

[Guide to Minutes](#)

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

**MONDAY, SEPTEMBER 22, 2003,
TUESDAY, SEPTEMBER 23, 2003,
WEDNESDAY, SEPTEMBER 24, 2003, AND
THURSDAY, SEPTEMBER 25, 2003**

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

CALL TO ORDER - 9:36 A.M.

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

The meeting opened with O Canada.

11.2 **CONFIRMATION OF MINUTES**

Councillor Shiner, seconded by Councillor Sutherland, moved that the Minutes of the Council meeting held on the 22nd, 23rd and 24th days of July, 2003, be confirmed in the form supplied to the Members, which carried.

11.3 **PETITIONS**

- (a) Councillor Walker filed a petition submitted by McMillan Binch LLP, containing the signatures of approximately 59 individuals, respecting the Blythwood Road Heritage Conservation District.

Council considered this petition with Clause No. 36 of Report No. 7 of The Midtown Community Council, headed “Blythwood Road Heritage Conservation District - Designation under Part V of the Ontario Heritage Act (Don Valley West - Ward 25)”.

- (b) Councillor Walker filed a petition from the Residents of Elvina Gardens, containing the signatures of approximately 35 individuals, respecting the proposed development for the property known as 912, 930 and 940 Mount Pleasant Road.

Council considered this petition with Clause No. 63 of Report No. 7 of The Midtown Community Council, headed “Final Report - Request to Amend the Official Plan and Zoning By-law 438-86 - 912, 930 and 940 Mount Pleasant Road, Plazacorp Investments Ltd. (Quadrangle Architects Ltd.) 102032 TD CMB 2002 0012 (Don Valley West - Ward 25)”.

- (c) Councillor Pantalone filed a petition from the Community and Stakeholders of the Queen West Queen Neighbourhood, containing the signatures of approximately 220 individuals, respecting the zoning by-law application for 1001 Queen Street West.

Council considered this petition with Clause No. 30 of Report No. 8 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning and Authority to Execute Heritage Easement Agreement - 1001 Queen Street West (Centre for Addiction and Mental Health) (Trinity-Spadina, Ward 19)”.

- (d) Councillor Pantalone filed a petition containing the signatures of approximately 563 individuals respecting the retention of a vendor location.

Council considered this petition with Clause No. 31 of Report No. 8 of The Toronto East York Community Council, headed “Revocation of Vending Licences - Village of Yorkville Park (Toronto Centre-Rosedale, Ward 27)”.

- (e) Councillor Augimeri filed a petition from the residents of the Jane and Sheppard area, containing the signatures of approximately 1,271 individuals, respecting the property known as 1900 Sheppard Avenue West.

Council considered this petition with Clause No. 19 of Report No. 7 of The Community Services Committee, headed “Building on Successes: The Community Plan for the Supporting Communities Partnership Initiative (SCPI) in Toronto, 2003-2006”.

PRESENTATION OF REPORTS

September 22, 2003:

- 11.4 Councillor Holyday presented the following Reports for consideration by Council:

Deferred Clauses:

Report No. 4 of The Community Services Committee, Clause No. 9c,
Report No. 6 of The Community Services Committee, Clause No. 18a,
Report No. 8 of The Planning and Transportation Committee, Clause No. 4a,
Report No. 6 of The Humber York Community Council, Clause No. 29a,
Report No. 3 of The Audit Committee, Clauses Nos. 4a and 7a, and
Report No. 4 of The Board of Health, Clause No. 5b.

New Reports:

Report No. 9 of The Policy and Finance Committee,
Report No. 7 of The Economic Development and Parks Committee,
Report No. 9 of The Planning and Transportation Committee,
Report No. 7 of The Works Committee,
Report No. 9 of The Administration Committee,
Report No. 7 of The Community Services Committee,
Report No. 7 of The North York Community Council,
Report No. 7 of The Scarborough Community Council,
Report No. 8 of The Toronto East York Community Council,
Report No. 9 of The Toronto East York Community Council,
Report No. 7 of The Etobicoke Community Council,
Report No. 7 of The Humber York Community Council,
Report No. 7 of The Midtown Community Council, and
Report No. 6 of The Board of Health,

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

- 11.5 Councillor Holyday, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 4 of The Audit Committee,

and moved, seconded by Councillor Lindsay Luby, 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.

September 24, 2003:

- 11.6 Councillor Pitfield, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 8 of The Works Committee,

and moved, seconded by Councillor Lindsay Luby, 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.

11.7 DECLARATIONS OF INTEREST

Councillor Altobello declared his interest in Clause No. 37 of Report No. 7 of The Scarborough Community Council, headed “Adams Creek Valley (Ward 44 – Scarborough East)”, in that he owns property within the subject area.

Councillor Bussin declared her interest in Clause No. 1 of Report No. 7 of The Economic Development and Parks Committee, headed “Renewal of Leases for the Boat Clubs Located on City of Toronto Property (Various Wards)”, in that her spouse is a member of one of the Boat Clubs referred to in the Clause.

Councillor Chow declared her interest in Clause No. 2 of Report No. 7 of The Economic Development and Parks Committee, headed “Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms (All Wards)”, in that her stepson is the Manager of a restaurant.

Councillor Dominelli declared his interest in the following matters:

- (a) Clause No. 15 of Report No. 7 of The Works Committee, headed “Harbour Remediation and Transfer Inc. Claim and Related Third Party Claims”, in that he had a previous business relationship with Harbour Remediation and Transfer Inc.;
- (b) Clause No. 27 of Report No. 9 of The Policy and Finance Committee, headed “China Trademart in the Queen Elizabeth Building - Long Term Lease”, in that his son has a business interest with the Canadian National Exhibition;
- (c) Clause No. 30 of Report No. 7 of The Humber York Community Council, headed “Status and Directions Report - 1100 King Street West - Applications to Amend the Official Plan and Zoning By-law and for Site Plan Approval - Canadian Pacific Company (Kirkor Architects & Planners) (Ward 14 - Parkdale-High Park)”, in that he owns land in the immediate vicinity;
- (d) Clause No. 13 of Report No. 8 of The Toronto East York Community Council, headed “Draft Zoning By-law Amendments - Application of Holding Symbol and Execution of Section 37 Agreement – Fort York Neighbourhood (Trinity-Spadina, Ward 19)”, in that he owns land in the immediate vicinity;

- (e) Clause No. 14 of Report No. 8 of The Toronto East York Community Council, headed “Fort York Precinct Signage Study (Trinity-Spadina, Wards 19 and 20)”, in that he owns land in the immediate vicinity;
- (f) Clause No. 15 of Report No. 8 of The Toronto East York Community Council, headed “Request for Direction – OMB Hearing – 511 Bremner and 2 and 20 Housey Street; 20, 22A and 24 Bathurst Street (Trinity-Spadina, Wards 19 and 20)”, in that he owns land in the immediate vicinity;
- (g) Clause No. 20 of Report No. 9 of The Toronto East York Community Council, headed “Traffic Amendments - Richmond and Adelaide Streets (Trinity-Spadina, Ward 20)”, in that he owns land in the immediate vicinity;
- (h) Clause No. 49 of Report No. 9 of The Toronto East York Community Council, headed “Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 14 Strachan Avenue (Trinity-Spadina, Ward 19)”, in that he owns land in the immediate vicinity;
- (i) Motion J(19), moved by Councillor Pantalone, seconded by Councillor Chow, respecting a Section 37 Agreement regarding the Bathurst/Bremner/Fort York Boulevard Intersection, in that he owns land in the immediate vicinity; and
- (j) Motion J(38), moved by Councillor Pantalone, seconded by Councillor Lindsay Luby, regarding a status report respecting easements – 9 Hanna Avenue, in that he owns land in the immediate vicinity.

Mayor Lastman declared his interest in the following matters, in that his son is a member of the Board of Directors of the Borealis Capital Corporation:

- (a) Clause No. 24 of Report No. 9 of The Policy and Finance Committee, headed “Enwave District Energy Limited, Annual Shareholders Meeting 2003”;
- (b) Clause No. 26 of Report No. 9 of The Policy and Finance Committee, headed “2002 Annual Audited Financial Statements of Enwave District Energy Limited”; and
- (c) Clause No. 72 of Report No. 9 of The Policy and Finance Committee, headed “Enwave: Status of the Deep Lake Water Cooling Quality Management Assurance Assignment, Capital Call Update”.

Councillor Mihevc declared his interest in the following matters, in that his partner has a contract with a group receiving funds from the programs referred to therein:

- (a) Clause No. 18 of Report No. 7 of The Community Services Committee, headed “Strengthening the City’s Housing and Support Responses to Homelessness”; and

- (b) Clause No. 21 of Report No. 7 of The Community Services Committee, headed “Funding Approvals for the 2003 City of Toronto Homeless Initiatives Fund”.

Councillor Miller declared his interest in the following matters:

- (a) Motion F(5), moved by Councillor Bussin, seconded by Councillor Pantalone, respecting approval to erect election signs on Mayoral and City Councillor candidates campaign offices prior to September 11, 2003 (60 days prior to voting day), in that he is a Mayoral Candidate in the 2003 Municipal Election;
- (b) Motion J(5), moved by Councillor Moscoe, seconded by Councillor Di Giorgio, respecting 20 Gothic Avenue – Status Reports, Application to Amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86, and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects), in that he lives adjacent to the proposed development; and
- (c) Motion J(61), moved by Councillor Moscoe, seconded by Councillor Di Giorgio, respecting 20 Gothic Avenue – Instructions Regarding Upcoming OMB Hearing; Applications to Amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86, and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto, in that he lives adjacent to the proposed development.

Councillor Moscoe declared his interest in Motion F(5), moved by Councillor Bussin, seconded by Councillor Pantalone, respecting approval to erect election signs on Mayoral and City Councillor candidates campaign offices prior to September 11, 2003 (60 days prior to voting day), in that he is in the business of manufacturing election signs.

Councillor Pitfield declared her interest in Clause No. 1 of Report No. 7 of The Economic Development and Parks Committee, headed “Renewal of Leases for the Boat Clubs Located on City of Toronto Property (Various Wards)”, in that she owns a boat which is moored at one of the Boat Clubs referred to in the Clause.

Councillor Shiner declared his interest in Clause No. 20 of Report No. 9 of The Toronto East York Community Council, headed “Traffic Amendments - Richmond and Adelaide Streets (Trinity-Spadina, Ward 20)”, in that his family owns property within the subject area.

Councillor Walker declared his interest in Clause No. 15 of Report No. 7 of The Works Committee, headed “Harbour Remediation and Transfer Inc. Claim and Related Third Party Claims”, 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

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

Report No. 4 of The Community Services Committee, Clause No. 9c.

Report No. 6 of The Community Services Committee, Clause No. 18a.

Report No. 8 of The Planning and Transportation Committee, Clause No. 4a.

Report No. 6 of The Humber York Community Council, Clause No. 29a.

Report No. 3 of The Audit Committee, Clauses No. 4a and 7a.

Report No. 4 of The Board of Health, Clause No. 5b.

Report No. 9 of The Policy and Finance Committee, Clauses Nos. 1, 2, 4, 7, 8, 10, 11, 14, 19, 22, 25, 27, 28, 31, 37, 41, 42, 43, 51, 52, 54, 55, 58, 59, 60, 61, 63, 70, 71, 75, 79 and 81.

Report No. 7 of The Economic Development and Parks Committee, Clauses Nos. 2, 3, 4, 8 and 21.

Report No. 9 of The Planning and Transportation Committee, Clauses Nos. 1, 3, 4, 6, 8 and 9.

Report No. 7 of The Works Committee, Clauses Nos. 1, 5, 6, 7, 8, 9, 10, 12, 19, 20, 21, 24, 38, 42, 54 and 58.

Report No. 9 of The Administration Committee, Clauses Nos. 1, 3, 4, 14, 19, 21, 23, 29, 32, 36, 38, 41, 43 and 51.

Report No. 7 of The Community Services Committee, Clauses Nos. 11, 16, 19 and 27.

Report No. 7 of The North York Community Council, Clauses Nos. 9, 21, 22, 25, 27 and 40.

Report No. 7 of The Scarborough Community Council, Clauses Nos. 8, 30, 40 and 41.

Report No. 8 of The Toronto East York Community Council, Clauses Nos. 3, 6, 12, 15, 18, 19, 30 and 31.

Report No. 9 of The Toronto East York Community Council, Clauses Nos. 19, 20, 23, 28, 47, 49, 52, 53, 55 and 66.

Report No. 7 of The Etobicoke Community Council, Clauses Nos. 12, 13, 15, 25, 36 and 38.

Report No. 7 of The Humber York Community Council, Clauses Nos. 11, 16, 19, 30, 33, 41, 56, 61, 62, 63 and 76.

Report No. 7 of The Midtown Community Council, Clauses Nos. 2, 3, 27, 32, 36, 53, 62, 63, 66, 67 and 75.

Report No. 6 of The Board of Health, Clauses Nos. 1 and 3.

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

Report No. 6 of The Humber York Community Council, Clause No. 29a.

Report No. 9 of The Policy and Finance Committee, Clauses Nos. 1, 2, 19, 22, 31, 60 and 63.

Report No. 7 of The Economic Development and Parks Committee, Clauses Nos. 3, 4 and 8.

Report No. 7 of The Works Committee, Clauses Nos. 5, 7, 38 and 58.

Report No. 9 of The Administration Committee, Clauses Nos. 14, 23, 32, 36, 38, 41 and 51.

Report No. 7 of The Community Services Committee, Clause No. 11.

Report No. 7 of The North York Community Council, Clauses Nos. 25, 27 and 40.

Report No. 7 of The Scarborough Community Council, Clause No. 30.

Report No. 8 of The Toronto East York Community Council, Clauses Nos. 3, 18 and 19.

Report No. 9 of The Toronto East York Community Council, Clause No. 20.

Report No. 7 of The Humber York Community Council, Clauses Nos. 19 and 76.

Report No. 7 of The Midtown Community Council, Clause No. 36.

Report No. 6 of The Board of Health, Clause No. 3.

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.**

11.9 Clause No. 8 of Report No. 9 of The Planning and Transportation Committee, headed “Business Watch Pilot Project”.

Motion:

Councillor Chow moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the Toronto Police Services Board for its information.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.10 **Clause No. 21 of Report No. 9 of The Administration Committee, headed “Disposition of Surplus Property, 1386 The Queensway (Ward 5 - Etobicoke-Lakeshore)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Milczyn moved that City Council adopt the following recommendation:

“It is recommended that Council adopt the report dated September 12, 2003, from the Commissioner of Corporate Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Offer to Purchase from 1563078 Ontario Limited to purchase the property known municipally as 1386 The Queensway, being part of Lot 8, Plan 940, designated as Parts 1 and 2 on Plan 66R-20121, in the amount of \$1,700,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

11.11 Clause No. 16 of Report No. 7 of The Community Services Committee, headed “TB or not TB? There is no question - Report of a Public Inquiry into the State of Tuberculosis Within Toronto’s Homeless Population, June 2003”.

Motion:

Councillor Mihevc moved that City Council amend the Clause in accordance with the following Recommendation (A) of the Board of Health embodied in the communication dated September 16, 2003, from the Secretary, Board of Health:

“The Board of Health advises City Council that it:

(A) endorses, in principle, the report (June 2003) ‘TB or not TB? There is no question – Report of A Public Inquiry into the State of Tuberculosis Within Toronto’s Homeless Population’ and its 28 recommendations, subject to the following amendments:

(1) that Recommendation No. (8) be amended to read:

‘Toronto Public Health work in collaboration with Shelter, Housing and Support Division to inspect selected high risk shelters and drop-in centres as soon as possible in 2004’;

(2) that Recommendation No. (16) be amended to read:

‘Toronto’s Diseases Preparedness Committee develop protocols for prevention and management of infectious and airborne diseases in the homeless service system’; and

(3) that Recommendation No. (17) be amended to read:

‘Toronto Public Health develop and implement comprehensive TB screening in shelters and drop-in centres and other homeless service centres’;”.

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

11.12 Clause No. 9 of Report No. 7 of The North York Community Council, headed “On-Street Metered Parking – Yonge Street Between Church Avenue and Byng Avenue (Ward 23 - Willowdale)”.

Motion:

Councillor Filion moved that City Council amend the Clause by deleting Recommendation No. (3) in the report dated August 21, 2003, from the Director, Transportation Services, District 3, Works and Emergency Services, as embodied in the Clause, and inserting in lieu thereof the following new Recommendation No. (3):

- “(3) the metered parking and/or parking machine regulations for the east side of Yonge Street, between Church Avenue and a point 128 metres north thereof, be extended to operate between Church Avenue and a point 145 metres north thereof; and”.

Votes:

The motion by Councillor Filion carried.

The Clause, as amended, carried.

11.13 Clause No. 21 of Report No. 7 of The North York Community Council, headed “Amendment to the Sign By-law for the former City of North York to Restrict Signs on Office and Industrial Buildings in the Yonge Street City Centre Area (Ward 23 - Willowdale)”.

Motion:

Councillor Filion moved that City Council refer the Clause to the Toronto North Community Council for further consideration.

Vote:

The motion by Councillor Filion carried.

11.14 Clause No. 31 of Report No. 8 of The Toronto East York Community Council, headed “Revocation of Vending Licences - Village of Yorkville Park (Toronto Centre-Rosedale, Ward 27)”.

Motion:

Councillor Rae moved that City Council refer the Clause to the Toronto South Community Council for further consideration.

Vote:

The motion by Councillor Rae carried.

- 11.15 **Clause No. 28 of Report No. 9 of The Toronto East York Community Council, headed “Implementation of ‘No Stopping Anytime’ Prohibition and Associated Parking Regulation Amendments - Adelaide Street East, North Side, between George Street and Sherbourne Street (No. 330 Adelaide Street East) (Toronto Centre-Rosedale, Ward 28)”.**

Motion:

Councillor McConnell moved that City Council amend the Clause by amending the report dated August 12, 2003, from the Director, Transportation Services, District 1, as embodied in the Clause, by deleting from Recommendation No. (1)(a), the word “east”, and inserting in lieu thereof the word “west”, so that such recommendation shall now read as follows:

“(a) Sherbourne Street to a point 47.5 metres west thereof; and”.

