Resources/Payroll Information Systems - Post Implementation Review”.*Advice by City Clerk:*

The City Clerk advised the Council that having regard that this Clause contains a recommendation which amends the Auditor General’s Workplan, two-thirds of all Members of Council voting in the affirmative would be required to adopt the Clause.

Vote:

Adoption of the Clause, without amendment:

Yes - 27 Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Feldman, Hall, L. Jones, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 5 Councillors:	Flint, Ford, Holyday, Kelly, Li Preti

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

Motion to Re-Open:

Councillor Mihevc, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 26 Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4 Councillors:	Ford, Holyday, Kelly, Li Preti

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

Disposition:

Having regard that Council did not conclude its consideration of this matter prior to the end of the meeting, consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.74 **Clause No. 2 of Report No. 3 of The Works Committee, headed ‘New and Emerging Technologies, Policies and Practices Status Report from Working Group and Recommendations for Next Steps’.**

Motion:

Councillor Bussin moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee by September 30, 2003, on the results of the Request for Expressions of Interest, the proposed content and requirements of the Request for Qualifications, and the workplan and timeframe for the environmental assessment process; and
- (2) Councillor Laura Jones be appointed as a Member of the New and Emerging Technologies, Policies and Practices Working Group.”

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

4.75 **Clause No. 8 of Report No. 3 of The Works Committee, headed ‘Long-Term Source Separated Organics Processing Strategy’.**

Motion to Re-Open:

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

Motion:

Councillor Miller moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Request for Proposals not preclude an option for the City to own and operate

its own facility;

- (2) the Request for Proposals include an option for a proponent to build a facility that would be owned and operated by the City of Toronto; and
- (3) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as part of the 2004 budget process, on the costs and benefits of a City-owned and operated facility (or facilities)."

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 4.76 **Clause No. 26 of Report No. 3 of The Works Committee, headed "Proposed Settlement of Claim Arising from Fire at U.S.E. Hickson Products Ltd. Premises (Ward 44 - Scarborough East)".**

Vote:

The Clause carried, without amendment.

Councillor Moeser requested that his opposition to this Clause be recorded in the Minutes of the Meeting.

- 4.77 **Clause No. 25 of Report No. 3 of The Administration Committee, headed "Declaration as Surplus - Parcel of Vacant Land - Northwest Corner of Islington Avenue and Muir Avenue (Ward 7 - York West)".**

Motion:

Councillor Mammoliti moved that the Clause be amended to provide that Habitat for Humanity be offered the right of first refusal if the property is to be listed for sale.

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

4.78 **Clause No. 22 of Report No. 3 of The North York Community Council, headed “Final Report – Application to Amend Zoning By-law 7625 - TB ZBL 2002 0003 - Talisker GP Inc. - 2233 Sheppard Avenue West - Ward 7 - York West”.**

Motion:

Councillor Mammoliti moved that the Clause be amended by adding to the Recommendation of the North York Community Council, the following:

“subject to the negotiations currently taking place with Parks and Recreation staff respecting a 14-acre piece of land behind the property, and the preliminary resolution of these negotiations, being:

- (1) \$1.00 per month for the 14-acres of land; and
- (2) the Parks and Recreation Division covering the costs of the posts for the soccer field”,

so that such recommendation now reads as follows:

“The North York Community Council recommends the adoption of the report (March 4, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, subject to the negotiations currently taking place with Parks and Recreation staff respecting a 14-acre piece of land behind the property, and the preliminary resolution of these negotiations, being:

- (1) \$1.00 per month for the 14-acres of land; and
- (2) the Parks and Recreation Division covering the costs of the posts for the soccer field.”

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

4.79 **Clause No. 20 of Report No. 3 of The North York Community Council, headed “Final Report - Application to Amend the Zoning By-law - TB ZBL 2002 0008 - Daniels Kenaston Gardens - 25-39 and 28-38 Kenaston Gardens - Ward 24 - Willowdale”.**

Motion to Re-Open:

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

Motion:

Councillor Shiner moved that the Clause be amended in accordance with the following Motion:

“WHEREAS Daniels Kenaston Gardens has made application TB ZBL 2002 0008 to amend Zoning By-law No. 7625 on the lands municipally known as 25-39 and 28-38 Kenaston Gardens in order to permit the construction of a 28-storey apartment building; and

WHEREAS on April 2, 2003, North York Community Council recommended the application be approved subject to the conditions outlined in the report from the Acting Director, Community Planning, North District, Urban Development Services dated March 13, 2003; and

WHEREAS City Council adopted the decision of North York Community Council; and

WHEREAS the Council decision includes a condition that requires the owner to obtain Site Plan approval under Section 41 of the Planning Act before introducing the Bill to Council for enactment; and

WHEREAS notice has been forwarded by the Acting Director, Community Planning, North District, advising that he is prepared to approve site plan application TB SPC 2002 0020 by April 22, 2003; and

WHEREAS due to timing issues the area Councillor has not had an opportunity to review the site plan application with staff; and

WHEREAS the applicant has requested the Zoning By-law be enacted at this session of City Council;

NOW THEREFORE BE IT RESOLVED THAT:

- (i) Recommendation No. (3)(iii) of the report from the Acting Director, Community Planning, North District, dated March 13, 2003, requiring the owner to obtain Site Plan approval under Section 41 of the Planning Act prior to the enactment of the Zoning By-law be deleted; and

- (ii) the Site Plan application be approved by the Acting Director, Community Planning, North District and the local Ward Councillor, following enactment of the Zoning By-law.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

4.80 **Clause No. 1 of Report No. 2 of The Striking Committee, headed “Appointments of Members of Council to the Special Committee to Structure a Five-Year Fiscal Plan”.**

Motions:

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

“It is further recommended that Council adopt the report dated April 10, 2003, from the Chief Administrative Officer, embodying the following recommendations:

‘It is recommended that:

- (1) the Terms of Reference for the Ad Hoc Committee for a Five-Year Fiscal Plan as listed in Appendix 1 be adopted; and
 - (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”
- (b) Councillor Shiner moved that the Clause be amended to provide that Councillor Tziretas be appointed as the seventh Member of the Special Committee to Structure a Five-Year Fiscal Plan.

Votes:

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

4.81 **Clause No. 48 of Report No. 3 of The Administration Committee, headed ‘Bill 210 - The New Electricity Legislation’.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

- (i) the City of Toronto work in partnership with the Association of Municipalities of Ontario in preparing input into the Province’s new electricity legislation, at an approximate cost of \$2,000.00; and
- (ii) the joint report dated April 11, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Chief Administrative Officer and the City Solicitor seek clarification from the Ministry of Municipal Affairs and Housing on mechanisms to provide for consistent treatment of municipalities and their agencies by the Ontario government, both within Municipal Affairs and across other ministries, to avoid the issues created by the impact of the Bill 210 amendments on the City and its agencies, and report the outcome of those discussions to the ABC Ad Hoc Committee for its consideration; and
- (2) the Chief Financial Officer seek clarification from the Ministry of Energy on the details of the MPMR reimbursements expected to apply to City agencies, in particular the eligibility criteria, the formula to apply, and the effective and payment dates.’ ”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.82 **Clause No. 25 of Report No. 3 of The Community Services Committee, headed “Shelter, Housing and Support Division’s Let’s Build Program - Extension of Contract of the Special Advisor, Housing Development”.**

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 6 Councillors:	Altobello, Augimeri, Ford, I. Jones, Milczyn, Ootes
No - 29 Councillors:	Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 23.

Adoption of the Clause, without amendment:

Yes - 33 Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 3 Councillors:	Altobello, Ford, Milczyn

Carried by a majority of 30.

4.83 **Clause No. 16 of Report No. 3 of The Policy and Finance Committee, headed “Revised Budgets for the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry”.**

Motion:

Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Policy and Finance Committee on the feasibility of:

- (1) the cancellation of leases on unused computer licences that are not required by the City of Toronto; and
- (2) the selling of the more than 50 percent of the unused computer licences that were purchased for lease back to the City; and
- (3) applying any funds accruing from the sale of these licences towards the cost of the Inquiry.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.84 **Clause No. 22 of Report No. 3 of The Community Services Committee, headed “Outstanding Hydro Charges - Various Non-Profit Agencies”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is further recommended that the report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services, be adopted, subject to amending the recommendations embodied therein as follows:

- (i) deleting Recommendation No. (1) and inserting in lieu thereof the following:

“(1) the Commissioner of Community and Neighbourhood Services be authorized to draw on available sources of funding including the Supporting Communities Partnership Initiative (SCPI) in the amount of \$20,000.00 and the Social Assistance Reserve Fund up to a maximum of \$163,979.80 for the payment of the outstanding Hydro bill and part of the go-forward costs, of Chill Out and Furniture Bank, the two occupants of 200 Madison Avenue;”;

- (ii) deleting Recommendation No. (2); and
- (iii) renumbering Recommendation No. (3) accordingly,

so that the recommendations now read as follows:

“It is recommended that:

“(1) the Commissioner of Community and Neighbourhood Services be authorized to draw on available sources of funding including the Supporting Communities Partnership Initiative (SCPI) in the amount of \$20,000.00 and the Social Assistance Reserve Fund up to a maximum of \$163,979.80, for the payment of the outstanding Hydro bill and part of the go-forward costs, of Chill Out and Furniture Bank, the two occupants of 200 Madison Avenue;”;

(2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

(b) Councillor Chow moved that motion (a) by Councillor Walker be amended:

- (1) by deleting from Part (i) the words “Social Assistance Reserve Fund” and inserting in lieu thereof the words “Mayor’s Homelessness Initiative Fund”; and
- (2) to provide that the funding to cover the outstanding Hydro bill for Chill Out and Furniture Bank be in the form of a loan, and that the agencies be requested to make their best effort to repay the loan to the City.

Disposition:

Having regard that Council did not conclude its consideration of this matter prior to the end of this meeting, consideration the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.85 **Clause No. 24 of Report No. 3 of The Works Committee, headed “Protocol for the Control of Mosquito Larvae to Prevent and Control West Nile Virus”.**

Motions:

- (a) Councillor Duguid moved that the Clause be amended in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the enhanced West Nile Virus public education program be approved for \$200,000.00 in 2003 subject to the Province of Ontario providing a maximum of \$100,000.00 towards the program in 2003;
- (2) the Province of Ontario confirm in writing its funding for this initiative in 2004 and future years as required before the program continues in 2004 and beyond;
- (3) the 2003 Operating Budget for Toronto Public Health be increased by \$200,000.00 gross and \$0.00 (zero) net;
- (4) the 2003 Operating Budget for Water and Wastewater Services programs be increased by \$100,000.00 to be paid to Toronto Public Health as offset through a reduction of \$100,000.00 in the Contribution to Capital accounts;
- (5) the 2003 Operating Budget for Works and Emergency Services Support Services be increased by \$200,000.00 gross and \$0.00 (zero) net for this initiative as will be charged to Toronto Public Health accounts as an Inter-Departmental Charge (IDC); and
- (6) the appropriate City officials be authorized to take the necessary action to give effect thereto.”

- (b) Councillor Cho moved that the Clause be amended by:

- (i) adding to Recommendation No. (2) of the Works Committee, the words “including stormwater management ponds if possible”, after the word “creeks”, so that such recommendation now reads as follows:

“(2) catch basin cleaning be implemented in those areas near rivers and creeks, including stormwater management ponds if possible, and that the use of a larvicide not be introduced if possible; and”; and

(ii) adding thereto the following:

“It is further recommended that the Toronto Board of Health:

- (1) be requested to call an emergency meeting on the West Nile Virus issue; and
- (2) be encouraged to request special funding from the Province of Ontario in order to undertake additional public education in this regard.”

(c) Councillor Pantalone moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Public Health Department and other City Departments be requested to train employees in this area, and that students be used as an additional resource as required.”

Votes:

Motion (a) by Councillor Duguid carried.

Adoption of Part (i) of motion (b) by Councillor Cho:

Yes - 26
Councillors: Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Flint, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Shaw, Soknacki, Tziretas, Walker
No - 9
Councillors: Bussin, Di Giorgio, Duguid, Ford, Holyday, Pantalone, Pitfield, Rae, Shiner

Carried by a majority of 17.

Motion (c) by Councillor Pantalone carried.

Part (ii)(1) of motion (b) by Councillor Cho lost.

Adoption of Part (ii)(2) of motion (b) by Councillor Cho:

Yes - 32 Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Walker
No - 2 Councillors: Ford, Holyday

Carried by a majority of 30.

The Clause, as amended, carried.

In summary, Council amended the Clause:

- (1) by adding to Recommendation No. (2) of the Works Committee, the words “including stormwater management ponds if possible”, after the word “creeks”, so that such recommendation now reads as follows:

“(2) catch basin cleaning be implemented in those areas near rivers and creeks, including stormwater management ponds if possible, and that the use of a larvicide not be introduced if possible; and”;

- (2) in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the enhanced West Nile Virus public education program be approved for \$200,000.00 in 2003 subject to the Province of Ontario providing a maximum of \$100,000.00 towards the program in 2003;
- (2) the Province of Ontario confirm in writing its funding for this initiative in 2004 and future years as required before the program continues in 2004 and beyond;
- (3) the 2003 Operating Budget for Toronto Public Health be increased by \$200,000.00 gross and \$0.00 (zero) net;

- (4) the 2003 Operating Budget for Water and Wastewater Services programs be increased by \$100,000.00 to be paid to Toronto Public Health as offset through a reduction of \$100,000.00 in the Contribution to Capital accounts;
 - (5) the 2003 Operating Budget for Works and Emergency Services Support Services be increased by \$200,000.00 gross and \$0.00 (zero) net for this initiative as will be charged to Toronto Public Health accounts as an Inter-Departmental Charge (IDC); and
 - (6) the appropriate City officials be authorized to take the necessary action to give effect thereto.”; and
- (3) by adding thereto the following:
- “It is further recommended that:
- (a) the Toronto Board of Health be encouraged to request special funding from the Province of Ontario in order to undertake additional public education in this regard; and
 - (b) the Public Health Department and other City Departments be requested to train employees in this area, and that students be used as an additional resource as required.”

4.86 Clause No. 31a of Report No. 1 of The Midtown Community Council, headed “56 Haslemere Road – Removal of Two City-Owned Trees (Don Valley West - Ward 25)”.

Motion:

Councillor Pantalone moved that the Clause be amended by striking out the Recommendation of the Midtown Community Council, and inserting in lieu thereof the following:

“It is recommended that Council approve the request for tree removal, subject to:

- (1) the applicant paying \$900.00 for the removal cost and \$425.00 for the replacement cost, for a total of \$1,325.00; and
- (2) the applicant planting two replacement trees, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

4.87 **Clause No. 32a of Report No. 1 of The Midtown Community Council, headed “170 Dawlish Avenue - Removal of One City-Owned Tree (Don Valley West - Ward 25)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by deleting Recommendation No. (i) of the Midtown Community Council, and inserting in lieu thereof the following:

- “(i) the applicant paying removal costs of \$350.00, replacement costs of \$428.00, and an additional \$428.00 for an additional tree, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;”.

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

4.88 **Clause No. 33a of Report No. 1 of The Midtown Community Council, headed “87 Heathcote Avenue - Request to Remove One City-Owned Tree (Don Valley West - Ward 25)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by:

- (1) deleting Recommendation No. (1) of the Midtown Community Council, and inserting in lieu thereof the following:
 - “(1) the applicant paying \$2,200.00 towards the appraised tree value, and the applicant being responsible for the removal and replacement costs;”;
- (2) deleting Recommendation No. (2) of the Midtown Community Council; and
- (3) renumbering Recommendation No. (3) of the Midtown Community Council accordingly,

so that such recommendations now read as follows:

“The Midtown Community Council recommends the approval of the request for tree removal, subject to:

- (1) the applicant paying \$2,200.00 towards the appraised tree value, and the applicant being responsible for the removal and replacement costs; and
- (2) the applicant applying for and receiving a curb cut from the Commissioner of Works and Emergency Services.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

4.89 Clause No. 1 of Report No. 3 of The Community Services Committee, headed “Toronto Emergency Medical Services Hospital Off-Loading Policy Changes”.

Motions:

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

“It is further recommended that the Executive Director of the Toronto District Health Council be requested to submit a report to City Council, through the Community Services Committee, and to other stakeholders as appropriate, on the impacts of these policy changes six months after the changes have been implemented.”

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

“It is further recommended that the Emergency Medical Services Chief and General Manager be requested to:

- (a) direct Emergency Medical Services staff to report any instances where a hospital is not prepared to receive patients in accordance with the City’s policy; and

- (b) submit a report to the Community Services Committee on the feasibility of levying a charge against the respective hospital in each case, such charge to be equivalent to the charge levied against a patient for ambulance services, with the charge to be deducted prior to remitting these funds to the respective hospital.”

Votes:

Motion (a) by Councillor Soknacki carried.

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, carried.

4.90 **Clause No. 7 of Report No. 3 of The Community Services Committee, headed “Ontario Works Benefit Rates: Loss of Purchasing Power Since 1995”.**

Motion:

Councillor Walker moved that the Clause be struck out and referred back to the Community Services Committee for further consideration, together with the following Motion and the communication dated November 7, 2002, from Councillor Michael Walker:

“Proposal for a Two-Year Rent Freeze

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

‘WHEREAS between 1995 and 2001 the average rent for all CMA rental units across the City of Toronto has increased by 29 percent while Ontario’s Consumer Price Index (CPI) has increased by only 12.8 percent; and

WHEREAS little to no affordable rental housing has been constructed in the City of Toronto since the implementation of the Tenant Protection Act in 1998; and

WHEREAS 44 percent of tenant households spend more than 30 percent of their income on housing and 22 percent of tenant households spend more than 50 percent of their income on housing; and

WHEREAS visits to local food banks have reached all-time highs while over the last five to seven years donations have not increased correspondingly due to lack of discretionary income; and

WHEREAS a growing number of tenants, particularly seniors and single-parent families are consistently faced with the choice of rent or food; and

WHEREAS as a member of the Group of Eight nations, it is shameful that this situation continues and continues to get worse; and

WHEREAS the City of Toronto has advocated for a “costs no-longer borne” regulation, demolition controls, the restoration of real Rent Controls and a legislated Rent Roll Back; and

WHEREAS Tenants cannot afford to wait for a new provincial government to introduce fairer legislation while rents continue to spiral out of control and beyond their ability to pay; and

WHEREAS the New Democratic Party of Ontario advocates a two-year rent freeze to allow for a return to an updated Rent Control Act;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto petition the Provincial Government to freeze rents for two years until there has been a fair review of the Tenant Protection Act and a levelling of the playing field in landlord-tenant relations;

AND BE IT FURTHER RESOLVED THAT Toronto City Council continue to lobby the Provincial Government and the Opposition parties to adopt and publicly endorse this two-year rent freeze.’ ”

Vote on Referral:

The motion by Councillor Walker carried.

4.91 **Clause No. 2 of Report No. 2 of The Board of Health, headed “Severe Acute Respiratory Syndrome (SARS)”.**

Motion:

Councillor Pitfield moved that Council request the Commissioner of Community and Neighbourhood Services to submit a report to the next meeting of the Community Services Committee, scheduled to be held on May 1, 2003, on the actions that have been taken to address Severe Acute Respiratory Syndrome (SARS) in the drop-in and shelter systems.

Vote:

The motion by Councillor Pitfield carried.

Disposition:

Having regard that Council did not conclude its consideration of this Clause prior to the end of the meeting, consideration was deferred to a special meeting of City Council to be held at the call of the Mayor.

IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

April 14, 2003:

4.92 **Appointment of the Fire Chief**

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Ootes

“WHEREAS the Chief Administrative Officer has submitted a confidential report dated April 9, 2003, with respect to a personnel matter pertaining to the appointment of a Fire Chief;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached confidential report dated April 9, 2003, from the Chief Administrative Officer, and that such confidential report be adopted.”

City Council also had before it, during consideration of Motion J(13), a confidential report dated April 9, 2003, from the Chief Administrative Officer, such report now public in its entirety, with the exception of the attachments thereto, such attachments to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they contain personal information about an identifiable individual (See Attachment No. 5, Page 260).

Motions Moved in Public Session:

- (a) Councillor Miller moved that Motion J(13) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services, together with the City’s Director of Employee and Labour Relations, be requested to submit reports to the Administration Committee, in six and twelve months’ time, through the Personnel Sub-Committee, on labour relations issues in the Toronto Fire Service and a strategy to improve them.”

- (b) Councillor Berardinetti moved that Motion J(13) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the performance review of the Fire Chief, to be conducted annually by the Commissioner of Works and Emergency Services, include an assessment of whether improvements are being made in the labour relations between the Fire Chief and the Toronto Professional Fire Fighters Association, and the Commissioner of Works and Emergency Services be requested to report thereon to the Personnel Sub-Committee.”

- (c) Councillor Silva moved that motions (a) and (b), moved that Councillors Miller and Berardinetti, respectively, be amended to provide that the Commissioner of Works and Emergency Services be requested to consult with the Toronto Professional Fire Fighters Association, to address its concerns, prior to his report being submitted to the Personnel Sub-Committee.

- (d) Councillor McConnell moved that Motion J(13) be amended to provide that:

- (1) Council appoint an Interim Fire Chief effective May 1, 2003;
- (2) the process to select a Fire Chief be restarted;
- (3) the services of a head hunter be secured;
- (4) the Toronto Professional Fire Fighters Association be invited to sit on the selection panel;
- (5) interested Members of Council be invited to attend meetings held during the selection process; and
- (6) City Council make a final decision on the appointment of a Fire Chief no later than its September 2003 meeting.

Procedural Motion:

Deputy Mayor Ootes at 7:07 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Motion J(13), in accordance with the provisions of the Municipal Act, having regard that the Motion J(13) contains personal information about an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 7:10 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

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

Report of the Committee of the Whole:

Deputy Mayor Ootes took the Chair, called the Members to order and advised that Council had not concluded its discussion in Committee of the Whole, and that a vote would now be taken on a motion moved by Councillor Chow, that the requirement of the 7:30 p.m. recess be waived in order to allow Council to conclude its consideration of Motion J(13) [See Minute No. 4.157, Page 221].

Procedural Motion:

Deputy Mayor Ootes at 7:30 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to resume its consideration of Motion J(13), in accordance with the provisions of the Municipal Act, having regard that Motion J(13) contains personal information about an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 7:30 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:45 p.m., and met in public session in the Council Chamber.

Report of the Committee of the Whole:

Deputy Mayor Ootes took the Chair, called the Members to order and, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(13):

Motion:

- (e) Councillor Miller moved that Motion J(13) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT in future competitions that require Council approval, the process for such competitions be approved by City Council prior to commencement.”

Votes:

Adoption of motion (d) by Councillor McConnell:

Yes - 15	
Councillors:	Augimeri, Bussin, I. Jones, L. Jones, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Rae, Shaw, Silva, Walker
No - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Li Preti, Lindsay Luby, Miller, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Tziretas

Lost by a majority of 8.

Motion (c) by Councillor Silva carried.

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

Motion (b) by Councillor Berardinetti, as amended, carried.

Motion (e) by Councillor Miller carried.

Adoption of Motion J(13), as amended:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, Li Preti, Lindsay Luby, Mihevc, Miller, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas
No - 9	
Councillors:	Bussin, Korwin-Kuczynski, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Shaw, Walker

Carried by a majority of 20.

In summary, Council adopted Motion J(13), subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT:

- (1) the performance review of the Fire Chief, to be conducted annually by the Commissioner of Works and Emergency Services, include an assessment of whether improvements are being made in the labour relations between the Fire Chief and the Toronto Professional Fire Fighters Association, and the Commissioner of Works and Emergency Services be requested to report thereon to the Personnel Sub-Committee, after consultation with the Toronto Professional Fire Fighters Association;
- (2) the Commissioner of Works and Emergency Services, together with the City’s Director of Employee and Labour Relations, be requested to submit reports to the Administration Committee, in six and twelve months’ time, through the Personnel Sub-Committee, after consultation with the Toronto Professional Fire Fighters Association, on labour relations issues in the Toronto Fire Service and a strategy to improve them; and
- (3) in future competitions that require Council approval, the process for such competitions be approved by City Council prior to commencement.”

Council, by its adoption of Motion J(13), as amended, adopted, without amendment, the confidential report dated April 9, 2003, from the Chief Administrative Officer, embodying the following recommendations, such report now public in its entirety, with the exception of the attachments

thereto, such attachments to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they contain personal information about an identifiable individual:

“It is recommended that:

- (1) William A. Stewart be appointed to the position of Fire Chief and that such appointment be effective May 1, 2003;
- (2) the Commissioner of Works and Emergency Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;
- (3) following successful conclusion of the negotiations authorized by Recommendation No. (2), the City be authorized to enter into an employment contract with William A. Stewart as Fire Chief, based on the terms and conditions of employment negotiated by the Commissioner, such contract to have contents satisfactory to the Chief Administrative Officer and otherwise in the interests of the City and to be in a form acceptable to the City Solicitor;
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of the necessary Bill to appoint William A. Stewart as Fire Chief under the Fire Protection and Prevention Act, 1997; and
- (5) By-law No. 6-1998, which appointed Mr. Alan Speed to the office of Fire Chief for the City of Toronto, be repealed effective at the end of April 30, 2003.”

April 15, 2003:

4.93 **1015 Lake Shore Boulevard East - Canadian Tire Real Estate Application for Official Plan Amendment and Rezoning**

Councillor L. Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(32), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor L. Jones

Seconded by: Councillor Pantalone

“**WHEREAS** Canadian Tire Real Estate applied to the City for an Official Plan Amendment

and Rezoning on April 25, 2002, to permit a large scale retail store, office building and related retail units at the southwest corner of Lake Shore Boulevard East and Leslie Street;

WHEREAS following City Council's adoption of the report of the Commissioner of Urban Development Services dated May 21, 2002, refusing such application, the applicant and City Planning and Legal staff held a series of meetings to determine whether mutually acceptable design modifications could be arrived at, pending the commencement of an Ontario Municipal Board hearing in this matter on May 26, 2003; and

WHEREAS the Commissioner of Urban Development Services and the City Solicitor have submitted a joint confidential report dated April 11, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the joint confidential report dated April 11, 2003, from the Commissioner of Urban Development Services and the City Solicitor, and such report be adopted."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(32) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(32), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 38, Page 314.)

Procedural Vote:

The vote to waive referral of Motion J(32) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(32), a confidential joint report dated April 11, 2003, from the Commissioner of Urban Development Services and the City Solicitor, such report now public in its entirety (See Attachment No. 8, Page 268).

Motion:

Deputy Mayor Ootes at 6:50 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following matters, in

accordance with the provisions of the Municipal Act, having regard that they contain information which is subject to solicitor-client privilege:

- (i) Motion J(32), moved by Councillor L. Jones, seconded by Councillor Pantalone, respecting 1015 Lake Shore Boulevard East - Canadian Tire Real Estate Application for Official Plan Amendment and Rezoning; and
- (ii) Clause No. 24 of Report No. 3 of The Community Service Committee, headed "Update Regarding the Status of Litigation with The Learning Enrichment Foundation".

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:52 p.m. to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

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

Report of the Committee of the Whole:

- 4.94 **Motion J(32), moved by Councillor L. Jones, seconded by Councillor Pantalone, respecting 1015 Lake Shore Boulevard East - Canadian Tire Real Estate Application for Official Plan Amendment and Rezoning.**

Motion:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(32):

Councillor L. Jones moved that Motion J(32), be adopted, subject to adding to the Operative Paragraph, the following words:

“subject to:

- (1) adding to Recommendation No. (3), the words ‘including an appropriate landscape treatment which reflects the gateway characteristics of the site and including consideration of a bike path along the perimeter of the site’; and

- (2) adding the following new Recommendation No. (4):

- ‘(4) Canadian Tire be requested to implement environmentally-friendly practices to the overall development of the site, including stormwater management, waste reduction techniques and overall energy efficient methods.’ ”

Votes:

The motion by Councillor L. Jones carried.

Motion J(32), as amended, carried.

Council, by its adoption of Motion J(32), as amended, adopted, as amended, the confidential joint report dated April 11, 2003, from the Commissioner of Urban Development Services and the City Solicitor, such report now public in its entirety, the recommendations embodied therein, as amended by City Council, to now read as follows:

“It is recommended that:

- (1) Council endorse the terms of settlement as outlined in the staff report;
- (2) Council authorize the City Solicitor to present the terms of settlement to the Ontario Municipal Board at the upcoming hearing scheduled for May 27, 2003, and to prepare the necessary Official Plan Amendments and draft Zoning By-law Amendments to implement same;
- (3) Council authorize the execution of a Section 37 Agreement containing the terms outlined in the body of this report, and any other agreements required to implement the proposed development, including an appropriate landscape treatment which reflects the gateway characteristics of the site and including consideration of a bike path along the perimeter of the site; and
- (4) Canadian Tire be requested to implement environmentally-friendly practices to the overall development of the site, including stormwater management, waste reduction techniques and overall energy efficient methods.”

4.95 Clause No. 24 of Report No. 3 of The Community Services Committee, headed “Update Regarding the Status of Litigation with The Learning Enrichment Foundation”.

Councillor Nunziata in the Chair.

Acting Chair Nunziata, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

Motions Moved in Public Session:

- (a) Councillor Miller moved that the Clause be struck out and referred back to the Community Services Committee for further consideration, and the City Solicitor be requested to meet with the solicitor for the Learning Enrichment Foundation.
- (b) Councillor Di Giorgio moved that motion (a) by Councillor Miller be amended to provide that the City Solicitor be requested to submit a report thereon to the next regular meeting of Council scheduled to be held on May 21, 2003.
- (c) Councillor Moscoe moved that the City Solicitor be requested to provide the Learning Enrichment Foundation's Statement of Claim and the City of Toronto's counterclaim to Members of Council upon request.
- (d) Councillor Holyday moved that the Clause be amended by adding thereto the following:

“It is further recommended that should no settlement be reached within one month, the confidential joint report dated March 11, 2003, from the Commissioner of Community and Neighbourhood Services and the City Solicitor be adopted without further consideration by City Council.”

Votes:

Adoption of motion (b) by Councillor Di Giorgio:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Ford, Hall, I. Jones, Li Preti, Lindsay Luby, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Walker
No - 2	
Councillors:	Feldman, Holyday

Carried by a majority of 20.