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

- 11.16 **Clause No. 47 of Report No. 9 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

Motions:

- (a) Councillor Rae moved that City Council amend the Clause by adding the following events to Recommendation No. (2) of the Toronto East York Community Council:

- “(c) the Amsterdam Beer Festival to be held at the Amsterdam Brew Pub and Grill, 600 King Street West, on Thursday, September 25, 2003, from 11:00 a.m. to 2:00 a.m., Friday, September 26, 2003, from 11:00 a.m. to 2:00 a.m., Saturday, September 27, 2003, from 11:00 a.m. to 2:00 a.m., Sunday, September 28, 2003, from 11:00 a.m. to 2:00 a.m., Thursday, October 2, 2003, from 11:00 a.m. to 2:00 a.m., Friday, October 3, 2003, from 11:00 a.m. to 2:00 a.m., Saturday, October 4, 2003, from 11:00 a.m. to 2:00 a.m., and Sunday, October 5, 2003, from 11:00 a.m. to 2:00 a.m., in the north and east parking laneways of the premises; and
- (d) a dinner/dance to be held at the Kew Gardens Tennis Club on September 27, 2003, from 6:30 p.m. to 1:00 a.m.;”.

- (b) Councillor McConnell moved that City Council amend the Clause by adding the St. Lawrence Market 200th Anniversary Celebration to be held on October 30, 2003, to November 1, 2003, to Recommendation No. (1) of the Toronto East York Community Council.

Votes:

Motion (a) by Councillor Rae carried.

Motion (b) by Councillor McConnell carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Rae, 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 Rae moved that City Council further amend the Clause by adding an art vernissage at Gallery 888, 888 Queen Street East, Toronto, on Wednesday, October 22, 2003, from 6:00 p.m. to 9:00 p.m., to Recommendation No. (2) of the Toronto East York Community Council.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

In summary, City Council amended this Clause by amending the recommendations of the Toronto East York Community as follows:

- (1) adding the St. Lawrence Market 200th Anniversary Celebration to be held from October 30, 2003, to November 1, 2003, to Recommendation No. (1), so that such recommendation shall now read as follows:

“(1) declare the following events to be events of municipal and/or community significance and advise the Alcohol and Gaming

Commission of Ontario that it has no objection to such events taking place:

- (a) the Corktown Octoberfest to be held at Sackville Park, 420 King Street East, between 11:00 a.m. and 11 p.m., on September 27, 2003; and
- (b) the St. Lawrence Market 200th Anniversary Celebration to be held on October 30, 2003, to November 1, 2003;"; and

(2) adding the following events to Recommendation No. (2):

- “(c) the Amsterdam Beer Festival to be held at the Amsterdam Brew Pub and Grill, 600 King Street West, on Thursday, September 25, 2003, from 11:00 a.m. to 2:00 a.m., Friday, September 26, 2003, from 11:00 a.m. to 2:00 a.m., Saturday, September 27, 2003, from 11:00 a.m. to 2:00 a.m., Sunday, September 28, 2003, from 11:00 a.m. to 2:00 a.m., Thursday, October 2, 2003, from 11:00 a.m. to 2:00 a.m., Friday, October 3, 2003, from 11:00 a.m. to 2:00 a.m., Saturday, October 4, 2003, from 11:00 a.m. to 2:00 a.m., and Sunday, October 5, 2003, from 11:00 a.m. to 2:00 a.m., in the north and east parking laneways of the premises;
- (d) a dinner/dance to be held at the Kew Gardens Tennis Club on September 27, 2003, from 6:30 p.m. to 1:00 a.m.; and
- (e) an art vernissage at Gallery 888, 888 Queen Street East, Toronto, on Wednesday, October 22, 2003, from 6:00 p.m. to 9:00 p.m.;”.

11.17 Clause No. 55 of Report No. 9 of The Toronto East York Community Council, headed “Installation of Speed Bumps - Tracy Street, between Sydenham Street and Shuter Street (Toronto Centre-Rosedale, Ward 28)”.

Motion:

Councillor McConnell moved that City Council amend the Clause by deleting from Recommendation No. (1) embodied in the report dated August 27, 2003, from the Director, Transportation Services, District 1, as embodied in the Clause, the reference “Drawing Nos. 421F-6832”, and inserting in lieu thereof the reference “Drawing No. 421F-7129”, so that such recommendation shall now read as follows:

- “(1) the installation of speed bumps on Tracy Street between Sydenham Street and Shuter Street, of the type and design noted and at the locations shown on Drawing No. 421F-7129 dated August, 2003 be approved; and”.

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

- 11.18 **Clause No. 15 of Report No. 7 of The Etobicoke Community Council, headed “Introduction of Designated Bicycle Lanes, No Stopping Prohibitions and Exclusive Right-Turn Lanes on Birmingham Street Between Islington Avenue and Twenty Second Street (Ward 6 – Etobicoke-Lakeshore)”.**

Motion:

Councillor Holyday moved that City Council amend the Clause by deleting from Recommendation No. (13) embodied in the report dated August 11, 2003, from the Director, Transportation Services, District 2, as embodied in the Clause, the word “north”, and inserting in lieu thereof the word “south”, so that such recommendation shall now read as follows:

“(13) stopping be prohibited anytime on the south side of Birmingham Street between Twenty Second Street and a point 41.0 metres east thereof;”.

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

- 11.19 **Clause No. 62 of Report No. 7 of The Midtown Community Council, headed “Request to Amend Subdivision Agreement - 9 Legacy Court, Lot 7, RP 66M-2331, UD 10 AME 9UDOZ-94-33 and UDSB-1221 (Don Valley West - Ward 25)”.**

Motion:

Councillor Minnan-Wong moved that City Council refer the Clause to the Toronto North Community Council for further consideration.

Vote:

The motion by Councillor Minnan-Wong carried.

- 11.20 **Clause No. 63 of Report No. 7 of The Midtown Community Council, headed “Final Report - Request to Amend the Official Plan and Zoning By-law No. 438-86 - 912, 930 and 940 Mount Pleasant Road, Plazacorp Investments Ltd. (Quadrangle Architects Ltd.) 102032 TD CMB 2002 0012 (Don Valley West - Ward 25)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Walker requested that his opposition to this Clause be noted in the minutes of this meeting.

- 11.21 **Clause No. 30 of Report No. 8 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning and Authority to Execute Heritage Easement Agreement - 1001 Queen Street West (Centre for Addiction and Mental Health) (Trinity-Spadina, Ward 19)”.**

Motion:

Councillor Pantalone moved that City Council amend the Clause:

- (a) in accordance with the supplementary report dated September 15, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the draft official plan amendments (Attachments 9 and 10 to the report (August 20, 2003) from the Director, Community Planning, South District), be replaced with Attachments 1 and 2 of this report;
- (2) the draft by-law (Attachment 11 to the report (August 20, 2003) from the Director, Community Planning, South District), be replaced with Attachment 3 of this report;
- (3) the Proposed Heights map contained in the report (August 20, 2003) from the Director, Community Planning, South District), be amended to change the height on the south-west corner of Block 4 to 37 metres from 33 metres;
- (4) the Proposed Zoning map contained in the report (August 20, 2003) from the Director, Community Planning, South District), be amended to change the zoning on Block 13 to G from CR(h);
- (5) Recommendation No. (5) of the Final Report (August 20, 2003) from the Director, Community Planning, South District), be amended to read:

- ‘(5) approve the design guidelines for the redevelopment of 1001 Queen Street West, entitled “Design Guidelines for the Centre for Addiction and Mental Health,

1001 Queen Street”, prepared by Urban Strategies Inc, date stamped as received September 15, 2003, and on file with the Commissioner of Urban Development Services;’;

(6) the City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required; and

(7) no further notice be given of the proposed amendments.”; and

(b) by adding thereto the following:

“It is further recommended that, as recommended in the communication dated September 22, 2003, from Councillor Pantalone, Trinity-Spadina, a Neighbourhood Committee be established, chaired by the Ward Councillor, to discuss land use issues relating to the Holding Provision and Site Plan Review.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

11.22 Clause No. 53 of Report No. 7 of The Midtown Community Council, headed “Introduction of Permit Parking on the South Side of McPherson Avenue, Between Poplar Plains Road and Rathnally Avenue (St. Paul’s - Ward 22)”.

Motion:

Councillor Walker moved that City Council amend the Clause by striking out the recommendation of the Midtown Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated August 21, 2003, from the Manager, Right-of-Way Management, Transportation Services, District 1, be adopted, subject to:

(1) amending Recommendation No. (3) to read as follows:

‘(3) parking be allowed for a maximum period of one hour on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, from 8:00 a.m. to midnight,

Monday to Friday;’; and

- (2) inserting the following new Recommendation No. (4) and re-numbering the remaining recommendation as Recommendation No. (5):

‘(4) the existing “No Parking” prohibition in operation between 8:00 a.m. to 6:00 p.m., daily, on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, be rescinded; and’,

so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) permit parking be introduced on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, on a street name basis, to operate during the hours of 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (2) the newly created Part AK of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, to operate between 12:01 a.m. to 8:00 a.m., Monday to Friday;
- (3) parking be allowed for a maximum period of one hour on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, from 8:00 a.m. to midnight, Monday to Friday;
- (4) the existing “No Parking” prohibition in operation between 8:00 a.m. to 6:00 p.m., daily, on the south side of MacPherson Avenue, between Poplar Plains Road and Rathnelly Avenue, be rescinded; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.’ ”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

11.23 Clause No. 55 of Report No. 9 of The Policy and Finance Committee, headed “Procurement Authorization - Option to Purchase 250, 40-Foot Low Floor Clean Diesel Buses from Orion Bus Industries”.

Motion:

Councillor Mihevc moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council adopt the following recommendation of the Board of Health embodied in the communication dated September 16, 2003, from the Secretary, Board of Health:

‘The Board of Health recommends that, as of 2006, the Toronto Transit Commission be requested to retrofit all diesel buses with filters or catalysts.’ ”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

11.24 Clause No. 7 of Report No. 9 of The Policy and Finance Committee, headed “2003 Levy of Railway Roadways and Rights-of-Way and on Power Utility Transmission and Distribution Corridors”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that:

- (1) City Council formally object to the Province of Ontario’s reduction in rates for these lands without consultation; and
- (2) the Province of Ontario be requested to begin discussions with the City of Toronto and the Association of Municipalities of Ontario (AMO), in the event the Province contemplates further changes, before any new regulations are introduced.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 11.25 **Clause No. 8 of Report No. 9 of The Policy and Finance Committee, headed “Canadian Broadcasting Corporation (250 Front Street West, Crown Corporation) - Reduction in Payment-in-Lieu of Taxes (Ward 20 - Trinity Spadina)”.**

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that:

- (1) the City of Toronto request, in writing, a review by the Payment-in-Lieu Disputes Advisory Board of the revised assessment of the CBC property; and
- (2) the Chief Financial Officer and Treasurer be authorized to retain professional services required to pursue this matter, up to an amount representing five percent of the potential revenue lost by the City.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 11.26 **Clause No. 42 of Report No. 9 of The Policy and Finance Committee, headed “Wet Weather Flow Management Master Plan and Wet Weather Flow Management Policy”.**

Motions:

- (a) Councillor Hall moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the following Motion be adopted:

‘**WHEREAS** suitable projects based on natural processes, such as natural vegetated wetlands/infiltration sites, can be effective and economical in cleaning up stormwater; and

WHEREAS the knowledge and expertise of competent community organizations are a valuable resource in implementing the Plan;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to work with knowledgeable Humber Watershed groups to pursue the inclusion of some low cost projects

that utilize effective natural processes for the 2003-2007 implementation period of the Wet Weather Flow Management Master Plan.’ ”

- (b) Councillor Pitfield moved that City Council amend the Clause by adding thereto the following:

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

- (1) submit a report to report to the Works Committee, within three months, on what the first and second steps would be to make our rivers meet water quality goals for swimming and any financial implications necessary to accomplish this, such report to also include time targets; and
- (2) submit a report to the Works Committee on the feasibility of improving the natural heritage features of local watercourses by developing principles that establish minimum budget allocations for Channel Form Naturalization, Riparian Restoration, Fish Barrier Removal and Pond Construction, either as a guaranteed for engineered expenditure or as a minimum percentage of the overall Wet Weather Flow budget.”

Votes:

Motion (a) by Councillor Hall carried.

Motion (b) by Councillor Pitfield carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Miller, 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 City Council further amend the Clause by adding thereto the following:

“It is further recommended that Council acknowledge that approval of the policy does not include approval for any form of deflector arm related to the Humber River and

that all options for resolving pollution in the Western Beaches, caused by the Humber River outfall, will be considered as part of the Environmental Assessment process.”

Votes:

The motion by Councillor Miller carried.

The Clause, as further amended, carried.

11.27 Clause No. 43 of Report No. 9 of The Policy and Finance Committee, headed “Wet Weather Flow Management Master Plan - Funding Mechanisms”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding to Section 4.6.2.2. of the Wet Weather Flow Management Policy the following words:

“All cash-in-lieu proposals must be discussed with the respective Councillor(s) who shall have the right to bump up any proposal to City Council through the Works Committee.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.28 Clause No. 28 of Report No. 9 of The Policy and Finance Committee, headed “Shelter Management Information System: Request for Proposals and Partnership Arrangement with the Federal Government”.

Councillor Nunziata in the Chair.

Motions:

- (a) Councillor Minnan-Wong moved that City Council amend the Clause 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 ways in which this management system can be used to make the shelter system more financially efficient.”

Deputy Mayor Ootes in the Chair.

- (b) Councillor Pitfield moved that City Council amend the Clause 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, the Advisory Committee on Homeless and Socially-Isolated Persons and the Budget Advisory Committee, at six months and also one year after the implementation of the Management System, on the effectiveness and benefit of the new shelter management information system, such report to include what level of financial commitment is anticipated, on a long-term basis, from the Federal Government.”

- (c) Councillor Chow moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Councillor Minnan-Wong be invited to join the community reference group created by the Commissioner of Community and Neighbourhood Services for the purpose of project accountability.”

Votes:

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

Yes - 31	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Soknacki, Tziretas, Walker
No - 2	
Councillors:	Rae, Silva

Carried by a majority of 29.

Motion (b) by Councillor Pitfield carried.

Motion (c) by Councillor Chow carried.

Adoption of Clause, as amended:

Yes - 31	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Shiner, Silva, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Ford, Ootes, Rae

Carried by a majority of 28.

- 11.29 **Clause No. 51 of Report No. 9 of The Policy and Finance Committee, headed “Funding for Ten Affordable Rental Housing Projects Under Let’s Build and the Community Rental Housing Program, Pilot Project Component (Various Wards)”.**

Motion:

Councillor Feldman moved that City Council amend the Clause in accordance with the supplementary report dated September 17, 2003, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendation:

“It is recommended that Clause No. 51 of Report No. 9 of The Policy and Finance Committee be amended by deleting Recommendation No. (2) of the Policy and Finance Committee and inserting in lieu thereof the following new Recommendation No. (2):

- ‘(2) households on the Toronto Social Housing Connections waiting list be provided opportunities to rent moderate-rent units in new Community Rental Housing Program/Let’s Build projects, without affecting their position on the waiting list for rent-g geared-to-income (RGI) units.’ ”

Votes:

The motion by Councillor Feldman carried.

The Clause, as amended, carried.

11.30 Clause No. 59 of Report No. 9 of The Policy and Finance Committee, headed “Pre-Approval Request for 2004-2008 Capital Projects”.

Motion:

Councillor Shiner moved that City Council amend the Clause in accordance with the supplementary report dated September 16, 2003, from the Chief Financial Officer and Treasurer, embodying the following recommendation:

“It is recommended that the pre-approval amount for the TTC Capital program in 2004 be increased by \$44.0 million to a total of \$71.8 million, to account for the delivery and partial payment of the bus deliveries in the first quarter of 2004.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

11.31 Clause No. 10 of Report No. 9 of The Policy and Finance Committee, headed “Youth Criminal Justice Act Referral Program and One Day Summit on Youth-Police Relations”.

Motion:

Councillor Hall moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Toronto Police Services Board be requested to consider allocating \$25,000.00, from within its existing 2003 Operating Budget, to allow the Youth Criminal Justice Act Referral Program to continue for the first three months of 2004.”

Votes:

The motion by Councillor Hall carried.

The Clause, as amended, carried.

- 11.32 **Clause No. 22 of Report No. 7 of The North York Community Council, headed “Final Report - Application to Amend North York Zoning By-law No. 7625 - TB ZBL 2003 0005 (03 035353 NNY 24 OZ) - Yu-Min Zhang (c/o Action Planning Consultants) - 230 Finch Avenue East (Ward 24 - Willowdale)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Rae moved that City Council adopt the following recommendation:

“It is recommended that the report dated August 18, 2003, from the Acting Director, Community Planning, North District, Urban Development Services, as embodied in the Clause, be adopted.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

Councillor Shiner requested that his opposition to this Clause be noted in the minutes of this meeting.

- 11.33 **Clause No. 71 of Report No. 9 of The Policy and Finance Committee, headed “Supreme Court of Canada Decision - Leave to Appeal Application - Canadian Radio-Television and Telecommunication Commission (CRTC) Decision 2001-23 Terms and Conditions for Access to Municipal Property by Telecommunications Carriers”.**

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council adopt the following motion:

‘WHEREAS Allstream Corp. (formerly AT&T Canada Corp.) has filed an application (dated July 24, 2003) with the Canadian Radio-television and Telecommunications Commission (“CRTC”) seeking an order for access to the highways and public places under the jurisdiction of the City of Edmonton under Section 43 of the Telecommunications Act for the purpose of constructing, maintaining and operating its transmission lines; and

WHEREAS the Application indicates that it is being made to resolve the issue of the applicability of section 43 to the property of the City of Edmonton used for the purposes of its Light Rapid Transit (LRT) system; and

WHEREAS Allstream is arguing that it should be granted access to the LRT property, including the rights-of-way, tunnels, stations, bridges, pedways, stairwells, platform levels and concourse levels, on the basis that these are “public places” which telecommunication carriers are entitled to access under Section 43 of the Telecommunications Act in the same manner as public highways; and

WHEREAS Allstream is also arguing that the ruling made in CRTC Decision No. 2001-23, respecting the terms and conditions of construction, operation and maintenance of certain transmission lines in Vancouver, is equally applicable to the LRT property; and

WHEREAS a CRTC decision on the Application respecting these two issues may have implications for other municipalities, including the City of Toronto, to the extent that the decision may provide carriers with the right to demand and obtain access to municipal property other than highways, most notably subway or other transit systems similar to Edmonton’s LRT, and expand the scope of CRTC Decision No. 2001-23; and

WHEREAS the Federation of Canadian Municipalities (FCM) and other individual Canadian municipalities are considering whether to intervene in order to protect the national interests of Canadian municipalities; and

WHEREAS City Council, at its meeting of May 30, 31 and June 1, 2001, agreed to contribute to the Federation of Canadian Municipalities (FCM) Legal Defence Fund to fund the legal and administrative costs of its appeal of CRTC Decision 2001-23 to the Federal Court of Appeal, and all subsequent appeals; and

WHEREAS FCM shall be considering whether to continue the Legal Defence Fund and seek to apply it to other related legal actions, including the Allstream application discussed above; and

WHEREAS submissions in response to the Allstream Application must be filed with the CRTC by September 29, 2003, and this legal deadline requires that Council consider this matter at its meeting of September 22, 2003;

NOW THEREFORE BE IT RESOLVED THAT Council:

- (1) authorize the City Solicitor, in consultation with other City staff and the Toronto Transit Commission as required, to file a submission in support of the City of Edmonton and in opposition to the Application (July 23, 2003) of Allstream Corp. seeking access to highways and other public places under the jurisdiction of the City of Edmonton,

addressing such issues as may be required to preserve the interests of the City of Toronto;

- (2) confirm to the Federation of Canadian Municipalities (FCM) that it has no objection to its contributions to the Legal Defence Fund being applied for the purpose of undertaking legal proceedings respecting the use and occupation of municipal property by telecommunications companies where there is a significant municipal interest involved, and authorize any remaining contributions to be made on this basis, in accordance with Council's previous direction at its meeting of May 30, 31 and June 1, 2001; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect hereto.' "

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.34 Clause No. 3 of Report No. 9 of The Planning and Transportation Committee, headed "Revised Organizational Structure for the Committee of Adjustment (All Wards)".