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

Yes - 17 Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, I. Jones, Li Preti, Lindsay Luby, McConnell, Miller, Moscoe, Nunziata, Pantalone, Rae, Walker
No - 7 Mayor: Councillors:	Lastman Chow, Feldman, Ford, Hall, Holyday, Milczyn

Carried by a majority of 10.

Acting Chair Nunziata, having regard to the foregoing decision of Council, declared motion (d) by Councillor Holyday redundant.

Motion (c) by Councillor Moscoe carried.

In summary, Council struck out and referred this Clause back to the Community Services Committee for further consideration, and the City Solicitor was requested to:

- (1) meet with the solicitor for the Learning Enrichment Foundation, and submit a report thereon to the next regular meeting of Council scheduled to be held on May 21, 2003; and
- (2) provide the Learning Enrichment Foundation's Statement of Claim and the City of Toronto's counterclaim to Members of Council upon request.

ADDITIONAL MATTER CONSIDERED BY COUNCIL

Deputy Mayor Ootes in the Chair.

4.96 Severe Acute Respiratory Syndrome (SARS)

Motion:

Councillor Mihevc, with the permission of Council, moved that Council direct that a Special Meeting of City Council be held at the call of the Mayor in order to consider various matters related to Severe Acute Respiratory Syndrome (SARS).

Vote:

Adoption of the motion by Councillor Mihevc:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 3	
Councillors:	Holyday, Kelly, Pantalone

Carried by a majority of 30.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

4.97 Proposed ‘Super Hospital’ – Keele Street and Sheppard Avenue

Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper, as follows:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

“**WHEREAS** the Humber River Regional Hospital has put forward a proposal to build a new ‘Super Hospital’ at Keele Street and Sheppard Avenue, on the former DND lands in Downsview, to replace services currently provided at the Church Street and Finch Avenue sites and at the former Northwestern General Hospital; and

WHEREAS the Toronto District Health Council has, at the Ontario Provincial Government’s request, reviewed this proposal and rejected it as not being in the best interest of the Community; and

WHEREAS the closure of Northwestern General Hospital has resulted in above average time in the transfer of patients by the Toronto EMS paramedics to the Church Street and Finch Avenue sites; and

WHEREAS despite the rejection of this proposal by the Toronto District Health Council, the Ontario Provincial Government appears set to proceed with this proposal, without having conducted appropriate public consultations on the impact of the delivery of Health Care and of this development on the communities affected;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council formally request the Ontario Provincial Government to commit to a public consultation process on this proposal, prior to any formal decisions being made;

AND BE IT FURTHER RESOLVED THAT the Ontario Provincial Government be requested to commit to public disclosure of all information relevant to this proposal and of all correspondence between the Minister of Health and the Humber River Regional Hospital.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 1, Page 277.)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(1) prior to the end of this meeting, consideration of Motion F(1) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.98 **Support to Defend Against the Appeal With Respect to the Sale of Hydro One**

Deputy Mayor Ootes called upon Notice of Motion F(2) appearing on the Order Paper, as follows:

Moved by: **Councillor Chow**

Seconded by: **Councillor Miller**

“**WHEREAS** City Council on April 16, 17 and 18, 2002, adopted a number of motions as part of Policy and Finance Committee Report No. 6, Clause No. 1, headed ‘Implications of the Sale of Hydro One for the City of Toronto’, calling on the Provincial Government to stop the sale of Hydro One because of the many negative impacts such a sale could have on Torontonians; and

WHEREAS City Council on April 16, 17 and 18, 2002, adopted a motion stating ‘that the Mayor and Members of the Toronto City Council ask the Provincial Government and the new Premier of Ontario, Ernie Eves, to cancel the decision to privatize Hydro One and deregulate the energy market’; and

WHEREAS the Province is appealing the Superior Court decision made on April 19, 2002, that stopped the sale of Hydro One; and

WHEREAS the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees are defending against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS given City Council’s position on the sale of Hydro One, it is in the interest of the City to help the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defence against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS timely support by the City to the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defence against the appeal launched by the Ontario Government will greatly improve their ability to launch a successful defence;

NOW THEREFORE BE IT RESOLVED THAT the City support the action of the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees as they defend against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One at the Ontario Court of Appeal and that this support be 25 percent (or up to a maximum of \$40,000.00) of the legal fees;

AND BE IT FURTHER RESOLVED THAT funds be drawn for this purpose from the Legal Department Account for outside legal advice;

AND BE IT FURTHER RESOLVED THAT the Association of Municipalities of Ontario and Ontario cities with population over 50,000 be requested to consider joining the City of Toronto in providing financial support.”

City Council also had before it, during consideration of Motion F(2), the following report and communication:

- (i) report dated September 27, 2002, from the City Solicitor, entitled "Potential Sale of Hydro One - Status of Legal Proceedings" (See Attachment No. 1, Page 233); and
- (ii) communication dated October 7, 2002, from Steven Shrybman, Sack Goldblatt Mitchell, Barristers and Solicitors, submitted by Councillor Layton, which is on file in the Office of the City Clerk.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 2, Page 278.)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(2) prior to the end of this meeting, consideration of Motion F(2) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.99 **City Employees Strike - Summer of 2002**

Deputy Mayor Ootes called upon Notice of Motion F(3) appearing on the Order Paper, as follows:

Moved by: Councillor Bussin

Seconded by: Councillor Jones

“WHEREAS it has become abundantly clear, in light of the recent decision of the Provincial Arbitrator, Tim Armstrong, that the City employees strike of last summer was eminently avoidable and completely unnecessary, evident in his awarding of the City employees’ wage and job security provisions rejected by City management; and

WHEREAS the 16-day strike caused the withdrawal of important City services from the citizens of Toronto resulting in the closure of pools, cancelled summer camps, streets filled with garbage and the loss of public confidence in the City to properly administer its affairs; and

WHEREAS Mr. Armstrong, in his decision, recognized the need for greater co-operation between the City and its Unions, stating in his report: ‘The good news is that there is considerable intelligence and talent on both sides... The challenge is to mobilize this talent to work co-operatively and move in constructive directions. But this is unlikely to happen without openly expressed support and encouragement from the most senior levels –

bureaucratic/administrative and political.’ – clearly placing the onus on the City to ‘get its labour relations in order’;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council acknowledge and devise strategies on the need to improve its labour relations with City unionized staff to avoid the possibility of future withdrawal of services; and
- (2) City Council also acknowledge that last summer's strike was unnecessary and affirm that it is the dedication and professionalism of City workers that, in large measure, make Toronto '*the greatest City in the World*'."

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 3, Page 279.)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(3) prior to the end of this meeting, consideration of Motion F(3) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.100 Proposal for a Two-Year Rent Freeze

Deputy Mayor Ootes called upon Notice of Motion F(4) appearing on the Order Paper, as follows:

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

“WHEREAS between 1995 and 2001 the average rent for all CMA rental units across the City of Toronto has increased by 29 percent while Ontario's Consumer Price Index (CPI) has increased by only 12.8 percent; and

WHEREAS little to no affordable rental housing has been constructed in the City of Toronto since the implementation of the Tenant Protection Act in 1998; and

WHEREAS 44 percent of tenant households spend more than 30 percent of their income on housing and 22 percent of tenant households spend more than 50 percent of their income on housing; and

WHEREAS visits to local food banks have reached all-time highs while over the last five to seven years donations have not increased correspondingly due to lack of discretionary income; and

WHEREAS a growing number of tenants, particularly seniors and single-parent families are consistently faced with the choice of rent or food; and

WHEREAS as a member of the Group of Eight nations, it is shameful that this situation continues and continues to get worse; and

WHEREAS the City of Toronto has advocated for a 'costs no-longer borne' regulation, demolition controls, the restoration of real Rent Controls and a legislated Rent Roll Back; and

WHEREAS Tenants cannot afford to wait for a new provincial government to introduce fairer legislation while rents continue to spiral out of control and beyond their ability to pay; and

WHEREAS the New Democratic Party of Ontario advocates a two-year rent freeze to allow for a return to an updated Rent Control Act;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto petition the Provincial Government to freeze rents for two years until there has been a fair review of the Tenant Protection Act and a levelling of the playing field in landlord-tenant relations;

AND BE IT FURTHER RESOLVED THAT Toronto City Council continue to lobby the Provincial Government and the Opposition parties to adopt and publicly endorse this two-year rent freeze.”

City Council also had before it, during consideration of Motion F(4), a communication dated November 7, 2002, from Councillor Michael Walker, addressed to the Members - Tenant Defence Sub-Committee, submitted by Councillor Walker, which is on file in the office of the City Clerk.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(4), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 4, Page 280.)

Disposition:

Motion F(4) was considered with Clause No. 7 of Report No. 3 of The Community Services Committee, headed "Ontario Works Benefit Rates: Loss of Purchasing Power Since 1995", and subsequently referred to the Community Services Committee for further consideration. (See Minute No. 4.90, Page 97.)

4.101 Establishment of Four Community Councils

Deputy Mayor Ootes called upon Notice of Motion F(5) appearing on the Order Paper, as follows:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Holyday**

“WHEREAS on October 3, 2000, Council elected to retain six (6) Community Councils; and

WHEREAS on November 6, 7 and 8, 2001, Council adopted, without amendment, Clause No. 10 of Report No. 16 of The Administration Committee, headed 'Four District Model for City Public Services (All Wards)'; and

WHEREAS on July 30 and 31 and August 1, 2002, Council adopted, as amended, Clause No. 2 of Report No. 10 of The Administration Committee, headed 'Four District Model for City Public Services (All Wards)', wherein the Chief Administrative Officer was requested to include in her review of the Council-Committee structure, a review of options for the relationship between Community Councils and service districts; and

WHEREAS the attempt to run six political divisions through four administrative districts has created a significant administrative challenge, particularly in those Wards that fall into more than one administrative zone; and

WHEREAS this has created a dysfunctional structure which is becoming more remote from the citizens it serves; and

WHEREAS the present groupings of some of the Community Councils are artificial constructs that bear little resemblance to the historic communities that existed prior to amalgamation; and

WHEREAS it would be desirable to rationalize the political and administrative boundaries into more functional units;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 10, Clause No. 2, headed 'Four District Model for City Public Services (All Wards)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council elect to establish a four Community Council model to come into effect immediately following the next municipal election;

AND BE IT FURTHER RESOLVED THAT staff, after discussion with individual Councillors, particularly those who have dysfunctional Wards, propose alternative Community Council groupings for consideration by the Administration Committee;

AND BE IT FURTHER RESOLVED THAT staff further refine the administrative districts to match the political divisions selected.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(5), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 5, Page 281.)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(5) prior to the end of this meeting, consideration of Motion F(5) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.102 Request for A Status Report on the Legal Dispute with the Toronto Port Authority at the Special Council Meeting on February 24, 25, 26, 27 and 28, 2003

Councillor Minnan-Wong, with the permission of Council, withdrew the following Notice of Motion I(1):

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Moscoe

“**WHEREAS** the Aerospace industry is one of the key economic clusters in the City of Toronto and Bombardier Aerospace, as the largest employer, is the anchor company for this industry in Toronto; and

WHEREAS, like other high wage manufacturing companies, Bombardier has a high economic multiplier effect; and

WHEREAS any significant slowdown or layoffs at Bombardier will have impacts on companies and employees that supply, distribute and otherwise support production at Bombardier and on the businesses where Bombardier employees purchase services and products; and

WHEREAS, as the result of a global slowdown in new airline purchases, the Bombardier Aerospace Plant which employs 3,000 people is currently at a risk of having to lay off a large number of employees; and

WHEREAS resolution of the legal dispute between the City of Toronto and the Toronto Port Authority is one of the conditions for enhanced operations at Toronto City Centre Airport which, in turn, will initiate an order for the purchase and production of fifteen new turboprop aircraft to be manufactured at Bombardier's Downsview plant in Toronto; and

WHEREAS the negotiations and resolution of the terms of agreement have not been finalized and a report will not be available at this Council meeting; and

WHEREAS the next regular meeting of Council will take place on April 14, 15 and 16, 2003; and

WHEREAS Council is holding a special meeting on February 24, 25, 26, 27 and 28, 2003, for budget purposes;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council also add to the Special Council Meeting an opportunity for the CAO to bring forward a report on this matter."

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion I(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 6, Page 282.)

4.103 Establishing a Toll Pilot Project

Deputy Mayor Ootes called upon Notice of Motion I(2) appearing on the Order Paper, as follows:

Moved by: Councillor Moscoe

Seconded by: Councillor Flint

“**WHEREAS** Council, by adopting the new Official Plan, made a long term commitment to public transit; and

WHEREAS, to support that commitment, the City of Toronto should be expanding and enhancing TTC services and encouraging drivers to favour the use of public transit over cars; and

WHEREAS the only operating tax money that the public transit system receives comes from property taxes collected within the City of Toronto; and

WHEREAS commuters who opt to drive into Toronto from the 905 areas, rather than take the public transit system, place an inordinate burden on the property tax base of Toronto, without contributing to the public transit system; and

WHEREAS the City of London, England, has recently introduced a toll system, in order to encourage commuters to abandon their cars in favour of public transit;

NOW THEREFORE BE IT RESOLVED THAT the City establish a tolling pilot project;

AND BE IT FURTHER RESOLVED THAT it consist of a toll for inbound cars at the Mimico Creek boundary, on the centre core lanes only, of the Queen Elizabeth Highway;

AND BE IT FURTHER RESOLVED THAT the tolls be in place during the hours of 7:00 a.m. to 6:00 p.m. weekdays;

AND BE IT FURTHER RESOLVED THAT the toll be established at the level of the average ‘GO’ fare and the estimated \$1 million a day that this would raise, after expenses, be directed to support public transit in Toronto;

AND BE IT FURTHER RESOLVED THAT this matter be forwarded to the Chief Administrative Officer, with a request that she report on the operational and policy aspects of this matter to the Planning and Transportation Committee.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion I(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 7, Page 283.)

City Council also had before it, during consideration of Motion I(2), a 2003 Budget Briefing Note

from the Chief Financial Officer and Treasurer, entitled “Designation, Operation and Maintenance of Toll Roads Within the City of Toronto”.

Motion:

Councillor Moscoe moved that consideration of Motion I(2) be deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Vote on Deferral:

The motion by Councillor Moscoe carried.

4.104 **Request for Legislative Authority to Levy Tolls**

Deputy Mayor Ootes called upon Notice of Motion I(3) appearing on the Order Paper, as follows:

Moved by: Councillor Mihevc

Seconded by: Councillor Moscoe

“**WHEREAS** the City of Toronto will have capital shortfalls in coming years; and

WHEREAS the City of Toronto needs to develop revenues other than property taxes; and

WHEREAS other municipalities have authority to levy tolls on highways (London, England);

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the Province of Ontario for legislative authority to develop these rights to tax;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, in consultation with the City Solicitor, be requested to prepare a private Bill for presentation to Provincial parliament;

AND BE IT FURTHER RESOLVED THAT the Mayor’s office be requested to develop a special task force of Members of Council and residents to pursue these initiatives;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to prepare a report on these matters to be presented to the Policy and Finance Committee.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion I(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 8, Page 284.)

Motion:

Councillor Moscoe moved that consideration of Motion I(3) be deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Vote on Deferral:

The motion by Councillor Moscoe carried.

4.105 Notification of Applications for Liquor Licences

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(1), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Nunziata**

“**WHEREAS** the Alcohol and Gaming Commission of Ontario notifies Councillors’ offices of applications for liquor licences; and

WHEREAS Councillors frequently contact the local Division of the Toronto Police Service in reviewing applications for licences; and

WHEREAS the local Division of the Toronto Police Service are not notified by the Alcohol and Gaming Commission of these applications; and

WHEREAS at a public meeting in the Eglinton-Lawrence area, the Toronto Police Service expressed an interest in being made aware of pending applications;

NOW THEREFORE BE IT RESOLVED THAT Council request the Alcohol and Gaming Commission to routinely notify the staff inspector of each Division of the Toronto Police Service of applications for liquor licences that are pending.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 9, Page 285.)

Procedural Vote:

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

Motion:

Councillor Korwin-Kuczynski moved that Motion J(1) be adopted, subject to amending the Operative Paragraph by inserting, after the word “notify”, the words “Members of City Council and”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT Council request the Alcohol and Gaming Commission to routinely notify Members of City Council and the staff inspector of each Division of the Toronto Police Service of applications for liquor licences that are pending.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

Motion J(1), as amended, carried.

4.106 Request for Removal of Snow on Donwoods Lane

Councillor Flint, with the permission of Council, withdrew the following Notice of Motion J(2):

Moved by: Councillor Flint

Seconded by: Councillor Mihevc

“**WHEREAS** Donwoods Lane is the name of a sub-standard, unimproved, narrow City laneway that is officially classified as a road under the Highway Traffic Act; and

WHEREAS Donwoods Lane provides the only vehicle access to four, single-family residential properties; and

WHEREAS it is impossible to provide alternate vehicle access to the residents living there; and

WHEREAS Donwoods Lane curves up a steep hill; and

WHEREAS Donwoods Lane has been in existence for well over 70 years; and

WHEREAS it has been the custom for snow on Donwoods Lane to be removed for safety reasons and because there is very little room to store snow; and

WHEREAS Donwoods Lane is located within a Ravine Protection Area and the use of salt should be minimal;

NOW THEREFORE BE IT RESOLVED THAT the Works and Emergency Services Department be instructed to remove the snow from Donwoods Lane when there is an accumulation of more than 10 centimetres.”

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion J(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 10, Page 286.)

4.107 Insert in Either the Water or Tax Bill Regarding Metropolitan Property Tax Consultants

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Mihevc**

“**WHEREAS** a company calling itself Metropolitan Property Tax Consultants is using individualized assessment data to contact residents by mail; and

WHEREAS the Municipal Property Assessment Corporation (MPAC) has refused to provide this data to Councillors and to commercial companies; and

WHEREAS Metropolitan Property Tax Consultants is charging people \$80.25 to review their assessments and launch an appeal, at the company's discretion, on behalf of the individual ratepayer; and

WHEREAS the company will only appeal those assessments that they deem to be able to win; and

WHEREAS the residents will be beholden to the company to pay them half of the assessment reduction; and

WHEREAS this company's material is so structured as to appear to be issued on behalf of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the City place an insert, in either the water or tax bill, advising residents that this company has no connection whatsoever with the City of Toronto;

AND BE IT FURTHER RESOLVED THAT this notice explain to residents how they can launch an assessment appeal on their own and secure 100 percent of any assessment reduction without the help of a tax agent."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(3) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 11, Page 287.)

Procedural Vote:

The vote to waive referral of Motion J(3) to the Policy and Finance Committee Council was taken as follows:

Yes - 25	
Councillors:	Altobello, Balkissoon, Berardinetti, Chow, Di Giorgio, Filion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 12	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Cho, Duguid, Feldman, Holyday, Kelly, Minnan-Wong, Ootes, Shiner, Sutherland

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

City Council also had before it, during consideration of Motion J(3), the following:

- (i) a confidential joint report (April 14, 2003) from the Chief Financial Officer and Treasurer and the City Solicitor, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege; and
- (ii) a communication (April 4, 2003) from Robert A. Richards, President and Chief Administrative Officer, Municipal Property Assessment Corporation, submitted by Councillor Moscoe.

Motion:

Councillor Balkissoon, seconded by Councillor Moscoe, moved that Motion J(3) be adopted, subject to amending the first Operative Paragraph to now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the City place an insert, on an annual basis, in either the water or tax bill, at the same time as the annual assessment impacts are issued by the Municipal Property Assessment Corporation, advising residents that tax appeal companies have no connection whatsoever with the City of Toronto;”.

Votes:

The motion by Councillor Balkissoon, seconded by Councillor Moscoe, carried.

Motion J(3), as amended, carried.

4.108 **Grants to the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(4), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Milczyn

“WHEREAS City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases, participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications, and making appeals to Divisional Court in defence of tenants' interests; and

WHEREAS City Council established the Tenant Defence Sub-Committee to monitor the Tenant Defence Fund Program and to recommend to the Community Services Committee actions in defence of tenants in the City of Toronto; and

WHEREAS the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway applied for an additional grant, under the Tenant Support Grant Program in May 2002, to appeal to the Divisional Court of the Ontario Superior Court of Justice on an Order issued by the Ontario Rental Housing Tribunal approving the landlord's application for an above-guideline rent increase (AGI) based on a one-time spike in heating costs; and

WHEREAS the appeal hearing for 1305 Wilson Avenue was completed on June 28, 2002, and a decision was released by the Divisional Court on August 26, 2002, ordering that the appeal be dismissed and that costs of \$2,500.00 be paid by the tenants to the landlord; and

WHEREAS despite the decision to dismiss the Wilson Avenue tenants' appeal, the judges who presided over the hearing expressed sympathy for the tenants and suggested that the Minister of Municipal Affairs and Housing review the provisions in the Tenant Protection Act (TPA) relating to applications for above-guideline rent increases based on extraordinary utility costs; and

WHEREAS the Tenants' Association of 1305 Wilson Avenue further made an application for Leave to Appeal to the Ontario Court of Appeals on the Divisional Court decision and requested a further grant of \$10,000.00 for the legal costs of the second appeal and an additional \$2,500.00 to cover the costs awarded against them by the Divisional Court; and

WHEREAS the same solicitor also performed preparatory work to file an application for Leave to Appeal for the Tenants' Association of 34 Riverwood Parkway; and

WHEREAS the report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, did not recommend the approval of further funding to the Tenants' Associations, as a second appeal is beyond the mandate of Tenant Support Grant Program; and

WHEREAS on December 12, 2002, the Wilson Avenue tenants' application for Leave to Appeal was denied by the Ontario Court of Appeals and the tenants were ordered to pay \$1,000.00 to the landlord for legal costs; and

WHEREAS at an informal meeting of the Tenant Defence Sub-Committee on March 4, 2003, the matters were discussed and the solicitor for the Wilson Tenants' Association requested \$3,500.00 to cover the total legal costs the two courts had ordered the Tenants' Association to pay to the landlord; and

WHEREAS the Tenant Defence Sub-Committee requested the solicitor to provide staff with further documentation regarding the costs associated with these cases; and

WHEREAS the solicitor has identified a further \$2,675.00 expenditure in his appeal preparation for the 34 Riverwood Parkway Tenants' Association; and

WHEREAS section 113 of the Municipal Act provides that the council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the council, is in the interests of the municipality; and

WHEREAS the issues raised by the Tenants' Association of 1305 Wilson Avenue in the courts may precipitate a review of the TPA by the provincial government that could have a significant impact on other tenants in Toronto and is, therefore, in the interests of the City; and

WHEREAS there are sufficient funds in the 2003 Tenant Support Grants Program to provide a grant to the Tenants' Association of 1305 Wilson Avenue to assist them with paying the legal costs to the landlord as ordered by the Courts; and

WHEREAS there are also sufficient funds in the Program to assist the Tenants' Association of 34 Riverwood Parkway to pay their solicitor's fees for his work in preparing the application for Leave to Appeal;

NOW THEREFORE BE IT RESOLVED THAT City Council grant \$3,500.00 to the Tenants' Association of 1305 Wilson Avenue for payment of the legal costs ordered by the Courts and \$2,675.00 to the Tenants' Association of 34 Riverwood Parkway for its outstanding legal fees, to be allocated from the 2003 Tenant Support Grant Program, and deem such grant to be in the municipal interest."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(4) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(4), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 12, Page 288.)

Procedural Vote:

The vote to waive referral of Motion J(4) to the Community Services Committee was taken as follows:

Yes - 25	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Filion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 11	
Mayor:	Lastman
Councillors:	Ashton, Duguid, Feldman, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Shiner

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

City Council also had before it, during consideration of Motion J(4), a report dated November 8, 2003, from the Commissioner of Community and Neighbourhood Services, addressed to the Tenant Defence Sub-Committee, entitled "1305 Wilson - Request for Funding of Appeal to the Court of Appeal". (See Attachment No. 2, Page 235.)

Disposition:

Having regard that Council did not conclude its consideration of Motion J(4) prior to the end of this meeting, consideration of Motion J(4) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.109 Request to Provincial Government to Abandon Electricity Deregulation and Privatization

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

“**WHEREAS** City Council at its meeting held on February 4, 5, and 6, 2003, adopted, without amendment, Policy and Finance Committee Report No. 1, Clause No. 9, headed ‘For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002’; and

WHEREAS the Ontario government’s electricity deregulation and privatization policy has clearly been a disaster; and

WHEREAS the various electricity policies implemented by this provincial government over the past six years have imposed hundreds of millions of dollars of additional costs on local distribution companies and their customers; and

WHEREAS the government has now enacted Bill 210, The Electricity Pricing, Conservation and Supply Act, 2002 (the ‘Act’), which requires each municipality to decide whether to continue to operate its local distribution utility as a for-profit corporation (as required by previous legislation) or allow it to become a zero-return on equity corporation with various additional restrictions (the so-called ‘non-profit’ status); and

WHEREAS the Act gives only an appearance of choice for citizens and their elected municipal representatives, because it places onerous and punishing financial consequences on the local distribution company (LDC) and the municipal shareholder if it opts for the ‘non-profit’ model; and

WHEREAS this false choice seems only to serve as an attempt to scapegoat municipalities and their local distribution companies (LDC) for the provincial government’s disastrous electricity policies; and

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 No. 1, Clause No. 9, headed 'For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council call on the Government of Ontario to rescind Bill 210, to abandon plans for deregulation and privatization of Ontario's electricity in accord with the wishes of the people of Ontario, to develop and implement a renewed vision for public power in Ontario, and to:

- (1) stop the sell-off of public generating stations and local hydro utilities;
- (2) stop paying higher deregulated prices to electricity producers; and
- (3) implement genuine energy conservation policies and expand clean, renewable energy sources;

AND BE IT FURTHER RESOLVED THAT this Resolution be sent for action to: the Honourable Ernie Eves, Premier, and the Honourable John Baird, Ontario Minister of Energy; and for information to: Dalton McGuinty, MPP; Howard Hampton, MPP; Shelly Martel, MPP; Michael Bryant, MPP; and for endorsement to: the Association of Municipalities of Ontario, and to all Ontario municipalities with populations greater than 50,000."

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(5), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 13, Page 289.)

Vote:

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

Disposition:

Having regard that Council did not conclude its consideration of the balance of Motion J(5) prior to the end of this meeting, consideration of the balance of Motion J(5) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.110 **Declaration as a Municipal Capital Facility – Community Space Within the Yorkdale Shopping Centre**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(6), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Feldman

“**WHEREAS** there is a shortage of community space in Eglinton-Lawrence; and

WHEREAS there has been a site plan application from Yorkdale Shopping Centre; and

WHEREAS Yorkdale Shopping Centre has agreed to provide a minimum of 2,000 square feet of finished community space; and

WHEREAS the City would be responsible for only the cost of utilities, maintenance and taxes; and

WHEREAS the City, under the provisions of the Municipal Act, 2001 has the ability to declare this space to be a municipal capital facility and thereby avoid the some \$8.00 a square foot in property taxes that would otherwise be paid by this facility; and

WHEREAS elimination of the property taxes would, because of the downloading of the education portion to the Province of Ontario, result in net savings to the City;

NOW THEREFORE BE IT RESOLVED THAT the matter of the taxes and operation of this space be referred to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Economic Development, Culture and Tourism for a joint report to the Economic Development and Parks Committee.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(6), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 14, Page 290.)

Procedural Vote:

The vote to waive referral of Motion J(6) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(6) was adopted, without amendment.

4.111 Appointment to the Board of Management – Yonge-Dundas Square

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Minnan-Wong

“**WHEREAS** City Council at its meeting held on December 4, 5 and 6, 2001, adopted, as amended, Policy and Finance Committee Report No. 16, Clause No. 27, headed ‘Yonge/Dundas Square - Operations Resulting from Urban Development Services Capital Project and Governance Model (Ward 27 - Toronto Centre)’, and, in so doing, charged the Board of Management of Yonge-Dundas Square with the responsibility for managing the Yonge-Dundas Square; and

WHEREAS the Board of Management has the authority to recommend members to Council for appointment to the Board; and

WHEREAS the Board of Management includes four representatives from the Downtown Yonge BIA; and

WHEREAS Clive Baxter, a Downtown Yonge BIA representative, has left the Board; and

WHEREAS the Board has appointed Anita Cortese, from Brookfield Properties/Atrium on Bay, who is a member of the Downtown Yonge BIA and is willing to serve on the Board of Management until the expiration of the term of Council and until her successor is appointed;

NOW THEREFORE BE IT RESOLVED THAT City Council appoint Anita Cortese, from Brookfield Properties/Atrium on Bay, to the Board of Management of Yonge-Dundas Square, to serve on the Board of Management, until the expiration of the term of Council and until her successor is appointed.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(7) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(7), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 15, Page 291.)

Procedural Vote:

The vote to waive referral of Motion J(7) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(7) was adopted, without amendment.

4.112 **Public Meeting to Consider a Proposed Change to the Taxi By-law Respecting Printable Receipts**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Minnan-Wong**

“**WHEREAS** in 1999 as a part of the taxicab reform package, the City mandated that taxis be required to have meters that provided printable receipts; and

WHEREAS these meters are universally disliked by the entire taxicab industry; and

WHEREAS customers consistently request traditional written receipts from taxicab drivers and refuse, in most cases, to accept the printable receipts; and

WHEREAS drivers are required to pay for rolls of paper for their receipt meters that nobody needs or wants; and

WHEREAS the City will shortly be in a position to test and reseal all taxicab meters, as a result of the upcoming fare increase being proposed to Council;

NOW THEREFORE BE IT RESOLVED THAT the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to eliminate the requirement for a taxicab to have a meter that provides printable receipts and to restore the former requirement that taxicab owners may choose from a variety of meter types that have been approved by the Municipal Licensing and Standards Division;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to prepare a draft By-law for consideration at the public meeting;

AND BE IT FURTHER RESOLVED THAT notice of the proposed By-law be given in accordance with Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the Municipal Act, 2001.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(8), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 16, Page 292.)

Procedural Vote:

The vote to waive referral of Motion J(8) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(8) was adopted, without amendment.

4.113 Support for Falun Dafa Practitioners

Councillor Walker, with the permission of Council, withdrew the following Notice of Motion J(9):

Moved by: Councillor Walker

Seconded by: Councillor Korwin-Kuczynski

“WHEREAS the City’s Legal Services is of the opinion that the human rights issue surrounding Falun Dafa is not ultra vires to City Council, in light of the fact that, on September 5, 2001, Mayor Mel Lastman wrote Prime Minister Jean Cretien requesting his attention to the plight of 130 Falun Dafa practitioners engaged in a hunger strike in Shenyang City; and

WHEREAS Falun Dafa is a peaceful and non-violent form of personal belief and practice with tens of millions of practitioners in China, Canada and over fifty-five (55) countries around the world; and

WHEREAS presently there are over twelve (12) family members of Toronto residents being persecuted in China for being practitioners of Falun Dafa; and

WHEREAS MPP and past City Councillor, Michael Prue, on July 16, 2002, said ‘I have to say, looking down the list of Canadian citizens and permanent residents who are detained in China, it is readily apparent that most of those people are from the Toronto, Ontario area’; and

WHEREAS since July 20, 1999, the Government of the People’s Republic of China has forbidden Falun Dafa practitioners to practice their beliefs and has systematically attempted to eradicate the practice and those who follow it; and

WHEREAS China’s Government policy violates the Constitution of the People’s Republic of China, as well as the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights; and

WHEREAS Amnesty International has proclaimed Falun Dafa practitioners 'Prisoners of Conscience' because they continue to refuse to entertain the prospect of violent retaliation, even while under extremely violent conditions, similar to the actions and traditions of Mahatma Gandhi; and

WHEREAS in 2001 and 2002 the founder of Falun Dafa, Mr. Li Hongzhi, was nominated for the Nobel Peace Prize; and

WHEREAS the Government of the People's Republic of China, has created notorious government '610' offices throughout the People's Republic of China with the special task of overseeing the persecution of Falun Dafa practitioners through organized brainwashing, torture, and murder; and

WHEREAS propaganda from state-controlled media in the People's Republic of China has inundated the public, in an attempt to breed hatred and discrimination; and

WHEREAS women, in particular, have been the target of numerous forms of sexual violence, including rape, sexual assault and forced abortion; and

WHEREAS the campaign of persecution that has been generated by the Chinese government is carried out by government officials and state police, and has permeated every village and every level of government in China; and

WHEREAS Falun Dafa is a system of mind and body which has ancient historical roots in oriental culture; and

WHEREAS between July 20, 1999, and December 1, 2001 – in under a year and a half -- more than 500 practitioners were sentenced to long prison terms; more than 1,000 practitioners were illegally imprisoned in 43 psychiatric hospitals; over 20,000 practitioners were sent to labour camps without trial; at least 100,000 practitioners were arrested and detained; and at least 319 Falun Dafa practitioners were persecuted to death - this is an average of 20 deaths per month; and

WHEREAS on October 8, 1999, in Beijing, China, a Secret Press Conference was held by Falun Dafa practitioners to appeal through the world media to other countries for help; and

WHEREAS in April 2002, an official document calling for large-scale assault on Falun Dafa practitioners, including a suggestion to use the death sentence, was distributed to middle level officials of some government agencies in Shenyang City, Liaoning Province, China; and

WHEREAS the Mayor of Ottawa, Bob Chiarelli, proclaimed January 24, 2001, 'Falun Dafa Day'; and

WHEREAS nine (9) municipalities in Ontario have proclaimed Falun Dafa week, namely: Orillia, Elliot Lake, Ajax, Aurora, East Gwillimbury, Spring Water, New Tecumseth, Whitby and Uxbridge; and

WHEREAS on July 19, 2002, nearly the third anniversary of the ongoing Chinese government campaign of persecution, the Councils of six (6) Canadian municipalities passed Resolutions condemning the persecution of Falun Dafa practitioners in China, namely: the Township of Carling, the Town of Harbour Breton, the Town of Torbay, the Township of Coleman, the Municipality of the County of Richmond and the Town of Burin; and

WHEREAS on July 23, 2002, the U.S. Congress unanimously passed Bill 188 condemning China for its persecution of Falun Dafa practitioners; and

WHEREAS on November 6, 2002, Chicago City Council unanimously passed a Resolution condemning China for its persecution of Falun Dafa practitioners;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the Federal Government to request the Government of the People's Republic of China to cease its persecution of Falun Dafa practitioners and its representatives in Toronto, to cease their harassment of citizens and residents of Toronto who practice Falun Dafa and to cease their attempts to put pressure on officials of multiple levels of governments in Canada to refuse or withdraw support for Falun Dafa and its practitioners;

AND BE IT FURTHER RESOLVED THAT Toronto City Council and the Federal Government use every appropriate public and private forum to urge the Government of the People's Republic of China:

- (a) to release from detention all Falun Dafa practitioners and put an end to the practices of torture and other cruel, inhumane, and degrading treatment against them and other prisoners of conscience; and
- (b) to abide by the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, by allowing Falun Dafa practitioners to pursue their beliefs;

AND BE IT FURTHER RESOLVED THAT Toronto City Council proclaim May 13, 2003, 'Falun Dafa Day' in remembrance of the 11th anniversary of the public practice of Falun Dafa;

AND BE IT FURTHER RESOLVED THAT Toronto City Council support those who practice Falun Dafa and feel that what they are teaching and what they are practicing is a positive thing and would like the Chinese government to look at Toronto and see what a good thing Falun Dafa has been to Toronto and to believe that just as there is room for everyone in this City, so there should be room for everyone in a large and increasingly prosperous country like China;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Federal Government and its appropriate agencies to investigate allegations of illegal activities in Canada of the Government of the People's Republic of China and its representatives and agents, including allegations of unlawful harassment of Canadian citizens and residents who practice Falun Dafa and of officials of Provincial and local governments in Canada who support Falun Dafa, and take appropriate action, including but not limited to enforcement of the immigration laws, against any such representatives or agents who engage in such illegal activities;

AND BE IT FURTHER RESOLVED THAT a certified copy of this Resolution be forwarded to the Honourable Jean Cretien, Prime Minister of Canada, the Honourable John Manley, Deputy Prime Minister of Canada, the Honourable Bill Graham, Minister of Foreign Affairs, the Honourable Kofi Annan, General-Secretary of the United Nations, Mr. Hu Jintao, President of China, Mr. Wen Jiabao, Prime Minister of China, Mr. Jiang Zemin, Chairman of China's Central Military Commission, and Mr. Ping Mei, Chinese Ambassador in Canada."

City Council also had before it, for consideration with Notice of Motion J(9), a communication dated September 5, 2001, addressed to the Prime Minister of Canada, from Mayor Lastman, which is on file in the Office of the City Clerk.

4.114 **Options for Filling the Vacancy in the Office of Councillor, Ward 17 – Davenport**

Mayor Lastman moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce and debate of the following Notice of Motion J(10), which carried:

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS Council has previously declared the office of Councillor, Ward 17 – Davenport to be vacant; and

WHEREAS subsection 263(5) of the Municipal Act, 2001, as amended, provides that

Council shall, within 60 days after the day the office is declared vacant, decide whether to fill the vacancy by appointment or through the conduct of a by-election; and

WHEREAS the City Clerk has submitted the attached report dated April 7, 2003, outlining options to fill the vacancy;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated April 7, 2003, from the City Clerk, and decide upon a method to fill the vacancy in the office of Councillor, Ward 17 – Davenport.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(10), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 17, Page 293.)

City Council also had before it, during consideration of Motion J(10), the following report and communication:

- (i) (April 7, 2003) from the City Clerk, entitled “Options for Filling the Vacancy in the Office of Councillor, Ward 17 - Davenport” (See Attachment No. 3, Page 239); and
- (ii) (April 13, 2003) from Cesar A. Palacio, which is on file in the Office of the City Clerk.

Motion:

Councillor Di Giorgio moved that Motion J(10) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT such report be adopted, with Council approving Option 1(a) - Appointment With Deputations at the Humber York Community Council and Council, embodied therein, so that the recommendations adopted by Council shall now read as follows:

‘It is recommended that:

- (1) (a) Option 1(a) – Appointment – With deputations at the Humber York Community Council and Council:
 - (i) the Humber York Community Council consider deputations from the candidates at its meeting on May 6, 2003, and make a recommendation to Council on a nominee to fill the

vacancy;

- (ii) Council consider deputations from the candidates and fill the vacancy by means of an appointment at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003; and
 - (iii) Council adopt the process for the appointment as set out in Appendix "A" to this report;
- (2) the necessary funds for the chosen option be included in the City Clerk's 2003 election budget; and
 - (3) in the interim, the current staff of former Councillor Disero continue to serve the constituents of Ward 17 – Davenport, until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing.' "

Votes:

The motion by Councillor Di Giorgio carried.

Motion J(10), as amended, carried.

Motion to Re-Open:

Councillor Nunziata, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(10) be re-opened for further consideration, which lost, less than two-thirds of Members present having voted in the affirmative.

4.115 2003 Education Levy By-law and 2003 Commercial, Industrial and Multi-Residential Clawback By-law

Mayor Lastman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** City Council at its Special Meetings held on February 24, 25, 26, 27 and 28, 2003, and March 3, 2003, adopted, as amended, Policy and Finance Committee Report No. 2, Clause No. 3, headed ‘2003 Tax Levy By-laws’; and

WHEREAS, in adopting the Clause, as amended, Council authorized the Chief Financial Officer and Treasurer to report directly to Council at its April 14, 2003 meeting with respect to the education levy by-law and the claw back by-law, and the Chief Financial Officer and Treasurer has submitted the attached report dated April 7, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated April 7, 2003, from the Chief Financial Officer and Treasurer and that such report be adopted.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(11), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 18, Page 294.)

City Council also had before it, during consideration of Motion J(11), a report dated April 7, 2003, from the Chief Financial Officer and Treasurer, entitled “2003 Education Levy By-law, 2003 Commercial, Industrial and Multi-Residential Clawback By-law” (See Attachment No. 4, Page 256).

Motions:

- (a) Councillor Shiner, seconded by Councillor Di Giorgio, moved that Motion J(11) be adopted, subject to adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** Council adopt the following motion:

‘Moved by: Councillor Shiner

Seconded by: Councillor Di Giorgio

“**WHEREAS** 69 percent of education funding is raised from the property tax base and only 31 percent of education funding is a Provincial contribution in Toronto; and

WHEREAS in some other Greater Toronto Area municipalities, such as Durham, only 32 percent of the education funding is provided by the property tax base and 68 percent is a Provincial contribution; and

WHEREAS the GTA average contribution is 46 percent from the property tax base and 54 percent as a Provincial contribution; and

WHEREAS, in 2003, the Residential Provincial Education Tax Levy is increasing by 3 percent in Toronto; and

WHEREAS this generates an additional \$18.7 million for the Provincial Government;

NOW THEREFORE BE IT RESOLVED THAT the Provincial Government be requested to allocate this additional amount of \$18.7 million to the Toronto School Boards to assist in their current financial funding shortfalls;

AND BE IT FURTHER RESOLVED THAT the chart, entitled ‘Share of Education Funding Raised from the Property Tax Base versus Provincial Contribution, GTA Region, 2001/02 School Year’, together with an explanation to be provided by the Chief Financial Officer and Treasurer indicating the funding, be included with the final 2003 property tax bill.’ ”

(b) Councillor Lindsay Luby moved that motion (a) by Councillor Shiner, seconded by Councillor Di Giorgio, be amended by:

- (1) deleting the second recital;
- (2) inserting the following new third recital:

“**WHEREAS** the City of Toronto’s property tax funding for residential education taxes would be reduced by \$550 million, if the Provincial average was utilized in the City of Toronto; and”;

- (3) referring the chart, entitled “Share of Education Funding Raised from the Property Tax Base versus Provincial Contribution, GTA Region, 2001/02 School Year”, as outlined in the second Operative Paragraph of such motion, to the Chief Financial Officer and Treasurer, with a request that he identify any concerns he may have, to ensure that such chart is accurate.

Votes:

Adoption of Part (1) of motion (b) by Councillor Lindsay Luby:

Yes - 7	
Councillors:	Duguid, Flint, Ford, Holyday, Kelly, Minnan-Wong, Tziretas
No - 25	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Di Giorgio, Feldman, Hall, I. Jones, L. Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Walker

Lost by a majority of 18.

Adoption of Part (2) of motion (b) by Councillor Lindsay Luby:

Yes - 30	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Cho, Duguid, Feldman, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 1	
Councillor:	Di Giorgio

Carried by a majority of 29.

Adoption of Part (3) of motion (b) by Councillor Lindsay Luby:

Yes - 6	
Councillors:	Di Giorgio, Ford, Hall, Holyday, Lindsay Luby, Nunziata
No - 28	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Cho, Duguid, Feldman, Flint, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Tziretas, Walker

Lost by a majority of 22.

Adoption of motion (a) by Councillor Shiner, seconded by Councillor Di Giorgio, as amended:

Yes - 27 Councillors: Altobello, Augimeri, Berardinetti, Bussin, Cho, Duguid, Feldman, Flint, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 6 Councillors: Di Giorgio, Ford, Hall, Holyday, Lindsay Luby, Nunziata

Carried by a majority of 21.

Adoption of Motion J(11), as amended:

Yes - 32 Councillors: Altobello, Augimeri, Berardinetti, Bussin, Cho, Di Giorgio, Duguid, Feldman, Flint, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 2 Councillors: Ford, Holyday

Carried by a majority of 30.

In summary, Council adopted Motion J(11), subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council adopt the following motion:

‘Moved by: Councillor Shiner

Seconded by: Councillor Di Giorgio

“WHEREAS 69 percent of education funding is raised from the property tax base and only 31 percent of education funding is a Provincial contribution in Toronto; and

WHEREAS in some other Greater Toronto Area municipalities, such as Durham, only 32 percent of the education funding is provided by the property tax base and

68 percent is a Provincial contribution; and

WHEREAS the GTA average contribution is 46 percent from the property tax base and 54 percent as a Provincial contribution; and

WHEREAS the City of Toronto's property tax funding for residential education taxes would be reduced by \$550 million, if the Provincial average was utilized in the City of Toronto; and

WHEREAS, in 2003, the Residential Provincial Education Tax Levy is increasing by 3 percent in Toronto; and

WHEREAS this generates an additional \$18.7 million for the Provincial Government;

NOW THEREFORE BE IT RESOLVED THAT the Provincial Government be requested to allocate this additional amount of \$18.7 million to the Toronto School Boards to assist in their current financial funding shortfalls;

AND BE IT FURTHER RESOLVED THAT the chart, entitled 'Share of Education Funding Raised from the Property Tax Base versus Provincial Contribution, GTA Region, 2001/02 School Year', together with an explanation to be provided by the Chief Financial Officer and Treasurer indicating the funding, be included with the final 2003 property tax bill."

Council, by its adoption of Motion J(11), as amended, adopted, without amendment, the report dated April 7, 2003, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

"It is recommended that:

- (1) the tax rates for school purposes set out in the draft by-law attached hereto as Appendix 'A', and as prescribed by O. Reg. 74/03, be levied for 2003;
- (2) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix 'A', be enacted to levy and collect taxes for school purposes for 2003;
- (3) tax decreases for the 2003 taxation year on properties in the commercial, industrial and multi-residential property classes be reduced by the percentage of the tax decrease set out in Column II of Chart 2 embodied in this report, in order to recover the revenues foregone as a result of capping;

- (4) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix 'B', be enacted to establish the percentage reductions in tax decreases referred to in Recommendation No. (3) for the 2003 taxation year; and
- (5) authority be granted for the introduction of the necessary bills in Council."

4.116 "Sounds of the Danforth" and the "Taste of the Danforth" Events of Municipal and/or Community Significance

Councillor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor L. Jones

"WHEREAS the Greektown on the Danforth Business Improvement Area (BIA) has requested City Council to declare the 'Sounds of the Danforth' to be held on June 14 and 15, 2003, and July 5 and 6, 2003, and the 'Krinos Foods Taste of the Danforth' to be held on August 8 to 10, 2003, events of municipal and/or community significance; and

WHEREAS the Greektown on the Danforth BIA has requested that the restaurants participating in the 'Sounds of the Danforth' and the 'Taste of the Danforth Event' be permitted to serve alcohol on their extended patios for the same hours as already existing patios on Danforth Avenue only; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires at least 30 days advance notice to issue a liquor licence and refuses to issue any permit for Business Improvement Areas with less than 30 days notice; and

WHEREAS the next City Council meeting is scheduled to be held on May 21, 22 and 23, 2003, which would not leave sufficient time for the City of Toronto to notify the Alcohol and Gaming Commission of Ontario and have the application processed;

NOW THEREFORE BE IT RESOLVED THAT the 'Sounds of the Danforth' be declared an event of municipal and/or community significance, taking place on June 14, 2003, from 2 p.m. to 12:00 a.m., and June 15, 2003, from 2:00 p.m. to 10:00 p.m., July 5, 2003, from 2:00 p.m. to 12:00 a.m., and July 6, 2003, from 2:00 p.m. to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the ‘Krinos Foods Taste of the Danforth’ be declared an event of municipal and/or community significance, taking place on August 8, 2003, from 6:00 p.m. to 2:00 a.m., August 9, 2003, from noon to 2:00 a.m. and August 10, 2003, from noon to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the patio extensions be permitted to serve alcohol until 12:00 a.m. on June 14, 2003, and July 5, 2003, and until 10:00 p.m. on June 15, 2003, and July 6, 2003, and until 2:00 a.m. on August 8, 2003, and August 9, 2003, and until 10:00 p.m. on Sunday, August 10, 2003, and that the Alcohol and Gaming Commission be so advised;

AND BE IT FURTHER RESOLVED THAT the Alcohol and Gaming Commission of Ontario also be advised that the designation of municipal and/or community significance be extended to the Danforth BIA in order to operate their Ontario Wine Garden for the ‘Krinos Taste of the Danforth’ taking place on August 8, 2003, from 6:00 p.m. to 2:00 a.m., August 9, 2003, from noon to 2:00 a.m., and August 10, 2003, from noon to 10:00 p.m.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(12), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 19, Page 295.)

Procedural Vote:

The vote to waive referral of Motion J(12) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(12) was adopted, without amendment.

4.117 Approval of Variances from Chapter 297, Signs – Sobey’s Grocery Store, 77 St. Clair Avenue East

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Rae

“**WHEREAS** the closing of the Dominion Store location at 77 St. Clair Avenue East has caused major inconvenience to the many residents and, in particular, the seniors citizens that live in the vicinity of the intersection of Yonge Street and St. Clair Avenue; and

WHEREAS a new Sobey’s store has leased, renovated and expanded this store and it is scheduled to open to the public on May 7, 2003; and

WHEREAS a delay in the adoption of the report from Urban Development Services, which recommends approval will cause hardship to the owners of this highly desired new grocery store;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council consider the attached report dated April 9, 2003, from the Commissioner of Urban Development Services, entitled ‘Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to Permit, for Identification Purposes, Seven Illuminated Fascia Signs at 77 St. Clair Avenue East’, and such report be adopted.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(14), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 20, Page 296.)

Procedural Vote:

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

City Council also had before it, during consideration of Motion J(14), a report dated April 9, 2003, from the Commissioner of Urban Development Services, entitled "Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to Permit, for Identification Purposes, Seven Illuminated Fascia Signs at 77 St. Clair Avenue East" (See Attachment No. 6, Page 262).

Vote:

Motion J(14) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated April 9, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

"It is recommended that:

- (1) the request for variances to permit, for identification purposes, seven illuminated fascia signs at 77 St. Clair Avenue East be approved, on condition that the signs be dimmed between the hours of 11:00 p.m. to 7:00 a.m. by means of an automated dimming device; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services."

4.118 Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Flint

"WHEREAS City Council at its meeting held on June 18, 19 and 20, 2002, adopted Midtown Community Council Report No. 6, Clause No. 17, headed 'Proposed Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street (St.

Paul's, Ward 21)'; and

WHEREAS this Clause authorized the installation of six speed bumps in the public lane between Peveril Hill North and Bathurst Street, running between Dewbourne Avenue and Peveril Hill North; and

WHEREAS City Council enacted By-law No. 923-2002 to give effect thereto and the speed bumps were installed shortly thereafter; and

WHEREAS Councillor Mihevc has subsequently advised that residents abutting the subject lane are concerned about the number of speed bumps installed in the lane and have requested that four of the six speed bumps be removed;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 6, Clause No. 17, headed 'Proposed Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the recommendations in the aforesaid Clause be struck out and replaced with the following new recommendations:

'It is recommended that:

- (1) the installation of speed bumps in the public lane between Peveril Hill North and Bathurst Street, running between Dewbourne Avenue and Peveril Hill North, of the type and design noted and at the locations shown on Drawing No. 421F-6739 dated December 2002, be approved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that are required.';

AND BE IT FURTHER RESOLVED THAT By-law No. 923-2002 be amended by deleting reference to Drawing No. 421F-6487, dated May 2002, and replacing it with Drawing No. 421F-6739, dated December 2002."

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(15), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 21, Page 297.)

City Council also had before it, during consideration of Motion J(15), Drawing No. 421F-6739, dated December 2002, entitled “Speed Bump and Sign Layout in Lane System Area Bounded by Peveril Hill North, Eglinton Avenue West, Bathurst Street and Dewbourne Avenue”, which is on file in the Office of the City Clerk.

Votes:

The first Operative Paragraph embodied in Motion J(15) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(15) was adopted, without amendment.

4.119 **Installation of Speed Humps – Northcliffe Boulevard**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Nunziata

“WHEREAS residents of Northcliffe Boulevard have expressed concern with regard to the vehicle speeds on the roadway between Rogers Road and Gibson Street; and

WHEREAS residents of Northcliffe Boulevard have expressed concern with regard to the volume of traffic on the roadway between Rogers Road and Gibson Street, and have requested the installation of speed humps;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be requested to conduct a poll, translated into Italian and Portuguese, of eligible residents on Northcliffe Boulevard, between Rogers Road and Gibson Street, in accordance with the traffic calming policy, to determine if the residents of the roadway support the installation of speed humps on the roadway;

AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to convey the results of the survey to the respondents;

AND BE IT FURTHER RESOLVED THAT a bylaw be prepared and public notice be given pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for the alteration of Northcliffe Boulevard for the installation of speed humps;

AND BE IT FURTHER RESOLVED THAT pursuant to the requirements of the Municipal Class Environmental Assessment Act, Schedule B, that a notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and the Toronto Police Service and, upon approval of a by-law by Council, Notice of Completion be issued;

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(16), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 22, Page 298.)

Procedural Vote:

The vote to waive referral of Motion J(16) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(16) was adopted, without amendment.

4.120 **Liability Insurance for Establishments Licensed for the Sale of Alcoholic Beverages**

Councillor Sutherland moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Sutherland**

Seconded by: **Mayor Lastman**

“**WHEREAS** on the night of February 17, 2003, 21 people perished in a night club in Chicago, Illinois, due to overcrowding; and

WHEREAS on the night of February 20, 2003, 95 people perished in a night club fire in West Warwick Rhode Island; and

WHEREAS on February 22, 2003, a shooting at a Yorkville night club left one 19-year-old man dead and two other men in hospital with gunshot wounds; and

WHEREAS in 2002, the Alcohol and Gaming Commission of Ontario took action against fifteen establishments licensed for the sale of liquor, in Toronto, for exceeding the permitted occupancy of the establishment, resulting in thirteen suspensions and two revocations of liquor licences;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to review the City’s business licence issuance and renewal procedure for eating and drinking establishments operating in the manner of a night club, in Toronto, and submit a report to the Planning and Transportation Committee on the possibility of linking licence approvals and renewals with a requirement for liability insurance for each licensed establishment.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(17) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(17), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 23, Page 299.)

Procedural Vote:

The vote to waive referral of Motion J(17) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(17) was adopted, without amendment.

4.121 Proposed Change to Conditions of Enactment of Official Plan Amendment and Zoning Code Amendment – Fogh Sails Holdings Limited, 2242 and 2246 Lake Shore Boulevard West, File No. TA CMB 2001 0017 – Ward 6 – Etobicoke-Lakeshore

Councillor I. Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Milczyn

“**WHEREAS** City Council at its meeting held on February 4, 5 and 6, 2003, by adopting Clause No. 19 of Report No. 1 of The Etobicoke Community Council, required, as a condition of enactment of Official Plan and Zoning Code amendments in relation to application No. TA CMB 2001 0017, the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection at the earliest practical opportunity, once the building permits have been issued; and

WHEREAS the applicant has agreed, in the development agreement entered into in relation to the proposal, to provide security to fund the installation of the traffic control signals at the time of site plan approval, which will make funds available prior to the issuance of building permits;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 19 of Report No. 1 of The Etobicoke Community Council, headed ‘Condition to Enactment of By-law - Fogh Sails Holdings Limited, 2242 and 2246 Lake Shore Boulevard West, File No. TA CMB 2001 0017 - Ward 6 - Etobicoke-Lakeshore’, be re-opened for further consideration, only insofar as it pertains to the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection;

AND BE IT FURTHER RESOLVED THAT Council authorize the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection, at the earliest practical opportunity, once funds become available from the development applicant.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(18), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from

the adoption of this Motion. (See Fiscal Impact Statement No. 24, Page 300.)

Votes:

The first Operative Paragraph embodied in Motion J(18) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(18) was adopted, without amendment.

4.122 **Proposed Reduction in Speed Limit on Bellamy Road North**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Duguid**

Seconded by: **Councillor Moeser**

“**WHEREAS** three sections of Bellamy Road North are designated 50 kilometres per hour and the remaining sections are designated as 60 kilometres per hour; and

WHEREAS numerous traffic collisions have occurred on Bellamy Road North, some involving serious injury and others involving fatalities; and

WHEREAS Bellamy Road North is lined by single-family, residential homes with three schools located on or off Bellamy Road North; and

WHEREAS community residents have consistently requested a lowering of the speed limit along Bellamy Road North;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to investigate concerns about speeding on Bellamy Road North and submit a report thereon to the Scarborough Community Council, such report to include:

- (a) the advisability of lowering the speed limit on Bellamy Road North to 50 kilometres per hour; and
- (b) the lowering of the speed limits in school zones along Bellamy Road North.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(19), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 25, Page 301.)

Procedural Vote:

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

Vote:

Motion J(19) was adopted, without amendment.

4.123 Proposed Traffic Study of the Intersection of Brimley Road and Ellesmere Road

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Moeser

“WHEREAS numerous traffic collisions have occurred at the intersection of Brimley Road and Ellesmere Road, in particular, since the construction of the commercial site on the south-east corner; and

WHEREAS the presence of the Tim Horton’s Drive-Through has created considerable traffic congestion at this intersection; and

WHEREAS numerous complaints have been registered regarding the operations of this intersection;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Scarborough Community Council on the possibility of expanding the queuing lane for vehicles heading south on Brimley Road and turning into the commercial site on the south-east corner of Brimley Road and Ellesmere Road;

AND BE IT FURTHER RESOLVED THAT, with the intention of encouraging traffic to avoid the Brimley Road entrance to the commercial site and utilizing the Ellesmere Road entrance instead, staff review the current signalization system at the Brimley Road and Ellesmere Road intersection and consider potential adjustments, such as installing a 24-hour advance green for traffic traveling south on Brimley Road and turning east onto Ellesmere Road.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(20) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(20), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 26, Page 302.)

Procedural Vote:

The vote to waive referral of Motion J(20) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(20) was adopted, without amendment.

4.124 **Authorization to Prepare a Community Improvement Plan for Danforth Avenue, from Victoria Park Avenue to the CNR Right-of-Way, and Danforth Road, from Danforth Avenue to East of Warden Avenue**

Councillor Altobello moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Altobello**

Seconded by: **Councillor Berardinetti**

“**WHEREAS** the Official Plan of the former City of Scarborough designated Community Improvement Areas; and

WHEREAS the southwestern portion of the former City of Scarborough has been identified as a Community Improvement Area, with the Oakridge Community specifically identified as the highest priority; and

WHEREAS Danforth Avenue and Danforth Road, as outlined above, falls within the Oakridge Community; and

WHEREAS the Toronto Official Plan 2002 recognizes the Community Improvement Area designation and the preparation of Community Improvement Plans as a financial incentive tool that can be used to stimulate the reinvestment and revitalization of communities; and

WHEREAS Danforth Avenue, from Victoria Park Avenue to Warden Avenue, has been designated as an Employment Revitalization Area by the Economic Development, Culture and Tourism Department;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the Commissioner of Urban Development Services, East District Community Planning staff, in consultation with local businesses and other stakeholders, to undertake the preparation of a Community Improvement Plan for Danforth Avenue, from Victoria Park Avenue to the CNR Right-of-Way, and for Danforth Road, from Danforth Avenue to east of Warden Avenue.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(21) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(21), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 27, Page 303.)

Procedural Vote:

The vote to waive referral of Motion J(21) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(21) was adopted, without amendment.

4.125 **Confirmation for Re-Issuance of the Request for Proposals for the Guild Inn**

Councillor Soknacki moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(22), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Soknacki

Seconded by: Councillor Ashton

“WHEREAS the City failed to receive any compliant proposals in response to the recent Request for Proposals for the restoration, redevelopment and operation of the Guild Inn; and

WHEREAS a revised Request for Proposals (‘RFP’) for the adaptive re-use and operation of the Guild Inn will be ready to be re-issued in the near future; and

WHEREAS further Council approval will be required to select and authorize negotiations with a preferred proponent; and

WHEREAS, at its meeting on February 4, 5 and 6, 2003, Council adopted, as amended, Clause No. 1a of Report No. 14 of The Administration Committee and, in so doing, directed that no further proposals in the nature of the Union Station RFP be considered until after the Chief Administrative Officer has submitted a report on the approach and process for the issuance of such proposals; and

WHEREAS the potential application of the Council direction is unclear; and

WHEREAS confirmation is required that the issuance of the Guild Inn RFP is not caught by the Council direction;

NOW THEREFORE BE IT RESOLVED THAT Council approve the re-issuance of a Request for Proposals for the adaptive re-use and operation of the Guild Inn, notwithstanding the Council direction contained in Clause No. 1a of Report No. 14 of The Administration Committee, adopted, as amended, by Council at its meeting on February 4, 5, and 6, 2003,

that no further proposals in the nature of the Union Station RFP be considered until after the Chief Administrative Officer has submitted a report on the approach and process to be used in connection with such proposals; and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(22) to the Administration Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(22), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 28, Page 304.)

Procedural Vote:

The vote to waive referral of Motion J(22) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(22) was adopted, without amendment.