Motions:

- (a) Councillor Mihevc moved that City Council amend the Clause by adding thereto the following:

"It is further recommended that the Commissioner of Urban Development Services be requested to report back to the Planning and Transportation Committee within six months of the operation of the new Committees of Adjustment, such report to address workload issues and the wisdom of increasing the number of members that sit on the panels."

- (b) Councillor Shiner moved that City Council amend the Clause by deleting from Recommendation No. (3)(a) contained in the report dated August 14, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, the figure "\$300.00", and inserting in lieu thereof the figure "\$500.00", and adding thereto the words "as an interim amount until the review is completed by the ABC Ad Hoc Committee", so that such recommendation shall now read as follows:

"(3) City Council adopt remuneration for the Committee of Adjustment of:

- (a) \$500.00 per Member for each Hearing Day attended, as an interim amount until the review is completed by the ABC Ad Hoc Committee; and”.
- (c) Councillor Nunziata moved that Motion (a) by Councillor Mihevc be amended to provide that the report from the Commissioner of Urban Development Services also address the issue of starting times and locations for Committees of Adjustment meetings.

Ruling by Deputy Mayor:

Councillor Kelly requested Deputy Mayor Ootes to rule on whether a Motion regarding the start times for Committees of Adjustment would be in order.

Deputy Mayor Ootes ruled that a Motion regarding the start times for Committees of Adjustment would not be in order.

Councillor Miller challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 14	
Councillors:	Altobello, Ashton, Balkissoon, Cho, Feldman, Hall, Holyday, Li Preti, Milczyn, Ootes, Pantalone, Rae, Shiner, Tziretas
No - 18	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Dominelli, Filion, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pitfield, Walker

Lost by a majority of 4.

Motions:

- (d) Councillor Kelly moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the starting times of the Committees of Adjustment meetings be after work, at 6:30 p.m. or 7:00 p.m., depending on the respective panel.”

- (e) Councillor Moscoe moved that City Council amend the Clause to provide that the membership of the north and south Committee of Adjustment panels be increased by three persons; that the quorum remain as is; and that the members of the new Committees of Adjustment be scheduled to balance the workload.
- (f) Councillor Lindsay Luby moved that Motion (d) by Councillor Kelly be amended by deleting all of the words after the words “meetings be” and inserting in lieu thereof the words “at 4:00 p.m.” so that such Motion shall now read as follows:

“It is further recommended that the starting times of the Committees of Adjustment meetings be at 4:00 p.m.”

- (g) Councillor Korwin-Kuczynski moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Committees of Adjustment meet at the Community Council locations.”

- (h) Councillor Di Giorgio moved that Motion (e) by Councillor Moscoe be amended to provide that the three additional members to the north and south Committee of Adjustment panels be designated as “alternate members”.
- (i) Councillor Altobello moved that City Council amend the Clause to provide that the starting times for Committee of Adjustment meetings be left to the discretion of the respective panels.

- (j) Councillor Filion moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, as soon as possible, on a Committee of Adjustment schedule that will provide for both afternoon and evening meetings.”

- (k) Councillor Hall moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Committee of Adjustment panels be requested to schedule non-controversial items at 2.00 p.m., and schedule deputations that require evening meetings commencing at 6.30 p.m.”

Withdrawal of Motion:

Councillor Nunziata, with the permission of Council, withdrew her Motion (c).

Votes:

Adoption of motion (f) by Councillor Lindsay Luby:

Yes - 13	
Mayor:	Lastman
Councillors:	Bussin, Di Giorgio, Filion, Johnston, L. Jones, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moscoe, Ootes, Soknacki
No - 22	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Dominelli, Feldman, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Miller, Moeser, Nunziata, Pitfield, Rae, Shiner, Tziretas, Walker

Lost by a majority of 9.

Adoption of motion (d) by Councillor Kelly, without amendment:

Yes - 19	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Chow, Dominelli, Filion, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pitfield, Soknacki, Tziretas, Walker
No - 17	
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Feldman, Hall, Holyday, Johnston, L. Jones, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Ootes, Rae, Shiner

Carried by a majority of 2.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motions (i), (j) and (k), by Councillors Altobello, Filion and Hall, respectively, redundant.

Adoption of motion (b) by Councillor Shiner:

Yes - 20	
Councillors:	Altobello, Balkissoon, Cho, Chow, Di Giorgio, Feldman, Filion, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Pitfield, Rae, Shiner, Tziretas, Walker
No - 16	
Mayor:	Lastman

Councillors:	Ashton, Augimeri, Bussin, Dominelli, Hall, Holyday, L. Jones, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Soknacki
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Carried by a majority of 4.

Adoption of motion (h) by Councillor Di Giorgio:

Yes - 16	
Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Di Giorgio, Dominelli, Feldman, Johnston, L. Jones, Kelly, Li Preti, Mihevc, Milczyn, Minnan-Wong, Pitfield
No - 20	
Mayor:	Lastman
Councillors:	Balkissoon, Bussin, Filion, Hall, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, Ootes, Rae, Shiner, Soknacki, Tziretas, Walker

Lost by a majority of 4.

Adoption of motion (e) by Councillor Moscoe, without amendment:

Yes - 17	
Councillors:	Ashton, Augimeri, Bussin, Cho, Di Giorgio, Feldman, Johnston, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Pitfield, Rae, Tziretas, Walker
No - 19	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Chow, Dominelli, Filion, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Moeser, Nunziata, Ootes, Shiner, Soknacki

Lost by a majority of 2.

Motion (a) by Councillor Mihevc carried.

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

Yes - 32	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Dominelli, Feldman, Filion, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
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No - 4

Councillors:	Di Giorgio, L. Jones, Miller, Nunziata
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Carried by a majority of 28.

Adoption of Clause, as amended:

Yes - 34

Mayor:	Lastman
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Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
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No - 2

Councillors:	Ashton, Holyday
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Carried by a majority of 32.

Motion to Re-Open:

Councillor Soknacki, 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 Soknacki moved that City Council further amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the first meeting of the Planning and Transportation Committee in the new term of Council, on the budgetary and staffing implications of the revised organizational structure of the Committee of Adjustment as amended by Council.”

Votes:

The motion by Councillor Soknacki carried.

Adoption of Clause, as further amended:

Yes - 26	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Ford, Moeser, Nunziata

Carried by a majority of 23.

In summary, Council amended this Clause by:

- (1) deleting from Recommendation No. (3)(a) contained in the report dated August 14, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, the figure "\$300.00", and inserting in lieu thereof the figure "\$500.00", and adding thereto the words "as an interim amount until the review is completed by the ABC Ad Hoc Committee", so that such recommendation shall now read as follows:

“(3) City Council adopt remuneration for the Committee of Adjustment of:

 - (a) \$500.00 per Member for each Hearing Day attended, as an interim amount until the review is completed by the ABC Ad Hoc Committee; and”;
- (2) adding thereto the following:

“It is further recommended that:

 - (a) the Committees of Adjustment meet at the Community Council locations;
 - (b) the starting times of the Committees of Adjustment meetings be after work, at 6:30 p.m. or 7:00 p.m., depending on the respective panel;
 - (c) the Commissioner of Urban Development Services be requested to submit a report to the first meeting of the Planning and Transportation Committee in the new term of Council, on the budgetary and staffing implications of the revised organizational structure of the Committee of Adjustment as amended by Council; and
 - (d) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, within six months of the operation of the new Committees of Adjustment, such report to address workload issues and the wisdom of increasing the number of members that sit on the panels.”

11.35 Clause No. 61 of Report No. 7 of The Humber York Community Council, headed “Safety Audit of Weston Road from Denison Road to Coulter Avenue (Ward 11 - York South-Weston)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Nunziata moved that City Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 22, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that:

- (1) this report be received for information;
- (2) subject to Council direction on this matter, the Commissioner of Works and Emergency Services report on the costs through the budget cycle; and
- (3) this report be forwarded to the Works Committee.’ ”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

11.36 Clause No. 6 of Report No. 8 of The Toronto East York Community Council, headed “Draft By-laws – Official Plan Amendment and Rezoning - 49-51 River Street (Toronto Centre-Rosedale, Ward 28)”.

Motion:

Councillor McConnell moved that City Council amend the Clause in accordance with the following motion:

Moved by: Councillor McConnell

Seconded by: Councillor Pantalone

“WHEREAS Toronto East York Community Council has recommended adoption of Clause No. 6 of Report No. 8, recommending approval of Official Plan and Zoning

By-law Amendments to permit development of 30 freehold townhouses; and

WHEREAS the draft Zoning By-law Amendment, Official Plan Amendment and New Official Plan Amendment attached to the report indicate that the total residential gross floor area of the proposed development will not exceed 3,990 square metres; and

WHEREAS initial calculations of the proposed residential gross floor area did not take into account below grade areas in the proposed units to be developed; and

WHEREAS By-law No. 438-86 requires inclusion of certain below-grade areas in the calculation of residential gross floor area; and

WHEREAS the inclusion of this additional floor space in the calculation of total residential gross floor area does not alter the size of the proposed buildings;

NOW THEREFORE BE IT RESOLVED THAT:

(1) the draft Zoning By-law Amendment be revised to read as follows:

‘1. (ii) the aggregate residential gross floor area erected or used on the lands shown on Map 1 does not exceed 4645 square metres;’;

(2) the draft Official Plan Amendment be revised to read as follows:

‘(1) 18.604 (a) Notwithstanding any of the provisions of the Official Plan, Council may pass by-laws respecting the lands shown delineated by heavy lines on the map attached hereto and designated as “Map No. 18.604” to permit the erection and use of buildings containing dwelling units and uses accessory thereto and having not more than 4,645 square metres of gross floor area provided:’;

(3) the draft New Official Plan Amendment be revised to read as follows:

‘xx. 49-51 River Street

No framework for new development as set out in a Secondary Plan will be required for these lands if the lands are developed only to permit 30 residential units and maximum gross floor area of 4645 square metres.’; and

(4) no further notice shall be given in respect of the proposed by-laws.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

- 11.37 **Clause No. 11 of Report No. 7 of The Humber York Community Council, headed “Little Avenue: (1) Poll Results to change the Direction of Traffic between Lawrence Avenue West and Weston Road; (2) On-Street Permit Parking; and (3) Request to Change Little Avenue into a Cul-de-Sac (Ward 11 - York South-Weston)”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Miller, 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, Bussin, Cho, Chow, Feldman, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Pantalone, Rae
No - 14	
Councillors:	Altobello, Di Giorgio, Dominelli, Hall, Holyday, Lindsay Luby, Mammoliti, Moeser, Nunziata, Ootes, Pitfield, Soknacki, Tziretas, Walker

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

Motion to Re-Open:

Councillor Lindsay Luby, 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 - 24	
Councillors:	Ashton, Augimeri, Cho, Chow, Di Giorgio, Filion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shaw, Tziretas
No - 8	

Councillors: Altobello, Balkissoon, Dominelli, Li Preti, Milczyn, Nunziata, Ootes, Walker
--

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

Motion:

Councillor Lindsay Luby moved that City Council refer the Clause to the Toronto West Community Council, in order that deputations from the Business Improvement Area merchants may attend.

Disposition:

Having regard that City Council had not concluded its debate on this Clause, prior to the end of the meeting, the foregoing Motion by Councillor Lindsay Luby was not put to a vote and Council took no action on this Clause.

11.38 Clause No. 33 of Report No. 7 of The Humber York Community Council, headed “Request for Roadway Modifications on Church Street Between Weston Road and Jane Street (Ward 11 - York South-Weston)”.

Motion:

Councillor Nunziata moved that City Council amend the Clause by inserting in Part (3) of the request of the Humber York Community Council, as embodied in the Clause, after the words “City of York”, the words “or commitment for funding made”, so that such Part shall now read as follows:

- “(3) report on the availability of any funds that were received by the former City of York, or commitment for funding made, during the rezoning process of the former Humber Hospital, and that these funds be allocated towards the proposed roadway modification plan.”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

11.39 Clause No. 66 of Report No. 7 of The Midtown Community Council, headed “Final Report – Application to Amend the Zoning By-law 7625, 73 Jonesville Crescent, George and Melina Tenacs (Axiis Architect Design Inc.) TB ZBL 2002 0007 (Don Valley East - Ward 34)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Rae moved that City Council adopt the following recommendation:

“It is recommended that City Council adopt the supplementary report dated September 17, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that City Council:

- (1) amend the Final Report for 73 Jonesville Avenue dated August 21, 2003, by removing Recommendation No. (3)(iv); and
- (2) approve the Final Report, as amended.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

11.40 Clause No. 62 of Report No. 7 of The Humber York Community Council, headed “Ontario Municipal Board Hearing - 361 Symington Avenue and 1 Wiltshire Avenue (Ward 17 – Davenport)”.

Motion:

Councillor Dominelli moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council adopt the supplementary confidential report dated September 22, 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 pertains to litigation or potential litigation.”

Votes:

The motion by Councillor Dominelli carried.

The Clause, as amended, carried.

11.41 Clause No. 4 of Report No. 9 of The Planning and Transportation Committee, headed “Interim Procedures During Council Election - All Wards”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding to Recommendation No. (1) contained in the report dated July 25, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, the words “in consultation with the Ward

Councillor, wherever possible”, so that such recommendation shall now read as follows:

- “(1) the Commissioner of Urban Development Services and the City Solicitor be authorized to send staff to Ontario Municipal Board hearings on matters of concern to the City, as needed, during the Council Election, in consultation with the Ward Councillor, wherever possible;”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.42 Clause No. 1 of Report No. 7 of The Works Committee, headed “Biosolids Disposal - Contingency Planning for Border Closure”.

Vote:

Adoption of Clause, without amendment:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Holyday, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Walker
No - 6	
Councillors:	Cho, Feldman, Korwin-Kuczynski, Moscoe, Shiner, Tziretas

Carried by a majority of 16.

11.43 Clause No. 20 of Report No. 7 of The Works Committee, headed “Street Lighting Pole Replacement Program”.

Motion:

Councillor Moscoe moved that City Council amend the Clause 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, separately, on a program to either maintain or replace the deteriorating street lighting system on the William R.

Allen Road.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 11.44 **Clause No. 6 of Report No. 7 of The Works Committee, headed “Mechanical Litter Removal from City Sidewalks, Gutters, Boulevards and Laneways in Districts 1 and 2 - Request for Quotation No. 6033-03-3191”.**

Motion:

Councillor McConnell moved that City Council amend the Clause 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, early in 2004, on a plan to co-ordinate the litter cleanup operations of all departments, agencies, boards and commissions throughout the City of Toronto, including a particular strategy for the downtown area.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

- 11.45 **Clause No. 42 of Report No. 7 of The Works Committee, headed “Assignment of Winter Maintenance Contracts Nos. 02D4-142TW and 02D4-143TW, (Part of Wards 35, 36, 37, 38, 39, 40 and 41)”.**

Motion:

Councillor Ashton moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that:

- (a) Council adopt the supplementary confidential joint report dated September 19, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, 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:

‘It is recommended that:

- (1) the Commissioner of Works and Emergency Services be authorized to exercise the authority delegated by the recommendations contained in the public report on this matter, taking into consideration the matters set out in this in-camera report; and
 - (2) the appropriate City officials take the necessary action to give effect thereto.'; and
- (b) Council adopt the joint report dated September 19, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:

'It is recommended that:

- (1) the Commissioner of Works and Emergency Services, in consultation with the Chief Financial Officer and Treasurer and the City Solicitor, be delegated authority to do the following:
 - (a) enter into any necessary negotiations with Metropolitan Paving & Concrete Incorporated and its surety Jevco Insurance Company with respect to the performance of the contracts;
 - (b) determine whether any proposed contractor and/or surety is satisfactory to the City to perform the contracts, including acceptance of the terms and conditions of the original Metropolitan Paving & Concrete Incorporated tenders, satisfaction of the Ministry of Transportation pre-qualification rating, satisfaction of the Fair Wage and Labour Trades requirements, etc., and if satisfactory, entering into any necessary agreement with the proposed contractor and surety;
 - (c) determine, in consultation with the Purchasing Agent, what alternative methods should be pursued, in the event that the surety does not fulfil its obligations with respect to providing a contract and/or surety satisfactory to the City to perform the contracts; and
 - (d) determine, in consultation with the Chief Financial Officer and Treasurer, what funds are available to obtain the performance of the contract, such funds not to exceed a stipulated amount, as set out more

particularly in the in-camera report;

- (2) the Commissioner of Works and Emergency Services report back to the Works Committee and Council, at the first opportunity in 2004, on the outcome of this matter; and
- (3) the appropriate City officials take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

11.46 Clause No. 3 of Report No. 9 of The Administration Committee, headed “Results of the Request for Proposals No. 9118-03-7112 for the Lease and Adaptive Reuse of the Heritage Wychwood Car Barns - Progress Report 76 Wychwood Avenue (Ward 21 - St. Paul’s)”.

Motion:

Councillor Holyday moved that City Council refer the Clause back to the Commissioner of Economic Development, Culture and Tourism for further consideration.

Vote on Referral:

Adoption of motion by Councillor Holyday:

Yes - 6	
Mayor:	Lastman
Councillors:	Augimeri, Dominelli, Holyday, Minnan-Wong, Nunziata
No - 30	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker

Lost by a majority of 24.

Councillor Lindsay Luby in the Chair.

Vote Be Now Taken:

Councillor McConnell moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 20	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Johnston, L. Jones, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Soknacki
No - 15	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Feldman, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Nunziata, Shaw, Shiner, Tziretas, Walker

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

Vote Be Now Taken:

Councillor Chow moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 19	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Johnston, L. Jones, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Pantalone, Pitfield, Rae, Soknacki
No - 16	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Feldman, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Moscoe, Nunziata, Shaw, Shiner, Tziretas, Walker

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

Motion:

Councillor Shiner moved that City Council amend the Clause by striking out Recommendation No. (1) of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that the report dated June 30, 2003, from the Commissioner of Corporate Services, as embodied in the Clause, be adopted.”

Deputy Mayor Ootes in the Chair.

Vote Be Now Taken:

Councillor Johnston moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 23	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Hall, Johnston, L. Jones, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shiner, Soknacki
No - 12	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Holyday, Kelly, Lindsay Luby, Nunziata, Ootes, Shaw, Tziretas, Walker

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

Votes:

Adoption of motion by Councillor Shiner:

Yes - 13	
Councillors:	Altobello, Augimeri, Balkissoon, Hall, Holyday, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shiner, Tziretas, Walker
No - 22	
Councillors:	Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Shaw, Soknacki

Lost by a majority of 9.

Adoption of Clause, without amendment:

Yes - 26	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Shaw, Soknacki
No - 8	
Councillors:	Balkissoon, Holyday, Minnan-Wong, Nunziata, Ootes, Shiner, Tziretas, Walker

Carried by a majority of 16.

11.47 Clause No. 41 of Report No. 9 of The Policy and Finance Committee, headed “New and Emerging Technologies and Practices, Environmental Assessment Timeframe and Workplan”.

Motions:

- (a) Councillor Pitfield moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated September 15, 2003, from the Commissioner of Works and Emergency Services.”

- (b) Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that no new emerging technologies be pilot tested in the north district.”

- (c) Councillor Bussin moved that:

- (1) City Council amend the Clause by adding thereto the following:

“It is further recommended that there be a commitment to not site demonstration projects within the boundaries of waterfront communities.”; and

- (2) Motion (a) by Councillor Pitfield be amended by adding thereto the following:

“subject to inserting the following new Recommendation No. (3) and renumbering the subsequent recommendation as Recommendation No. (4):

‘(3) upon completion of the Request for Qualifications, the Commissioner of Works and Emergency Services be requested to submit to the Works Committee a series of steps to manage the lobbying protocol at the Request for Proposals stage for the small scale research facilities that are presented;’.”

- (d) Councillor Chow moved that City Council amend the Clause:

- (1) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to include, in his forthcoming report, a clear analysis of the budget implications of the pilot projects on the 2004 Capital Budget.”; and

- (2) to provide that, prior to the issuance of the Request for Qualifications, the Commissioner of Works and Emergency Services be requested to identify which technology is preferable.

Votes:

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

Yes - 9	
Councillors:	Bussin, Chow, Filion, L. Jones, McConnell, Mihevc, Moscoe, Rae, Walker
No - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Cho, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas

Lost by a majority of 17.

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

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Dominelli, Filion, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Soknacki, Tziretas, Walker
No - 6	
Councillors:	Cho, Feldman, Ford, Johnston, Pantalone, Shiner

Carried by a majority of 22.

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

Adoption of motion (b) by Councillor Moscoe:

Yes - 7	
Councillors:	Augimeri, Bussin, Filion, L. Jones, Li Preti, Minnan-Wong, Moscoe
No - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker

Lost by a majority of 22.

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

Yes - 6	
Councillors:	Bussin, L. Jones, McConnell, Moscoe, Rae, Walker
No - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas

Lost by a majority of 24.

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

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 5	
Mayor:	Lastman
Councillors:	Dominelli, Ford, Mammoliti, Nunziata

Carried by a majority of 26.

Adoption of Clause, as amended:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas
No - 7	
Councillors:	Bussin, Johnston, L. Jones, McConnell, Moscoe, Rae, Walker

Carried by a majority of 22.

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

“It is further recommended that:

- (a) Council adopt the supplementary report dated September 15, 2003, from the Commissioner of Works and Emergency Services, subject to inserting the following new Recommendation No. (3) and renumbering the subsequent recommendation as Recommendation No. (4):

‘(3) upon completion of the Request for Qualifications, the Commissioner of Works and Emergency Services be requested to submit to the Works Committee a series of steps to manage the lobbying protocol at the Request for Proposals stage for the small scale research facilities that are presented;’,

so that the recommendations embodied in such report, as amended by City Council, shall now read as follows:

‘It is recommended that:

- (1) the proposed issuance of a Request for Qualifications for new and emerging solid waste management technologies be issued under the City of Toronto’s Lobbying Disclosure Policy;
- (2) the City Clerk be requested to submit directly to Works Committee quarterly reports containing a summary of the lobbying disclosures submitted by potential vendors following the issuance of the Request for Qualifications cited in Recommendation No. (1) and post those reports on the City of

Toronto Web site;

- (3) upon completion of the Request for Qualifications, the Commissioner of Works and Emergency Services be requested to submit to the Works Committee a series of steps to manage the lobbying protocol at the Request for Proposals stage for the small scale research facilities that are presented; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.'; and
- (b) the Commissioner of Works and Emergency Services be requested to include, in his forthcoming report, a clear analysis of the budget implications of the pilot projects on the 2004 Capital Budget."

11.48 **Clause No. 24 of Report No. 7 of The Works Committee, headed "Winter Maintenance on Sidewalks (Snow Clearing, Sanding and Salting) - District 1, Area 1 - Quadrant A, Contract No. 03D1-159TR, Tender Call No. 185-2003 (Parts of Wards 16, 22, 25, 26, 27, 28, 29, 30, 31 and 32)".**

Motions:

- (a) Councillor Pitfield moved that City Council amend the Clause in accordance with the supplementary confidential joint report dated September 15, 2003, from the Chief Financial Officer and Treasurer and the City Solicitor.
- (b) Councillor Li Preti moved that City Council amend the Clause by adding thereto the following:

"It is further recommended that the City Solicitor and the Chief Financial Officer and Treasurer be requested to submit a joint report to the Administration Committee on whether it is possible to provide discretionary authority to staff and/or Council to correct bidders' minor technical errors in the procurement process."

Votes:

Motion (a) by Councillor Pitfield carried.

Adoption of motion (b) by Councillor Li Preti:

Yes - 13	
Councillors:	Cho, Di Giorgio, Dominelli, Feldman, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Pantalone, Shiner, Tziretas
No - 18	

Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Filion, Hall, Johnston, L. Jones, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Rae, Walker
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Lost by a majority of 5.

The Clause, as amended, carried.

In summary, Council amended this Clause in accordance with the supplementary confidential joint report dated September 15, 2003, from the Chief Financial Officer and Treasurer and 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:

“It is recommended that:

- (1) the recommendation of the Works Committee to award the contract to K.J. Beamish Construction Co. Ltd. be struck; and
- (2) the recommendations contained in the joint report of the Commissioner of Works and Emergency Services and Chief Financial Officer and Treasurer, dated August 26, 2003, to award the contract to Queensway Excavating & Landscaping Ltd., be adopted.”

11.49 Clause No. 23 of Report No. 9 of The Toronto East York Community Council, headed “Installation of Traffic Control Signals - British Columbia Drive and Yukon Place (Trinity-Spadina, Ward 19)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pantalone moved that City Council refer the Clause to the Toronto South Community Council for further consideration.

Vote:

The motion by Councillor Pantalone carried.

11.50 Clause No. 12 of Report No. 7 of The Works Committee, headed “Co-generation Interconnection Agreement with Toronto Hydro-Electric System Limited for Humber Treatment Plant (Ward 5 – Etobicoke-Lakeshore; Ward 13 – Parkdale-High-Park)”.

Motion:

Councillor Moeser moved that City Council amend the Clause by adding thereto the

following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to explore other opportunities, such as the Highland Creek sewage plant, for the implementation of co-generation and report thereon to the Works Committee.”

Votes:

The motion by Councillor Moeser carried.

The Clause, as amended, carried.

11.51 Clause No. 36 of Report No. 7 of The Etobicoke Community Council, headed “Request for Fence Variance - 35 Fieldway Road (Ward 5 - Etobicoke-Lakeshore)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Milczyn, 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 Milczyn moved that City Council amend the Clause by striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that Council adopt the supplementary report dated September 19, 2003, from the Commissioner, Urban Development Services, embodying the following recommendations:

‘It is recommended that the acoustical barrier walls recommended by Messrs. S.S. Wilson Associates in their report dated January 27, 2003, as part of the development review process for the east, south and west elevations be approved, subject to discussions and agreement by Zanini Developments Inc. and City of Toronto staff on the following conditions:

- (1) the acoustical barrier wall on the east elevation of the development be eliminated;

- (2) the west acoustical barrier wall be a maximum height of 5.5 metres;
- (3) the south acoustical barrier wall, subject to a maximum height of 5.5 metres, be extended further eastward from its originally proposed location, with the new extension located adjacent to the rear yards at the properties 223, 225 and 227 Van Dusen Boulevard, on the Bering Yard, being a City of Toronto property; and
- (4) the developer enters into an Encroachment Agreement with the City of Toronto for any encroachments of the acoustical barrier walls onto Bering Yard.' "

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

11.52 Clause No. 79 of Report No. 9 of The Policy and Finance Committee, headed "Financial Impact of the August 14, 2003 Electrical Blackout".

Motion:

Councillor Chow moved that City Council amend the Clause by adding thereto the following:

"It is further recommended that a copy of this Clause be forwarded to the Chief Administrative Officer and the Chief Financial Officer and Treasurer with the request that, as a first priority, the new Mayor of the City of Toronto meet with the new Premier of Ontario to discuss the financial implications of this issue."

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.53 Clause No. 81 of Report No. 9 of The Policy and Finance Committee, headed "Other Items Considered by the Committee".

Procedural Motion:

Councillor Chow moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code in order to consider Item (d), entitled “Wind Turbine Investigation”, as embodied in the Clause.

Vote on Procedural Motion:

Adoption of motion by Councillor Chow:

Yes - 14	
Councillors:	Altobello, Augimeri, Balkissoon, Cho, Chow, Filion, Johnston, McConnell, Moscoe, Pantalone, Rae, Soknacki, Tziretas, Walker
No - 13	
Councillors:	Ashton, Di Giorgio, Dominelli, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield

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

Motions:

- (a) Councillor Shiner moved that City Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code in order to consider Item (e), entitled “City Natural Gas Supply, Energy Retrofits and Enwave District Energy Limited”, embodied therein and that Council adopt the following motion:

“**WHEREAS** City Council, by its adoption of Policy and Finance Committee Report No. 4, Clause No. 26, at its meeting of May 21, 22 and 23, 2003, respecting the assignment of the City’s Natural Gas Supply Agreement, directed that City staff meeting with Enwave District Energy Limited to discuss potential business arrangements pertaining to the purchase of natural gas, prior to the issuance of a Request for Proposals in this regard, and submit a report thereon to the Policy and Finance Committee by September 2003; and

WHEREAS the Policy and Finance Committee had before it for consideration at its meeting held on September 11, 2003, a report dated August 1, 2003, from the Commissioner of Corporate Services, in which it was noted that the City’s purchasing strategies are not compatible with those of Enwave, due to differing risk tolerances, and suggesting that the City and Enwave should meet annually to share market information, purchasing strategies and to explore potential future opportunities related to natural gas purchasing in a changing deregulated market; and

WHEREAS the Policy and Finance Committee deferred consideration of the Commissioner’s report to the Policy and Finance Committee meeting to be held in January 2004; and

WHEREAS the effect of the deferral of the report prevents City staff from issuing the Request for Proposals for the City of Toronto natural gas supply and may subject the City to paying higher prices if this matter is deferred until some time in late January or early February; and

WHEREAS it is clear from the Commissioner's report that the likelihood of a joint Enwave-City purchase of natural gas is minimal, given the divergence in their risk tolerance, and it is in the best interests of the City to allow staff to prepare and issue the Request for Proposals for natural gas supply prior to the end of the year, rather than waiting until sometime in early 2004 to try to take advantage of optimal pricing;

NOW THEREFORE BE IT RESOLVED THAT City staff be authorized to issue the Request for Proposals for the natural gas supply at the earliest possible time."

- (b) Councillor Chow moved that City Council refer Item (r), entitled "City Funding for the Healthy Babies Healthy Children, Provincial Subsidy Shortfall – Financial Implications", embodied in the Clause, to the Chief Administrative Officer and the Chief Financial Officer and Treasurer, with the request that, as a first priority, the new Mayor of the City of Toronto meet with the new Premier of Ontario to discuss the financial implications of this issue.

Votes:

Motion (a) by Councillor Shiner carried, more than two-thirds of Members present having voted in the affirmative.

Motion (b) by Councillor Chow carried.

City Council received the balance of the Clause as information.

11.54 Clause No. 27 of Report No. 7 of The Community Services Committee, headed "Other Items Considered by the Committee".

Motion:

Councillor Chow moved that City Council receive the Clause as information, subject to referring Item (a), entitled "2004 Financial Pressures for Community and Neighbourhood Services", embodied therein, to the Chief Administrative Officer and the Chief Financial Officer and Treasurer, with the request that, as a first priority, the new Mayor of the City of Toronto meet with the new Premier of Ontario to discuss the financial implications of this

issue.

Votes:

The motion by Councillor Chow carried.

The balance of the Clause was received as information.

11.55 Clause No. 1 of Report No. 6 of The Board of Health, headed “Toronto Public Health’s Response to the Severe Acute Respiratory Syndrome (SARS) Outbreak 2003”.

Motion:

Councillor Chow moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the Chief Administrative Officer and the Chief Financial Officer and Treasurer, with the request that, as a first priority, the new Mayor of the City of Toronto meet with the new Premier of Ontario to discuss the financial implications of this issue.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.56 Clause No. 29 of Report No. 9 of The Administration Committee, headed “Toronto Hydro Energy Services Inc.’s Proposal to Provide Energy Retrofit Services for the City’s Civic Centres and Other Corporate Services Facilities”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Shiner moved that Council adopt the following recommendation:

“It is recommended that Council adopt the joint report dated September 19, 2003, from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:

‘It is recommended that:

- (1) the Commissioner of Corporate Services, in consultation with the

Chief Financial Officer and Treasurer and the City Solicitor, be authorized to negotiate and enter into a three-year (estimated) energy services agreement, commencing approximately January 2004, with Toronto Hydro Energy Services Inc. (THESI) to undertake energy and water efficiency improvements in the City of Toronto's Civic Centres and other Corporate Services facilities, based on details included in this report and in the proposal submitted by THESI in response to the RFP, for an estimated cost of \$4,200,196.00, inclusive of all taxes and charges;

- (2) the Commissioner of Corporate Services, in consultation with the City Solicitor, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, be authorized to enter into a loan agreement with the Federation of Canadian Municipalities for GMIF funding, in an amount up to \$5 million, to be disbursed by FCM as required by the City, of which a disbursement of approximately \$1.4 million would be allocated to the THESI Civic Centre energy retrofit project, subject to Council approval of the associated capital budget;
- (3) as matter of policy, annual program budgets be adjusted, after repayment of any required financing, to reflect savings derived from energy retrofit projects in City buildings and facilities;
- (4) the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Corporate Services, report back to Council on the feasibility of establishing an energy retrofit revolving fund to which savings derived from energy retrofit projects would be allocated; and
- (5) the appropriate City officials be authorized to take any action necessary, including the execution of any agreements between THESI and the City and between the Federation of Canadian Municipalities/Federal Government and the City and in a form and substance satisfactory to the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the City Solicitor, required to give effect thereto.' "

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

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 Council adopt the following recommendation:

“It is recommended that Council adopt the joint report dated September 19, 2003, from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, subject to amending Recommendation No. (3) by adding thereto the words ‘and these funds be set aside in a separate corporate account pending Council determination of how they are to be used’, so that the recommendations embodied in such report, as amended by Council, shall now read as follows:

‘It is recommended that:

- (1) the Commissioner of Corporate Services, in consultation with the Chief Financial Officer and Treasurer and the City Solicitor, be authorized to negotiate and enter into a three-year (estimated) energy services agreement, commencing approximately January 2004, with Toronto Hydro Energy Services Inc. (THESI) to undertake energy and water efficiency improvements in the City of Toronto’s Civic Centres and other Corporate Services facilities, based on details included in this report and in the proposal submitted by THESI in response to the RFP, for an estimated cost of \$4,200,196.00, inclusive of all taxes and charges;
- (2) the Commissioner of Corporate Services, in consultation with the City Solicitor, the Chief Financial Officer and Treasurer and the Chief Administrative Officer, be authorized to enter into a loan agreement with the Federation of Canadian Municipalities for GMIF funding, in an amount up to \$5 million, to be disbursed by FCM as required by the City, of which a disbursement of approximately \$1.4 million would be allocated to the THESI Civic Centre energy retrofit project, subject to Council approval of the associated capital budget;
- (3) as matter of policy, annual program budgets be adjusted, after repayment of any required financing, to reflect savings derived from energy retrofit projects in City buildings and facilities, and these funds be set aside in a separate corporate account pending Council determination of how they are to be used;

- (4) the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Corporate Services, report back to Council on the feasibility of establishing an energy retrofit revolving fund to which savings derived from energy retrofit projects would be allocated; and
- (5) the appropriate City officials be authorized to take any action necessary, including the execution of any agreements between THESI and the City and between the Federation of Canadian Municipalities/Federal Government and the City and in a form and substance satisfactory to the Commissioner of Corporate Services, the Chief Financial Officer and Treasurer and the City Solicitor, required to give effect thereto.’ ”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

11.57 Clause No. 41 of Report No. 7 of The Humber York Community Council, headed “(1) Kennedy Park Road between Bloor Street West and Glendonwynne Avenue; and (2) Margdon Road between Glendonwynne Avenue and Kennedy Park Road - Adjustments to Parking Regulations (Ward 13 - Parkdale-High Park)”.

Motion:

Councillor Miller moved that City Council amend the Clause by amending the report dated August 20, 2003, from the Director, Transportation Services, District 1, as embodied in the Clause, by:

- (1) deleting the street name “Glendonwynne Avenue”, wherever it appears, and inserting in lieu thereof the street name “Glendonwynne Road”;
- (2) deleting from Recommendation No. (4) embodied in Appendix “A”, the words “Parts G and P of Schedule XXVI (Permit Parking)”, and inserting in lieu thereof the words “Parts A and P of Schedule XXVI (Permit Parking)”;
- (3) deleting the number “45.2”, wherever it appears in Appendices “A”, “B” and “C”, and inserting in lieu thereof the number “45.7”.