4.126 Installation of Pedestrian Crossover – McCaul Street

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

“**WHEREAS** representatives PCL Constructors Canada Inc., on behalf of the Ontario College of Art and Design (OCAD), met with staff of my office and Transportation Services on March 27, 2003, and requested that a pedestrian crossover be installed on McCaul Street at a point approximately 112 metres north of Grange Road, in connection with the establishment of a construction staging area at OCAD Premises No. 100 McCaul Street; and

WHEREAS PCL Constructors Canada Inc. have agreed to pay all costs associated with the installation, maintenance and removal of the requested pedestrian crossover; and

WHEREAS public consultation with residents of 'Village by the Grange' regarding this proposal did not meet with any objection; and

WHEREAS Staff of Transportation Services recognize that this installation is critical to the establishment of the construction staging area required to facilitate the construction of new buildings at Premises No. 100 McCaul Street, and are also aware of the urgency of this matter as it relates to the constraints of the construction schedule of PCL Constructors Canada Inc. and the Ontario College of Art and Design;

NOW THEREFORE BE IT RESOLVED THAT a pedestrian crossover be installed on McCaul Street, at a point approximately 112 metres north of Grange Road, to facilitate the establishment of a construction staging area at Premises No. 100 McCaul Street;

AND BE IT FURTHER RESOLVED THAT the pedestrian crossover be removed as the construction staging area is removed from the west side of McCaul Street at the conclusion of this construction at OCAD Premises No. 100 McCaul Street;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that may be required."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(23), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 29, Page 305.)

Procedural Vote:

The vote to waive referral of Motion J(23) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(23) was adopted, without amendment.

4.127 **Contract with Republic Services of Canada Inc.**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Pitfield

“WHEREAS City Council at its meeting held on November 26, 27 and 28, 2002, adopted, as amended, Clause No. 29 of Report No. 12 of The Works Committee, headed ‘Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307’, and, in so doing, granted the authority to negotiate and enter into an agreement with Republic Services of Canada, Inc., to provide the required haulage and disposal services for wastewater system by-products for the City of Toronto commencing January 1, 2003; and

WHEREAS the disposal of the wastewater system by-products will take place at the Carleton Farms landfill in the United States or other licensed and permitted solid waste disposal facilities, and it is in the interest of the City that the agreement be modelled on the City’s Waste Transport and Disposal Agreement, dated October 25, 2000, in relation to the disposal of the City’s solid waste, including the addition of parties; and

WHEREAS there are no financial impacts associated with this Motion;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 29 of Report No. 12 of The Works Committee, headed ‘Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council consider the attached report dated April 14, 2003, from the Commissioner of Works and Emergency Services and that such report be adopted.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(24), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 30, Page 306.)

City Council also had before it, during consideration of Motion J(24), a report dated April 14, 2003, from the Commissioner of Works and Emergency Services, entitled "Contract with Republic Services of Canada Inc., Haulage and Disposal of Wastewater System By-Products to the Carleton Farms Landfill in Michigan, All Wards". (See Attachment No. 7, Page 265)

Votes:

The first Operative Paragraph embodied in Motion J(24) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(24) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated April 14, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

"It is recommended that:

- (1) authority be granted for the City of Toronto to enter into an agreement with Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC (doing business as Carleton Farms) and Wilson Logistics Inc. to provide the required haulage and disposal services in respect of wastewater system by-products effective January 1, 2003, to the Carlton Farms Landfill in Michigan or other licensed and permitted solid waste disposal facilities, on the terms and conditions set out in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services to protect the interests of the City and in a form satisfactory to the City Solicitor;
- (2) in addition to the previously authorized prices for haulage and disposal as set out in Clause No. 29 of Report No. 12 of The Works Committee, as adopted by City Council at its meeting held on November 26, 27 and 28, 2002, authority be granted to pay Wilson Logistics Inc. the sum of \$90.00 for the haulage and disposal of each trailer load in circumstances where, in order to make up its full 12 tonne load capacity for Type 1 waste (i.e., capacity of one roll-off box) or 34 tonnes of Type 2 or Type 4 waste, a trailer is required to attend at an additional location as authorized by the Commissioner of Works and Emergency Services to pick up material; and

- (3) the appropriate City officials be directed to take the necessary action to give effect thereto.”

4.128 **Bloor West Village Ukrainian Festival – Request for Liquor Licence**

Councillor Miller moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“**WHEREAS** the Bloor West Village Ukrainian Festival will hold their Street Festival on August 22, 2003, to August 23, 2003, from 6:00 p.m. to 12:00 midnight and from 12:00 noon to 12 midnight, respectively; and

WHEREAS the Bloor West Village Ukrainian Festival and the Bloor West Village BIA have requested that a liquor licence for a beer tent on a section of Bloor Street West, closed to vehicular traffic and encompassing the centre two lanes between Beresford Avenue where it meets the north side of Bloor Street West and Durie Street where it meets the south side of Bloor Street West, be approved; and

WHEREAS I, as Ward Councillor, have received this formal request from the Bloor West Village Ukrainian Festival;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor licence by the Bloor West Village Ukrainian Festival is in the public interest, having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to approve the application.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(25), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 31, Page 307.)

Procedural Vote:

The vote to waive referral of Motion J(25) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(25) was adopted, without amendment.

4.129 **38 St. Lawrence Street – Habitat for Humanity**

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(26), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Pitfield

“WHEREAS 38 St. Lawrence Street is identified in Appendix B of the staff report embodied in Clause No. 1 of Report No. 3 of The Administration Committee, as an active, allocated site under the Property Management Committee process; and

WHEREAS this site is adjacent to 30 St. Lawrence Street and was part of a community commitment to provide affordable home ownership on these sites; and

WHEREAS Metropolitan Habitat for Humanity has submitted a proposal for ten volunteer-built homes; and

WHEREAS the City of Toronto has previously sold three single lots at below-market value to Metropolitan Habitat for Humanity and those units have been constructed and occupied;

NOW THEREFORE BE IT RESOLVED THAT 38 St. Lawrence Street be sold at below-market value to Metropolitan Habitat for Humanity for the construction of ten housing units and that at least 50 percent of the purchasers be selected from the City's Social Housing Waiting List;

AND BE IT FURTHER RESOLVED THAT authority be granted to the Commissioner of Community and Neighbourhood Services to enter into negotiations with Metropolitan Habitat for Humanity and to report back to the Community Services Committee on the results of such negotiations.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(26) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(26), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 32, Page 308.)

Procedural Vote:

The vote to waive referral of Motion J(26) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor McConnell moved that Motion J(26) be adopted, subject to:

- (1) deleting from the first Operative Paragraph, the words “at least 50 percent”, and inserting in lieu thereof the word “all”; and
- (2) adding to the second Operative Paragraph, the words “for approval by Standing Committee and Council”;

so that the Operative Paragraphs embodied in such Motion shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT 38 St. Lawrence Street be sold at below-market value to Metropolitan Habitat for Humanity for the construction of ten housing units and that all of the purchasers be selected from the City's Social Housing Waiting List;

AND BE IT FURTHER RESOLVED THAT authority be granted to the Commissioner of Community and Neighbourhood Services to enter into negotiations with Metropolitan Habitat for Humanity and to report back to the Community Services Committee on the results of such negotiations for approval by Standing Committee and Council.”

Votes:

The motion by Councillor McConnell carried.

Motion J(26), as amended, carried.

4.130 **Withdrawal of Notice of Intention to Designate Under Part IV of the Ontario Heritage Act – 35 Church Street**

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

Moved by: Councillor Nunziata

Seconded by: Councillor Moscoe

“**WHEREAS** City Council, by its adoption, without amendment, of Motion J(37), moved by Councillor Nunziata, seconded by Councillor Milczyn, on February 4, 5 and 6, 2003, gave notice of its intention to designate the property at 35 Church Street under Part IV of the Ontario Heritage Act for architectural reasons, provided the Toronto Preservation Board endorsed the designation; and

WHEREAS the Toronto Preservation Board, at its February 19, 2003 regular meeting, endorsed the designation of the property located at 35 Church Street; and

WHEREAS the owner of 35 Church Street has objected to the proposed designation of the property under Part IV of the Ontario Heritage Act; and

WHEREAS the owner of 35 Church Street has an engineer’s report stating that the building at 35 Church Street is considered unfit, unsafe; and that the efforts to repair the building are excessive if the nature of the building is to be maintained and, therefore, recommending complete demolition of the building; and

WHEREAS the owner of 35 Church Street, in consultation with the Community, has designed a building that incorporates many of the architectural features of the existing building; and

WHEREAS the owner of 35 Church Street has withdrawn his objection to the proposed designation of the property under Part IV of the Ontario Heritage Act; and

WHEREAS the objection period has expired and there are no other objections to the proposed designation;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(37), moved by Councillor Nunziata, seconded by Councillor Milczyn, entitled 'Intention to Designate Under Part IV of the Ontario Heritage Act – 35 Church Street', adopted, without amendment, by City Council at its meeting held on February 4, 5 and 6, 2003, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto withdraw the Notice of Intention to Designate 35 Church Street 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.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(27), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 33, Page 309.)

Votes:

The first Operative Paragraph embodied in Motion J(27) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(27) was adopted, without amendment.

4.131 Establishment of Heritage Conservation District for Blythwood Road Area and Acceptance of Donations

Councillor Flint moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Flint**

Seconded by: **Councillor I. Jones**

“**WHEREAS** Council has agreed to initiate the process to establish a Heritage Conservation District Study for the Blythwood Road area, once funding to hire consultants to conduct the study has been secured; and

WHEREAS the cost of this study will be determined when various Heritage consulting firms respond to the Request for Proposals; and

WHEREAS there are several residents in the Blythwood Road area who would be willing to contribute to the cost of the study, if they were able to obtain an income tax receipt; and

WHEREAS the South Rosedale Heritage Conservation District Study provides a successful model for such as scheme;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council authorize the acceptance of donations up to December 31, 2003, to be used for the Blythwood Road Area Heritage Conservation District Study;
- (2) all donations received be held in a separate account designated for this purpose;
- (3) City Council authorize that donations collected for the purpose of completing the Blythwood Road Heritage Conservation District Study be used to hire consultants under the direction of the City of Toronto’s Culture Division;
- (4) the Chief Financial Officer and Treasurer be authorized to issue an income tax receipt to the donor for funds donated in the amount of \$20.00 or more; and
- (5) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Midtown Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(28), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 34, Page 310.)

Procedural Vote:

The vote to waive referral of Motion J(28) to the Midtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(28) was adopted, without amendment.

4.132 **Offer of Settlement to 300 Borough Drive (The Scarborough Town Centre Shopping Mall) - Appeal to the Ontario Municipal Board of By-law No. 781-2002 (Drive-Through By-law)**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Berardinetti

“WHEREAS City Council, at its meeting held on October 1, 2, and 3, 2002, adopted, as amended, Planning and Transportation Committee Report No. 10, Clause No. 1, headed ‘By-law Amendment to Regulate Drive-Through Facilities in the City of Toronto’, and, in so doing, passed city-wide zoning amendments specifying where drive-through facilities may be permitted; and

WHEREAS OMERS Realty Holdings have appealed to the Ontario Municipal Board the provisions of By-law No. 781-2002, as it applies to 300 Borough Drive (The Scarborough Town Centre Shopping Mall); and

WHEREAS the Ontario Municipal Board hearing has scheduled a Pre-hearing Conference on the appeals to the Drive-through By-laws for May 1, 2003; and

WHEREAS direction to the City Solicitor with respect to this matter is required, prior to attending the Ontario Municipal Board Pre-hearing Conference;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 4, 2003, from the City Solicitor and that such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(29), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 35, Page 311.)

Procedural Vote:

The vote to waive referral of Motion J(29) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(29), a confidential report dated April 4, 2003, from City Solicitor.

Vote:

Motion J(29) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the confidential report dated April 4, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendation embodied therein:

“It is recommended that the City settle the appeal to By-law No. 781-2002, with respect to 300 Borough Drive, on the basis set out in Attachment ‘1’ to this report.”

4.133 **Let’s Build Affordable Housing Project - Request to Review Score Cards In Camera**

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(30), moved by Councillor Ford, seconded by Councillor Milczyn, and, in the absence of Councillor Ford, moved by Councillor Milczyn, seconded by Councillor Nunziata, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Milczyn**

Seconded by: **Councillor Nunziata**

“**WHEREAS** City Council at its regular meeting held on February 4, 5 and 6, 2003, and its special meetings held on February 7, 10 and 11, 2003, in adopting, as amended, Clause No. 21 of Report No. 1 of The Policy and Finance Committee, headed ‘Proposal for Affordable Housing and Childcare Centre on the City-owned Bergamot Avenue Property and Results of a Community Meeting (Ward 2 – Etobicoke North)’, directed that the scorecards related to this Request for Proposals be released immediately in camera; and

WHEREAS, despite this direction, Council did not recess to meet privately to consider the release of the scorecards prior to adjourning its meeting; and

WHEREAS the Commissioner of Community and Neighbourhood Services has prepared a confidential report dated April 11, 2003, in response to Council’s direction regarding the release of the scorecards;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services, and that such report be received for information.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(30), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 36, Page 312.)

City Council also had before it, during consideration of Motion J(30), a confidential report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services.

Vote:

Motion J(30) was adopted, without amendment, and in so doing, Council received the confidential report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services, for information, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of the property of the municipality.

4.134 **2446-2448 Bloor Street West – “The Fan”, “Billy Bob’s” and “Wedgewood Restaurant”;
Application for a Roof Top Patio Liquor Licence, Parkdale-High Park, Ward 13**

Councillor Miller moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(31), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“WHEREAS the establishment at 2446-2448 Bloor Street West, known as ‘The Fan’, ‘Billy Bob’s’ and ‘Wedgewood Restaurant’, applied to the Alcohol and Gaming Commission of Ontario for a liquor licence for a roof top patio; and

WHEREAS City Council at its meeting held on October 1, 2 and 3, 2002, adopted Clause No. 54 of Report No. 11 of The Humber York Community Council requesting that the Alcohol and Gaming Commission not grant any additional liquor licences, or expansion of existing licences, for the establishment at 2446-2448 Bloor Street West, unless the community interests are fully and clearly addressed; and

WHEREAS the owner of the establishment at 2446-2448 Bloor Street West has approached the City Solicitor with a list of proposed conditions to the licence that he feels will address the community interests;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 10, 2003, from the City Solicitor.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(31) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(31), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 37, Page 313.)

Procedural Vote:

The vote to waive referral of Motion J(31) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(31), a confidential report dated April 10, 2003, from the City Solicitor.

Motions:

- (a) Councillor Miller moved that Motion J(31) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the settlement proposal referred to in the confidential report dated April 10, 2003, from the City Solicitor, be refused, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege;”.

- (b) Councillor Nunziata moved that Motion J(31) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to liaise with the local Division of the Toronto Police Service with respect to the issues contained in the confidential report dated April 10, 2003, from the City Solicitor.”

Vote:

Motion (a) by Councillor Miller carried.

Motion (b) by Councillor Nunziata carried.

Motion J(31), as amended, carried.

In summary, Council adopted Motion J(31), subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the settlement proposal referred to in the confidential report dated April 10, 2003, from the City Solicitor, be refused, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to liaise with the local Division of the Toronto Police Service with respect to the issues contained in the confidential report dated April 10, 2003, from the City Solicitor.”

4.135 **Planning and Future Development of the Village of Yorkville**

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(33), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Milczyn

Seconded by: Councillor Rae

“**WHEREAS** City Council has recently approved, in principle, a mixed-use development at 76, 88R, 92 and 100 Yorkville Avenue and 95, 115, 119 and 121R Scollard Street (File No. 202008 TE ZBL 2002 006); and

WHEREAS this development includes an eighteen (18) storey building within the heart of the Village of Yorkville; and

WHEREAS tall tower development within this area is precluded by the current Zoning By-laws, Official Plan policies and guidelines of the Village of Yorkville Area of Special Identity; and

WHEREAS the Village of Yorkville is one of the City’s most unique neighbourhoods, as defined by its architecture, heritage, mix of uses, scale of buildings and tourism facilities; and

WHEREAS the Village of Yorkville plays an important role in tourism attraction to the City of Toronto; and

WHEREAS the future of the Village of Yorkville is of City-wide interest and importance;

NOW THEREFORE BE IT RESOLVED THAT the Commissioners of Urban Development Services and Economic Development Culture and Tourism be requested to report jointly to both the Planning and Transportation Committee and the Economic Development and Parks Committee, at their meetings scheduled to be held on April 28, 2003, and May 5, 2003, respectively, on the planning framework in place to protect the future architectural, urban, and heritage fabric of Yorkville, and on the role that Yorkville plays in the economic and tourism development of the City and the impact that changes in the

character of Yorkville may have on the area's viability, and recommend which actions, if any, should be taken to safeguard the future of the Village of Yorkville;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on April 28, 2003, on the implementation of the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning + Urban Design Consultants."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(33) to the Planning and Transportation Committee and the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(33), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 39, Page 315.)

Procedural Vote:

The vote to waive referral of Motion J(33) to the Planning and Transportation Committee and the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Milczyn moved that Motion J(33) be adopted, subject to:

- (1) deleting from the first Operative Paragraph the words "to be held on April 28, 2003, and May 5, 2003, respectively," and inserting in lieu thereof the words "to be held on June 3, 2003, and June 9, 2003, respectively,"; and
- (2) deleting from the second Operative Paragraph, the date "April 28, 2003", and inserting in lieu thereof the date "June 3, 2003";

so that such Operative Paragraphs shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Commissioners of Urban Development Services and Economic Development Culture and Tourism be requested to report jointly to both the Planning and Transportation Committee and the Economic Development and Parks Committee, at their meetings scheduled to be held on June 3, 2003, and June 9, 2003, respectively, on the planning framework in place to protect the future architectural, urban, and heritage fabric of Yorkville, and on the role that Yorkville plays in the economic and tourism development of the City and the impact that changes in the character of Yorkville may have on the area’s viability, and recommend which actions, if any, should be taken to safeguard the future of the Village of Yorkville;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on June 3, 2003, on the implementation of the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning + Urban Design Consultants.”

Votes:

The motion by Councillor Milczyn carried.

Motion J(33), as amended, carried.

4.136 **Street Occupation Permit for Construction Staging Area – Dalhousie Street – Ryerson Polytechnic University**

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(34), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“WHEREAS Ryerson Polytechnic University is constructing a new Engineering Building at 43 Church Street, in order to accommodate the impending double cohort; and

WHEREAS the University needs a street occupation permit for Dalhousie Street, in order to construct the building; and

WHEREAS Transportation Staff have evaluated the application and are supportive of the proposal; and

WHEREAS construction must start in the first week of May 2003, in order to meet the timelines of the double cohort;

NOW THEREFORE BE IT RESOLVED THAT a street occupation permit be issued for this construction project and that Dalhousie Street operate one-way northbound, from Dundas Street East to Gould Street; that a staging area be established on the west sidewalk and lane of Dalhousie Street, from a point approximately 35 metres north of Dundas Street East to Gould Street; that stopping be prohibited on Dalhousie Street on the same section; that these regulations be rescinded upon completion of construction of 43 Church Street and that Ryerson University/Aecon be responsible for all costs associated with the implementation of this permit.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(34) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(34), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 40, Page 316.)

Procedural Vote:

The vote to waive referral of Motion J(34) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(34) was adopted, without amendment.

4.137 Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road – Ward 23 - Willowdale

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(35), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Filion**

Seconded by: **Councillor Minnan-Wong**

“**WHEREAS** City Council by its adoption, without amendment, of Clause No. 14 of Report No. 1 of The North York Community Council, headed ‘Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road – Ward 23 - Willowdale’, at its meeting held on February 4, 5 and 6, 2003, approved the following Recommendation No. (4) embodied in the joint report dated January 20, 2003, from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, as amended by the North York Community Council:

- ‘(4) the Highway be declared surplus to the City’s requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner to the west on the basis that the current application is revised to include the Highway at the current density of 2.5 FSI and that any sale shall be conditional upon the development application for the north portion of Block 4 being approved by City Council and becoming final and binding and if, in the opinion of staff, no recommendable offer is received, then the Highway be listed for sale on the open market;’; and

WHEREAS the abutting property owner to the west has now purchased the Bales Estates lands to the east of the Highway;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 14 of Report No. 1 of The North York Community Council, headed ‘Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road - Ward 23 - Willowdale’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Recommendation No. (4) embodied in the joint report dated January 20, 2003, from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, as amended by the North York Community Council, be further amended to now read as follows:

- ‘(4) the Highway be declared surplus to the City requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner to the west on the basis that any application that includes these lands, the density of these lands be 2.5 FSI, and that any sale shall be conditional upon the development application that

includes these lands being approved by City Council and becoming final and binding and if, in the opinion of staff, no recommendable offer is received, then the Highway be listed for sale on the open market.’.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(35), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 41, Page 317.)

Votes:

The first Operative Paragraph embodied in Motion J(35) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(35) was adopted, without amendment.

4.138 150 College Street – Committee of Adjustment Appeal – Leslie Dan Faculty of Pharmacy Building (University of Toronto)

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(36), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

“WHEREAS at its meeting held on February 4, 5 and 6, 2003, City Council adopted the recommendations of the Toronto East York Community Council as contained in Clause No. 19 of Report No. 1, headed ‘Committee of Adjustment Appeal - Leslie Dan Faculty of Pharmacy Building (University of Toronto) - 150 College Street (Trinity-Spadina, Ward 20)’; and

WHEREAS staff were instructed to appeal the decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS the Board encouraged the parties to settle the matter without the need for a hearing; and

WHEREAS the City Solicitor had submitted a confidential report dated April 14, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 14, 2002, from the City Solicitor, and such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(36) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(36), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 42, Page 318.)

Procedural Vote:

The vote to waive referral of Motion J(36) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(36), a confidential report dated April 14, 2002, from the City Solicitor.

Motion:

Councillor Chow moved that Motion J(36) be adopted, subject to adding to the Operative Paragraph, the words “subject to adding to Recommendation No. (2), embodied therein, the words ‘subject to the execution of the University of Toronto Greenhouse Relocation Agreement’ ”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached confidential report dated April 14, 2002, from the City Solicitor, and such report be adopted, subject to adding to Recommendation No. (2), embodied therein, the words ‘subject to the execution of the University of Toronto Greenhouse Relocation Agreement’ .”

Vote:

The motion by Councillor Chow carried.

Motion J(36), as amended, carried.

Council, by its adoption of Motion J(36), as amended, adopted, as amended, the confidential report dated April 14, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein, as amended by City Council:

“It is recommended that:

- (1) authority be granted for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the University of Toronto, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services, and subject to the following specific amendments:
 - (a) the City and Owner are to act reasonably with respect to all rights and powers granted to them under the Heritage Easement Agreement, as further described in this report, provided that in respect of requests for approval by the Owner, the City’s obligation to act reasonably shall only apply where the request is for the University’s institutional purposes;
 - (b) where the Owner requires the City’s approval, at any time prior to City Council making a decision in the matter, the Owner may make representations to Council, a Community Council and/or the Heritage Preservation Board involving the provision of one or more expert reports prepared by experts selected by the Owner, at the Owner’s expense;
 - (c) Letters of Credit will not be required; and
 - (d) certain provisions respecting the cutting of trees and landscaping have been deleted;
- (2) the City Solicitor be authorized to withdraw the City’s appeal to the Ontario Municipal Board in this matter, upon the execution and registration of a satisfactory Heritage Easement Agreement respecting the Fitzgerald Building at 150 College Street with the City, as described in Recommendation No. (1), above, as a first charge against the lands, subject to the execution of the University of Toronto Greenhouse Relocation Agreement; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

4.139 **685 and 687 Oriole Parkway – Appeal of Committee of Adjustment Decision at Ontario Municipal Board**

Councillor Miller moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(37), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Flint

“**WHEREAS** 1483831 Ontario Limited applied to the Committee of Adjustment for a consent to sever and variances, including lot frontage, gross floor area, side yard setbacks, permission for an integral garage and height for the properties known as 685 and 687 Oriole Parkway (Ward 16); and

WHEREAS on January 16, 2003, the Committee of Adjustment refused the application by 1483831 Ontario Limited with the intent to sever and associated variances; and

WHEREAS the Ontario Municipal Board will be considering an appeal by 1483831 Ontario Limited with respect to this decision by the Committee of Adjustment for residential development at 685 and 687 Oriole Parkway;

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(37) to the Midtown Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(37), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 43, Page 319.)

Procedural Vote:

The vote to waive referral of Motion J(37) to the Midtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(37) was adopted, without amendment.

4.140 Impact of Severe Acute Respiratory Syndrome (SARS) on Employment and the Economy

Councillor Miller moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(38), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Miller**

Seconded by: **Councillor Chow**

“WHEREAS the Commissioner of Economic Development, Culture and Parks, in conjunction with the Toronto Chinese Business Association and other interested organizations and Councillors should be given the authority to implement a plan that would promote shopping and dining locally; and

WHEREAS the Ministry of Labour has access to contact information for all employers and unions in the Province; and

WHEREAS SARS is a Provincial, as well as a local issue; and

WHEREAS the best mechanism to prevent the spread of SARS is by quarantining people who have been in direct contact with a SARS case and by those people strictly adhering to their quarantine;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request that the Ministry of Labour communicate to all employers and unions in the province that people in quarantine must stay home for the full duration of their quarantine and that their jobs will not be in jeopardy as a result of not being at work for this period;

AND BE IT FURTHER RESOLVED THAT the Ministry of Labour be requested to remind employers of their legal obligation to provide appropriate compensation for people who need to be quarantined;

AND BE IT FURTHER RESOLVED THAT the Federal and Provincial Governments be requested to determine the possibilities for compensation for affected businesses;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Parks, together with Tourism Toronto develop an immediate action plan to encourage international visitors to our safe and vibrant City.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(38) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(38), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 44, Page 320.)

Procedural Vote:

The vote to waive referral of Motion J(38) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

Having regard that Council did not conclude its consideration of Motion J(38) prior to the end of this meeting, consideration of Motion J(38) was deferred to a special Meeting of City Council to be held at the Call of the Mayor.

- 4.141 **Ontario Municipal Board Case No. PL021072 – Notice of Prehearing Conference - TDL Group Ltd., Canadian Tire Real Estate Limited, Ontario Restaurant Hotel & Motel Association, Cara Operations Limited - Appeal to the Ontario Municipal Board Under Subsection 34(19) of the Planning Act, R.S.O. c. P.13, as amended, against Zoning By-law Nos. 776-2002 to 811-2002, inclusive, of the City of Toronto – O.M.B. File Nos. R020240 to R020275 – Drive-Through Facilities**

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(39), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pitfield**

Seconded by: **Councillor Mihevc**

“**WHEREAS** the Toronto Pedestrian Committee had before it an Ontario Municipal Board Notice of Pre-hearing Conference to be held at City of Toronto – North York Civic Centre, Committee Room No. 4, 5100 Yonge Street, Lower Floor, Toronto, on Thursday, May 1, 2003, at 10:00 a.m., with respect to the above appeal relating to the City of Toronto Zoning By-law Nos. 776-2002 to 811-2002, inclusive; which by-laws amend the various municipal Zoning by-laws and Zoning Code, by adding definitions for drive-through facilities and staking lanes and by adding general provisions to regulate where drive-through facilities may or may not be permitted; and

WHEREAS the Toronto Pedestrian Committee has been an interested party with respect to this matter from 2001, and was instrumental in requesting that City Council direct staff to review the Zoning By-law for the former City of Toronto and prepare development standards to address the issues raised by drive-through facilities in all parts of the City; and

WHEREAS the pre-hearing is scheduled by the Ontario Municipal Board prior to the next City Council meeting of May 21, 22 and 23, 2003, which would not allow time for the Toronto Pedestrian Committee to report through its normal channel to Works Committee, thus making this matter time sensitive and urgent;

NOW THEREFORE BE IT RESOLVED THAT Council permit the Toronto Pedestrian Committee to apply for observer status at the Pre-hearing Conference in support of the City of Toronto By-law Nos. 776–2002 to 811-2002, to be held on May 1, 2003, and further that the Co-Chairs of the Toronto Pedestrian Committee, or their representatives, attend on behalf of the Toronto Pedestrian Committee at this Pre-hearing Conference and any other hearing with respect to this matter.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(39) to the Works Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(39), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 45, Page 321.)

Procedural Vote:

The vote to waive referral of Motion J(39) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(39), a communication dated April 9, 2003, from the City Clerk, Toronto Pedestrian Committee, entitled "Ontario Municipal Board Case No. PL021072 – Notice of Prehearing Conference TDL Group Ltd., Canadian Tire Real Estate Limited, Ontario Restaurant Hotel & Motel Association, Cara Operations Limited and others have appealed to the Ontario Municipal Board under subsection 34(19) of the Planning Act, R.S.O. c.P.13, as amended against City of Toronto Zoning By-law Nos. 776-2002 to 811-2002 inclusive, with respect to drive-through facilities". (See Attachment No. 9, Page 273.)

Vote:

Motion J(39) was adopted, without amendment.

4.142 Study of the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area in the Former City of York

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(40), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Councillor Di Giorgio

“WHEREAS residents in the residential areas zoned R2 – Residential District (R2) in the Weston Community, in the former City of York, have expressed concerns regarding the ability of the existing R2 zoning provisions to protect the character of their neighbourhoods from infill development or redevelopment; and

WHEREAS the concerns of area residents have been heightened by recent Committee of Adjustment applications for minor variances to the zoning regulations for residential infill development or redevelopment in the neighbourhood; and

WHEREAS the residents are concerned that such residential infill development and redevelopment applications are not in keeping with the character of the area as reflected by existing development and that such development and redevelopment will continue to be proposed unless zoning standards are reviewed and changed; and

WHEREAS area residents have petitioned that a review of the existing R2 zoning should be undertaken in R2 zoned areas with a view to:

- preserving areas developed predominantly with older, single detached dwellings with zoning regulations that will reflect the existing single detached dwelling house development of those areas; and
- preserving areas developed predominantly with a mix of semi-detached, duplex, or single detached dwellings with zoning regulations that reflect the existing mixed residential built form of those areas; and

WHEREAS the R2 zoned areas that should be studied should include the residential area bounded by Coulter Avenue, the Canadian National Railway line, King Street West and Weston Road and the residential area bounded by the north limit of properties fronting onto King Street Crescent, between Weston Road and the Humber River, the Humber River, Lawrence Avenue West and Weston Road (the Study Areas) as shown on the attached map; and

WHEREAS the Commissioner of Urban Development Services has submitted the attached report dated April 15, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT as recommended in the attached report dated April 15, 2003, from the Commissioner of Urban Development Services, and in consideration of the concerns of the residents, the Commissioner of Urban Development Services be directed to review the present R2 zoning within the Study Areas, with a view to preserving the existing character of development and report on the review within a one year timeframe;

AND BE IT FURTHER REOLVED THAT Council grant authority to impose, for a period of one year from passage, interim control restrictions and to enact an Interim Control By-law to give effect hereto and that authority be granted for the introduction of the necessary Bill in Council to give effect hereto.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(40), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 46, Page 322.)