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 11.58 **Clause No. 63 of Report No. 7 of The Humber York Community Council, headed “Status and Direction Report - 46 Halford Avenue (West Side of Halford Avenue, east of Old Mill Drive, North of the East-West Section of Halford Avenue and South of Humberview Road); Application to Amend Zoning By-law No. 1-83 (Ward 13 – Parkdale-High Park)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Miller moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Council receive the supplementary report dated September 15, 2003, from the Commissioner of Urban Development Services; and
- (2) the City Solicitor be instructed to attend at the November 3, 2003 Ontario Municipal Board hearing to oppose the site plan and zoning appeals for 46 Halford Avenue in the original form as appealed or as revised and to retain such expert assistance as may be required.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 11.59 **Clause No. 67 of Report No. 7 of The Midtown Community Council, headed “Final Report (OMB Direction) Application to Amend the Official Plan and Zoning By-law No. 7625, 1200 - 1202 York Mills Road, Sterling Silver Development Corporation, Northgrave Architects Inc. TD CMB 2001 0006 (Don Valley East - Ward 34)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Mihevc moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 16, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

'It is recommended that:

- (1) City Council adopt the following revision and additions to the Final Report dated August 21, 2003, from the Acting Director, Community Planning, North District:
 - (a) Recommendation No. (4)(l) be revised to read "a cash payment of \$200,000.00 for parks improvements, over and above the cash-in-lieu contribution required under Section 42 of the Planning Act to be paid upon the execution of the Section 37 Agreement.";
 - (b) that upgrading the lobbies of the two existing buildings valued at \$154,000.00 be added as Recommendation No. (4)(m);
 - (c) that upgrading the corridors throughout the two existing buildings valued at \$320,000.00 be added as Recommendation No. (4)(n); and
 - (d) that the owner will not seek a rent increase above the Provincial guideline to cover the costs of the improvements in (b) and (c) above;
- (2) City Council adopt the Final Report dated August 21, 2003, from the Acting Director, Community Planning, North District, as revised by Recommendation No. (1) of this report and the Supplementary Report dated September 4, 2003; and
- (3) City Council direct the City Solicitor to seek approval at the Ontario Municipal Board for Official Plan and Zoning By-law Amendment Application No. TD CMB 2001 0006 as amended by Recommendation No. (1) of this report.' "

Votes:

The motion by Councillor Mihevc carried.

Adoption of Clause, as amended:

Yes - 26

Councillors: Altobello, Augimeri, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Walker

No - 1

Councillor: Minnan-Wong

Carried by a majority of 25.

- 11.60 **Clause No. 8 of Report No. 7 of The Scarborough Community Council, headed “Traffic Calming (Speed Humps) on Scarden Avenue Between Arkona Drive and Birchmount Road (Ward 40 - Scarborough Agincourt)”.**

Vote:

Adoption of Clause, without amendment:

Yes - 22	
Councillors:	Altobello, Augimeri, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Johnston, L. Jones, Kelly, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Walker
No - 7	
Councillors:	Ford, Holyday, Lindsay Luby, Minnan-Wong, Moeser, Shaw, Shiner

Carried by a majority of 15.

- 11.61 **Clause No. 61 of Report No. 9 of The Policy and Finance Committee, headed “2003 Second Quarter Capital Variance Report”.**

Motion:

Councillor Pitfield moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on any unexpended funds from the 2000, 2001 and 2002 Capital Budgets.”

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

- 11.62 **Clause No. 43 of Report No. 9 of The Administration Committee, headed “Standardization of Temperature Set-Points and Lights-Out Policy in City-Operated Buildings”.**

Motion:

Councillor Moeser moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee, in one year’s time, on the success of the Standardization of Temperature Set-Points and Lights-Out Policy in City-Operated Buildings and any further adjustments that may have to be made to the Policy.”

Votes:

The motion by Councillor Moeser carried.

The Clause, as amended, carried.

11.63 Clause No. 19 of Report No. 7 of The Community Services Committee, headed “Building on Successes: The Community Plan for the Supporting Communities Partnership Initiative (SCPI) in Toronto, 2003-2006”.

Councillor Lindsay Luby in the Chair.

Motion:

Councillor Feldman moved that City Council amend the Clause by striking out the recommendations of the Community Services Committee and inserting in lieu thereof the following:

“It is recommended that Council adopt the report dated August 25, 2003, from the Commissioner of Community and Neighbourhood Services, as embodied in the Clause.”

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion by Councillor Feldman:

Yes - 26
Councillors: Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Feldman, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 4

Councillors: Augimeri, Holyday, Li Preti, Milczyn

Carried by a majority of 22.

Adoption of Clause, as amended:

Yes - 28	
Councillors:	Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Feldman, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Augimeri, Holyday, Li Preti

Carried by a majority of 25.

11.64 Clause No. 49 of Report No. 9 of The Toronto East York Community Council, headed “Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 14 Strachan Avenue (Trinity-Spadina, Ward 19)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pantalone moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 16, 2003, from the Commissioner of Urban Development Services, subject to amending Recommendation No. (1) by adding thereto the following new Parts (d) and (e):

- ‘(d) the dimensions of each sign face be limited to 6.80 metres in height and 16.92 metres in width and the message centre panel be limited to 1.35 metres in height and 17.07 metres in width, for an overall area of 138.10 m²; and
- (e) encroachments be permitted over the bike lane north of the sign and over the curb/retaining walls, not to exceed a total encroachment of 2.5 metres, subject to an encroachment agreement satisfactory to the Commissioner of Works and Emergency Services.’,

so that the recommendations embodied in such report, as amended by City Council,

shall now read as follows:

‘It is recommended that:

- (1) the requested variances be approved, subject to the following conditions:
 - (a) the approval be granted only for the remaining period of the sign lease which expires on March 31, 2018;
 - (b) the northeast and northwest sign panels be non-illuminated, as they would be facing the residential units located in the four future condominium apartment buildings to be constructed on an adjacent lot north of the proposed Front Street Extension;
 - (c) the builder be asked to provide an undertaking that, prior to the sale and purchase agreement of the residential units in the four above mentioned buildings, he will give a written “Buyer Beware” notice to all the future buyers of the residential units stating that an illuminated, third-party sign of this size and height is located to the south of these buildings;
 - (d) the dimensions of each sign face be limited to 6.80 metres in height and 16.92 metres in width and the message centre panel be limited to 1.35 metres in height and 17.07 metres in width, for an overall area of 138.10 m²; and
 - (e) encroachments be permitted over the bike lane north of the sign and over the curb/retaining walls, not to exceed a total encroachment of 2.5 metres, subject to an encroachment agreement satisfactory to the Commissioner of Works and Emergency Services; and
- (2) the applicant be advised of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services, upon approval of the variances.’ ”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

- 11.65 **Clause No. 37 of Report No. 9 of The Policy and Finance Committee, headed “F.G. Gardiner Expressway Main Deck Rehabilitation, Jarvis Street to Don Valley Parkway - Request for Proposal No. 9117-03-7189 (Ward 28 – Toronto Centre-Rosedale and Ward 30 – Toronto-Danforth)”.**

Motion:

Councillor Miller moved that City Council amend the Clause 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 results of the Engineer’s study on the investigation and design of the F. G. Gardiner Expressway Main Deck Rehabilitation, from Jarvis Street to the Don Valley Parkway, authorized by this report, as part of the report on the ‘scoping study’ authorized by City Council on February 4, 5 and 6, 2003, by its adoption of Clause No. 3 of Report No. 1 of The Policy and Finance Committee.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 11.66 **Clause No. 54 of Report No. 7 of The Works Committee, headed “Waterfront Breakwall Along Western Beaches”.**

Having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Korwin-Kuczynski moved that Council adopt the following recommendation:

“It is recommended that Council adopt the report dated September 15, 2003, from the Commissioner of Works and Emergency Services, subject to adding to the lead-in phrase to the recommendations contained therein, the words ‘before the winter of 2003-2004’, so that the recommendations embodied in such report, as amended by City Council, shall now read as follows:

‘It is recommended that, before the winter of 2003-2004:

- (1) Transport Canada, Harbours and Ports Branch be requested to update the 1997 detailed inspection report for the 4.6 kilometres of breakwall

outside the City's ownership and, in consultation with the Provincial Ministry of Natural Resources, determine the appropriate Federal Department and/or Provincial Ministry to undertake any immediate breakwall repairs which are of an urgent safety concern and further to determine the Provincial Ministry and/or Federal Department responsible for the long-term maintenance of the breakwall;

- (2) in the event that the City of Toronto has not received confirmation from the appropriate Provincial Ministry and/or Federal Department on the issues of breakwall ownership and responsibility for undertaking the immediate and ongoing repairs to the 4.6 kilometres of breakwall outside the City's ownership, the City Solicitor be requested to prepare a joint report with the Commissioner of Works and Emergency Services, for the first Works Committee of 2004, on the appropriate legal steps necessary to resolve these issues; and
- (3) the appropriate City officials be granted the authority to give effect thereto.' "

(b) Councillor Miller moved that Council adopt the following recommendation:

"It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in March 2004, on how the opportunity presented by the breakwall repairs can be used to enhance the water quality in the western beaches."

Votes:

Motion (a) by Councillor Korwin-Kuczynski carried.

Motion (b) by Councillor Miller carried.

The Clause, as amended, carried.

11.67 Clause No. 27 of Report No. 7 of The Midtown Community Council, headed "Request for Approval of a Variance from the Former City of North York Sign By-law No. 30788, as Amended, for the Erection of an Off-premise Ground Sign on the CN Rail Lands on the West of Leslie Street, South of Highway 401 (Don Valley West - Ward 25)".

Motion:

Councillor Minnan-Wong moved that City Council refer the Clause to the Toronto North Community Council for further consideration.

Vote:

The motion by Councillor Minnan-Wong carried.

- 11.68 **Clause No. 75 of Report No. 7 of The Midtown Community Council, headed “Prohibition of Skateboarding on Ptarmigan Crescent and Wallingford Drive (Don Valley East - Ward 34)”.**

Motion:

Councillor Minnan-Wong moved that City Council amend the Clause by deleting the first Operative Paragraph contained in the Resolution by Councillor Minnan-Wong, as embodied in the Clause, and inserting in lieu thereof the following:

“NOW THEREFORE BE IT RESOLVED THAT skateboarding on the sidewalks and roadways on each of Ptarmigan Crescent and Wallingford Drive be prohibited;”.

Votes:

The motion by Councillor Minnan-Wong carried.

Adoption of Clause, as amended:

Yes - 17	
Councillors:	Altobello, Ashton, Dominelli, Filion, Holyday, Johnston, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Soknacki, Walker
No - 10	
Councillors:	Augimeri, Chow, Di Giorgio, Feldman, Miller, Moscoe, Pantalone, Rae, Shiner, Tziretas

Carried by a majority of 7.

- 11.69 **Clause No. 16 of Report No. 7 of The Humber York Community Council, headed “Status Report - 1900 Lake Shore Boulevard West - Applications to Amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86 (Ward 13 - Parkdale-High Park)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Miller moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 23,

2003, from the Commissioner of Urban Development Services, subject to striking out Recommendation No. (1), embodied therein, and inserting in lieu thereof the following new Recommendation No. (1):

‘It is recommended that City Council:

- (1) authorize the City Solicitor to appear at the Ontario Municipal Board to request deferral of the appeal of the application to after March 2004 to allow time for:
 - (a) the submission of the required studies and comments for review by the City, local residents and other objectors;
 - (b) a public meeting or meetings to be held pursuant to The Planning Act; and
 - (c) Community Council and City Council to consider all information received;’,

so that the recommendations contained in such report, as amended by City Council, shall now read as follows:

‘It is recommended that City Council:

- (1) authorize the City Solicitor to appear at the Ontario Municipal Board to request deferral of the appeal of the application to after March 2004 to allow time for:
 - (a) the submission of the required studies and comments for review by the City, local residents and other objectors;
 - (b) a public meeting or meetings to be held pursuant to The Planning Act; and
 - (c) Community Council and City Council to consider all information received;
- (2) authorize City Planning staff to attempt to secure a Section 37 Agreement for local City benefits, in the event that the Ontario Municipal Board approves this application; and
- (3) authorize the City Solicitor to secure conditions of approval requested by City departments and agencies in relation to Site Plan Approval.’ ”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

11.70 Clause No. 56 of Report No. 7 of The Humber York Community Council, headed “3 and 6 Windermere Avenue - Amendments to the Section 37 Agreement (Ward 13 - Parkdale-High Park)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Miller, 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 City Council amend the Clause by adding thereto the following:

“It is further recommended that:

- (1) the supplementary report dated September 23, 2003, from the Commissioner of Urban Development Services, be received; and
- (2) the City Solicitor be authorized to amend the Section 37 Agreement for 3 and 6 Windermere Avenue to re-direct \$44,000.00 of the funds allocated to the construction of a boathouse on the Humber River as follows:
 - (a) \$23,000.00 to the Swansea Town Hall basement extension; and
 - (b) \$21,000.00 to the Ormskirk Parkette.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

11.71 Clause No. 3 of Report No. 7 of The Midtown Community Council, headed “Renaming of Davisville Park, Ward 22 to ‘June Rowlands Park’ (St. Paul’s - Ward 22)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that City Council adopt the supplementary report dated September 23, 2003, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

‘It is recommended that:

- (1) Economic Development Culture and Tourism proceed with the recommendation by Midtown Community Council to rename Davisville Park to June Rowlands Park, in accordance with the Naming and Renaming Policy for Parks and Recreation Facilities and Parks; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

11.72 Clause No. 8 of Report No. 7 of The Works Committee, headed “Counterclaim Against Recycle Plus Ltd. Arising Out of Termination of Contract”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Pitfield, 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 Pitfield moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the City Solicitor be authorized to add 1236797 Ontario Inc. and, if determined necessary by the City Solicitor, Enviro Glass Recycling, as parties to the said counterclaim.”

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

11.73 Clause No. 32 of Report No. 7 of The Midtown Community Council, headed “Sale of Surplus Vacant Land Located on the North Side of Melrose Avenue between Nos. 518 and 522 Melrose Avenue (Eglinton-Lawrence - Ward 16)”.

Motion:

Councillor Holyday moved that City Council amend the Clause by striking out the recommendations of the Midtown Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated August 19, 2003, from the Commissioner of Corporate Services, as embodied in the Clause, be adopted.”

Votes:

Adoption of motion by Councillor Holyday:

Yes - 15	
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Dominelli, Feldman, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Nunziata, Ootes, Pitfield
No - 11	
Councillors:	Augimeri, Bussin, Chow, Johnston, L. Jones, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Rae

Carried by a majority of 4.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Holyday, 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 - 25	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae
No - 1	
Councillor:	Nunziata

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

Motion:

Councillor Holyday again moved that City Council amend the Clause by striking out the recommendations of the Midtown Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated August 19, 2003, from the Commissioner of Corporate Services, as embodied in the Clause, be adopted.”

Votes:

Adoption of motion by Councillor Holyday:

Yes - 14	
Councillors:	Ashton, Di Giorgio, Dominelli, Feldman, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes
No - 12	
Councillors:	Altobello, Augimeri, Bussin, Cho, Johnston, L. Jones, Li Preti, McConnell, Moscoe, Pantalone, Rae, Walker

Carried by a majority of 2.

Adoption of Clause, as amended:

Yes - 13	
Councillors:	Ashton, Di Giorgio, Dominelli, Feldman, Hall, Holyday, L. Jones, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes
No - 13	
Councillors:	Altobello, Augimeri, Bussin, Cho, Johnston, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Walker

Lost, there being an equal division of votes.

Disposition:

City Council did not adopt this Clause.

11.74 Clause No. 41 of Report No. 7 of The Scarborough Community Council, headed “Proposed Gerrard/Clonmore Multi-Unit Residential Development (Ward 36 – Scarborough Southwest)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Ashton moved that Council adopt the following recommendation:

“It is recommended that Council adopt the following Recommendations Nos. (2) and (3) embodied in the confidential report dated September 19, 2003, from the City Solicitor, the balance of 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:

‘It is recommended that:

(2) Council direct staff to:

- (a) negotiate with the applicant to achieve an improved development form;
- (b) request that the variance application now before the Committee of Adjustment be further deferred;
- (c) request the applicant to bring forward a site plan control application; and

- (d) request the applicant to respond to environmental matters set out in this report; and
- (3) Council direct the Commissioner of Urban Development Services to carry out a study of land use policies and in respect of that area of land lying east of Victoria Park Avenue, south of the CN rail tracks and fronting on Gerrard and Clonmore.’ ”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

11.75 Clause No. 54 of Report No. 9 of The Policy and Finance Committee, headed “Revised Motion in Support of Funding for Environmental Assessments of Subway Extensions”.

Motion:

Councillor Li Preti moved that City Council amend the Clause by striking out the recommendation of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that Council re-affirm its decision from its meeting held on July 22, 23 and 24, 2003.”

Votes:

The motion by Councillor Li Preti carried.

The Clause, as amended, carried.

11.76 Clause No. 9c of Report No. 4 of The Community Services Committee, headed “Update Regarding the Status of Litigation with The Learning Enrichment Foundation”.

Motion:

Councillor Moscoe moved that City Council defer consideration of the Clause to the first regular meeting of the new term of City Council, with the direction that, in the interim, should the parties come to a mutual agreement, the City Solicitor is authorized to settle the matter and report the result to City Council, through the Community Services Committee.

Vote:

The motion by Councillor Moscoe carried.

11.77 Clause No. 4a of Report No. 3 of The Audit Committee, headed “Toronto Parking Authority - An Assessment of the Adequacy and Effectiveness of Financial and Administrative Controls”.

Votes:

Adoption of Recommendation No. (2) of the Audit Committee:

Yes - 25	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Soknacki, Walker
No - 4	
Councillors:	Chow, L. Jones, Li Preti, Rae

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

The balance of the Clause was adopted, without amendment.

In summary, City Council adopted this Clause, subject to deleting Recommendation No. (2) of the Audit Committee.

11.78 Clause No. 7a of Report No. 3 of The Audit Committee, headed “2002 Expenditures for Consulting Services - Departments and Boards”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to:

- (1) submit a report to the Audit Committee on how the Terms of Reference or Shareholder Directions for the following bodies may be amended, in order to require them to respond to the Auditor General:
 - (a) Enwave District Energy Limited;
 - (b) Toronto Economic Development Corporation;
 - (c) Toronto Hydro;

- (d) the Toronto Parking Authority; and
 - (e) the Toronto Community Housing Corporation; and
- (2) update City Council on the procedures for the use of consultants by City departments, agencies, boards and commissions.”

Votes:

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

Yes - 22	
Councillors:	Ashton, Augimeri, Bussin, Cho, Di Giorgio, Dominelli, Filion, Hall, Holyday, Johnston, L. Jones, Li Preti, Lindsay Luby, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Soknacki
No - 6	
Councillors:	Altobello, Balkissoon, Kelly, Korwin-Kuczynski, Ootes, Walker

Carried by a majority of 16.

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

Yes - 20	
Councillors:	Ashton, Augimeri, Bussin, Di Giorgio, Dominelli, Filion, Hall, Holyday, L. Jones, Li Preti, Lindsay Luby, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Soknacki
No - 8	
Councillors:	Altobello, Balkissoon, Cho, Johnston, Kelly, Korwin-Kuczynski, Ootes, Walker

Carried by a majority of 12.

The Clause, as amended, carried.

- 11.79 **Clause No. 11 of Report No. 9 of The Policy and Finance Committee, headed “2003 Operating Budget Variance Reports Ending April 30, 2003, for the Toronto Police Service and Toronto Police Service - Parking Enforcement Unit”.**

Motion:

Councillor Chow moved that City Council receive the Clause.

Vote:

The motion by Councillor Chow carried.

11.80 Clause No. 14 of Report No. 9 of The Policy and Finance Committee, headed “Analysis of Annual Reports of City of Toronto Agencies, Boards and Commissions”.

Motion:

Councillor Moscoe moved that City Council refer the Clause back to the Chief Administrative Officer, with the request that she submit a detailed report on annual reports to the Policy and Finance Committee, such report to:

- (1) clearly outline what is being spent on annual reports within the Corporation and its agencies, boards and commissions; and
- (2) provide guidelines for the writing of annual reports which will produce annual reports without excessive costs.

Vote:

The motion by Councillor Moscoe carried.

11.81 Clause No. 75 of Report No. 9 of The Policy and Finance Committee, headed “Integrated Fire and Police Radio Communications System Final Project Report”.

Motion:

Councillor Rae moved that City Council receive the Clause.

Vote:

The motion by Councillor Rae carried.

11.82 Clause No. 21 of Report No. 7 of The Economic Development and Parks Committee, headed “Green Parking Lots in City Parks and Ravines (Various Wards)”.

Motions:

- (a) Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development Culture and Tourism, in consultation with the Commissioner of Urban Development Services

and the General Manager of the Toronto Parking Authority, be requested to submit a report to Planning and Transportation Committee on the issues of standards for public and private parking lots, such report to explore the following issues:

- (1) urban design of parking lots;
 - (2) uniform standards for the development of parking lots across the City of Toronto;
 - (3) licensing requirements for pay parking lots;
 - (4) issues of temporary parking lots;
 - (5) strategy for encouraging the development of lands currently used as pay parking lots; and
 - (6) illegal and regulated parking lots.”
- (b) Councillor Pantalone moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the creation of new parking lots, or the transformation of any temporary parking lots into permanent lots, in a City park or ravine be the subject of a separate report to the Economic Development and Parks Committee and Council, before any work is undertaken on such a lot.”

Ruling by Deputy Mayor:

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

Votes:

Motion (b) by Councillor Pantalone carried.

The Clause, as amended, carried.

11.83 Clause No. 58 of Report No. 9 of The Policy and Finance Committee, headed “2004 Budget Process, Directions and Schedule”.

Motions:

- (a) Councillor Shiner moved that City Council amend the Clause to provide that Council recommend to the incoming Council that the revised 2004 budget process calendar submitted by the Chief Financial Officer and Treasurer be implemented.

- (b) Councillor Chow moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to prepare:

- (1) an orientation for Members of Council regarding the 2004 Capital and Operating Budgets; and
- (2) tools to educate the public regarding the City of Toronto’s budget challenges.”

Votes:

Motion (a) by Councillor Shiner carried.

Motion (b) by Councillor Chow carried.

The Clause, as amended, carried.

11.84 Clause No. 1 of Report No. 9 of The Planning and Transportation Committee, headed “Use of the Public Highway for Sale of Event Tickets”.

Motions:

- (a) Councillor Moscoe moved that City Council amend the Clause by:

- (1) amending the report dated August 20, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, by:

- (a) inserting in Recommendation No. (1), after the words “using or occupying a public highway”, the words “in the vicinity of a designated entertainment venue”, so that such recommendation shall now read as follows:

“(1) a by-law respecting the use or occupation of the public highway for the sale of event tickets be introduced, which prohibits any person from using or occupying a public highway in the vicinity of a designated

entertainment venue within the City of Toronto for the purposes of selling or offering for sale any ticket to any event;”;

- (b) inserting in Recommendation No. (2), after the words “event tickets”, the words “in designated zones”, so that such recommendation shall now read as follows:

“(2) City Council declare the use or occupation of the public highway for the purposes of the sale, or offer for sale, of event tickets to be a public nuisance under Section 128 of the Municipal Act, 2001;”;

- (c) deleting Recommendation No. (6); and

- (2) adding thereto the following:

“It is further recommended that:

- (a) entertainment venues be given the opportunity to make application to the City for designation; and
 - (b) in order to qualify for designation, an entertainment venue shall be required to either provide an opportunity for holders of pre-purchased tickets, i.e., subscribers, to offer their tickets for resale on a consignment basis or establish a free trade zone within which tickets may be bought and/or sold.”
- (b) Councillor McConnell moved that Motion (a) by Councillor Moscoe be referred to the Commissioner of Urban Development Services for review and report thereon to the Planning and Transportation Committee in January or February, 2004.
 - (c) Councillor Nunziata moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the amount of the set fine(s).”
 - (d) Councillor Ford moved that City Council receive the Clause.

Votes:

Adoption of motion (d) by Councillor Ford:

Yes - 5	
Councillors:	Ford, Kelly, Mammoliti, Mihevc, Moscoe
No - 27	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 22.

Adoption of motion (b) by Councillor McConnell:

Yes - 12	
Councillors:	Bussin, Cho, Dominelli, Hall, L. Jones, Lindsay Luby, McConnell, Milczyn, Moeser, Nunziata, Ootes, Rae
No - 20	
Councillors:	Altobello, Augimeri, Balkissoon, Di Giorgio, Feldman, Filion, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Moscoe, Pantalone, Pitfield, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 8.

Adoption of motion (a) by Councillor Moscoe, without amendment:

Yes - 8	
Councillors:	Augimeri, Di Giorgio, Filion, Ford, Kelly, Mihevc, Moscoe, Soknacki
No - 25	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Dominelli, Feldman, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker

Lost by a majority of 17.

Motion (c) by Councillor Nunziata carried.

Adoption of Clause, as amended:

Yes - 25	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Dominelli, Feldman, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas, Walker
No - 8	
Councillors:	Augimeri, Di Giorgio, Filion, Ford, Kelly, Mammoliti, Mihevc, Moscoe

Carried by a majority of 17.

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

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the amount of the set fine(s).”

11.85 Clause No. 52 of Report No. 9 of The Toronto East York Community Council, headed “Official Plan Amendment and Rezoning - 764 Yonge Street and 35 Balmuto Street (Toronto Centre-Rosedale, Ward 27)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Rae moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 23, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that:

- (1) Council direct the City Solicitor and planning staff to attend the Ontario Municipal Board (OMB) and support the position generally outlined in this report;
- (2) Council not support the application in its current form and direct staff to continue negotiating with the applicant to address the issues

outlined in this report; and

- (3) Council direct the City Solicitor to request the Ontario Municipal Board to defer setting a hearing date until after the first Council meeting of the new year, in order to receive further direction from Council as may be necessary as a result of continuing negotiations held to address the issues outlined in this report.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

- 11.86 **Clause No. 40 of Report No. 7 of The Scarborough Community Council, headed “Request for Direction - TF ZBL 2003 0010 and TF SUB 2003 0005, 758893 Ontario Limited, South of Pickford Road, North of Craggview Drive, West Hill Community (Ward 43 - Scarborough East)”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Soknacki, 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 Soknacki moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that City Council adopt the report dated September 24, 2003, from the Acting Director of Community Planning, East District, embodying the following recommendations:

‘It is recommended that:

- (1) Council adopt Report No. 7, Clause No. 40, Request for Directions, Scarborough Community Council; and

- (2) direct staff to consider the issues raised by the community with those issues raised in Report No. 7, Clause No. 40, Request for Direction Report, Scarborough Community Council.’ ”

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

11.87 Clause No. 19 of Report No. 7 of The Works Committee, headed “Pickering Townline Agreement Renewal”.

Motion:

Councillor Moeser moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on all cross-jurisdictional agreements, with a view to updating or renegotiating these agreements in the interest of the City of Toronto.”

Votes:

The motion by Councillor Moeser carried.

The Clause, as amended, carried.

11.88 Clause No. 2 of Report No. 7 of The Midtown Community Council, headed “Preliminary Report - Application to Amend the Zoning By-law of the City of Toronto as per Toronto Parking Authority (Turner Fleischer Architects Inc.) 453 Spadina Road No. 203005, TD CMB 2003 0009 (St. Paul’s - Ward 22)”.

Motion:

Councillor Walker moved that City Council amend the Clause by striking out the recommendations of the Midtown Community Council and inserting in lieu thereof the following:

“It is recommended that:

- (1) the Chief Administrative Officer, in consultation with the Auditor General,

retain (on a sole source basis if necessary) a well respected outside Counsel with expertise in municipal law, real estate law and litigation;

- (2) Council instruct outside Counsel:
 - (a) to investigate the facts surrounding this matter; and
 - (b) to review all Council reports with respect to this matter, the agreement of purchase and sale dated November 8, 2001, with respect to 453 Spadina Road, signed by the City of Toronto, the Toronto Parking Authority and First Spadina Place Inc., and all submissions presented to Midtown Community Council and City Council;
- (3) after considering the documents and submissions set out in Recommendation No. (2) above, outside Counsel provide his/her opinion whether City Council at its meeting of April 11, 12 and 13, 2000, authorized the terms of the Agreement of Purchase and Sale dated November 8, 2001, with respect to 453 Spadina Road, and further that outside Counsel provide an analysis of options available to City Council and provide a risk assessment of the options available;
- (4) outside Counsel be instructed to present his/her report with respect to the matters set out in Recommendation No. (3) above, to the January 2004 meeting of the Administration Committee, such report to be provided in-camera as it is solicitor-client advice; and
- (5) if necessary, the City Solicitor attend at the Ontario Municipal Board to request an adjournment of the appeal of the development application at 453 Spadina Road, until City Council can consider the report of outside Counsel.”

Votes:

Adoption of motion by Councillor Walker:

Yes - 24	
Councillors:	Altobello, Augimeri, Balkissoon, Dominelli, Filion, Ford, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Walker
No - 5	

Councillors:	Bussin, Di Giorgio, Feldman, Johnston, Rae
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Carried by a majority of 19.

Adoption of Clause, as amended:

Yes - 23	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Dominelli, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Walker
No - 5	
Councillors:	Di Giorgio, Feldman, Filion, Johnston, Rae

Carried by a majority of 18.

11.89 Clause No. 10 of Report No. 7 of The Works Committee, headed “Water Metering and Meter Reading Technology”.

City Council did not re-open Clause No. 13 of Report No. 14 of The Policy and Finance Committee for further consideration and, therefore, having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Pitfield, seconded by Councillor Li Preti, moved that Council adopt the following recommendations:

“It is further recommended that the following take place, prior to the issuance of any Request for Proposals:

- (1) funds from the approved 2003 Capital Budget be expended for staff to issue a tender for a field assessment of approximately 10 per cent of the high volume meters to ensure that the risk to the City is minimized; and
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in January 2004, on the next phase of the water meter project.”

- (b) Councillor Pitfield, on behalf of Councillor Balkissoon, moved that Council adopt the following recommendation:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Administration Committee, with a copy to the Works Committee, on the feasibility of the City of Toronto sending water bills out once every two months.”

- (c) Councillor Pitfield, on behalf of Councillor Moeser, moved that Council adopt the following recommendation:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Administration Committee and the Works Committee on the feasibility of direct payment of water bills.”

Votes:

Motion (a) by Councillor Pitfield, seconded by Councillor Li Preti, carried.

Motion (b) by Councillor Pitfield, moved on behalf of Councillor Balkissoon, carried.

Motion (c) by Councillor Pitfield, moved on behalf of Councillor Moeser, carried.

The Clause, as amended, carried.

11.90 Clause No. 21 of Report No. 7 of The Works Committee, headed “Front Street West, Between York Street and Bay Street - Review of Parking Regulations on the South Side, in Front of Union Station (Ward 28 - Toronto Centre-Rosedale)”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by inserting the following new Recommendation No. (2) in the report dated August 26, 2003, from the Commissioner of Works and Emergency Services, as embodied in the Clause, and renumbering the remaining recommendation as Recommendation No. (3):

- “(2) the Independent Cab Owners Association taxi stand located on the south side of Front Street east from York Street be moved eastward to coincide with the top of the exit ramp from Union Station, subject to the approval of the Commissioner of Works and Emergency Services; and”,

so that the recommendations contained in such report, as amended by City Council, shall now read as follows:

“It is recommended that:

- (1) a five-space 'Taxicab Stand', to be in effect at all times, be located on the south side of Front Street West, from a point 30.5 metres west of Bay Street to a point 31.5 metres further west;
- (2) the Independent Cab Owners Association taxi stand located on the south side of Front Street east from York Street be moved eastward to coincide with the top of the exit ramp from Union Station, subject to the approval of the Commissioner of Works and Emergency Services; and
- (3) appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required."

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.91 Clause No. 19 of Report No. 9 of The Administration Committee, headed "Declaration as Surplus - Strip of Land Adjoining 317 Dundas Street West (Ward 20 - Trinity Spadina)".

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Pantalone, 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 Chow moved that City Council amend the Clause by adding thereto the following:

"It is further recommended that the negotiations with the Art Gallery of Ontario (AGO) include the future of Grange Park, a City-operated, but AGO-owned, park."

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.92 Clause No. 52 of Report No. 9 of The Policy and Finance Committee, headed “Morningside Neighbourhood Branch Library Relocation Capital Funding Pre-Approval”.

Motion:

Councillor Moeser moved that City Council amend the Clause in accordance with the following recommendations:

“It is recommended that:

- (1) the Chief Librarian, in consultation with the Chief Financial Officer and Treasurer and appropriate staff, be requested to conduct a further review of the option prior to October 31, 2003, for the relocation of the Morningside Library, based on relocating and constructing the library on City-owned land and this option be reviewed by the Toronto Public Library Board at its meeting on October 20, 2003;
- (2) should the option of constructing on City-owned land be operationally viable and at a total cost equal or lesser than the net present value of leasing the new library, City Council recommend approval to the incoming Council, subject to concurrence of the Library Board, of a 2004 Capital project, with a total value estimated at \$2.030 million (gross) and \$1.408 million (debt) for the construction of a new library on City-owned land;
- (3) in the event that the option to construct on City-owned land is not operationally and financially viable, then Report No. 9, Clause No. 52 of the Policy and Finance Committee, entitled ‘Morningside Neighbourhood Library Relocation Capital Funding Pre-Approval’, be adopted, which has the concurrence of the Library Board; and
- (4) the Chief Librarian be requested to submit a report to the incoming Council and the Library Board on the selected option.”

Votes:

The motion by Councillor Moeser carried.

The Clause, as amended, carried.

11.93 Clause No. 9 of Report No. 7 of The Works Committee, headed “Proposed Municipal Code Chapter Prohibiting Littering and Dumping”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the City design of a standardized, distinctive form of signage to deter illegal dumping and littering be referred to the Clean Streets Working Group for subsequent report thereon to Council, through the Works Committee, on:

- (1) how and where such signage shall be erected;
- (2) improvements to enforcement procedures; and
- (3) provisions for the removal and/or replacement of existing signage.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.94 Clause No. 53 of Report No. 9 of The Toronto East York Community Council, headed “Revisions to Draft Plan of Subdivision for Precincts 1 and 2; Removal of Holding Designation from Blocks 24, 25, 26 and 29 in the Railway Lands West (Trinity-Spadina, Ward 20)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated September 23, 2003, from the City Solicitor, embodying the following recommendations:

‘It is recommended that:

- (1) Council authorize the execution of the Subdivision Agreement and associated escrow and heritage agreements for the proposed development of Precincts 1 & 2 in Railway Lands West as described

- in this report;
- (2) Council authorize the payment of the City's contribution to infrastructure, in accordance with the terms of the Subdivision Agreement, and grant authority to the Commissioner of Works and Emergency Services to issue the necessary Purchase Orders for such payments as required; and
 - (3) Council authorize, upon receipt of notice from Concord Adex that it intends to proceed with the construction of Bremner Boulevard, the delivery of notice pursuant to the terms of the Wittington Land Exchange Agreement requiring Wittington to remove the existing buildings from the lands required for the construction of Bremner Boulevard.' "

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.95 Clause No. 9 of Report No. 9 of The Planning and Transportation Committee, headed "Other Items Considered by the Committee".

Motion:

Councillor Moscoe moved that City Council receive the Clause as information, subject to referring Item (g), entitled "Terms of Reference for the Licensing Sub-Committee", embodied therein, back to the Planning and Transportation Committee for further consideration.

Votes:

The motion by Councillor Moscoe carried.

The balance of the Clause was received as information.

11.96 Clause No. 1 of Report No. 9 of The Administration Committee, headed "Request for Quotation No. 0203-03-0156 for the Supply of all Labour, Materials, Janitorial Supplies (Consumables), and Equipment to Perform Janitorial Services at Various City of Toronto Facilities Occupied by the Toronto Police Service for the Corporate Services Department, Facilities and Real Estate Division".

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that Council adopt the joint report dated August 28, 2003, from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, as embodied in the Clause.”

- (b) Councillor Rae moved that City Council receive the Clause.

Councillor Lindsay Luby in the Chair.

- (c) Councillor Dominelli moved that City Council refer the Clause back to the Commissioner of Corporate Services, with a request that the appropriate City officials and representatives of CUPE Local 79, Part Time Unit B, meet and attempt to negotiate a compromise which would ensure that the workers retain their jobs.

Deputy Mayor Ootes in the Chair.

Vote on Referral:

Adoption of motion (c) by Councillor Dominelli:

Yes - 27	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 8	
Mayor:	Lastman
Councillors:	Holyday, Lindsay Luby, Minnan-Wong, Nunziata, Ootes, Pitfield, Soknacki

Carried by a majority of 19.

Having regard to the foregoing decision of Council, motions (a) and (b) by Councillors Soknacki and Rae, respectively, were not put to a vote.