City Council also had before it, during consideration of Motion J(40), a report dated April 15, 2003, from the Commissioner of Urban Development Services, entitled "Information Report - Interim Control By-law for the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area in the former City of York - York South-Weston- Ward 11)". (See Attachment No. 10, Page 275.)

Vote:

Motion J(40) was adopted, without amendment.

4.143 **OMB Appeal of Committee of Adjustment Decision, 32 Saunders Road (Ward 36)**

Councillor Ashton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(41), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor McConnell

"WHEREAS the Committee of Adjustment for the City-approved minor variance application A29-03SC for 32 Saunders Road which allows an accessory building with a height of 7.3 metres (24 feet) and a total height of 9.4 metres (31 feet); and

WHEREAS the Scarborough Village Zoning By-law permits a maximum height (measured from the floor to the eaves) of 3.6 metres (11.8 feet) for an accessory building; and

WHEREAS the Council feels that this structure is out of character with the neighbourhood, will have a negative impact on the neighbouring properties and is not appropriate development for the property; and

WHEREAS the variance is not minor, does not support appropriate development of the lands and does not maintain the general intent and purpose of the Official Plan or the Zoning By-law; and

WHEREAS the last date of appeal is April 15, 2003;

NOW THEREFORE BE IT RESOLVED THAT Council appeal the decision of the Committee of Adjustment and direct the City Solicitor, and appropriate staff, to appear at the Ontario Municipal Board in opposition to the decision."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(41) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(41), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 47, Page 323.)

Procedural Vote:

The vote to waive referral of Motion J(41) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(41) was adopted, without amendment.

4.144 Increasing Fines for Illegal Dumping and Littering

Councillor Cho moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(42), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Cho

Seconded by: Councillor Miller

“WHEREAS the City of Toronto has set fines under Municipal Code Chapter 841 and Chapter 844 for illegal dumping and littering; and

WHEREAS illegal dumping, littering and garbage at the curb on wrong collection days continues to be a problem across the City; and

WHEREAS the current set fines for illegal dumping, littering and garbage not stored on private property should be reviewed, in order to ensure maximum effectiveness;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as soon as

possible, on a review of the current set fines for illegal dumping, littering and garbage not stored on private property, such report to identify where such fines may be increased while continuing to maintain maximum effectiveness;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services also be requested to submit a report to the Works Committee on a strategy to encourage property owners to keep the public property, adjacent to their private property, clean, and to restore pride in the cleanliness of our City.”

Disposition:

Having regard that Council did not conclude its consideration of Motion J(42) prior to the end of this meeting, consideration of Motion J(42) was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

4.145 City of Toronto Initiative to Counter the Negative Perception of Toronto as a Tourist Destination and to Stimulate Local Business Development

Councillor Minnan-Wong moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(43), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Chow

“WHEREAS the City of Toronto is Canada’s leading tourist destination, receiving over 16 million visitors annually; and

WHEREAS the tourism industry in Toronto generates over \$7.2 billion in economic impact and supports 95,000 jobs; and

WHEREAS the tourism industry in Toronto has suffered direct economic losses of revenues and hotel sector employees are being laid off, as a direct result of the impact of Severe Acute Respiratory Syndrome (SARS); and

WHEREAS local businesses, including restaurants, theatres and retail operations across the City of Toronto, are also negatively impacted; and

WHEREAS the Centre for Disease Control and Prevention in Atlanta and the World Health Organizations are not warning against travel to Toronto, but do warn about travelling to certain Asian countries where SARS is a more immediate public health issue; and

WHEREAS the epidemiology of SARS in Canada is significantly different than in Asia, with regard to community transmission; and

WHEREAS the period of May through September is the peak season for visitation and revenue generation for the tourist industry; and

WHEREAS Toronto attracts close to two million visitors annually from the border state region of the United States of America and the months of May and June are the key months in the vacation decision making process of Border States travellers;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the Commissioner of Economic Development, Culture and Tourism, the Chief Administrative Officer and the Chief Financial Officer and Treasurer, in consultation and collaboration with key stakeholders, including Tourism Toronto, the Ontario Tourism Marketing Partnership Corporation and the Canadian Tourism Commission, to engage the services of a communications agency to initiate a program that will counter the negative perception of Toronto and endeavour to preserve tourism revenues from key US Border States and stimulate the local market;

AND BE IT FURTHER RESOLVED THAT City Council authorize expenditures, in an amount up to \$500,000.00 for this initiative, and that Federal and Provincial partners be requested to contribute at least an equivalent amount for this initiative;

AND BE IT FURTHER RESOLVED THAT the local and national print, radio and TV media partners of the City of Toronto be invited to participate in this civic initiative, through public service announcements and other contributions;

AND BE IT FURTHER RESOLVED THAT, in conjunction with the Toronto Chinese Business Association, other interested organizations and Councillors, a plan be implemented that would promote shopping and dining locally;

AND BE IT FURTHER RESOLVED THAT the Budget Advisory Committee, in consultation with the Chief Financial Officer and Treasurer, recommend the source of funding for this initiative;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to report back to Council, through the Economic Development and Parks Committee, on the actions and results.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(43) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(43), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 48, Page 324.)

Procedural Vote:

The vote to waive referral of Motion J(43) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

Having regard that Council did not conclude its consideration of Motion J(43) prior to the end of this meeting, consideration of Motion J(42) was deferred to a special Meeting of City Council to be held at the Call of the Mayor.

4.146 Juno Beach Memorial and the Juno Beach Centre Association

Councillor Kelly moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(44), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Kelly

Seconded by: Councillor Ootes

“WHEREAS Toronto’s contribution in troops and material to Canada’s Second World War effort was considerable and significant; and

WHEREAS Toronto is Canada’s largest City and, last year, contributed \$10,000.00 towards the Juno Beach Centre, currently under construction in Normandy, France; and

WHEREAS other, smaller municipalities in Canada have contributed amounts equal to Toronto; and

WHEREAS Toronto’s recognition of its veterans who defended our freedoms does not appear to be proportional to the significance of Toronto and its contributions to the war

effort; and

WHEREAS the Juno Beach Centre Association has requested a larger commitment from Toronto;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(40), moved by Councillor Korwin-Kuczynski, seconded by Deputy Mayor Ootes, adopted, as amended, by City Council on November 26, 27 and 28, 2002, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the City of Toronto increase its contribution to the Juno Beach Centre by an additional \$20,000.00;

AND BE IT FURTHER RESOLVED THAT the Budget Advisory Committee, in consultation with the Chief Financial Officer and Treasurer, be requested to recommend the source of funding for this initiative.”

Vote:

The first Operative Paragraph embodied in Motion J(44) carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Shiner moved that the balance of Motion J(44) be adopted, subject to deleting the third Operative Paragraph and inserting in lieu thereof the following:

“**AND BE IT FURTHER RESOLVED THAT** this initiative be funded from under-expenditures in the Councillors’ 2003 budget.”

Votes:

The motion by Councillor Shiner carried.

The balance of Motion J(44), as amended, carried.

- 4.147 Consideration of the following matters related to Severe Acute Respiratory Syndrome (SARS) was deferred to a special meeting of City Council to be held at the call of the Mayor, having regard that they remained on the Order Paper at the conclusion of this meeting of Council:

REPORT NO. 2 OF THE BOARD OF HEALTH

Clause No. 2 - "Severe Acute Respiratory Syndrome (SARS)".

NOTICES OF MOTION

J(38) Moved by Councillor Miller, seconded by Councillor Chow, regarding Impact of Severe Acute Respiratory Syndrome (SARS) on Employment and the Economy.

J(43) Moved by Councillor Minnan-Wong, seconded by Councillor Chow, regarding City of Toronto Initiative to Counter the Negative Perception of Toronto as a Tourist Destination and to Stimulate Local Business Development.

Consideration of the following matters was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003, having regard that they remained on the Order Paper at the conclusion of this meeting of Council:

REPORT NO. 2 OF THE ADMINISTRATION COMMITTEE

Clause No. 3a - "Tenant Outreach Program 2003 Election Tenant Information Program".

REPORT NO. 2 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 7a - "Childcare Occupancy Cost Agreements with the Boards of Education".

REPORT NO. 3 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 5 - "Temporary Media Signage for Canadian National Exhibition".

REPORT NO. 3 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 8 - "Update on the Recommendations of the Coroner's Inquest into the Death of Kimberly Rogers and the Provincial Zero Tolerance Policy for Social Assistance Fraud".

Clause No. 22 - "Outstanding Hydro Charges - Various Non-Profit Agencies".

REPORT NO. 3 OF THE WORKS COMMITTEE

Clause No. 3 - "Pay-As-You Throw Program for the Residential Sector".

- Clause No. 17 - “Introduction of Photo Radar on City of Toronto Streets and Expressways”.

REPORT NO. 3 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - "Review of the Housing First Policy (All Wards)".

REPORT NO. 1 OF THE AUDIT COMMITTEE

Clause No. 9 - "SAP Financial and Human Resources/Payroll Information Systems - Post Implementation Review".

REPORT NO. 2 OF THE STRIKING COMMITTEE

Clause No. 2 - "Appointment of a Member of Council to the Toronto Transit Commission".

NOTICES OF MOTION

- F(1) Moved by Councillor Di Giorgio, seconded by Councillor Li Preti, regarding the Proposed 'Super Hospital' – Keele Street and Sheppard Avenue West.
- F(2) Moved by Councillor Chow, seconded by Councillor Miller, regarding Support to Defend Against the Appeal With Respect to the Sale of Hydro One.
- F(3) Moved by Councillor Bussin, seconded by Councillor I. Jones, regarding the City Employees Strike - Summer of 2002.
- F(5) Moved by Councillor Moscoe, seconded by Councillor Holyday, regarding the Establishment of Four Community Councils.
- J(4) Moved by Councillor Walker, seconded by Councillor Milczyn, regarding Grants to the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway.
- J(5) Moved by Councillor Walker, seconded by Councillor Moscoe, regarding the Request to the Provincial Government to Abandon Electricity Deregulation and Privatization.
- J(42) Moved by Councillor Cho, seconded by Councillor Miller, regarding Increasing Fines for Illegal Dumping and Littering.

BILLS AND BY-LAWS

- 4.148 On April 14, 2003, at 8:00 p.m., Councillor Moscoe, seconded by Councillor Feldman, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 344	By-law No. 188-2003	To confirm the proceedings of the Council at its meeting held on the 14th day of April, 2003,
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the vote upon which was taken as follows:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 1	
Councillor:	Moeser

Carried by a majority of 34.

- 4.149 On April 15, 2003, at 4:36 p.m., Councillor Nunziata, seconded by Councillor Hall, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 293	By-law No. 189-2003	To designate Interim Control Areas in the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area of the City in the former City of York (Interim Control).
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Councillor Nunziata in the Chair.

- 4.150 On April 15, 2003, at 8:01 p.m., Councillor Milczyn, seconded by Councillor Ashton, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 345	By-law No. 190-2003	To confirm the proceedings of the Council at its meeting held on the 14th and 15th of days of April, 2003,
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the vote upon which was taken as follows:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Hall, Holyday, I. Jones, Li Preti, Lindsay Luby, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 22.

Deputy Mayor Ootes in the Chair.

4.151 On April 16, 2003, at 4:21 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 330	By-law No. 191-2003	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 76, 88R, 92 and 100 Yorkville Avenue and 95, 115, 119 and 121R Scollard Street.
Bill No. 331	By-law No. 192-2003	To amend By-law No. 438-86 of the former City of Toronto, as amended with respect to lands known municipally as Nos. 76, 88R, 92 and 100 Yorkville Avenue and Nos. 95, 115, 119 and 121R Scollard Street,

the vote upon which was taken as follows:

Yes - 24	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Flint, Hall, Holyday, I. Jones, Kelly, Li Preti, Mammoliti, McConnell, Minnan-Wong, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva
No - 6	

Councillors: Ford, L. Jones, Milczyn, Miller, Moscoe, Pitfield
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Carried by a majority of 20.

4.152 On April 16, 2003, at 4:21 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 182	By-law No. 193-2003	To amend Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the construction and maintenance of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 183	By-law No. 194-2003	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 184	By-law No. 195-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 185	By-law No. 196-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 186	By-law No. 197-2003	To amend the City of Toronto Municipal Code, respecting references to By-law No. 574-2000.
Bill No. 187	By-law No. 198-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Broadview Avenue.
Bill No. 188	By-law No. 199-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway McNicoll Avenue.

Bill No. 189	By-law No. 200-2003	To amend further Metropolitan Toronto By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers.
Bill No. 190	By-law No. 201-2003	To permanently close portions of the Adelaide Street East road allowance, abutting Premises No. 19 Wilkins Avenue.
Bill No. 191	By-law No. 202-2003	To amend former City of North York By-law No. 7273, as amended to delete reference to the lands municipality described as 450 Bedford Park Avenue.
Bill No. 192	By-law No. 203-2003	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 193	By-law No. 204-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 194	By-law No. 205-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 195	By-law No. 206-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 196	By-law No. 207-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 6 Elm Grove Avenue.
Bill No. 197	By-law No. 208-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 196 Dunn Avenue.

Bill No. 198	By-law No. 209-2003	To amend the Official Plan of the former City of Toronto in respect of the lands known as 15 Thorburn Avenue.
Bill No. 199	By-law No. 210-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 15 Thorburn Avenue.
Bill No. 200	By-law No. 211-2003	To amend the Official Plan of the former City of Toronto in respect of the lands known as 2 Glenavon Road.
Bill No. 201	By-law No. 212-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 2 Glenavon Road.
Bill No. 202	By-law No. 213-2003	To designate certain lands in the St. James Town Area as a Community Improvement Project Area.
Bill No. 203	By-law No. 214-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing respecting flat rates for taxicab rides.
Bill No. 204	By-law No. 215-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, Respecting the issuance of new Ambassador Taxicab Licences.
Bill No. 205	By-law No. 216-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 206	By-law No. 217-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 207	By-law No. 218-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 208	By-law No. 219-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 209	By-law No. 220-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bowood Avenue.
Bill No. 210	By-law No. 221-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 211	By-law No. 222-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway Blueking Crescent.
Bill No. 212	By-law No. 223-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 213	By-law No. 224-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 214	By-law No. 225-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 215	By-law No. 226-2003	To amend By-law No. 32759, as amended, of the former City of North York.
Bill No. 216	By-law No. 227-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 217	By-law No. 228-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 218	By-law No. 229-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 219	By-law No. 230-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 220	By-law No. 231-2003	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 221	By-law No. 232-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 222	By-law No. 233-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 223	By-law No. 234-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 224	By-law No. 235-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 225	By-law No. 236-2003	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Golden Mile Employment District.
Bill No. 226	By-law No. 237-2003	To adopt Amendment No. 1101 of the Official Plan for the former City of Scarborough.
Bill No. 227	By-law No. 238-2003	To amend Scarborough Zoning By-law No. 10717, as amended, with respect to the lands at the Sullivan Community.
Bill No. 228	By-law No. 239-2003	To adopt Amendment No. 1104 of the Official Plan for the former City of Scarborough.
Bill No. 229	By-law No. 240-2003	To amend Scarborough Zoning By-law No. 10327, as amended, with respect to the West Hill Community.
Bill No. 230	By-law No. 241-2003	To repeal Scarborough Zoning By-law No. 765-2002, with respect to the L'Amoreaux Community.
Bill No. 231	By-law No. 242-2003	To amend By-law No. 29704, a by-law respecting fire routes in the geographic area of North York, a by-law of the former City of North York.

Bill No. 232	By-law No. 243-2003	To amend By-law No. 29704, a by-law respecting fire routes in the geographic area of North York, a by-law of the former City of North York.
Bill No. 233	By-law No. 244-2003	To amend By-law No. 3387-1979 of the former City of York, a by-law with respect to fire routes in the geographic area of former York.
Bill No. 234	By-law No. 245-2003	To permanently close a portion of the public lane at the rear of 6 Vermont Avenue.
Bill No. 235	By-law No. 246-2003	To amend Municipal Code Chapter 257, Signing Authority, to authorize certain Archives staff to sign documents and affix the corporate seal on behalf of the City Clerk.
Bill No. 236	By-law No. 247-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 237	By-law No. 248-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting minimum insurance requirements.
Bill No. 238	By-law No. 249-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting taxicab fares.
Bill No. 239	By-law No. 250-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing respecting towing rates. <i>*amended*</i>
Bill No. 240	By-law No. 251-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 241	By-law No. 252-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 242	By-law No. 253-2003	To amend further By-law No. 196, entitled "To restrict the speed of motor vehicles", being a By-law of the former Borough of East York.
Bill No. 243	By-law No. 254-2003	To amend further By-law No. 196, entitled "To restrict the speed of motor vehicles", being a By-law of the former Borough of East York.
Bill No. 244	By-law No. 255-2003	To amend further By-law No. 34-93, a by-law "To provide for disabled person parking permit holders", being a by-law of the former Borough of East York.
Bill No. 245	By-law No. 256-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 254 Windermere Avenue from the maximum height requirements.
Bill No. 246	By-law No. 257-2003	To rename a portion of the public highway Neilson Road which connects Passmore Avenue to Grackle Trail as "Oasis Boulevard".
Bill No. 247	By-law No. 258-2003	To expropriate certain land for the establishment of a public lane at the rear of Premises Nos. 26 to 36 Vaughan Road.
Bill No. 248	By-law No. 259-2003	To adopt a Community Improvement Plan for the Community Improvement Project Area along St. Clair Avenue West between Glenholme Avenue and the Canadian National Rail corridor west of Old Weston Road.
Bill No. 249	By-law No. 260-2003	To amend Municipal Code Chapter 841, Waste Collection, Commercial Properties, to provide for an earlier set out time for certain Commercial Properties.

Bill No. 250	By-law No. 261-2003	To designate the property at 637 Lake Shore Boulevard West (Tip Top Tailors Building) as being of architectural and historical value and interest.
Bill No. 251	By-law No. 262-2003	To designate the property at 69 Sherbourne Street (Victoria Tin Works Building) as being of architectural and historical value and interest.
Bill No. 252	By-law No. 263-2003	To designate the property at 56 Blythwood Road (Herbert Elgie House) as being of cultural heritage value or interest.
Bill No. 253	By-law No. 264-2003	To designate the property at 691 Scarlett Road (St. Matthias Anglican Church) as being of cultural heritage value or interest.
Bill No. 254	By-law No. 265-2003	To designate an area from Steeles Avenue West to the north and Sheppard Avenue West to the south, west of Highway 400 with an irregular western boundary from Sheppard Avenue West to Steeles Avenue West, as an improvement area.
Bill No. 255	By-law No. 266-2003	To adopt Amendment No. 1105 of the Official Plan for the former City of Scarborough.
Bill No. 256	By-law No. 267-2003	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Marshalling Yard Employment District.
Bill No. 257	By-law No. 268-2003	To amend former City of Scarborough Sign By-law No. 22980, as amended, to increase the minimum distance separation between billboards, to regulate the installation of billboards at intersections and to introduce an annual cap on new billboard permits.

Bill No. 258	By-law No. 269-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Algarve Crescent and Turnberry Avenue.
Bill No. 259	By-law No. 270-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Exeter Street, Pine Crest Road, Rosemount Avenue, St. Clarens Avenue and Sunnyside Avenue.
Bill No. 260	By-law No. 271-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Jedburgh Road.
Bill No. 261	By-law No. 272-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hilltop Road.
Bill No. 262	By-law No. 273-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 263	By-law No. 274-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 264	By-law No. 275-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Chester Avenue, Ossington Avenue, Palmerston Avenue and Victor Avenue.
Bill No. 265	By-law No. 276-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.

Bill No. 266	By-law No. 277-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to the subject lands located on the southeast corner of Dixon Road and Kelfield Street, municipally known as 627 Dixon Road.
Bill No. 267	By-law No. 278-2003	To amend City of North York By-law No. 7625 in respect of lands municipally known as 597A Trethewey Drive.
Bill No. 268	By-law No. 279-2003	To designate a portion of the property at 100 McCaul Street (George Reid Wing of the Ontario College of Art and Design) as being of architectural and historical value and interest.
Bill No. 269	By-law No. 280-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 270	By-law No. 281-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 271	By-law No. 282-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 272	By-law No. 283-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 273	By-law No. 284-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located in the south-east quadrant of The Queensway and Grand Avenue, for the lands known municipally as 255 Dalesford Road.
Bill No. 274	By-law No. 285-2003	To amend City of North York By-law No. 30952 in respect of lands municipally known as 4155 Yonge Street.

Bill No. 275	By-law No. 286-2003	To amend further Metropolitan Toronto By-law No. 108-86, designating certain locations on former Metropolitan Roads as Pedestrian Crossovers.
Bill No. 276	By-law No. 287-2003	To amend Chapter 910, Parking Machines, of the Municipal Code of the City of Toronto, to replace parking meters with parking machines on certain streets within the City of Toronto.
Bill No. 277	By-law No. 288-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosewell Avenue.
Bill No. 278	By-law No. 289-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carlaw Avenue, Dupont Street, Glebeholme Boulevard, Lane system bounded by Bellwoods Avenue, Claremont Street, and Shaftesbury Avenue.
Bill No. 279	By-law No. 290-2003	To layout and dedicate certain land for public highway purposes between The Queensway and Sherway Gate and to name that highway Sherway Gardens Road.
Bill No. 280	By-law No. 291-2003	To levy and collect taxes for school purposes for the year 2003, other than those levied before the adoption of the estimates.
Bill No. 281	By-law No. 292-2003	To establish a percentage by which tax decreases are limited in 2003 to properties in the Commercial, Industrial and Multi-Residential Property Classes.
Bill No. 282	By-law No. 293-2003	To amend Municipal Code Chapter 767, Taxation, to opt to have the New Multi-Residential Property Class apply

		within the City of Toronto for 2003.
Bill No. 283	By-law No. 294-2003	To amend By-law No. 949-2002, to correctly identify the name of the Art Collection Reserve Fund.
Bill No. 284	By-law No. 295-2003	To amend further By-law No. 117-79, a by-law “To establish school bus loading zones on roads in the Borough of East York”, being a by-law of the former Borough of East York.
Bill No. 285	By-law No. 296-2003	To amend the Official Plan for the former City of Toronto with respect to the Bloor-Lansdowne Avenue Study Area.
Bill No. 286	By-law No. 297-2003	To amend the General Zoning By-law No. 438-86 with respect to the Bloor-Lansdowne Avenue Study Area.
Bill No. 288	By-law No. 298-2003	To delegate the Chief Financial Officer and Treasurer’s signing authority with respect to various taxation and collection documents.
Bill No. 289	By-law No. 299-2003	To appoint a Fire Chief.
Bill No. 290	By-law No. 300-2003	To adopt Amendment No. 163 of the Official Plan for the former City of York with respect to the lands on the north side of Dundas Street West abutting the east side of Scarlett Road.
Bill No. 291	By-law No. 301-2003	To amend former City of York By-law No. 1-83 in respect of lands on the north side of Dundas Street West and west of Scarlett Road.

Bill No. 292	By-law No. 302-2003	To adopt Amendment No. 162 of the Official Plan for the former City of York with respect to the lands located at 361 Oakwood Avenue.
Bill No. 294	By-law No. 303-2003	To exempt certain lands known municipally as 21 Lower Shaw Street, 22 Western Battery Road, 90 to 120 Lynn Williams Street and 61 Hanna Avenue from Part Lot Control.
Bill No. 295	By-law No. 304-2003	To amend former City of North York By-law No. 7625 and By-law No. 22135 in respect of lands municipally known as 160 Chalkfarm Drive.
Bill No. 296	By-law No. 305-2003	To layout and dedicate certain land west of Kenneth Avenue for public highway purposes to form a cul-de-sac on Spring Garden Avenue.
Bill No. 297	By-law No. 306-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Wellesley Street East extending westerly from Sackville Street.
Bill No. 298	By-law No. 307-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Ashburnham Road extending easterly from Via Italia.
Bill No. 299	By-law No. 308-2003	To layout and dedicate certain land east of Islington Avenue for public highway purposes to form part of the public highway Evans Avenue.
Bill No. 300	By-law No. 309-2003	To layout and dedicate certain land on the east side of Maniza Road, on the north side of Wilson Avenue, for public highway purposes to form part of the public highway Maniza Road.

Bill No. 301	By-law No. 310-2003	To layout and dedicate certain land on the north side of Trethewey Drive for public highway purposes to form part of the public highway Brookhaven Drive.
Bill No. 302	By-law No. 311-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Harbord Street extending westerly from Sussex Mews.
Bill No. 303	By-law No. 312-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Clarence Square extending easterly from Spadina Avenue.
Bill No. 304	By-law No. 313-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Wellington Street West extending westerly from Blue Jays Way.
Bill No. 305	By-law No. 314-2003	To layout and dedicate certain land for public lane purposes to form a new lane north of St. John's Road extending between Willard Avenue and Priscilla Avenue.
Bill No. 306	By-law No. 315-2003	To layout and dedicate certain land south of St. Clair Avenue West for public lane purposes to form a part of the public lane extending westerly from Wychwood Avenue.
Bill No. 307	By-law No. 316-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane east of McGee Street extending northerly from Eastern Avenue.
Bill No. 308	By-law No. 317-2003	To layout and dedicate certain land south of Lawrence Avenue West for public highway purposes to form part of the public highway Marlee Avenue.
Bill No. 309	By-law No. 318-2003	To amend the former City of Toronto

		Municipal Code Ch. 400, Traffic and Parking, respecting Imperial Street, Pote Avenue, St. Clements Avenue and Shallmar Boulevard.
Bill No. 310	By-law No. 319-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 311	By-law No. 320-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 312	By-law No. 321-2003	To exempt certain lands known municipally as 2264 Lakeshore Boulevard from Part Lot Control.
Bill No. 313	By-law No. 322-2003	To amend By-law No. 1129-87 of the former City of York, being a By-law "To prescribe a speed limit of 40 kilometres per hour, on various streets in City of York".
Bill No. 314	By-law No. 323-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 315	By-law No. 324-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 316	By-law No. 325-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.

Bill No. 317	By-law No. 326-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 318	By-law No. 327-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 319	By-law No. 328-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 320	By-law No. 329-2003	To amend further By-law No. 20-96, a By-law "To provide for the overnight parking on Borough streets", being a by-law of the former Borough of East York.
Bill No. 321	By-law No. 330-2003	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.
Bill No. 322	By-law No. 331-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Caithness Avenue.
Bill No. 323	By-law No. 332-2003	To confirm the authorization of the alteration to the south side of Bowood Avenue east of Yonge Street by the installation of a layby.
Bill No. 324	By-law No. 333-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gough Avenue.
Bill No. 325	By-law No. 334-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Natalie Place.
Bill No. 326	By-law No. 335-2003	To amend the former City of Toronto

		Municipal Code Ch. 400, Traffic and Parking, respecting Cottingham Street.
Bill No. 327	By-law No. 336-2003	To exempt certain lands known municipally as 3336, 3338 and 3340 Bayview Avenue from Part Lot Control.
Bill No. 328	By-law No. 337-2003	To amend former City of North York Official Plan in respect of lands municipally known as 3792-3846 Bathurst Street.
Bill No. 329	By-law No. 338-2003	To amend former City of North York By-law No. 7625, as amended, in respect to the lands municipally known as 3792 - 3846 Bathurst Street.
Bill No. 332	By-law No. 339-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Robina Avenue.
Bill No. 333	By-law No. 340-2003	To amend the General Zoning By-law No. 438-86, of the former City of Toronto, with respect to lands known as 100 Queen's Park.
Bill No. 334	By-law No. 341-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 64 Colgate Avenue.
Bill No. 335	By-law No. 342-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Earls court Avenue.
Bill No. 336	By-law No. 343-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 28-38 and 25-39 Kenaston Gardens.

Bill No. 337	By-law No. 344-2003	To amend Municipal Code Chapter 709, Smoking, respecting the definition of designated smoking room.
Bill No. 338	By-law No. 345-2003	To amend former City of Toronto Municipal Code Chapter 400, Traffic and Parking respecting Gilmour Avenue and Maher Avenue.
Bill No. 339	By-law No. 346-2003	To amend the Official Plan for the former City of Toronto with respect to the Central Waterfront.
Bill No. 340	By-law No. 347-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Braemar Avenue.
Bill No. 341	By-law No. 348-2003	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 342	By-law No. 349-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 343	By-law No. 350-2003	To amend By-law No. 3491-80 of the former Borough of York, being a By-law "To provide for night-time parking of motor vehicles on Borough of York highways",

the vote upon which was taken as follows:

Yes - 33
Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Flint, Ford, Hall, Holyday, I. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki
No - 0

Carried, without dissent.

- 4.153 On April 16, 2003, at 4:21 p.m., Councillor Rae, seconded by Councillor Bussin, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 346	By-law No. 351-2003	To confirm the proceedings of the Council at its meeting held on the 14th, 15th and 16th of days of April, 2003,
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the vote upon which was taken as follows:

Yes - 33 Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Flint, Ford, Hall, Holyday, I. Jones, Kelly, Korwin-Kuczynski, L. Jones, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki
No - 0

Carried, without dissent.

- 4.154 On April 16, 2003, at 4:25 p.m., Councillor Soknacki, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 347	By-law No. 352-2003	To confirm the proceedings of the Council at its meeting held on the 14th, 15th and 16th days of April, 2003,
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the vote upon which was taken as follows:

Yes - 33 Councillors: Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva, Soknacki, Walker
No - 1

Councillor: Ford

Carried by a majority of 32.

The following bill was withdrawn:

Bill No. 287 To appoint a member of the City Council as a member of the Toronto Transit Commission.