- 11.97 **Clause No. 66 of Report No. 9 of The Toronto East York Community Council, headed “Removal of Holding Symbol from Portion of City Block Bounded by Trinity Street, Eastern Avenue, Front Street East and Cherry Street (First Parliament Buildings of Upper Canada) (Toronto Centre-Rosedale, Ward 28)”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor McConnell, 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 McConnell moved that City Council amend the Clause by deleting Recommendation No. (2)(ii) contained in the report dated September 4, 2003, from the Director, Community Planning, South District, as embodied in the Clause, and inserting in lieu thereof the following:

- “(2) (ii) the Province of Ontario provide to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, in consultation with other City officials and the City Solicitor, prior to December 1, 2003, adequate documentation to confirm that the Province is legally bound to complete the conveyance of the lands, generally shown on the Context Plan in this report, as part of a land exchange transaction whereby the Province of Ontario becomes the owner of 265 Front Street East, and the current owners of 265 Front Street East become the owners of the lands on which the Holding symbol is to be removed, and that, in the event the Province is unable to demonstrate this legal commitment, staff be authorized to take any action necessary to re-impose the Holding symbol on that portion of the West Don Lands affected by the lifting of the Holding symbol at the first available meeting after December 1, 2003.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

11.98 Clause No. 6 of Report No. 9 of The Planning and Transportation Committee, headed “Terms of Reference for the Taxicab Advisory Committee”.

Motion:

Councillor Moscoe moved that City Council refer the Clause back to the Planning and Transportation Committee for further consideration.

Vote:

The motion by Councillor Moscoe carried.

11.99 Clause No. 38 of Report No. 7 of The Etobicoke Community Council, headed “Request for Fence Variance - 1 Bradfield Avenue (Ward 5 – Etobicoke-Lakeshore)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Milczyn moved that Council adopt the following recommendation:

“It is recommended that Chapter 447 of the City of Toronto Municipal Code be amended to permit a fence in the front yard of 1 Bradfield Avenue provided that:

- (1) the fence is set back at least 3.0 metres from the edge of the sidewalk;
- (2) the fence does not exceed a height of 1.83 metres; and
- (3) the fence is located in the front yard, as defined by Chapter 447.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

11.100 Clause No. 4 of Report No. 9 of The Administration Committee, headed “Request for Provincial Enabling Legislation to Establish a City Lobbyist Registry Within the Office of a City Integrity Commissioner”.

Motion:

Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the City Clerk be requested to publish a monthly advisory listing Members of Council who have complied with the present Lobbyist Registry.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

11.101 Clause No. 19 of Report No. 9 of The Toronto East York Community Council, headed “Construction and Maintenance of Chinese Archway - Hamilton Street Flank of 573 Gerrard Street East (Toronto Parking Authority Lot) (Toronto-Danforth, Ward 30)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Chow, 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 Chow moved that City Council refer the Clause to the Commissioner of Economic Development, Culture and Tourism, with a request that he, in consultation with the Commissioner of Works and Emergency Services and the President of the Toronto Parking Authority, submit a report to City Council, through the appropriate Community Council, in January 2004, on the acceptance of the donation of a Chinese Archway at Gerrard Street East and Hamilton Street, from the Chinese Chamber of Commerce, in accordance with the “Official Gifts and Donations Policy”.

Vote:

The motion by Councillor Chow carried.

11.102 Clause No. 15 of Report No. 8 of The Toronto East York Community Council, headed “Request for Direction – OMB Hearing – 511 Bremner and 2 and 20 Housey Street; 20, 22A and 24 Bathurst Street (Trinity-Spadina, Wards 19 and 20)”.

Motion:

Councillor Chow moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated September 23, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that City Council:

- (1) instruct the City Solicitor and other staff, as necessary, to attend at the Ontario Municipal Board to support the official plan and zoning by-law amendment applications submitted by Wittington Properties Limited as set out in this report and in accordance with the parameters listed below:
 - (a) that the draft by-laws incorporate provisions to allow for certain temporary and small kiosk-type buildings on the lands beneath the Gardiner Expressway, without precluding any future options for the Expressway;
 - (b) that any changes to road rights-of-way and building setbacks contained in the draft by-law ultimately reflect those to be described in a Council-approved Public Realm Master Plan and Architectural Design Guidelines for the Fort York Neighbourhood and Blocks 33 and 37 of the Railway Lands West;
 - (c) that residential gross floor area in the proposed towers above 40 metres in height be limited to 710 m² on Block 3, 750 m² on Block 4 and 790 m² on Block 6 in the Fort York Neighbourhood, and to 735 m² on each of Blocks 33 and 37 in the Railway Lands West; and
 - (d) that non-residential gross floor area be limited to 5000 m² on Block 33 and to 4455 m² on Block 37 of the Railway Lands West;
- (2) direct the City Solicitor to request, in association with Wittington Properties Ltd., that the Ontario Municipal Board withhold any Order on an official plan and zoning by-law amendment with respect to the subject lands west of Bathurst Street until the owner and the City have entered into a Section 37 agreement that conforms to the policies of the Fort York Neighbourhood Part II Official Plan and the Fort York Neighbourhood Secondary Plan and the owner has satisfied any other requirements of those plans;
- (3) authorize execution of a Section 37 Agreement and any other agreements required to secure matters outlined in this report in connection within the proposed development on the Wittington lands

west of Bathurst Street and within the Fort York Neighbourhood;

- (4) authorize the use of a Section 37 Agreement pursuant to the Planning Act to secure matters required as a condition of precinct plan approval in connection with Blocks 33 and 37 in the Railway Lands West as well as matters, services or facilities that may be related to the increase in the height and density on Blocks 33 and Blocks 37 and, further, authorize any necessary site specific official plan amendment to implement the same;
- (5) direct the City Solicitor to request, in association with Wittington Properties Ltd., that the Ontario Municipal Board withhold any Order on an official plan or zoning by-law amendment with respect to the subject lands east of Bathurst Street until the owner and the City have entered into the necessary agreements that conform to the policies of the Railway Land West Part II Plan and the Railway Lands West Secondary Plan and the owner has satisfied any other requirements of those plans;
- (6) report to Council in connection with ongoing negotiations with Wittington Properties Inc. necessary to finalize all required agreements prior to release of the Order of the Ontario Municipal Board relevant to the Wittington lands east of Bathurst in the Railway Lands West (Blocks 33 and 37);
- (7) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services to make such stylistic and technical changes to any draft Official Plan amendments and draft zoning by-law amendments as may be required to implement any OMB Decision;
- (8) support any required amendments to the Fort York Neighbourhood Part II Plan, the Fort York Neighbourhood Secondary Plan and Zoning By-laws to implement recommendations of the report, including By-law No. 438-86, as amended, and By-law No. 1995-0466;
- (9) support any required amendments to the Railway Lands West Part II Plan, Railway Lands West Secondary Plan and Zoning By-laws to implement the recommendations of this report, including By-law No. 1994-0805, as amended;

- (10) instruct the City Solicitor and other staff, as necessary, to attend at the Ontario Municipal Board and support correcting modifications to the text and maps of Official Plan Amendment No. 265 (Fort York Neighbourhood Part II Plan) and Official Plan Amendment No. 12 (Fort York Neighbourhood Secondary Plan) that maintain the intent of those amendments and, further, to support the appeal by Wittington with respect to revisions to alter the proportion of non-residential/residential gross floor area permitted in connection with its Blocks 4, 4A, 6 and 6A as outlined in this report; and
- (11) instruct the City Solicitor to attend at the Ontario Municipal Board and support the request by Wittington to defer its appeal of applicable sections of Official Plan Amendment No. 265 and Official Plan Amendment No. 12 related to Blocks 8, 9 and 10 pending consideration by Council of specific development applications related to those lands.’,

as amended by the further supplementary report dated September 24, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that City Council amend the September 23, 2003 staff report requesting direction for the Ontario Municipal Board hearing on the Wittington lands, as follows:

- (a) that Recommendation No. (1)(a) regarding temporary and small-scale uses under the Gardiner Expressway be deleted;
- (b) that Wittington Properties Ltd. or its successors be required to contribute the full cost of improvements to its lands under the Gardiner Expressway;
- (c) that Wittington Properties Ltd. or its successors be required to convey a public easement over the lands under the Gardiner Expressway to ensure public access through the site;
- (d) that the reference to the Block 33 tower setback from the Portland Street/Dan Leckie Way building face be amended to read “at least 6.0 metres and to the satisfaction of the Commissioner of Urban Development Services”; and
- (e) that the list of public benefits to be negotiated with Wittington for its lands in the Railway Lands West include “contributions toward affordable housing”.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

11.103 Clause No. 30 of Report No. 7 of The Humber York Community Council, headed “Status and Directions Report - 1100 King Street West - Applications to Amend the Official Plan and Zoning By-law and for Site Plan Approval Canadian Pacific Company (Kirkor Architects & Planners) (Ward 14 - Parkdale-High-Park)”.

Having regard that the Clause was submitted without recommendation:

Motion:

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

“It is recommended that Council adopt the supplementary report dated September 22, 2003, from the Commissioner of Urban Development Services.”

Withdrawal of Motion:

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

Motions:

- (b) Councillor Korwin-Kuczynski moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Council adopt the supplementary report dated September 22, 2003, from the Commissioner of Urban Development Services, subject to deleting Recommendations Nos. (2)(a), (2)(b), 2(c), (2)(f) and (5) and inserting in lieu thereof the following:

“(2) City Council approve in principle the revised application, date stamped September 18, 2003, by Urban Development Services as shown on the Site Plan Attachment to this report, to amend the Zoning By-law, subject to the applicant agreeing to the following:

- (a) conveyance to the City, for a nominal fee, of the three streets labelled as New Street and the one Public Lane, as generally shown on Attachment 1, for public highway purposes, to the satisfaction of the Commissioner of Works and Emergency Services, including environmental remediation;
- (b) it is the City's intention to secure conveyances of both the New Street connections to Dufferin Street and King Street West; in the event that only one road connection can be conveyed, then the other road connection must be secured through an easement, and the Owner must:
 - (i) provide the public easement for pedestrians and vehicles to the City at no cost, satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor;
 - (ii) construct the road connections, at no cost to the City, to City standards and specifications for roads, and in accordance with the detailed design drawings accepted by the Commissioner of Works and Emergency Services; and
 - (iii) confirm that the road connections meet Ontario Ministry of the Environment guidelines, requirements and regulations to permit the intended public use for pedestrian and vehicular activity, to the satisfaction of the Commissioner of Works and Emergency Services;
- (c) that the applicant make a cash-in-lieu payment at the alternative parkland dedicated rate for the west lot and that the cash-in-lieu payment stay in the area of Liberty Village, west of Atlantic Avenue, in the area of the site;
- (f) the execution of an agreement with the City pursuant to Section 37 of the Planning Act, or any other agreement at the discretion of the City Solicitor and the Commissioner of Urban Development Services to secure the provision of the following for the West Lot:

- (i) installation of an irrigation system for street trees with automatic timer, to the satisfaction of the Commissioner of Works and Emergency Services, designed to be water efficient by a Certified Landscape Irrigation Auditor and constructed with a back flow preventer, including the requirements to maintain in good order and operation, or any such policy that is in effect at the time of a building permit;
- (ii) rail safety measures and warning clauses to the satisfaction of the Commissioner of Urban Development Services, in consultation with CN Railways and GO Transit;
- (iii) the alternative large site parkland dedication rate, with any shortfall in parkland dedication fulfilled as improvements to the conveyed parkland above base park conditions;
- (iv) site decontamination;
- (v) the provision of 20 percent of the units as affordable housing in phases;
- (vi) the design, construction and streetscaping of public streets to the satisfaction of the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services; and
- (vii) the timing of conveyance of the public park and base improvements including grading, seeding/sodding and water and hydro connections to the park perimeter;

and, the execution of an agreement with the City pursuant to Section 37 of the Planning Act, or any other agreement at the discretion of the City Solicitor and the Commissioner of Urban Development Services to secure the provision of the following for the East Lot:

- (i) installation of an irrigation system for street trees with automatic timer, to the satisfaction of the Commissioner of Works and Emergency Services, designed to be water efficient by a Certified Landscape Irrigation Auditor and constructed with a back flow preventer including the requirements to maintain in good order and operation, or any such policy that is in effect at the time of a building permit;
 - (ii) rail safety measures and warning clauses to the satisfaction of the Commissioner of Urban Development Services, in consultation with CN Railways and GO Transit; and
 - (iii) the design, construction and streetscaping of public streets to the satisfaction of the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services; and
- (5) an interim landscape plan for the East Lot for the time period preceding redevelopment on the lands be submitted prior to the issuance of the first building permit on the West Lot, which includes the grading and sodding/seeding of portions of the East Lot not in active use and enhanced treatment adjacent to the public rights-of-way to the satisfaction of the Commissioner of Urban Development Services;"; and
- (2) Council direct the Commissioner of Works and Emergency Services to investigate design options, in conjunction with the project, to eliminate the Dufferin Street 'jog' to provide an uninterrupted connection for pedestrians and cyclists between the north and south sides of the Canadian National Railway, and report back to Council in the first quarter of 2004."
- (c) Councillor Pantalone moved that Council adopt the following recommendation:

"It is recommended that City Council refuse this application, given the lack of adequate information provided to City Council which would enable Council to undertake due diligence and reach a decision as it is required to do."

Votes:

Adoption of motion (c) by Councillor Pantalone:

Yes - 15	
Councillors:	Ashton, Augimeri, Bussin, Chow, Filion, Hall, L. Jones, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone
No - 10	
Councillors:	Balkissoon, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Tziretas, Walker

Carried by a majority of 5.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Motion (b) by Councillor Korwin-Kuczynski, redundant.

The Clause, as amended, carried.

In summary, City Council adopted the following recommendation:

“It is recommended that City Council refuse this application, given the lack of adequate information provided to City Council which would enable Council to undertake due diligence and reach a decision as it is required to do.”

11.104 Clause No. 5b of Report No. 4 of The Board of Health, headed “Phase-out of Coal-fired Electricity Purchases”.

Motion:

Councillor Shiner moved that City Council amend the Clause by:

- (1) deleting Recommendation No. (1) of the Board of Health;
- (2) inserting the following new Recommendations Nos. (1) and (2):

“It is recommended that Council:

- (1) endorse, in principle, the objective of phasing out City purchases of coal-fired electricity;
- (2) request the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services to submit a report to Council, through the Policy and Finance Committee, on a strategy to fully or partially phase out the City of Toronto’s purchases of coal-fired electricity, including the financial implications, and on an energy conservation plan, on or before the City’s Power Purchase Agreement with Toronto Hydro Energy Services expires in 2005;”; and
- (3) re-numbering the remaining recommendation of the Board of Health as Recommendation No. (3),

so that the recommendations of the Board of Health shall now read as follows:

“It is recommended that Council:

- (1) endorse, in principle, the objective of phasing out City purchases of coal-fired electricity;
- (2) request the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services to submit a report to Council, through the Policy and Finance Committee, on a strategy to fully or partially phase out the City of Toronto’s purchases of coal-fired electricity, including the financial implications, and on an energy conservation plan, on or before the City’s Power Purchase Agreement with Toronto Hydro Energy Services expires in 2005; and
- (3) request the Provincial Government to advance its phase-out date for Ontario Power Generation’s coal-fired plants by 2007.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

11.105 Clause No. 12 of Report No. 8 of The Toronto East York Community Council, headed “Draft By-laws – Official Plan Amendment and Rezoning and Authority to Enter into Heritage Easement Agreement - 56 Queen Street East and 51 Bond Street (Metropolitan United Church) (Toronto Centre-Rosedale, Ward 27)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Rae, 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 Rae moved that City Council amend the Clause in accordance with the following motion:

Moved by: Councillor Rae

“WHEREAS at its meeting of September 9, 2003, Toronto East York Community Council recommended the adoption of the Final Report – Application to Amend the Official Plan and Zoning By-law for 56 Queen Street East and 51 Bond Street (Metropolitan United Church), dated August 25, 2003, from the Director, Community Planning, South District, and the report dated August 7, 2003, from the Commissioner of Economic Development, Culture and Tourism; and

WHEREAS the report recommends approving the application to amend the Official Plan and the Zoning By-law No. 438-86 for the former City of Toronto and securing the improvements to the site, church and parsonage through a Section 37 Agreement to be registered on title prior to introduction of the Bills; and

WHEREAS the parties to the proposed Section 37 Agreement have not been able to fulfil all of the conditions to the execution of the Agreement prior to this Council meeting and have requested an extension of time to complete; and

WHEREAS the Director, Community Planning, South District, and the Commissioner of Economic Development, Culture and Tourism have agreed that the timing of the execution of the recommended Heritage Easement Agreements should be achieved before Site Plan Approval;

NOW THEREFORE BE IT RESOLVED THAT Recommendation No. (4) of the Final Report of the Director, South District, Community Planning, be deleted and the following Recommendation No. (4) be inserted in its place:

- ‘(4) (a) the owners (Metropolitan United Church and Lancer Metropolitan Corporation) jointly and severally, are required to enter into a Section 37 Agreement with the City containing the benefits outlined in this report and in a form to the satisfaction of the City Solicitor and further to complete the registration on title of this agreement within ten (10) business days from the time the notice (pursuant to the Planning Act) has been provided that requisite Bills have been enacted by City Council; and
- (b) notwithstanding Recommendation No. (4)(a), Council shall authorize the City Solicitor to appeal the requisite Bills noted therein, should the owners fail to meet the obligations in Recommendation No. (4)(a);’;

AND IT BE FURTHER RESOLVED THAT Recommendation No. (1) of the report from the Commissioner of Economic Development, Culture and Tourism be deleted

and replaced with the following:

- ‘(1) the owners enter into and register a Heritage Easement Agreement for Metropolitan United Church and Parsonage with the City prior to Site Plan Approval;’;

AND IT BE FURTHER RESOLVED THAT City Council, under Section 34(17) of the Planning Act determine that no further notice to the public is required for the changes noted above.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

11.106 **Clause No. 4 of Report No. 9 of The Policy and Finance Committee, headed “Hydro Corridors - Park and Recreation Uses and Property Taxes”.**

Motions:

- (a) Councillor Moscoe moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that Council endorse the following resolution passed by the Large Urban Mayors’ Caucus of Ontario:

‘THAT the Large Urban Mayors’ Caucus of Ontario request the Chair, Management Board of Cabinet, Honourable David Tsubouchi, for a provincial policy change to eliminate the property tax pass through for parks, recreation, commuter parking, and other transit related purposes.’ ”

- (b) Councillor Li Preti moved that City Council amend the Clause by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism, be requested to submit a report to Council, through the Economic Development and Parks Committee, on the level of turf maintenance on non-City leased hydro corridor lands abutting residential areas.”

Votes:

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Li Preti carried.

The Clause, as amended, carried.

11.107 IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE

September 24, 2003:

Motion:

Deputy Mayor Ootes, at 10:40 a.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 70 of Report No. 9 of The Policy and Finance Committee, headed “171 Fenmar Drive - Uncollectable Realty Taxes (Ward 7 - York West)”, having regard that it concerns matters related to the security of property of the municipality; and
- (b) Clause No. 25 of Report No. 7 of The Etobicoke Community Council, headed “Appeal to the Ontario Municipal Board - 1050 The Queensway (Ward 5 - Etobicoke-Lakeshore)”, having regard that it contains information which is subject to solicitor/client privilege.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 10:45 a.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 12:05 p.m., and met in public session in the Council Chamber.