OFFICIAL RECOGNITIONS:

4.155 Condolence Motions

Mayor Lastman, seconded by Councillor Ootes, moved that:

“**WHEREAS** the death of Gerald Emmett Cardinal Carter has saddened our nation and our City of Toronto. He was a strong and proud leader whose contributions to the community transcended his own faith; and

WHEREAS Cardinal Carter was spiritual leader of Canada’s largest English-speaking diocese; an educator, author, papal adviser, Companion of the Order of Canada and a founder of the Cardinal’s Dinner; and

WHEREAS Cardinal Carter played an instrumental role in helping create a housing program for the homeless and was a tireless fighter for both race relations in the community and the educational rights of Catholics; and

WHEREAS Cardinal Carter will always be remembered as a decent, wonderful man who was always there for people in need;

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

Councillor Berardinetti, seconded by Councillor Kelly, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn that Bob Watson passed away on Tuesday, March 25, 2003, at the age of 81; and

WHEREAS Bob Watson was a pioneer in the local newspaper business, as a founder of

the Agincourt News in 1951, which later expanded into Wexford and the rest of Scarborough in 1953, and later culminated in his creation of the West Hill Times in 1966, and subsequently the Scarborough News; and

WHEREAS Bob was heavily involved in community activities, by playing an instrumental role in organizing the Scarborough-Indianapolis Peace Games and serving on its committee for many years, and as a veteran of World War II, he was a key promoter of veterans' activities;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to his wife Irene, his three children and ten grandchildren.”

Councillor Mihevc, seconded by Councillor Feldman, moved that:

“**WHEREAS** the City of Toronto has had a severe shortage of rental housing and affordable housing and Council has taken significant and innovative steps to address this challenge; and

WHEREAS Dr. Ross Paterson, a principal planner and manager of the Policy and Research Section of City Planning, Urban Development Services, who passed away in March of this year, was instrumental in developing and implementing initiatives to assist Council in responding to that challenge; and

WHEREAS the City of Toronto adopted a by-law to permit second suites throughout the City, to improve the supply of such new affordable rental units and successfully defended its by-law before the Ontario Municipal Board; and

WHEREAS the City of Toronto adopted a Rental Housing Action Plan which identified barriers to development of new rental housing and has made important strides towards removing those barriers; and

WHEREAS the City of Toronto adopted a housing policy framework which seeks to preserve the existing supply of rental housing and to ensure that such housing is replaced when redevelopment occurs and that tenants are treated fairly; and

WHEREAS the City of Toronto recently approved a new Official Plan which includes a range of housing policies which seek to ensure that there is a good range of housing, of all types, for current and future residents of our City; and

WHEREAS all of these actions have contributed positively to our City and will continue to do so for many years to come;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to his family, acknowledging the contribution that Dr. Paterson has made to this Council and to the citizens of Toronto. Ross cared passionately about the people of Toronto, especially those that no one else seemed to care about. He had a lifelong commitment to ushering the day when everyone in Toronto could enjoy decent shelter and this commitment is evident in the achievements made possible by his dedication and efforts. Ross' work has made a difference, and we have benefited greatly from his contributions. He will be missed.”

Leave to introduce the foregoing Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Gerald Emmett Cardinal Carter, Bob Watson and Dr. Ross Paterson.

4.156 **Presentations/Introductions/Announcements:**

April 14, 2003:

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of Humber College, present at the meeting.

April 15, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Dewson Public School, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced Mr. Donald McDonald, former leader of the Ontario New Democratic Party, present at the meeting.

Acting Chair Nunziata, during the afternoon session of the meeting, introduced Mr. Fergy Brown, former Mayor of the City of York, present at the meeting.

Acting Chair Nunziata, during the afternoon session of the meeting, introduced staff from the Learning Enrichment Foundation, present at the meeting.

April 16, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Weston Collegiate Institute, present at the meeting.

Councillor Korwin-Kuczynski, with the permission of Council, during the morning session of the meeting, introduced the following visitors from Lodzi, Poland, present at the meeting:

- Krzysztof Jagiello, former Mayor and Director, Regional Council of Lodzi;
- Aleksander Wolosz, Canada Poland Business Bridges Corporation;
- Tomasz Roslonski, City Councillor, Lodzi;
- Klimczak Marek, Deputy Mayor, Lodzi; and
- Professor Walter Perchel.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the Grade 12 students of Westview Centennial Secondary School, present at the meeting.

4.157 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

April 14, 2003:

Councillor Mihevc, at 10:21 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 2 of The Board of Health, headed "Toronto's Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms", on April 15, 2003, after Council's consideration of the Notices of Motions, the vote upon which was taken as follows:

Yes - 16	
Councillors:	Augimeri, Berardinetti, Bussin, Flint, I. Jones, L. Jones, Kelly, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Walker
No - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Duguid, Feldman, Filion, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Moeser, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

Councillor Pantalone, at 10:24 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 5 of The Planning and Transportation Committee, headed “Central Waterfront Secondary Plan ‘Making Waves’, the Proposed Secondary Plan for the Central Waterfront (Parkdale-High Park, Trinity-Spadina, Toronto Centre-Rosedale, Broadview-Greenwood, Toronto-Danforth, Beaches-East York, Wards 14, 19, 20, 28, 30 and 32)”, on April 15, 2003, after Council’s consideration of the Notices of Motions, the vote upon which was taken as follows:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Minnan-Wong, Tziretas

Carried by a majority of 39.

April 15, 2003:

Councillor Shiner, at 4:25 p.m., moved that Council vary the order of its proceedings to consider Notice of Motion J(38), moved by Councillor Miller, seconded by Councillor Chow, regarding the Impact of Severe Acute Respiratory Syndrome (SARS) on Employment and the Economy, and Clause No. 2 of Report No. 2 of The Board of Health, headed “Severe Acute Respiratory Syndrome (SARS)”, during the morning session on April 16, 2003, immediately after Council concludes its consideration of Clause No. 1 of Report No. 3 of The Administration Committee, headed “Review of the Housing First Policy (All Wards)”, the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland
No - 4	

Councillors:	Duguid, Ford, Holyday, Lindsay Luby
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Carried by a majority of 26.

April 16, 2003:

Councillor Moscoe, at 11:01 a.m., moved that Notice of Motion F(5), moved by Councillor Moscoe, seconded by Councillor Holyday, respecting the Establishment of Four Community Councils, be designated as a 'time sensitive' matter, the vote upon which was taken as follows:

Yes - 16	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Di Giorgio, Feldman, Flint, Hall, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shaw
No - 13	
Councillors:	Ashton, Bussin, Cho, Ford, Korwin-Kuczynski, Miller, Minnan-Wong, Moeser, Ootes, Pitfield, Shiner, Soknacki, Walker

Carried by a majority of 3.

Councillor Walker, at 11:34 a.m., moved that Clause No. 22 of Report No. 3 of The Community Services Committee, headed "Outstanding Hydro Charges - Various Non-Profit Agencies", be designated as a 'time sensitive' matter, the vote upon which was taken as follows:

Yes - 22	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Hall, L. Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Shaw, Silva, Soknacki, Tziretas, Walker
No - 8	
Councillors:	Feldman, Ford, Holyday, Kelly, Minnan-Wong, Nunziata, Ootes, Shiner

Carried by a majority of 14.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

April 14, 2003:

Councillor Feldman at 12:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the vote on Clause No. 3 of Report No. 3 of The Policy and Finance Committee, headed “City of Toronto Plan of Action for the Elimination of Racism and Discrimination”, which was carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Chow at 7:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude its consideration of Motion J(13), moved by Councillor Chow, seconded by Councillor Ootes, regarding the Appointment of the Fire Chief, the vote upon which was taken as follows:

Yes - 23	
Councillors:	Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
No - 8	
Mayor:	Lastman
Councillors:	Ashton, Cho, Kelly, Li Preti, Moeser, Pitfield, Tziretas

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

April 15, 2003:

Councillor Nunziata in the Chair.

Councillor Holyday at 7:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude its consideration of Clause No. 24 of Report No. 3 of The Community Services Committee, headed “Update Regarding the Status of Litigation with The Learning Enrichment Foundation”, and to consider a confidential matter to be brought forward with respect to the Toronto Computer Leasing Inquiry.

Adoption of the motion by Councillor Holyday as it pertains to Clause No. 24 of Report No. 3 of The Community Services Committee:

Yes - 22
Mayor: Lastman
Councillors: Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Feldman, Ford, Hall, Holyday, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shaw, Walker
No - 4
Councillors: Altobello, Ashton, I. Jones, Miller

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

Adoption of the motion by Councillor Holyday, as it pertains to consideration of the confidential matter to be brought forward with respect to the Toronto Computer Leasing Inquiry:

Yes - 16
Mayor: Lastman
Councillors: Balkissoon, Berardinetti, Chow, Di Giorgio, Feldman, Ford, Hall, Holyday, Lindsay Luby, McConnell, Mihevc, Nunziata, Rae, Shaw, Walker
No - 11
Councillors: Altobello, Ashton, Bussin, Cho, I. Jones, Korwin-Kuczynski, Li Preti, Milczyn, Miller, Moscoe, Pantalone

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

April 16, 2003:

Deputy Mayor Ootes in the Chair.

Councillor Nunziata, at 11:28 a.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess and continue in session, the vote upon which was taken as follows:

Minutes of the Council of the City of Toronto
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April 14, 2003	9:40 a.m. to 12:34 p.m.*	Roll Call 11:50 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:05 p.m.*	Ctte. of the Whole in- Camera 7:10 p.m.	7:29 p.m. to 7:30 p.m.*	Ctte. of the Whole in- Camera 7:31 p.m.	7:45 p.m. to 8:02 p.m.*
Holyday	x	x	x	x	x	x	x	x
Johnston	-	-	-	-	-	-	-	-
I. Jones	x	x	x	x	x	x	x	x
L. Jones	x	x	x	x	x	x	x	x
Kelly	x	x	-	x	x	x	x	x
Korwin- Kuczynski	x	x	x	x	x	x	x	x
Li Preti	x	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x	x
Mammoliti	x	-	-	-	-	-	-	-
McConnell	x	-	-	x	x	x	x	x
Mihevc	x	-	x	x	x	x	x	x
Milczyn	x	x	x	x	x	x	x	x
Miller	x	x	-	x	x	x	x	x
Minnan-Wong	x	x	x	x	x	x	x	x
Moeser	x	x	-	x	x	x	x	x
Moscoe	x	x	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x	x	x
Pitfield	x	-	x	x	x	x	x	x
Rae	x	x	x	x	x	x	x	x
Shaw	x	x	-	x	x	x	x	x
Shiner	x	-	x	x	x	x	x	x
Silva	x	x	x	x	x	x	x	x
Soknacki	x	-	x	x	x	x	x	x
Sutherland	x	x	x	x	x	-	-	-
Tziretas	x	-	x	x	x	x	x	x
Walker	x	x	x	x	x	x	x	x
Total	43	30	31	42	41	40	40	40

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

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April 15, 2003	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 10:45 a.m.	Roll Call 11:35 a.m.	Roll Call 2:06 p.m.
Lastman	x	x	x	x	x
Altobello	x	x	x	x	x
Ashton	-	x	x	-	-
Augimeri	x	x	-	x	x
Balkissoon	x	x	x	-	-
Berardinetti	-	x	-	x	-
Bussin	x	x	x	x	-
Cho	x	x	x	x	x
Chow	x	x	-	-	x
Di Giorgio	x	x	x	x	-
Duguid	x	x	-	-	x
Feldman	x	x	x	x	x
Filion	-	x	x	-	-
Flint	x	x	-	x	x
Ford	x	x	x	-	x
Hall	-	x	x	x	-
Holyday	x	x	x	x	x
Johnston	-	-	-	-	-
I. Jones	x	x	x	-	x
L. Jones	x	x	x	x	x
Kelly	-	x	x	x	-
Korwin-Kuczynski	x	x	x	x	-
Li Preti	x	x	x	x	-
Lindsay Luby	x	x	x	x	-
Mammoliti	x	x	x	-	x
McConnell	x	x	x	x	x
Mihevc	-	x	x	x	x
Milczyn	x	x	x	-	x
Miller	-	x	-	x	-
Minnan-Wong	x	x	x	x	-
Moeser	x	x	-	-	-

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April 15, 2003	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 10:45 a.m.	Roll Call 11:35 a.m.	Roll Call 2:06 p.m.
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	-	x	x
Pitfield	x	x	-	-	x
Rae	x	x	-	-	x
Shaw	-	x	x	-	-
Shiner	x	x	-	-	-
Silva	x	x	-	x	x
Soknacki	x	x	x	x	-
Sutherland	-	-	-	x	x
Tziretas	x	x	x	x	-
Walker	x	x	x	x	x
Total	34	42	30	29	25

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

April 15, 2003	2:06 p.m. to 6:41 p.m.*	Roll Call 3:15 p.m.	Roll Call 5:00 p.m.	Ctte. of the whole in-Camera 6:45 p.m.	7:25 p.m. to 8:01 p.m.*
Lastman	x	x	x	x	x
Altobello	x	x	x	x	x
Ashton	x	-	x	x	x
Augimeri	x	x	-	-	-
Balkissoon	x	x	x	-	x
Berardinetti	x	x	x	-	x
Bussin	x	-	x	x	x
Cho	x	x	-	x	x
Chow	x	x	-	-	x
Di Giorgio	x	x	x	x	x
Duguid	x	-	-	-	-
Feldman	x	x	x	x	x
Filion	x	-	-	-	-
Flint	x	x	-	x	-

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April 15, 2003	2:06 p.m. to 6:41 p.m.*	Roll Call 3:15 p.m.	Roll Call 5:00 p.m.	Ctte. of the whole in-Camera 6:45 p.m.	7:25 p.m. to 8:01 p.m.*
Ford	x	-	x	x	-
Hall	x	x	x	x	x
Holyday	x	-	x	x	x
Johnston	-	-	-	-	-
I. Jones	x	x	x	x	x
L. Jones	x	x	x	x	x
Kelly	x	x	-	-	-
Korwin-Kuczynski	x	-	x	x	-
Li Preti	x	-	x	x	x
Lindsay Luby	x	x	x	-	x
Mammoliti	x	x	-	-	-
McConnell	x	x	x	x	x
Mihevc	x	x	x	x	x
Milczyn	x	-	-	x	-
Miller	x	x	x	x	x
Minnan-Wong	x	x	-	-	-
Moeser	x	x	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	-	x	-
Pantalone	x	-	x	x	x
Pitfield	x	-	x	x	-
Rae	x	x	-	x	x
Shaw	x	x	x	-	-
Shiner	x	-	-	-	-
Silva	x	-	-	x	-
Soknacki	x	-	-	-	-
Sutherland	x	x	-	-	-
Tziretas	x	-	-	-	-
Walker	x	x	-	x	x
Total	43	28	24	27	24

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

April 16, 2003	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 4:30 p.m.*
Lastman	x	x	-	-
Altobello	x	x	x	x
Ashton	-	x	-	x
Augimeri	x	x	x	x
Balkissoon	x	x	-	-
Berardinetti	-	x	x	x
Bussin	x	x	-	x
Cho	x	x	-	x
Chow	x	x	x	x
Di Giorgio	x	x	x	x
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	-	-	-	-
Flint	x	x	x	x
Ford	-	x	-	x
Hall	x	x	x	x
Holyday	x	x	-	x
Johnston	-	-	-	-
I. Jones	x	x	x	x
L. Jones	x	x	x	x
Kelly	-	x	x	x
Korwin-Kuczynski	x	x	-	x
Li Preti	x	x	-	x
Lindsay Luby	x	x	x	x
Mammoliti	x	x	x	x
McConnell	-	x	-	x
Mihevc	-	x	x	x
Milczyn	-	x	-	x
Miller	x	x	x	x

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April 16, 2003	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 4:30 p.m.*
Minnan-Wong	x	x	x	x
Moeser	-	x	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	x	x	x
Rae	-	x	x	x
Shaw	-	x	-	x
Shiner	x	x	-	x
Silva	-	x	x	x
Soknacki	x	x	x	x
Sutherland	-	-	-	-
Tziretas	-	x	-	x
Walker	x	x	x	x
Total	29	41	26	38

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

Adjourned: 4:30 p.m.

**MEL LASTMAN,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT NO. 1 [Notice of Motion F(2)]

Report dated September 27, 2002, from the City Solicitor, entitled "Potential Sale of Hydro One - Status of Legal Proceedings" (See Minute No. 4.98 , Page 111):

Purpose:

This report responds to City Council's request for a report on the status of the court appeal against the successful union challenge of Ontario's ability to sell shares in Hydro One to the public.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

City Council, at its meeting held on July 30, 31 and August 1, 2002, had before it Motion J(3), moved by Councillor Layton, that the City support the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees (the "Unions") in their defence against an appeal to the Ontario Court of Appeal to stop the sale of Hydro One. Council deferred consideration of the motion to the next regular meeting of City Council and requested that the Chief Administrative Officer submit a report directly to City Council, for its consideration, on the status of the legal proceedings. This report responds to that request.

Comments:

The Unions successfully claimed, before the Superior Court of Justice of Ontario, that the Province did not have the legislative authority to offer Hydro One shares for sale to the public under the Electricity Act, 1998. The decision, dated April 19, 2002, was appealed by the Province of Ontario.

The appeal was heard by the Court of Appeal on June 19, 2002. The Province of Ontario had sought and been granted an expedited hearing. The Unions argued that the appeal was or would be moot because of events subsequent to the lower court decision, including the Province of Ontario's introduction of Bill 58, the Reliable Energy and Consumer Protection Act, 2002 which would substantially amend the Electricity Act (the subject of the original court decision) to allow the Province of Ontario to sell shares in Hydro One to the public. An appeal is considered moot if a decision will not resolve an issue affecting the rights of the parties. The Province of Ontario argued that the appeal was not moot as of the date of oral argument, but acknowledged that it would be moot if the

recently-introduced legislation became law.

The court heard full argument on both the mootness issue and the merits of the appeal and reserved its decision on both issues. It released its decision on July 4, 2002, noting that the Reliable Energy and Consumer Protection Act, 2002 was enacted in the intervening period, on June 27, 2002, and concluded that the appeal was moot. It further determined that the Province of Ontario had not satisfied the Court that the circumstances of the case warranted a departure from the general rule that the court should not hear moot appeals. It dismissed the appeal.

The Unions were awarded their costs on a partial indemnity basis and only in relation to the mootness argument.

Conclusion:

It is recommended that this report be received for information.

Contact:

Grace Patterson
Solicitor
Legal Services Division
Tel: (416) 392-8368
Fax (416) 392-0005
Email: gpatter@city.toronto.on.ca

ATTACHMENT NO. 2 [Notice of Motion J(4)]

Report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, addressed to the Tenant Defence Sub-Committee, entitled "1305 Wilson – Request for Funding of Appeal to the Court of Appeal". (See Minute No. 4.108, Page 126):

Purpose:

To provide a report on the 1305 Wilson Tenants Association's request for funding their appeal to the Court of Appeal on the decision of the Ontario Superior Court of Justice regarding an above-guideline rent increase order issued by the Ontario Rental Housing Tribunal.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that:

- (1) the request for an additional grant of \$10,000.00 for the legal costs for the 1305 Wilson Tenant's Association leave to appeal to the Court of Appeal, and for the appeal process not be approved;
- (2) the request for \$2,500.00 for additional court costs for the 1305 Wilson Tenant's Association not be approved, based on the fact that these costs were included in the approval of their original \$10,000.00 grant for the Divisional Court appeal; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of September 26, 2002, the Tenant Defence Sub-Committee considered a communication from Councillor Walker requesting that a grant of \$10,000.00 be provided to the 1305 Wilson Avenue Tenants' Association, in order for them to proceed with an appeal to the Court of Appeal of the decision of the Divisional Court of the Ontario Superior Court of Justice. He also requested that an additional payment of \$2,500.00 be granted to the 1305 Wilson Avenue Tenants' Association to pay the court costs that were awarded against them when the Divisional Court dismissed their appeal.

It should be noted that this is a further request for a \$10,000.00 grant from the Tenants' Association of 1305 Wilson. The Tenants' Association's previous request was the subject of two reports before the Tenant Defence Subcommittee (March 22 and September 26, 2002). The Tenants' Association has recently applied for and received \$10,000.00 from the Tenant Support Grants Program for obtaining legal representation for an appeal to the Divisional Court of the Ontario Superior Court of Justice on a decision of the Ontario Rental Housing Tribunal. The Tribunal granted the landlord of the 1305 Wilson building an above-guideline rent increase (AGI) based on the previous year's one-time spike in natural gas heating costs. The tenants' appeal was dismissed by the Divisional Court, but the judges suggested that the Ministry of Municipal Affairs and Housing review the rules in the Tenant Protection Act (the TPA) for above-guideline rent increases due to extraordinary utility costs.

Comments:

1. Request for an additional grant of \$10,000

Councillor Walker's communication suggested that the appeal application by the 1305 Wilson Tenants' Association's should be funded by the City because of the tremendous implications of a successful appeal. In his opinion, a successful appeal would result in reduced rents and precipitate a review of the TPA by the Ontario Government. In the accompanying letter presented by the solicitor of the Tenants' Association, it was indicated that the \$10,000.00 grant request would cover the full legal costs for an application for leave to appeal to the Court of Appeal and going through the appeal process itself.

Staff are recommending that this request for funding not be approved for the following reasons:

- (a) The application does not fall under the mandate of the Tenant Support Grant Program.

According to Chapter 797 of the City of Toronto Municipal Code (i.e., By-law to Establish the Tenant Support Grants Program), the highest level of appeal covered by the by-law is the Divisional Court with respect to appeals of AGI orders. Accordingly, an appeal to the Ontario Court of Appeal is not covered by the Tenant Support Grant Program.

Under the by-law, tenants may apply for an additional grant of up to \$10,000.00, if they wish to appeal to the Divisional Court on an AGI. The 1305 Wilson Tenants Association has already received the \$10,000.00 grant for this purpose. As there is no provision in the by-law for funding an appeal to the Ontario Court of Appeal, a further grant request from the Wilson tenants cannot be processed by staff.

It should be noted, however, that Council retains the authority to make this grant if Council deems it to be in the municipal interest.

- (b) The Wilson tenant's issue is currently being pursued/addressed through other avenues.

There are currently two government agencies looking into the issue of utility cost related AGI applications which may lead to changes to the relevant TPA provisions. They are described below.

First, the Minister of Municipal Affairs and Housing has accepted the Divisional Court's suggestion to review the rules in the Tenant Protection Act (the TPA) regarding above-guideline rent increases due to extraordinary utility costs. Staff have been told that the Ministry has recently conducted separate consultations with tenant and landlord advocacy groups with a view to introduce amendments to the TPA on this issue. The Ministry may make an announcement about the possible amendments by the end of this year.

Secondly, the Advocacy Centre for Tenants Ontario (ACTO) recently made a submission to the Ontario Ombudsman expressing their concerns about the failure of the TPA and the Tribunal to meet the Ombudsman fairness standards. One of the issues ACTO requested the Ombudsman to investigate is the TPA provision on utility cost related AGI applications. The Ombudsman has responded that he will launch his own investigation of the Tribunal's application of the TPA in relation to such rent increases.

- (c) Sufficient funds are not currently available under the Tenant Support Grant Program to respond to the Wilson tenants' request.

There are currently only \$5,200.00 in uncommitted funds remaining in the Program, while there are 22 applications still pending for a basic grant for disputing AGI applications before the Tribunal. In order to respond to competing demands, new and complete applications are being processed as a priority before second time requests or incomplete applications. If there are not sufficient funds in the program by the end of this year, the plan is to move the two latter groups of applications to next year's program. Because of the amount of funding requested by the 1305 Wilson Tenants' Association, there are not sufficient funds to accommodate their request within this year.

Finally, a question arises as to the need to fund the full legal cost at this stage. Consultation with the tenants' organizer indicated that the Court of Appeal might not render a decision on the tenants' application for leave to appeal until later this year. If leave to appeal is not granted, the tenants will have exhausted their appeal options and will not need to pay the full legal cost. Therefore consideration of their request is premature, and it would be more appropriate to consider the request after the decision on their appeal application is known.

2. Request for court costs from previous appeal.

With regard to the request for an additional \$2,500.00 to pay for the Court costs awarded against the 1305 Wilson Tenants Association, the Sub-Committee is advised that when the Tenants' Association applied for the previous \$10,000.00 grant, the quotation given by their solicitor (dated March 1, 2002) indicated that the requested amount would include a reserve fund in the event that the Tenants' Association loses the case and is ordered to pay the landlord's court fees. Therefore, the \$2,500.00 being requested by the Tenants' Association should be covered by the \$10,000.00 grant that the association has already received from the City.

Conclusion:

The 1305 Wilson Tenants' Association's request for a further \$10,000.00 should not be approved at this time based on a number of considerations. This includes the fact that costs for Court of Appeal are not currently covered under the mandate of the Tenant Support Grants program mandate, the current investigation of the issue of utility cost related above-guideline rent increases by two government agencies, and the adequacy of the remaining Tenant Support Grant funds for 2002. The Tenants' Association's request for an additional \$2,500.00 to pay the court costs awarded against them should be covered by the approved grant of \$10,000.00 the tenants' association has already received.

Contact:

Phil Brown, General Manager
Shelter, Housing and Support Division
Phone: 416-392-7885
Fax: 416-338-1144
email: pbrown1@toronto.ca

ATTACHMENT NO. 3 [Notice of Motion J(10)]

Report dated April 7, 2003, from the City Clerk, entitled "Options on Filling the Vacancy in the Office of Councillor, Ward 17 - Davenport" (See Minute No. 4.114, Page 138):

Purpose:

To outline for Council's consideration the options for filling the vacancy in the office of Councillor, Ward 17 - Davenport.

Financial Implications and Impact Statement:

Appointment:

The estimated cost to fill the vacancy through an appointment is \$20,000.00 to cover administration, advertising, supplies and printing.

By-election/Contribution Rebate Program:

The estimated cost to conduct a by-election to fill the vacancy is \$135,000.00. In addition, should Council decide to implement a contribution rebate program for candidates in a by-election, there will be additional costs for this program. It is impossible for staff to estimate the cost of a rebate program as it is dependent upon the number of candidates who file a nomination to run in the by-election; the more candidates there are, the higher the costs of the program.

There are no funds in the City Clerk's 2003 budget to cover the costs of either an appointment or a by-election and a contribution rebate program. The necessary funds for the chosen option would need to be provided to the City Clerk's 2003 election budget.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial implications.

Recommendations:

It is recommended that:

- (1) (a) Option 1(a) – Appointment – With deputations at the Humber York Community Council and Council:
 - (i) the Humber York Community Council consider deputations from the candidates at its meeting on May 6, 2003 and make a recommendation to Council on a nominee to fill the vacancy;

- (ii) Council consider deputations from the candidates and fill the vacancy by means of an appointment at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003; and
 - (iii) Council adopt the process for the appointment as set out in Appendix “A” to this report.
- (b) Option 1(b) – Appointment – With deputations at Council only:
- (i) Council consider deputations from the candidates and fill the vacancy by means of an appointment at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003; and
 - (ii) Council adopt the process for the appointment as set out in Appendix “B” to this report.
- (c) Option 2 – By-election:
- (i) the vacancy be filled by means of a by-election;
 - (ii) Council authorize the conduct of the by-election and establish the dates and times of advance votes as indicated in the attached draft by-law (Appendix “C”);
 - (iii) Council authorize the payment of contribution rebates to persons who make contributions to candidates in the by-election, similar to the provisions for the contribution rebate program for the 2003 municipal election, as outlined in the attached draft by-law (Appendix “D”); and
 - (iv) if Option 2 is chosen (by-election), leave be granted to introduce the necessary Bills in Council and the appropriate City officials be authorized to take the necessary action to give effect thereto;
- (2) the necessary funds for the chosen option be included in the City Clerk’s 2003 election budget; and
- (3) in the interim, the current staff of former Councillor Disero continue to serve the constituents of Ward 17 – Davenport until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing.

Council Background/Reference:

At its Special Meeting of March 26, 2003, Council declared the office of Councillor, Ward 17 – Davenport to be vacant.

At its meeting of February 1, 2, and 3, 2000, Council, in adopting Clause No. 1 of Report No. 2 of the Administration Committee (Policy on Filling Vacancies on City Council), approved the following recommendation:

- “(1) any vacancy in the office of the Mayor or a Councillor declared by Council prior to November 30 in the year prior to an election year be filled through the conduct of a by-election; and
- (2) any vacancy in the office of the Mayor or a Councillor declared by Council after November 30 in the year prior to an election year shall be filled through an appointment.”

This policy was developed in response to Council’s stated desire for a policy which would guide its decision making process when deciding how vacancies are to be filled.

Notwithstanding the foregoing policy, Legal Services staff has advised that the *Municipal Act, 2001*, as amended, still requires that Council make a formal decision on the method of filling a Council vacancy as each vacancy occurs.

Comments:

Subsection 263(5) of the *Municipal Act, 2001*, as amended, provides that Council shall, within 60 days after the day the office is declared vacant, decide whether to fill the vacancy by appointment or through the conduct of a by-election.

There are two options available for filling the vacancy in the office of Councillor, Ward 17 - Davenport; to appoint a qualified person or to conduct a by-election.

Staff anticipate considerable interest in the vacancy as this is an election year. A total of 42 candidates originally put their name forward for the recent appointment to the vacancy in the office of Councillor, Ward 30 – Toronto-Danforth.

Section 264 of the *Municipal Act, 2001*, as amended, provides that the person appointed or elected to fill the vacancy shall hold office for the remainder of the term of office of the person whose place he or she is appointed or elected to fill. Accordingly, the person appointed or elected would hold office until November 30, 2003.

- (1) Appointment:

Clause 263(1)(a) of the *Municipal Act, 2001*, as amended, provides that Council may fill the vacancy by appointing a person who has consented to accept the office if appointed.

To be qualified to hold the office, a person must be:

- (i) 18 years of age or older;
- (ii) a Canadian citizen;
- (iii) a resident of the City of Toronto, or an owner or tenant of land in the City or the spouse or same-sex partner of such an owner or tenant; and
- (iv) not disqualified under any *Act* from holding municipal office.

Interested individuals should be given a reasonable period of time to submit a nomination for the vacancy. If Council chooses to fill the vacancy by appointment, staff have developed two proposed processes as set out in Appendices "A" and "B" for Council's consideration.

The process set out in Appendix "A" would permit interested candidates to depute at both the Humber York Community Council and Council, with the Community Council voting on a recommended candidate for Council's consideration. The process set out in Appendix "B" would see deputations at Council only.

If this option is chosen, staff recommend that the Clerk be authorized to advertise to invite applications from qualified electors and that Council give consideration to the appointment at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003. This would be within the 60 day time period required by the *Municipal Act, 2001*, as amended.

Should Council choose to fill the vacancy through an appointment, the estimated cost for administration, supplies, printing and advertising is \$20,000.00. The necessary funds need to be allocated to the City Clerk's 2003 election budget.

Advantages:

- (i) less costly procedure than conducting a by-election (\$20,000.00 versus \$135,000.00); and
- (ii) less labour intensive and less costly process from a staffing perspective.

Disadvantages:

- (i) could be viewed as a less democratic process; and
 - (ii) it could be perceived that Council was affording an advantage to the individual appointed should he or she decide to run in the November municipal election.
- (2) By-election:

Clause 263(1)(b) of the *Municipal Act, 2001*, as amended, provides that Council may fill the

vacancy through the conduct of a by-election in accordance with section 65 of the *Municipal Elections Act, 1996*, as amended.

If a by-election is to be held to fill the vacancy, the Clerk is responsible for setting the date of nomination day, which cannot be more than 60 days after the passing of the by-law indicating a by-election is required. Voting day is 45 days after nomination day.

Should Council proceed with this option and pass the necessary by-law at its meeting of April 14, 2003, staff recommend that nomination day be Friday, May 2, 2003 and voting day be Monday, June 16, 2003. Advance votes would be held on Saturday, June 7, 2003 and Sunday, June 8, 2003.

Should Council choose to fill the vacancy through a by-election, the estimated cost of administering the by-election is \$135,000.00. This cost estimate is based upon the final costs of the 2001 Ward 31 – Beaches-East York by-election. The necessary funds need to be allocated to the City Clerk's 2003 election budget.

In addition, should Council decide to approve a campaign contribution rebate program similar to the one approved by Council for the 2003 municipal election, the City would incur additional costs. It is impossible for staff to estimate the cost of a rebate program as it is dependent upon the number of candidates who file a nomination to run in the by-election. For example, in the 1999 by-election, the rebate program cost \$21,500.00 with seven candidates; it cost \$43,000.00 in the 2001 by-election with twelve candidates. Given the public interest shown to date in this vacancy, staff anticipate a large number of candidates.

Advantages:

- (1) best ensures a democratic process for constituents;
- (2) there is no perception that Council is giving any individual any preferential treatment as would be the case with an appointment; and
- (3) provides an opportunity for election staff to test new procedures and processes in advance of the November election.

Disadvantages:

- (1) more costly process than an appointment (\$135,000.00 versus \$20,000.00 plus the costs for a campaign contribution rebate program should Council adopt such a program); and
- (2) more labour intensive and costly process from a staffing perspective, especially given this is a regular election year and Election Services staff are busy with preparations for the November election.

Past Practices in Filling Vacancies:

In reviewing past practices in the former municipalities now making up the City of Toronto, staff researched Council vacancies back to 1984 and found a total of nineteen vacancies that were filled. Of these nineteen vacancies, eleven were filled by appointment and eight through by-elections.

Of the eleven appointments, nine were in a regular election year, six of which were after the mandatory March 31st date as provided by the *Municipal Act*. The remaining two appointments were made in the year preceding an election year. One was made in the month of June and the other in the month of October. In the subsequent municipal election, six of the eleven persons who had been appointed ran for office.

Of the eight by-elections, none were in an election year. Four were held in the year preceding an election year. The remaining four by-elections were held in the year immediately following the previous municipal election. In the subsequent municipal election, seven of the eight persons elected ran for office.

During the first term of Council, two by-elections were held and two appointments were made. The first by-election (September 24, 1998) was mandated by Provincial legislation to give East York (Ward 1) a third Council member. The second by-election (September 23, 1999) was as a result of Council's decision to hold a by-election to fill the vacancy in Scarborough Highland Creek (Ward 16). The two appointments occurred in 2000 – a regular election year – the first being North York Humber (Ward 6) on February 2, 2000; the second being Toronto Davenport (Ward 21) on March 1, 2000.

During the second term of Council, one by-election was held (December 3, 2001) to fill the vacancy in Ward 31 – Beaches-East York. One appointment was conducted to fill the vacancy in Ward 30 – Toronto-Danforth on March 26, 2003.

Practice of Other Municipalities:

Election Services staff had previously contacted several large Canadian municipalities to determine what, if any, policies and/or practices existed in filling vacancies on municipal council. With the exception of the City of London and the City of Yellowknife, which have a written policy for the filling of vacancies, all other municipalities surveyed follow the provisions of their applicable Acts. Generally, these Acts provide for all vacancies to be filled through a by-election except when the vacancy occurs within a defined time frame before the next general election (usually either six or twelve months).

The municipalities surveyed for this purpose in 1999 were Mississauga, London, Ottawa, Vancouver, Edmonton, Regina, Saskatoon, Winnipeg, Montreal, Fredericton, Halifax, Charlottetown, St. John's, Yellowknife and Whitehorse.

Ontario's *Municipal Act, 2001*, as amended, appears to be unique in giving Council total discretion in filling a vacancy through either the conduct of a by-election or an appointment. Council's discretion is only restricted if the declaration of vacancy occurs after March 31st in the year of a regular election, in which case Council must fill the vacancy by way of appointment of a qualified elector.

Councillor Office Staff:

Given the experience and knowledge of the current staff in serving the constituents of Ward 17 – Davenport through the office of former Councillor Disero, Council may wish to have the current staff continue to support the office in the interim until a new Councillor is appointed or elected, and a decision is made by the new Councillor with respect to staffing. Council may also wish to request that the new Councillor when appointed or elected be urged to give first consideration to retaining the current staff.

Conclusions:

Council must make a determination on whether the vacancy in the office of Councillor, Ward 17 – Davenport should be filled by appointment or by by-election. The necessary funds for the chosen option would need to be provided to the City Clerk's 2003 election budget.

Contact:

Greg Essensa, Director, Election Services
Tel – 416-392-8019, E-mail: gessensa@city.toronto.on.ca

Attachments:

- (1) Appendix "A" – Proposed Appointment Process with Deputations at both the Humber York Community Council and Council
- (2) Appendix "B" – Proposed Appointment Process with Deputations at Council only
- (3) Appendix "C" – Draft By-law to provide for the conduct of a by-election and to establish the dates and times of advances votes
- (4) Appendix "D" – Draft By-law to authorize a campaign contribution rebate program

Appendix "A"

Procedures for Filling the Vacancy in the Office of
Councillor - Ward 17 - Davenport through an Appointment with
Deputations at both the Humber York Community Council and Council

1. Advertisements shall be placed in one major daily newspaper and in the local newspaper serving the ward. The advertisements shall indicate Council's intention to appoint a qualified elector to the vacancy and outline the process one must follow to become nominated.
2. Information sessions shall be conducted by staff, one being scheduled from 2:00 p.m. to 4:00 p.m. and the second from 5:00 p.m. to 7:00 p.m. All interested persons must attend one of these sessions, complete a Consent of Nominee form and a Declaration of Qualification and provide personal identification showing their name and qualifying address within the City of Toronto.
3. The deadline for filing the Consent of Nominee form and the Declaration of Qualification for Council's consideration shall be 12:00 noon on the day following the information sessions.
4. The candidates, who have attended an information session, completed a Consent of Nominee form and a Declaration of Qualification and provided personal identification satisfactory to the Clerk, may appear before the Humber York Community Council at its meeting on May 6, 2003.
5. The Chair or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
6. The Clerk will provide to the Chair or Presiding Officer, a list of the names of those candidates who have completed the Consent of Nominee and Declaration of Qualification and the Chair or Presiding Officer will call for a motion from the Humber York Community Council in the following form:

"Moved by...
Seconded by..."

THAT the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 17 – Davenport, shall be considered for appointment to fill such vacancy."

7. Each of the candidates shall be afforded the opportunity to address the Community Council for a period of not more than five minutes. Candidates will speak in the order (date and time) in which they submitted their Consent of Nominee and Declaration of Qualification to the City Clerk.
8. Each Member of the Humber York Community Council will be allowed no more than one question to each candidate.
9. Following consideration by the Community Council of all submissions, the Community Council will proceed to vote as follows:
 - (a) Members of the Community Council will vote by way of ballot;
 - (b) Members of the Community Council must sign and print their name on the ballot; ballots that do not contain both the signature and name of the Member will be rejected from the count;
 - (c) if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of the Community Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk or designate and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of the Community Council present and voting;
 - (d) where the votes cast are equal for all the candidates:
 - (i) if there are three or more candidates remaining, the Clerk or designate shall by lot select one such candidate to be excluded from the subsequent voting;
 - (ii) if only two candidates remain, the tie shall be broken and the candidate selected by lot conducted by the Clerk or designate shall be the candidate nominated by the Community Council for Council's consideration;
 - (iii) "lot" means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by the Clerk or designate.

10. Upon conclusion of the voting, the Chair or Presiding Officer will declare the candidate receiving the votes of more than one-half of the number of the Members of the Humber York Community Council present and voting to be the candidate selected by the Community Council for Council's consideration. The name of the selected candidate will be forwarded to Council in the form of a communication from the Humber York Community Council.
11. The candidates who have attended an information session, completed a Consent of Nominee form and a Declaration of Qualification and provided personal identification satisfactory to the Clerk, may appear before Council at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003. Candidates may appear before Council whether or not they attended at the Humber York Community Council.
12. The Mayor or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
13. The Clerk will provide to the Mayor or Presiding Officer, a list of the names of those candidates who have completed the Consent of Nominee and Declaration of Qualification and the Mayor or Presiding Officer will call for a motion from Council in the following form:

"Moved by...
Seconded by..."

THAT the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 17 – Davenport, shall be considered for appointment to fill such vacancy."

14. Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five minutes. The order of speaking will be determined by lot. (The Clerk shall place the names of all candidates on equal size pieces of paper in a container and randomly draw the names.)
15. Each Member of Council will be allowed no more than one question to each candidate.
16. Following consideration by Council of all submissions, Council will proceed to vote as follows:
 - (a) Members of Council will vote by way of ballot;
 - (b) Members of Council must sign and print their name on the ballot; ballots that do not contain both the signature and name of the Member will be rejected from the count;

- (c) if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of Council present and voting;
 - (d) where the votes cast are equal for all the candidates:
 - (i) if there are three or more candidates remaining, the Clerk shall by lot select one such candidate to be excluded from the subsequent voting;
 - (ii) if only two candidates remain, the tie shall be broken and the vacancy shall be filled by the candidate selected by lot conducted by the Clerk;
 - (iii) **Alot** means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by the Clerk.
17. Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting.
19. A by-law confirming the appointment shall be enacted by Council appointing the successful candidate to the office for the remainder of the term of the present Council.

Appendix "B"

Procedures for Filling the Vacancy in the Office of
Councillor - Ward 17 - Davenport through an Appointment with
Deputations at Council only

1. Advertisements shall be placed in one major daily newspaper and in the local newspaper serving the ward. The advertisements shall indicate Council's intention to appoint a qualified elector to the vacancy and outline the process one must follow to become nominated.
2. Information sessions shall be conducted by staff, one being scheduled from 2:00 p.m. to 4:00 p.m. and the second from 5:00 p.m. to 7:00 p.m. All interested persons must attend one of these sessions, complete a Consent of Nominee form and a Declaration of Qualification and provide personal identification showing their name and qualifying address within the City of Toronto.
3. The deadline for filing the Consent of Nominee form and the Declaration of Qualification for Council's consideration shall be 12:00 noon on the day following the information sessions.
4. The candidates, who have attended an information session, completed a Consent of Nominee form and a Declaration of Qualification and provided personal identification satisfactory to the Clerk, may appear before Council at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003.
5. The Mayor or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
6. The Clerk will provide to the Mayor or Presiding Officer, a list of the names of those candidates who have completed the Consent of Nominee and Declaration of Qualification and the Mayor or Presiding Officer will call for a motion from Council in the following form:

"Moved by...

Seconded by...

THAT the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 17 – Davenport, shall be considered for appointment to fill such vacancy."

7. Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five minutes. The order of speaking will be determined by lot. (The Clerk shall place the names of all candidates on equal size pieces of paper in a container and randomly draw the names.)
8. Each Member of Council will be allowed no more than one question to each candidate.
9. Following consideration by Council of all submissions, Council will proceed to vote as follows:
 - (a) Members of Council will vote by way of ballot;
 - (b) Members of Council must sign and print their name on the ballot; ballots that do not contain both the signature and name of the Member will be rejected from the count;
 - (c) if the candidate who receives the greatest number of votes cast does not receive more than one-half the votes of all Members of Council present and voting, the candidate or candidates who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of Council present and voting;
 - (d) where the votes cast are equal for all the candidates:
 - (i) if there are three or more candidates remaining, the Clerk shall by lot select one such candidate to be excluded from the subsequent voting;
 - (ii) if only two candidates remain, the tie shall be broken and the vacancy shall be filled by the candidate selected by lot conducted by the Clerk;
 - (iii) "lot" means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by the Clerk.
10. Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting.
11. A by-law confirming the appointment shall be enacted by Council appointing the successful candidate to the office for the remainder of the term of the present Council.

Appendix "C"

The CITY OF TORONTO**By-law No. _____****To require a by-election in Ward 17 – Davenport and to establish
the dates and times of advance votes**

Whereas the office of Councillor, Ward 17 – Davenport has become vacant; and

Whereas subsection 263(5) of the *Municipal Act, 2001*, as amended, provides that, if the office of a member of council becomes vacant, the council may, by by-law, require an election to be held to fill the vacancy; and

Whereas subsection 43(1) of the *Municipal Elections Act, 1996*, as amended, requires Council, by by-law, to establish the dates and times for an advance vote;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. A by-election shall be held to fill the vacant council seat for Ward 17 – Davenport.
2. Advance votes shall be held on the following dates and during the following hours:
 - (a) Saturday, June 7, 2003, from 12:00 noon to 6:00 p.m.; and
 - (b) Sunday, June 8, 2003, from 12:00 noon to 6:00 p.m.

ENACTED AND PASSED this ____ day of _____, A.D. 2003.

Mayor

Clerk

Appendix "D"

THE CITY OF TORONTO

By-law No. _____

**To authorize the payment of rebates for contributions to candidates
in the by-election in Ward 17 – Davenport.**

WHEREAS subsection 82(1) of the *Municipal Elections Act, 1996*, as amended, ("the *Act*"), provides that a municipality may, by by-law, provide for the payment of rebates to individuals, corporations or trade unions who make contributions to candidates for office on the municipal council;

The Council of the City of Toronto **HEREBY ENACTS** as follows:

1. The payment of rebates to individuals, corporations or trade unions residing in the City of Toronto who make contributions to candidates for the office of Councillor in Ward 17 – Davenport is authorized.
2. An individual, corporation or trade union residing in the City of Toronto who makes a contribution to a candidate in the by-election in Ward 17 – Davenport may, on or after May 1, 2003, apply to the Clerk of the municipality ("the Clerk") for a rebate.
3. Notwithstanding section 66 of the *Municipal Elections Act, 1996*, a candidate's contribution of inventory from a prior election is not eligible for a campaign contribution rebate.
4. The application for rebate must be received by the Clerk on or before 5:00 p.m., September 5, 2003, unless the candidate's campaign period is extended under paragraph 4 or 5 of subsection 68(1) of the *Act*. If a candidate's campaign period is extended, the application for rebate shall be made within six months after the date the receipt for the contribution is issued.
5. The application for rebate shall be in the form established for that purpose by the Clerk.
6. The application for rebate shall include a receipt in the form provided by the Clerk that is signed by or on behalf of the candidate.
7. A candidate in the by-election:
 - (a) shall comply with subsections 78(1) to (4) of the *Act*; and

- (b) shall include with the documents filed under subsection 78(1) or (2) of the *Act*, as the case may be, a copy of the receipt issued for the contribution and a copy of all campaign expense invoices incurred as part of the campaign.
- 8. A candidate in the by-election, or their spouse or same-sex partner, whose campaign is extended under paragraph 4 or 5 of subsection 68(1) of the *Act*, will not be eligible to receive a rebate until after the candidate's campaign closes and the final document is filed under subsection 78(2) of the *Act*.
- 9. The Clerk shall compare the receipt filed by the applicant and the copy filed by the candidate to ensure consistency.
- 10. The Clerk shall pay the applicant a rebate in accordance with sections 11 and 12 if the following conditions are met:
 - (a) The application complies with sections 4, 5 and 6;
 - (b) The candidate has complied with section 7;
 - (c) The Clerk is satisfied that the receipt filed by the applicant and the copy filed by the candidate are consistent;
 - (d) The Clerk is satisfied that the candidate has filed the documents required by section 78 of the *Act* by the relevant filing date, and that no such document shows on its face that the candidate has incurred expenses exceeding what is permitted under section 76 of the *Act*;
 - (e) The Clerk is satisfied that the candidate has paid any surplus in accordance with the provisions of section 79 of the *Act* within the time period stipulated in that section;
 - (f) In the case of a contribution made on or before July 31, 2003, the time for an application for a compliance audit under section 81 of the *Act* has expired;
 - (g) In the case of a contribution made after July 31, 2003 to a candidate whose election campaign period continues beyond that date, the time for an application under section 81 of the *Act* has expired.
- 11. (1) Subject to section 12, the rebate shall be calculated as follows:
 - (a) If the contribution is \$300.00 or less, the rebate is 75 per cent of the contribution;

- (b) If the contribution is more than \$300.00 but not more than \$1,000.00, the rebate is \$225.00 plus 50 per cent of the difference between the contribution and \$300.00;
 - (c) If the contribution is more than \$1,000.00, the rebate is the lesser of:
 - (i) \$575.00 plus 33-1/3 per cent of the difference between the contribution and \$1,000.00; and
 - (ii) \$1,000.00.
- (2) Contributions of less than \$25.00 will not receive a rebate.
12. An applicant who makes contributions to more than one candidate may apply for a rebate in respect of each contribution, but is not entitled to receive total rebates amounting to more than the following maximums:
- (a) If the total of the applicant's contribution to all candidates is \$300.00 or less, the maximum is 75 per cent of that total;
 - (b) If the total of the applicant's contributions to all candidates is more than \$300.00 but not more than \$1,000.00, the maximum is \$225.00 plus 50 per cent of the difference between that total and \$300.00;
 - (c) If the total of the applicant's contributions to all candidates is more than \$1,000.00, the maximum is the lesser of,
 - (i) \$575.00 plus 33-1/3 per cent of the difference between that total and \$1,000.00, and
 - (ii) \$1,000.00.

ENACTED AND PASSED this _____ day of _____, A.D. 2003.

Mayor

Clerk

ATTACHMENT NO. 4 [Notice of Motion J(11)]

Report dated April 7, 2003, from the Chief Financial Officer and Treasurer, entitled "2003 Education Levy By-law, 2003 Commercial, Industrial and Multi-Residential Clawback By-law" (See Minute No. 4.115, Page 140):

Purpose:

To enact by-laws to levy and collect taxes for school purposes for the year 2003, and to establish the allowable tax decreases for the capped property classes (commercial, industrial and multi-residential classes) for the 2003 taxation year.

Financial Implications:

There are no direct financial implications to the 'City of Toronto' arising from this report. The City is required by legislation to levy and collect property taxes for school purposes at the tax rates prescribed by the Minister of Finance. The 2003 education levy is \$1,823,733,493. However, because Toronto's residential property values have appreciated at a rate greater than the provincial average, Toronto's homeowners will experience an increase in education tax burden of approximately \$29.00 for the average home assessed at \$295,000 as a result of the uniform province-wide residential education tax rate of 0.335 percent for 2003.

The foregone revenue resulting from the legislated limit on tax increases (5 percent cap) for the commercial, industrial and multi-residential property classes will be funded by withholding (clawing-back) a portion of the decreases that would otherwise be payable within each class, with no budgetary funding implication for the City.

Recommendations:

It is recommended that:

- (1) the tax rates for school purposes set out in the draft by-law attached hereto as Appendix 'A', and as prescribed by O. Reg. 74/03, be levied for 2003;
- (2) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix 'A' be enacted to levy and collect taxes for school purposes for 2003;
- (3) tax decreases for the 2003 taxation year on properties in the commercial, industrial and multi-residential property classes be reduced by the percentage of the tax decrease set out in Column II of Chart 2 embodied in this report in order to recover the revenues foregone as a result of capping;

- (4) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix 'B' be enacted to establish the percentage reductions in tax decreases referred to in Recommendation (3) for the 2003 taxation year; and
- (5) authority be granted for the introduction of the necessary bills in Council.

Background:

Council, at its meeting of February 24-March 1, 2003, upon adoption of the City's 2003 Operating and Capital Budgets, also enacted the 2003 Municipal Levy By-law setting the tax rates for municipal purposes for 2003.

The Chief Financial Officer and Treasurer previously reported to the Policy and Finance Committee at its meeting of February 21, 2003, requesting authority to report directly to Council at its meeting of April 14-16, 2003 regarding the education levy by-law and claw-back by-law.

Comments:

2003 Education Tax Rates:

The *Education Act* requires every municipality in each year to levy and collect property taxes for school purposes at the tax rates prescribed by the Ministry of Finance. On March 25, 2003, the City received a transmittal from the Ministry of Finance advising that O.Reg. 74/03 had been filed prescribing the tax rates for school purposes for 2003. Chart 1 below provides a comparison of the 2002 and 2003 education tax rates and levy for the various property classes.

Chart 1
2003 Education Tax Rates

Property Class	% Change in CVA 2001/1999	2002 Education Tax Rates (1999 CVA Base)	2002 Year-End Education Tax Revenue (\$millions)	2003 Prescribed Education Tax Rates (2001 CVA Base)	2003 Education Tax Levy (\$millions)	\$ Change (\$ millions)
Residential/Farm	14.7%	0.373000%	\$ 547.8	0.335000%	\$ 564.2	\$ 16.3
Multi-Residential	15.1%	0.373000%	70.0	0.335000%	72.3	2.4
New Multi-Residential	19.5%	0.373000%	0.1	0.335000%	0.1	-
Commercial	15.2%	2.652745%	1,059.0	2.299733%	1,059.1	0.2
Industrial	37.0%	3.428008%	122.8	2.501734%	123.1	0.3
Farmlands	30.9%	0.093250%	0.0	0.083750%	0.0	-
Pipelines	5.0%	1.936741%	4.9	1.843759%	4.9	-
Managed Forests	(10.9%)	0.093250%	0.0	0.083750%	0.0	-
All Classes	15.2%		\$ 1,804.6		\$ 1,823.7	\$ 19.1

The prescribed 2003 education tax rates results in an increase in tax burden of \$16.3 million for Toronto's residential class, and an increase of \$2.4 million for the multi-residential class, as shown in the chart above.

With the introduction of the Current Value Assessment system in 1998, the Province announced that a single uniform education tax rate would apply to all residential properties province-wide. The same province-wide tax rate also applies to all properties in the multi-residential tax class.

With each CVA reassessment, the province recalculates (reduces) the uniform residential education tax rate to reflect the increase in value of residential properties province-wide. Because Toronto's residential property values have appreciated at a rate greater than the provincial average, Toronto's homeowners have experienced a CVA-related tax shift in each of the last two reassessments. For the 2003 reassessment (2001 valuation date), the assessed value of Toronto's residential class has increased by 14.7 percent, whereas the residential value in the rest of the province has increased on average by an estimated 11 percent. The result for Toronto's homeowners is an increase of approximately \$29.00 for the average home assessed at \$295,000 (a 3.0 percent increase in residential education taxes).

Funding Caps on Non-Residential Property Classes:

Subsection 330(1) of the *Municipal Act, 2001* provides that the council of a municipality may pass a by-law to establish a percentage by which tax decreases are limited in respect of properties in any capped property class in order to recover all or part of the revenues foregone as a result of capping.

Annual tax increases for the commercial, industrial and multi-residential property classes are capped at 5 percent.

Chart 2 below sets out the percentage reductions in the tax decreases for 2003 (the "clawback rate") necessary to fund the foregone revenue resulting from the 5 percent cap on tax increases for 2003. It is recommended that Council approve these clawback rates for 2003.

Chart 2
 2003 Clawback Rates for Capped Property Classes

Column I (Property Class)	Column II (Clawback Percentage)	Column III (Allowable Decrease Percentage)
Commercial	92.712302%	7.287698%
Industrial	77.57500%	22.42500%
Multi-residential	71.980539%	28.019461%

Summary of 2003 Tax Rates:

Chart 3 below summarizes Toronto's tax rates for 2003.

Chart 3
City of Toronto 2003 Tax Rates

Property Class	2003 Municipal Tax Rate (incl. Special Levy)	2003 Education Tax Rate	2003 Total Tax Rate
Residential/Farm	0.6565552%	0.335000%	0.9915552%
Multi-Residential	2.5411828%	0.335000%	2.8761828%
New Multi-Residential	0.6565552%	0.335000%	0.9915552%
Commercial	2.3114950%	2.299733%	4.6112280%
Industrial	2.7062882%	2.501734%	5.2080222%
Farmlands	0.1641388%	0.083750%	0.2478888%
Pipelines	1.1213916%	1.843759%	2.9651506%
Managed Forests	0.1641388%	0.083750%	0.2478888%
Total Levy	\$ 2,856,160,125	\$ 1,823,733,493	\$ 4,679,893,618

Conclusions:

This report seeks Council approval of by-laws to levy and collect taxes for school purposes for the year 2003 and to establish the percentage reductions in tax decreases for the capped classes (commercial, industrial, multi-residential) necessary to fund the foregone revenue arising from the legislated 5 percent limit on tax increases for these classes. The total 2003 education levy is \$1,823,733,493.

Contact Names:

Giuliana Carbone, Director, Revenue Services
Finance Department, 392-8065, gcarbone@toronto.ca

Adir Gupta, Manager, Financial Policy & Research
Finance Department, 392-8108, agupta@toronto.ca

Carmela Romano, Manager, Accounting, Billing and Meter Services
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Christina Hueniken, Solicitor
Legal Services Division, 392-8429, chueniken@toronto.ca

(The appendices referred to in the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 5 [Notice of Motion J(13)]

Confidential report dated April 9, 2003, from the Chief Administrative Officer, entitled "Appointment - Fire Chief", such report now public in its entirety, with the exception of the Curriculum Vitae (Appendix A) and the confidential communication (Appendix B) referred to therein, such appendices to remain confidential in their entirety, in accordance with the provisions of the Municipal Act, having regard that they contain personal information about an identifiable individual. (See Minute No. 4.92, Page 99):

Purpose:

The purpose of this report is to recommend to Council an appointment to the position of Fire Chief.

Financial Implications and Impact Statement:

Funding for the position is included in the divisional operating budget.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) William A. Stewart be appointed to the position of Fire Chief and that such appointment be effective May 1, 2003;
- (2) the Commissioner, Works and Emergency Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;
- (3) following successful conclusion of the negotiations authorized by Recommendation No. (2), the City be authorized to enter into an employment contract with William A. Stewart as Fire Chief based on the terms and conditions of employment negotiated by the Commissioner, such contract to have contents satisfactory to the Chief Administrative Officer and otherwise in the interests of the City and to be in a form acceptable to the City Solicitor;
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of the necessary Bill to appoint William A. Stewart as Fire Chief under the Fire Protection and Prevention Act, 1997; and

- (5) By-law No. 6-1998, which appointed Mr. Alan Speed to the office of Fire Chief for the City of Toronto, be repealed effective at the end of April 30, 2003.

Background:

Under the authority of the City of Toronto Act, 1997, the Toronto Transition Team appointed by the Lieutenant Governor in Council carried out a process of recruiting and selecting key positions for the (new) City of Toronto. The Transition Team determined those positions that would be required to enable the new City to seamlessly and effectively begin its operations on January 2, 1998. Among those positions, Alan Speed was appointed the first Fire Chief for the City of Toronto. He will retire from the City on April 30, 2003.

At its meetings held on February 4, 5 and 6, 1998 and June 3, 4, 5, 1998, Council adopted and received the reports (January 19, 1998 and May 9, 1998) which outlined a comprehensive policy and guidelines for the hiring of senior City staff.

Comments:

The recruitment process for the Fire Chief was initiated in December 2002. The Members of Council participating in the final interview phase of the process were Deputy Mayor Ootes, Councillors Chow, Holyday and Miller. Consistent with the approved process, the selection panel has concluded its interviews of the short list of qualified candidates for the position of Fire Chief.

The recruitment process was validated by an external executive search firm. The report is attached (Appendix B).

Reference checks have been conducted. Discussions have occurred related to salary and other general terms of employment, conditional on Council approval of the recommended candidate.

A summary of the curriculum vitae of the candidate is attached (Appendix A).

Subject to the execution of an employment contract with the recommended candidate, the appointment of William A. Stewart as Fire Chief should come into effect on May 1, 2003.

Conclusions:

The selection process for the Fire Chief has been thorough and comprehensive, open, fair and objective. It created the opportunity for Council and management to provide input and advice. The recommendation of the selection panel is presented for the consideration of Council.