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

11.108 **Clause No. 70 of Report No. 9 of The Policy and Finance Committee, headed “171 Fenmar Drive - Uncollectable Realty Taxes (Ward 7 - York West)”.**

Report of the Committee of the Whole:

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 the Clause:

Moved by Councillor Mammoliti:

“That City Council amend the Clause to provide that the owner be required to clean up the site within one month.”

Votes:

Adoption of motion by Councillor Mammoliti:

Yes - 9	
Councillors:	Di Giorgio, Dominelli, Filion, Ford, Mammoliti, McConnell, Moscoe, Nunziata, Pantalone
No - 18	
Councillors:	Augimeri, Balkissoon, Bussin, Feldman, Hall, Holyday, Johnston, L. Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moeser, Ootes, Pitfield, Rae, Walker

Lost by a majority of 9.

Adoption of Clause, without amendment:

Yes - 27	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Walker
No - 2	
Councillors:	Di Giorgio, Mammoliti

Carried by a majority of 25.

11.109 Clause No. 25 of Report No. 7 of The Etobicoke Community Council, headed “Appeal to the Ontario Municipal Board - 1050 The Queensway (Ward 5 - Etobicoke-Lakeshore)”.

Having regard that the Clause was submitted without recommendation:

Report of the Committee of the Whole:

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 the Clause:

Moved by Councillor Milczyn:

“That City Council adopt the following recommendation:

‘It is recommended that Council adopt the confidential report dated September 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 Solicitor and staff from Urban Development Services be instructed to support the modified proposal at the upcoming Ontario Municipal Board hearing.’ ”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

September 25, 2003:

Motion:

Deputy Mayor Ootes, at 9:51 a.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 25 of Report No. 9 of The Policy and Finance Committee, headed “Toronto Hydro - Payment of Dividends”, having regard that it concerns matters related to the security of property of the municipality or local board;
- (b) Clause No. 27 of Report No. 9 of The Policy and Finance Committee, headed “China Trademart in the Queen Elizabeth Building - Long Term Lease”, having regard that it concerns matters related to the security of property of the municipality or local board;
- (c) Clause No. 4a of Report No. 8 of The Planning and Transportation Committee, headed “Toronto Licensing Tribunal Biannual Report”, having regard that it concerns matters which pertain to potential litigation, including matters before Administrative Tribunals or local boards; and
- (d) Motion F(3), moved by Councillor Filion, seconded by Councillor Moscoe, respecting a freedom of information request regarding the removal of trees at Bales Avenue and Glendora Avenue (Ward 23, Willowdale), having regard that that the report dated

April 7, 2003, from the City Solicitor, appended to such Motion, contains information which is subject to solicitor/client privilege.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 9:57 a.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 12:23 p.m., and met in public session in the Council Chamber.

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

11.110 Clause No. 4a of Report No. 8 of The Planning and Transportation Committee, headed “Toronto Licensing Tribunal Biannual Report”.

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that Council, in Committee of the Whole, had amended the Clause by issuing confidential instructions to staff, such instructions to remain confidential, in their entirety, in accordance with the provisions of the Municipal Act, having regard that such instructions pertain to potential litigation, including matters before Administrative Tribunals or local boards.

11.111 Clause No. 27 of Report No. 9 of The Policy and Finance Committee, headed “China Trademart in the Queen Elizabeth Building - Long Term Lease”.

Report of the Committee of the Whole:

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 the Clause:

Moved by Councillor Pantalone:

“That City Council:

- (1) refer this Clause back to the Board of Governors of Exhibition Place for further consideration and further discussion with the Chinese

community; and

- (2) also adopt the following recommendations:

‘It is recommended that:

- (a) the Board of Governors of Exhibition Place and the CNEA be requested to develop and submit to City Council within six months, through the Economic Development and Parks Committee, a plan on future space requirements for the CNE, to ensure its continuing future success; and
- (b) the Commissioner of Economic Development, Culture and Tourism be involved in finding a suitable location for the China Trademart in the City of Toronto.’ ”

Vote:

Adoption of motion by Councillor Pantalone:

Yes - 24	
Councillors:	Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Feldman, Fillion, Hall, Holyday, Johnston, L. Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Rae, Shiner, Tziretas, Walker
No - 5	
Councillors:	Ashton, Kelly, Korwin-Kuczynski, Milczyn, Shaw

Carried by a majority of 19.

Further Report of the Committee of the Whole:

Deputy Mayor Ootes further advised that, having regard that Council had not concluded its consideration of the following matters in Committee of the Whole, the in-camera session of this meeting would resume when Council reconvenes after the lunch break, at approximately 2:00 p.m. today:

- (a) Clause No. 25 of Report No. 9 of The Policy and Finance Committee, headed “Toronto Hydro - Payment of Dividends”; and

- (b) Motion F(3), moved by Councillor Filion, seconded by Councillor Moscoe, respecting a freedom of information request regarding the removal of trees at Bales Avenue and Glendora Avenue (Ward 23, Willowdale).

Motion:

Deputy Mayor Ootes, at 2:17 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to resume the in-camera portion of this meeting, as it pertains to the above matters.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 2:22 p.m., to meet privately in the Council Chamber to resume consideration of the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 4:05 p.m., and met in public session in the Council Chamber.

11.112 Clause No. 25 of Report No. 9 of The Policy and Finance Committee, headed “Toronto Hydro - Payment of Dividends”.

Report of the Committee of the Whole:

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 the Clause:

Moved by Councillor Shiner:

“That City Council refer this Clause back to the Chief Financial Officer and Treasurer and the City Solicitor.”

Vote:

The motion by Councillor Shiner carried.

Further Report of the Committee of the Whole:

Deputy Mayor Ootes further reported that City Council, at its in-camera session, had also issued confidential instructions to staff pertaining to this Clause, such instructions to remain confidential, in their entirety, in accordance with the provisions of the Municipal Act, having regard that they contain information pertaining to the security of the property of the

municipality or local board.

11.113 Freedom of Information Request – Removal of Trees at Bales Avenue and Glendora Avenue (Ward 23, Willowdale)

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

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“WHEREAS City Council at its meeting held on April 14, 15 and 16, 2003, adopted, without amendment, North York Community Council Report No. 3, Clause No. 19, headed ‘Final Report - Application to Amend the Official Plan and Zoning By-law No. 7625 - TB CMB 2002 0005, TB SPC 2002 0034, 1314193 Ontario Limited - 27-49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue - Ward 23 – Willowdale’; and

WHEREAS Council also had before it a confidential report dated April 7, 2003, from the City Solicitor, pertaining to this matter, and in that report the City Solicitor made various statements related to the unauthorized removal of City trees on the site; and

WHEREAS Councillor John Filion, who is the Councillor for that area and is mentioned in the report, believes there are several inaccurate or misleading statements contained in the report; and

WHEREAS Councillor Filion requires access to the City files on this matter, in order to prepare a response to Council and the City Solicitor with regard to statements made in her report of April 7, 2003; and

WHEREAS Councillor Filion was denied access to the files by the City Solicitor; and

WHEREAS following a subsequent Freedom of Information request, Councillor Filion was again denied access to the files and specifically to some 65 pages of material on the grounds of Solicitor Client Privilege; and

WHEREAS in this instance, City Council is the client;

NOW THEREFORE BE IT RESOLVED THAT City Council waive Solicitor-Client privilege with regard to the contents of the file and the Freedom of Information request so that any Member of Council who so wishes can have access to this information;

AND BE IT FURTHER RESOLVED THAT the City Clerk determine which, if any, of the documents should be provided to Members of Council on a Confidential basis only, in accordance with the rules governing such matters.”

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 Summary, Page 353)

City Council also had before it, during consideration of Motion F(3), a confidential report dated April 7, 2003, from the City Solicitor.

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion F(3):

Motions:

- (a) Councillor Di Giorgio moved that City Council receive Motion F(3).
- (b) Councillor Holyday moved that City Council refer Motion F(3) to a Committee of Councillors Holyday, Moscoe and Ootes to review the relevant documentation, together with the City Auditor and the City Solicitor, and report thereon to the Administration Committee.
- (c) Councillor Nunziata moved that City Council defer consideration of Motion F(3).

Votes:

Adoption of motion (b) by Councillor Holyday:

Yes - 4	
Councillors:	Ashton, Holyday, Milczyn, Nunziata
No - 26	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Tziretas, Walker

Lost by a majority of 22.

Adoption of motion (c) by Councillor Nunziata:

Yes - 5	
Councillors:	Dominelli, Hall, Nunziata, Ootes, Tziretas
No - 25	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Filion, Holyday, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Walker

Lost by a majority of 20.

Adoption of motion (a) by Councillor Di Giorgio:

Yes - 24	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Hall, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Pantalone, Pitfield, Rae, Shaw, Tziretas, Walker
No - 8	
Councillors:	Ashton, Filion, Holyday, Kelly, Lindsay Luby, Milczyn, Nunziata, Ootes

Carried by a majority of 16.

In summary, Council received Motion F(3).

11.114 **ADDITIONAL MATTER CONSIDERED BY COUNCIL**

September 23, 2003:

Motion:

Councillor Feldman, with the permission of Council, seconded by Deputy Mayor Ootes, moved that Council adopt the following recommendation:

“It is recommended that the comments of Mayor Mel Lastman and the record of accomplishments during his term as the first Mayor of the amalgamated City of Toronto be recorded, in full, in the minutes of this meeting.”

Vote:

Adoption of motion by Councillor Feldman, seconded by Deputy Mayor Ootes:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Tziretas, Walker
No - 0	

Carried, without dissent.

(See Attachment No. 1, Page 294)

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

11.115 City Employees Strike - Summer of 2002

Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper, moved by Councillor Bussin, seconded by Councillor I. Jones, and, in the absence of Councillor I. Jones, moved by Councillor Bussin, seconded by Councillor McConnell, as follows:

Moved by: Councillor Bussin

Seconded by: Councillor McConnell

“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 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 Summary, Page 353)

Permission to Withdraw Motion:

Councillor Bussin, with the permission of Council, withdrew Motion F(1).

11.116 Request to Provincial Government to Abandon Electricity Deregulation and Privatization

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

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 had before it, during consideration of Motion F(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 Summary, Page 353)

City Council, at its meeting held on April 14, 15 and 16, 2003, re-opened 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”, for further consideration.

Vote:

Adoption of Motion F(2), without amendment:

Yes - 28	
Councillors:	Ashton, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 6	
Councillors:	Dominelli, Holyday, Lindsay Luby, Minnan-Wong, Nunziata, Soknacki

Carried by a majority of 22.

11.117 Mandatory Retirement Policy

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

Moved by: **Councillor Johnston**

Seconded by: **Councillor Miller**

“**WHEREAS** the Ontario Human Rights Commission has held that mandatory retirement is age discrimination; and

WHEREAS the United Nations has said that state parties to the International

Covenant on Economic, Social and Cultural Rights, should expedite the trend towards the elimination of mandatory retirement; and

WHEREAS Bill 68 2003 An ‘Act to amend the provisions of certain Acts respecting the age of retirement’, has had a first reading on May 29, 2003, in the Provincial legislature, and has been committed to by the government in its Throne Speech; and

WHEREAS mandatory retirement tends to particularly affect women and recent immigrants; and

WHEREAS the application of this policy has resulted in the cancellation of important and valuable recreation services to the citizens of this City; and

WHEREAS mandatory retirement results in the loss of an irreplaceable source of institutional memory that is especially crucial as the City attempts to move forward after the enforced amalgamation of the former six cities;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Corporate Services, in consultation with the employee associations and labour unions, be directed to report back to Council, through the Administration Committee, on the merits of abolishing mandatory retirement in its future labour agreements.”

Fiscal Impact Statement:

City Council 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 Summary, Page 353)

City Council also had before it, for consideration with Motion F(4), the following documents submitted by Councillor Johnston which are on file in the Office of the City Clerk:

- (1) (June 23, 2003) from the Toronto Star, entitled, “Here’s a gem we need to keep”;
- (2) (June 4, 2003) from Susan O’Neill, entitled, “Instructor fights forced retirement”; and
- (3) (June 27, 2003) from Ms. Annette Lalonde.

Motion:

Councillor Pantalone moved that Motion F(4) be referred to the Administration Committee for consideration.

Vote:

The motion by Councillor Pantalone carried.

11.118 Approval to Erect Election Signs on Mayoral and City Councillor Candidates Campaign Offices prior to September 11, 2003 (60 days prior to voting day)

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

Moved by: Councillor Bussin

Seconded by: Councillor Pantalone

“WHEREAS candidates for the office of Mayor and for Toronto City Council may officially register and commence campaigning as early as January 2, 2003; and

WHEREAS candidates for Mayor and City Council can establish a campaign office anytime after registering; and

WHEREAS major contending candidates for Mayor have established their campaign offices many months prior to September 11, 2003; and

WHEREAS it is democratically desirable and appropriate that the residents of Toronto have every opportunity to access their municipal candidates for elected office and know where the campaign offices are located;

NOW THEREFORE BE IT RESOLVED THAT Council authorize a minor variance from Article II, Election Signs, of Chapter 693, Signs, of the City of Toronto Municipal Code to permit candidates in the 2003 municipal election to erect and display election signs on their campaign offices prior to September 11, 2003 (60 days prior to voting day);

AND BE IT FURTHER RESOLVED THAT, in the opinion of Council, the general intent and purpose of Article II, Election Signs, of Chapter 693, Signs, of the Toronto Municipal Code are maintained.”

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 F(5) 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 F(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion F(5) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Bussin moved that Motion F(5) be referred to the Administration Committee as one of the priority issues dealing with the next election.

Vote:

The motion by Councillor Bussin carried.

11.119 Clothing Drop Boxes

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

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Holyday**

“**WHEREAS** the City of Toronto requires any person or business wishing to encroach on public property to secure an agreement with the City; and

WHEREAS the owners of clothing drop boxes, many of whom represent charities that are questionable, seem to indiscriminately drop these boxes onto public property; and

WHEREAS an unsupervised box frequently is accompanied by litter and piles of clothing being deposited onto the road allowance; and

WHEREAS legitimate charities should have no difficulty whatsoever in securing permission from the City to locate their clothing drop boxes on City property;

NOW THEREFORE BE IT RESOLVED THAT the City require anyone wishing to locate a clothing drop box on City property to:

- (a) secure the permission of the City;
- (b) agree to maintain and keep clean the area in and around the drop box; and
- (c) produce a legally registered charitable number;

AND BE IT FURTHER RESOLVED THAT staff do all things necessary to ensure that this policy is enforced.”

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 I(1) 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 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 Summary, Page 353)

Procedural Vote:

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

Vote:

Motion I(1) was adopted, without amendment.

11.120 Request to Waive Council’s Policy to Permit the Mailing of a Notice Regarding the Rezoning of Lands Located in the Gerrard/Clonmore Area

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(1), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor Bussin

“WHEREAS the City of Toronto is in receipt of an Application for a Minor Variance with respect to lands located in the Gerrard/Clonmore area; and

WHEREAS consideration of the application was deferred at the Scarborough Committee of Adjustment to its meeting scheduled to be held on October 15, 2003; and

WHEREAS the application is a request to modify existing zoning that permits the development of approximately 1,455 units, with seven buildings ranging from 23 to 27 storeys; and

WHEREAS the surrounding communities have expressed great concern over the impact of these densities on City services and City infrastructure; and

WHEREAS the surrounding communities have expressed grave concern over the environmental impact of developing this former landfill site; and

WHEREAS the normal community notification for Committee of Adjustment Hearings is limited; and

WHEREAS Council policy prohibits Notices by Councillors after September 25th, unless Council approval is obtained;

NOW THEREFORE BE IT RESOLVED THAT Council waive its policy, in this instance, to permit Councillors Ashton and Bussin to notify their respective communities of the October 15th meeting of the Scarborough Committee of Adjustment;

AND BE IT FURTHER RESOLVED THAT the following boundaries describe the mailing:

Councillor Bussin	CNR rail line to the north, Pickering Street to the west, Kingston Road to the south, and Victoria Park Avenue to the east.
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Councillor Ashton	CNR rail line to the north, Warden Avenue to the east, waterfront to the south, and Victoria Park Avenue to the west.”
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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 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(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 Summary, Page 353)

Procedural Vote:

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

Motion:

Councillor Ashton moved that Motion J(1) be amended by adding the following words to the second Operative Paragraph:

“and to all persons having requested notification at the Committee of Adjustment hearing at the Scarborough Civic Centre.”

Votes:

The motion by Councillor Ashton carried.

Motion J(1), as amended, carried.

Summary:

In summary, Council adopted Motion J(1), subject to adding the following words to the second Operative Paragraph:

“and to all persons having requested notification at the Committee of Adjustment hearing at the Scarborough Civic Centre”,

so that such Operative Paragraph shall now read as follows:

“AND BE IT FURTHER RESOLVED THAT the following boundaries describe the mailing:

Councillor Bussin	CNR rail line to the north, Pickering Street to the west, Kingston Road to the south, and Victoria Park Avenue to the east.
-------------------	---

Councillor Ashton CNR rail line to the north, Warden Avenue to the east, waterfront to the south, and Victoria Park Avenue to the west.

and to all persons having requested notification at the Committee of Adjustment hearing at the Scarborough Civic Centre.”

11.121 Ontario Municipal Board Hearing - 482 and 484 St. Clair Avenue East

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(2), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“**WHEREAS** the Committee of Adjustment, Toronto East York Panel, held a public meeting on May 7, 2003, to consider a request for the granting of minor variances at 482 and 484 St. Clair Avenue East; and

WHEREAS the Committee heard from a large number of area residents opposed to the granting of these variances; and

WHEREAS the Committee of Adjustment refused to grant the requested variances on the basis that the proposal was not minor in nature, did not represent an appropriate development of the property and did not meet the general intent of the Zoning By-law; and

WHEREAS the Committee of Adjustment determined that the extension of the legal non-conforming use would increase the usability of the building for the use not permitted by the by-law and that the proposal is not appropriate for the development of the land and the building and does cause undue impacts on the surrounding properties and neighbourhood; and

WHEREAS the applicant has now appealed this decision to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be directed to attend the Ontario Municipal Board hearing in defence of the City’s Committee of Adjustment 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(2) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(2) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(2) was adopted, without amendment.

11.122 Notification of Applications for Rooftop Signage in the City of Toronto

Councillor Korwin-Kuczynski 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 Korwin-Kuczynski**

Seconded by: **Councillor Dominelli**

“WHEREAS the current policy of the Urban Development Services regarding the processing of rooftop signage in the City of Toronto, does not require City staff to notify the Ward