Contact:

Barry H. Gutteridge

Commissioner, Works and Emergency Services
Tel: 416-397-9292

ATTACHMENT NO. 6 [Notice of Motion J(14)]

Report dated April 9, 2003, from the Commissioner of Urban Development Services, entitled "Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to Permit, for Identification Purposes, Seven Illuminated Fascia Signs at 77 St. Clair Avenue East" (See Minute No. 4.117, Page 148):

Purpose:

To respond to a request from Councillor Walker to review and make recommendations on a request by Paul Pignataro with Sobey's Ontario Inc. on behalf of Azuria Group for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, for identification purposes, seven illuminated fascia signs at the above noted location.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the request for variances to permit, for identification purposes, seven illuminated fascia signs at 77 St. Clair Avenue East be approved on condition that the signs be dimmed between the hours of 11:00 p.m. to 7:00 a.m. by means of an automated dimming device; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

Background:

The property is located east of Yonge Street on the south side of St. Clair Avenue East. The property is zoned CR and is occupied by a mixed commercial-residential building. Sobey's Ontario Inc. has taken over the ground floor retail space that was previously occupied by a Dominion Store. Sobey's Ontario Inc. is requesting permission to erect seven illuminated fascia signs for identification purposes. The proposed signs are shown on Attachments 1 to 3 and have the following dimensions:

Fascia Sign No.	Width	Height	Sign Area
1.	4.03m	1.42m	5.74m ²
2.	2.29m	1.14m	2.62m ²
3.	6.10m	2.31m	13.00m ²
4.	2.29m	1.14m	2.62m ²
5.	4.06m	1.42m	5.78m ²
6.	2.70m	0.61m	1.64m ²

7. 2.70m 0.91m 2.46m²

Comments:

The signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the in the following ways:

Sign By-law Section and Requirements	Applicant's Proposal	Required Variance
(1) Chapter 297-11 297-9D (2) (a)	The area of the proposed fascia signs is as follows: Sign #1 has an area of 5.74m ² ; Sign # 2 has an area of 2.62m ² ; Sign # 3 has an area of 13.00m ² ; Sign # 4 has an area of 2.62m ² ; Sign # 5 has an area of 5.78m ² ;	The area of these proposed signs would exceed the maximum 2.5m ² sign area permitted for a fascia sign.
(2) Chapter 297-11AA(2)(b)	The height of the proposed signs is as follows: Sign # 1 is 1.42m; Sign # 2 is 1.14m; Sign # 3 is 2.31m; Sign # 4 is 1.14m; Sign # 5 is 1.42m; Sign # 6 is 0.61m; Sign # 7 is 0.91m	Signs consisting of letters exceeding a vertical dimension of 0.5m are not permitted.
(3) Chapter 297-11AA(2)(e)	Sign 1 and 2 would be located on the west elevation; signs 3 and 4 would be located on the front (north) elevation; sign 5 would be located on the east elevation and signs 6 and 7 would be located on the rear (south) elevation of the building.	Signs erected or displayed other than on the front wall of a building are not permitted. (Signs 1, 2, 5, 6 and 7 are not located on the front wall of the building)

The Yonge – St. Clair Part II Plan directs that signage should contribute to the attractiveness of the area. In this instance, although the proposed signs do not meet the Municipal Code requirement, these modest size signs are designed to complement the building façade and they would contribute to an attractive streetscape. The proposed signs are both distinctive and proportionally representative of the corporate identification signage erected along this part of St. Clair Avenue East.

Since the store would remain open 24 hours a day, the signs would also remain lit all the time. During discussions with the applicant, planning staff raised their concern about the possible negative impact of illuminated signs between 11:00 p.m. and 7:00 a.m. on the nearby residential uses. In order to mitigate concerns about the possible impact of illuminated signs, planning staff have required that the applicant dim the signs to an acceptable level between 11:00 p.m. and 7:00 a.m. by means of an automated dimming device. With this condition, staff finds the proposed signage acceptable.

Conclusions:

Staff is recommending approval of this application as staff finds the requested variances to be minor and within the general intent and purpose of the sign provisions of the Municipal Code.

Contact:

Norm Girdhar, Assistant Planner, South District
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Fax: 416-392-1330
E-mail: ngirdhar@toronto.ca

List of Attachments:

Attachment 1: Site Plan
Attachment 2: Sign Details
Attachment 3: Sign Details
Attachment 4: Section Views
Attachment 5: South Elevation & Section View
Attachment 2: South Elevation & Section View

(The attachments referred to in the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 7 [Notice of Motion J(24)]

Report dated April 14, 2003, from the Commissioner of Works and Emergency Services, entitled "Contract with Republic Services of Canada Inc., Haulage and Disposal of Wastewater System By-Products to the Carleton Farms Landfill in Michigan, All Wards". (See Minute No. 4.127, Page 162):

Purpose:

The purpose of this report is to request additional authority (i) to enter into a five-party agreement with respect to the contract awarded through RFP No. 9155-02-7307 for the haulage and disposal of the City's wastewater system by-products to the Carleton Farms landfill in Michigan or other licenced and permitted solid waste disposal facility, (ii) for the provision of terms and conditions substantially similar to those contained in the City's Waste Transport and Disposal Agreement, dated October 25, 2000, in order to protect the interests of the City and (iii) for a minor cost clarification.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that:

- (1) authority be granted for the City of Toronto to enter into an agreement with Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC (doing business as Carleton Farms) and Wilson Logistics Inc. to provide the required haulage and disposal services in respect of wastewater system by-products effective January 1, 2003, to the Carlton Farms Landfill in Michigan or other licensed and permitted solid waste disposal facilities, on the terms and conditions set out in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services to protect the interests of the City and in a form satisfactory to the City Solicitor;
- (2) in addition to the previously authorized prices for haulage and disposal as set out in Clause No. 29 of Report No. 12 of The Works Committee, as adopted by City Council at its meeting held on November 26, 27 and 28, 2002, authority be granted to pay Wilson Logistics Inc. the sum of \$90.00 for the haulage and disposal of each trailer load in circumstances where, in order to make up its full 12 tonne load capacity for Type 1 waste (i.e., capacity of one roll-off box) or 34 tonnes of Type 2 or Type 4 waste, a trailer is required to attend at an additional location as authorized by the Commissioner of Works and Emergency Services to pick up material; and
- (3) the appropriate City officials be directed to take the necessary action to give effect thereto.

Background:

At its meeting on November 26, 27 and 28, 2002, Council approved Clause No. 29 of Report No. 12 of The Works Committee to negotiate and enter into an agreement with Republic Services of Canada, Inc. to provide the required haulage and disposal services in respect of wastewater system by-products for the City of Toronto (the "wastewater by-product disposal agreement") commencing January 1, 2003, to the Carleton Farms Landfill in Michigan ("Carleton Farms"). The Clause set out prices for various categories of wastewater by-products with varying contractual periods for each.

In discussion with Republic Services of Canada, Inc., it was determined that the agreement should in fact be entered into with Republic Services Inc., Republic Services of Michigan I, LLC (doing business as Carleton Farms), and Wilson Logistics Inc., which are Republic Services of Canada Inc.'s partners in this venture (collectively, the "contractor"). The contractor has asked that the services be addressed either by an appendix to the City's prior Waste Transport and Disposal Agreement, dated October 25, 2000, entered into between the City and those parties for the haulage and disposal of the City's solid waste at Carleton Farms (the "solid waste disposal agreement") or by separate agreement which mirrors the provisions of the solid waste disposal agreement.

Comments:

Because the services involve disposal in the United States, the terms and conditions of the wastewater by-product disposal agreement, including the obligations of the respective parties, should therefore be substantially the same as the City's solid waste disposal agreement. As with the solid waste disposal agreement, the responsibilities of the parties under the wastewater by-product disposal agreement are primarily and generally as follows. Wilson provides the transportation services, Republic Services of Canada, Inc. is responsible for disposal and to provide for contingencies, Republic Services of Michigan I, LLC (doing business as Carleton Farms) is responsible to ensure that the primary disposal site is made available and for compliance with applicable law in the management of the site and Republic Services Inc. is a guarantor of the obligations under the agreement.

Subject to the specific requirements of RFP No. 9155-02-7307 for the handling of wastewater by-products, the pricing and the varying contractual periods in relation to the categories of the by-products, the wastewater by-product disposal agreement should in fact mirror the provisions of the City's solid waste disposal agreement in order to protect against potential liabilities and contingencies such as a border closing. While such an approach could have been done by appendix to the prior solid waste disposal agreement, administratively it is felt better to deal with the specific handling requirements and varying contractual periods by separate agreement. Because of this, authority is being sought to authorize the addition of the parties and an agreement which mirrors substantially the City's already negotiated and finalized solid waste disposal agreement.

The Commissioner of Works and Emergency Services should have the authority, however, to modify any terms to ensure the workability of the agreement in relation to the handling of wastewater by-products consistent with the provisions contained in RFP No. 9155-02-7307.

It was also indicated by Republic Services of Canada Inc. that an omission had been made in the earlier report to Council authorizing the haulage and disposal services in not detailing a \$90.00 charge to the City by the contractor for each additional location where a trailer is required to pick up Type 1, Type 2 or Type 4 waste to make a full load. Type 1 waste is comprised of grit and screenings from the wastewater treatment plants, Type 2 waste is comprised of catch basin and sewer cleaning debris, as well as street sweepings and Type 4 waste is comprised of contaminated/organic soils, sludges and slurries.

Conclusions:

The Department is recommending that the City enter into a five-party agreement for the required haulage and disposal services for the City's wastewater by-products on the terms and conditions as indicated in this report. In particular, Legal Services has advised that modelling this agreement on the terms and conditions of the City's prior solid waste transport and disposal agreement, including the obligations of the respective parties, protects the City's interests given disposal of the waste at Carleton Farms in the United States and is therefore protective of the City's interests.

With respect to the \$90.00 charge specified above, the related cost was estimated and included in the annual expenditures mentioned in the earlier report, i.e. there are no additional costs to the City of Toronto resulting from this change.

Contact:

J.P. Bradley, P. Eng.
Senior Engineer
Engineering Services—Works Facilities and Structures
Technical Services Division, Tel. No.: (416) 392-8474

ATTACHMENT NO. 8 [Notice of Motion J(32)]

Confidential joint report dated April 11, 2003, from the Commissioner of Urban Development Services, entitled "Settlement Report Application to amend the Official Plan and Zoning By-law 438-86 for 1015 Lake Shore Boulevard East (south west corner of Lake Shore Boulevard East and Leslie Street) Canadian Tire Real Estate Limited, Toronto-Danforth, Ward 30" (See Minute No. 4.93, Page 104):

Purpose:

This report outlines the terms of settlement reached between City staff and Canadian Tire Real Estate Limited with respect to the proposed development of a Canadian Tire store at Lake Shore Boulevard East and Leslie Street in the Port Lands.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Council endorse the terms of settlement as outlined in the staff report;
- (2) Council authorize the City Solicitor to present the terms of settlement to the Ontario Municipal Board at the upcoming hearing scheduled for May 27, 2003, and to prepare the necessary Official Plan Amendments and draft Zoning By-law Amendments to implement same; and
- (3) Council authorize the execution of a Section 37 Agreement containing the terms outlined in the body of this report, and any other agreements required to implement the proposed development.

Background:

In April 2002, Canadian Tire Real Estate Limited submitted an application to amend the Official Plan of the former City of Toronto Official Plan and Zoning By-law to permit an 11,615 m² Canadian Tire Store at 1015 Lake Shore Boulevard East at Leslie Street. The application also included some office, service and retail uses. The 3.7 ha site, which had been used as a warehouse by Brewer's Retail since 1956, was closed in 2001 and has been vacant since that time.

Based upon analysis and review of relevant City policies, it was determined that the original

application did not meet many existing city planning policies and objectives including the Central Waterfront Plan, and would set an undesirable precedent for other development sites in the Port Lands. The proposed stand alone, large format retail store was not deemed to be an appropriate use for the site.

In its report to Toronto East York Community Council on June 4, 2002, Urban Development Services staff recommended refusal of the application. At its meeting held on June 18, 19 and 20, Toronto City Council adopted the report.

In July 2002, McCarthy Tetrault, solicitors on behalf of the owners, appealed Council's refusal to the Ontario Municipal Board. A hearing has been scheduled to commence Tuesday, May 27, 2002 for approximately five weeks.

Urban Development Services staff have been meeting regularly with Canadian Tire staff in an attempt to arrive at a redesigned proposal that would address staff's concerns and in an effort to avert a Board hearing. The most recent discussions with Canadian Tire have resulted in a design solution that is acceptable to City staff and Canadian Tire.

Comments:

The following terms of settlement have been agreed upon:

1. Phasing

Canadian Tire has agreed to develop their site as a mixed-use development over two phases. Phase I will include a two storey Canadian Tire store in the north east corner of the site facing Lake Shore Boulevard and Leslie Street, with additional two storey retail along the Lake Shore Boulevard and Leslie frontages. The original proposal showed the store positioned in a 45-degree alignment set back from the corner of Lake Shore Boulevard and Leslie Streets and represented a more suburban model of development. The revised alignment and additional two storey retail is now more clearly street related and provides for more diverse retail uses. In addition, Phase I includes a separate block of two storey retail south of the main store along the Leslie Street frontage. The Automotive Service Centre and Loading and Receiving areas of the store have been positioned at the rear of the main store, well screened from the surrounding streets. The revised design proposal also no longer includes a separate gas bar/car wash that would have fronted onto Lake Shore Boulevard.

Phase II of the development constitutes the triangular block which remains to the west of the Canadian Tire store. In an effort to ensure that the site becomes more intensified, City staff and Canadian Tire agreed that this block will be developed with mixed commercial/retail uses or as a site for light industrial or technology/film related uses. In order to prevent two storey "strip retail" along Lake Shore Boulevard, there will be a minimum amount of density and height on this site secured through a Section 37 Agreement. As this has been designated a "development block", the Section

37 Agreement will prevent the owner from applying for a low rise, low intensity development for a period of 8 years. Market forces will dictate how and when this phase will be developed, however, it is anticipated that the build out of Phase II will occur within 8 to 10 years. The Phase I and II drawings are included as attachments to this report.

2. Parking

Phase I will be served by surface parking which is limited to under and south of the store with some temporary parking (approximately 76 spaces) located west of the store. Approximately one third of the parking is located below the main Canadian Tire store at grade, constituting its 2-storey appearance, as the store would act as a podium over the parking. One of staff's objectives was to ensure that the remaining non-structured surface parking be screened to the extent that it not be visible from Lake Shore Boulevard or Leslie Street. Landscaped features will screen edges of the parking not screened by buildings.

The development of the Phase II parcel may constitute the need for structured parking to accommodate its needs.

3. Urban Design

In the early stages of negotiations with Canadian Tire, Urban Development Services staff formulated a list of urban design principles that the proposed Canadian Tire development would have to adhere to. Staff are satisfied that the following principles have been addressed by Canadian Tire:

- Large areas of unscreened surface parking will not be permitted;
- The site will have a more intense level of development; buildings will be massed to define street edge and be pedestrian oriented;
- Building(s) will be oriented parallel to Lake Shore Boulevard and Leslie Street;
- Independent retail uses will have street frontage and separate entrances off of Lake Shore Boulevard and Leslie Street;
- Architectural/design features to prevent blank "big box" walls facing the street;
- Lake Shore Boulevard/Leslie Street will act as a "Gateway" location to the waterfront. The proposed development should act as a catalyst to new north/south connections to the water's edge.
- The development's treatment of Leslie Street should be compatible with and add to:
 - Leslie Street urban design strategy

- Ashbridge's Bay Master Site Plan project
- Gardiner East dismantling project landscaping/street edge treatment;
- Public art will be incorporated where appropriate at this "Gateway" location; and
- The proposed development will incorporate all appropriate flood protection, soil cleanup, storm water management and construction-phase environmental impacts to promote a clean and green environment.

4. Landscaping

Canadian Tire has agreed to provide significant landscaping along the Lake Shore Boulevard and Leslie Street frontages as well as a landscape treatment within the surface parking lot on the traffic islands. In addition to this, until such time as Phase II becomes developed, the western Lake Shore Boulevard frontage will be bermed and heavily planted to screen temporary surface parking. Canadian Tire has indicated that a landscape plan will accompany its revised application.

5. Section 37 Agreement

A Section 37 Agreement will be prepared to implement the proposed settlement. The Agreement will secure:

- a minimum height of 15 metres and not to exceed 24 metres, with a minimum density of 7020 m² and not to exceed 10530 m²;
- the minimum height and density for the Phase II development for a minimum of 8 years from the issuance of the building permit for the Phase I development;
- generous landscape treatments along Lake Shore Boulevard and Leslie Streets and along the rail spur line running along the rear of the property; and
- provision for public art to be incorporated within the development.

The Section 37 Agreement conditions are designed to achieve the public policy objectives of an intense, mixed-use, urban form development, not typical of a traditional suburban Canadian Tire store.

Central Waterfront Secondary Plan

As originally submitted, the proposed Canadian Tire store represented a large format, stand-alone retail warehouse use which was not compatible with policies in the Central Waterfront Plan. Staff acknowledge that the market for the more intense development envisaged for the Port Lands may

not be achieved for a number of years. However, through the negotiation process with Canadian Tire, the site has evolved to be developed as a phased, mixed-use development consistent with anticipated development in "Regeneration Areas" of the Secondary Plan. Sufficient berming and extensive landscape treatments will ensure that there will not be large areas of unscreened surface parking that also conforms to policies in the Plan.

Conclusions:

The negotiated settlement reached between the City and Canadian Tire with respect to development of a key site in the Port Lands represents a substantial departure from the originally submitted application for a stand alone retail warehouse use. The site has evolved to become a phased mixed-use development, addressing the urban nature of the site's location within the Central Waterfront and is in keeping with the vision of the Central Waterfront Plan.

Contacts:

Carlo Bonanni, Senior Planner, Waterfront Section

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Rob Balfour, Solicitor, Planning & Development Law

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E-mail: rbalfour@toronto.ca

List of Attachments:

Attachment No. 1 – Phase I development

Attachment No. 2 – Phase II development

(Attachments Nos. 1 and 2 to the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 9 [Notice of Motion J(39)]

Communication dated April 9, 2003, from the City Clerk, Toronto Pedestrian Committee, entitled "Ontario Municipal Board Case No. PL021072 – Notice of Prehearing Conference TDL Group Ltd., Canadian Tire Real Estate Limited, Ontario Restaurant Hotel & Motel Association, Cara Operations Limited and others have appealed to the Ontario Municipal Board under subsection 34(19) of the Planning Act, R.S.O. c.P.13, as amended against City of Toronto Zoning By-law Nos. 776-2002 to 811-2002 inclusive, with respect to drive-through facilities" (See Minute No. 4.141, Page 185):

Recommendation:

The Toronto Pedestrian Committee requests City Council to permit the Toronto Pedestrian Committee to apply for observer status at the Prehearing Conference in support of the City of Toronto By-law Nos. 776 – 2002 to 811-2002, to be held on May 1, 2003, and further that the Co-Chairs of the Toronto Pedestrian Committee or their representatives attend on behalf of the Toronto Pedestrian Committee at this prehearing conference and any other hearing with respect to this matter.

Background:

The Toronto Pedestrian Committee, at its meeting held on April 9, 2003, had before it an Ontario Municipal Board Notice of Prehearing Conference to be held at City of Toronto – North York Civic Centre, Committee Room No. 4, 5100 Yonge Street, Lower Floor, Toronto ON M2N 5V7 on Thursday, May 1, 2003 at 10:00 a.m. with respect to the above appeal relating to the City of Toronto Zoning By-law Nos. 776-2002 to 811-2002 inclusive; which by-laws amend the various municipal Zoning by-laws and Zoning Code, by adding definitions for drive-through facilities and staking lanes and by adding general provisions to regulate where drive-through facilities may or may not be permitted.

The Toronto Pedestrian Committee has been an interested party with respect to this matter from 2001 and was instrumental in requesting that City Council direct staff to review the Zoning by-law for the former City of Toronto and prepare development standards to address the issues raised by drive-through facilities in all parts of the City.

The pre-hearing is scheduled by the Ontario Municipal Board prior to the next City Council meeting of May 21, 22 and 23, 2003, which would not allow time for the Toronto Pedestrian Committee to report through its normal channel to the Works Committee, thus making this matter time sensitive and urgent.

The Toronto Pedestrian Committee requests that City Council permit the Toronto Pedestrian Committee to apply for observer status at the Prehearing Conference in support of the City of Toronto By-law Nos. 776 – 2002 to 811-2002, to be held on May 1, 2003, subject to confirmation that this is permitted by City Council's Rules and Procedures; and further that the Co-Chairs of the Toronto Pedestrian Committee or their representatives attend on behalf of the Toronto Pedestrian Committee at this prehearing conference and any other hearing with respect to this matter.

ATTACHMENT NO. 10 [Notice of Motion J(40)]

Report dated April 15, 2003, from the Commissioner of Urban Development Services, entitled "Information Report - Interim Control By-law for the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area in the former City of York - York South-Weston- Ward 11)". (See Minute No. 4.142, Page 187):

Purpose:

To consider the implementation of an Interim Control By-law for the above noted area, in order to allow Planning Staff time to review the present Residential District – R2 zoning in the former City of York Comprehensive General Zoning By-law 1-83.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that Planning staff undertake a review of the R2 zoning regulations and report back to Community Council within one year.

Background:

Residents within the residential areas of Coulter Avenue/King Street and King Street Crescent/Little Avenue (Attachment No. 1) have expressed concerns regarding the ability of the existing R2 zoning to protect their neighbourhoods from infill development and/or redevelopment that is not in character with the existing neighbourhood. These concerns have been heightened by two recent Committee of Adjustment applications for minor variance to permit the redevelopment of existing buildings on larger lots with new single detached dwellings or semi-detached dwellings. This type of development is perceived to be out of keeping with the character of the existing built form in the neighbourhood.

Planning staff, at the request of the local Councillor, attended a community consultation meeting to listen to concerns and discuss options for dealing with residential redevelopment pressures.

Conclusions:

Planning staff support the motion to implement an Interim Control By-law. This approach allows staff time to review the R2 zoning regulations with a view to putting forward revised zoning regulations that would address the concerns of the community and maintain the integrity of the residential neighbourhood.

Contact:

Lou Moretto, Manager, Community Planning West District
Tel: (416) 394-2610; Fax: (416) 394-6063, E-mail: lmore@toronto.ca

(Attachment No. 1, entitled “Coulter Avenue/King Street Area and King Street Crescent/Little Avenue Area”, referred to in the foregoing report, is on file in the Office of the City Clerk.)

FISCAL IMPACT STATEMENT NO. 1 [NOTICE OF MOTION F(1)]
(See Minute No. 4.97, Page 110)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(1) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 2 [NOTICE OF MOTION F(2)]

(See Minute No. 4.98, Page 111)

Financial Implications:

Operating

Current year impacts: \$40,000 (net) Future year impacts: \$_____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input checked="" type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$_____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$_____ (net) Future year impacts: \$_____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$_____ (net)

Operating Impact:

Program costs: \$_____ (net)

Debt service costs: \$_____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(2) – no funding is available in the Legal Department Accounts for outside legal advice. Approval of this motion will result in a pressure of \$40,000.00 to the City.

Consider Refer to Standing Committee

Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 3 [NOTICE OF MOTION F(3)]

(See Minute No. 4.99, Page 113)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(3) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 4 [NOTICE OF MOTION F(4)]

(See Minute No. 4.100, Page 114)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(4) – There are no financial impacts.

Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 5 [NOTICE OF MOTION F(5)]

(See Minute No. 4.101, Page 116)

Financial Implications:

Operating	
<input type="checkbox"/> Current year impacts: \$ <u>unknown</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	X Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(5) – Financial impact to be determined. Potential impact on various programs. This issue should be referred to the Governance Review Committee.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 7 [NOTICE OF MOTION I(2)]

(See Minute No. 4.103, Page 118)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – I(2) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 8 [NOTICE OF MOTION I(3)]

(See Minute No. 4.104, Page 120)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – I(3) - No financial impact.

Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 9 [NOTICE OF MOTION J(1)]

(See Minute No. 4.105, Page 121)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(1) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 11 [NOTICE OF MOTION J(3)]

(See Minute No. 4.107, Page 123)

Financial Implications:

Operating	
<input type="checkbox"/> Current year impacts: \$_____ (net)	<input type="checkbox"/> Future year impacts: \$_____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$_____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$_____ (net)	<input type="checkbox"/> Future year impacts: \$_____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$_____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$_____ (net)	
<input type="checkbox"/> Debt service costs: \$_____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(3) – see attached Confidential report.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 12 [NOTICE OF MOTION J(4)]

(See Minute No. 4.108, Page 126)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$6,175 (net)	<input type="checkbox"/> Future year impacts: \$ _____ 0(net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ 0 (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(4) - The proposed expenditures of \$6,175.00 could be funded from the Tenant Defence Fund within Shelter, Housing and Support Operating Budget. These proposed expenditures meet the spirit and intent of the fund.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 13 [NOTICE OF MOTION J(5)]

(See Minute No. 4.109, Page 129)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(5) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 14 [NOTICE OF MOTION J(6)]

(See Minute No. 4.110, Page 131)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(6) - No financial impact.

Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 15 [NOTICE OF MOTION J(7)]

(See Minute No. 4.111, Page 132)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(7) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 16 [NOTICE OF MOTION J(8)]

(See Minute No. 4.112, Page 133)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(8) - No financial impact.

Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 17 [NOTICE OF MOTION J(10)]

(See Minute No. 4.114, Page 138)

Financial Implications:

Operating

Current year impacts: \$20,000 or \$135,000+ (net) _____

Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input checked="" type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(10) – The cost to fill the vacancy in Ward 17 depends on the option to fill – cost of appointment \$20,000.00. The cost of a by-election would be \$135,000.00 plus additional, but unknown rebate costs (as outlined in the report dated April 7, 2003, from the City Clerk. There is no funding in the 2003 operating budget for this purpose.

- Consider
 - Refer to Standing Committee
- Submitted by:

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 18 [NOTICE OF MOTION J(11)]

(See Minute No. 4.115, Page 140)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ 0 _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ 0 _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(11) – There are no direct financial impacts. Please see the Financial Implications section in the report from the CFO titled 2003 Education Levy By-law/2003 Commercial, Industrial and Residential Clawback By-law.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 19 [NOTICE OF MOTION J(12)]

(See Minute No. 4.116, Page 146)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(12) - No financial impact.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 20 [NOTICE OF MOTION J(14)]

(See Minute No. 4.117, Page 148)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (14) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 21 [NOTICE OF MOTION J(15)]

(See Minute No. 4.118, Page 149)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$700 _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (15) - Removal of four of the six speed bumps installed in this location will cost \$700.00, however, the Rubber Bumps can be redeployed elsewhere.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 22 [NOTICE OF MOTION J(16)]

(See Minute No. 4.119, Page 151)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ 0 _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (16) - There are no financial implications on the Works and Emergency Services Department.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 23 [NOTICE OF MOTION J(17)]

(See Minute No. 4.120, Page 152)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(17) - No financial impact.

Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 24 [NOTICE OF MOTION J(18)]

(See Minute No. 4.121, Page 154)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$0 _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (18) - There are no financial implications on the Works and Emergency Services Department.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 25 [NOTICE OF MOTION J(19)]

(See Minute No. 4.122, Page 155)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(19) - There are no financial implications on the Works and Emergency Services Department.
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Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 26 [NOTICE OF MOTION J(20)]

(See Minute No. 4.123, Page 156)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ 0 _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input checked="" type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(20) - There are no financial implications on the Works and Emergency Services Department.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 27 [NOTICE OF MOTION J(21)]

(See Minute No. 4.124, Page 157)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(21) - No financial impacts.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 28 [NOTICE OF MOTION J(22)]

(See Minute No. 4.125, Page 159)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(22) – No financial impacts.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 29 [NOTICE OF MOTION J(23)]

(See Minute No. 4.126, Page 160)

Financial Implications: **Operating**

- Current year impacts: \$0_____ (net) Future year impacts: \$_____ (net)
- Following year
 Future years
- Funding sources (specify):
- | | |
|---|---|
| <input type="checkbox"/> Accommodation within approved operating budget | <input checked="" type="checkbox"/> Third party funding |
| <input type="checkbox"/> New revenues | <input type="checkbox"/> Tax rate impact |
| <input type="checkbox"/> Reserve/Reserve Fund contributions | <input type="checkbox"/> Other |
- Budget adjustments: \$_____ (Net)
- Impact on staffing levels: _____ (positions)

 Capital

- Current year impacts: \$_____ (net) Future year impacts: \$_____ (net)
- Following year
 Future years
- Funding sources (specify):
- | | |
|---|--|
| <input type="checkbox"/> Accommodation within approved capital budget | <input type="checkbox"/> Third party funding |
| <input type="checkbox"/> New revenues | <input type="checkbox"/> Debt |
| <input type="checkbox"/> Reserve/Reserve Fund contributions | <input type="checkbox"/> Other |
- Budget adjustments: \$_____ (net)
- Operating Impact:
- Program costs: \$_____ (net)
- Debt service costs: \$_____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(23) - There are no financial implications to the Works and Emergency Services Department, as this represents an incidental amount of additional work that is to be paid through third party payments.

- Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 30 [NOTICE OF MOTION J(24)]

(See Minute No. 4.127, Page 162)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$0_____ (net)
<input type="checkbox"/> Future year impacts: \$_____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input checked="" type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$_____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$_____ (net)
<input type="checkbox"/> Future year impacts: \$_____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$_____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$_____ (net)
<input type="checkbox"/> Debt service costs: \$_____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(24) - There are no financial implications for the Works and Emergency Services Department.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 31 [NOTICE OF MOTION J(25)]

(See Minute No. 4.128, Page 164)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(25) - No financial impact.

Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 32 [NOTICE OF MOTION J(26)]

(See Minute No. 4.129, Page 165)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(26) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 34 [NOTICE OF MOTION J(28)]

(See Minute No. 4.131, Page 168)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(28) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 35 [NOTICE OF MOTION J(29)]

(See Minute No. 4.132, Page 170)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion J(29) - No financial impact.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 36 [NOTICE OF MOTION J(30)]

(See Minute No. 4.133, Page 171)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(30) - No financial impact.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 37 [NOTICE OF MOTION J(31)]

(See Minute No. 4.134, Page 173)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(31) - No financial impact.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 38 [NOTICE OF MOTION J(32)]

(See Minute No. 4.93, Page 104)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(32) - Maintenance costs should be incorporated within the Section 37 Agreement.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 39 [NOTICE OF MOTION J(33)]

(See Minute No. 4.135, Page 175)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(33) – No financial impact.

X Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 40 [NOTICE OF MOTION J(34)]

(See Minute No. 4.136, Page 177)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(34) – No financial impact.

X Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 41 [NOTICE OF MOTION J(35)]

(See Minute No. 4.137, Page 178)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(35) – No financial impact.

X Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 42 [NOTICE OF MOTION J(36)]

(See Minute No. 4.138, Page 180)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(36) – No financial impact.

X Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 43 [NOTICE OF MOTION J(37)]

(See Minute No. 4.139, Page 183)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(37) - No financial impact.

X Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 44 [NOTICE OF MOTION J(38)]

(See Minute No. 4.140, Page 184)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(38) – No financial impact.

X Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 45 [NOTICE OF MOTION J(39)]

(See Minute No. 4.141, Page 185)

Financial Implications:

Operating

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ 0 (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(39) – No financial impact.

X Consider Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 46 [NOTICE OF MOTION J(40)]

(See Minute No. 4.142, Page 187)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(40) – No financial impact.

X Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 47 [NOTICE OF MOTION J(41)]

(See Minute No. 4.143, Page 323)

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(41) – No financial impact.

X Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 48 [NOTICE OF MOTION J(43)]

(See Minute No. 4.145, Page 191)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$ <u>500,000.00</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input checked="" type="checkbox"/> Other – offset required
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (43) – 2003 unallocated source of funding not available. Identification of funding source required from the Chief Financial Officer and Treasurer.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer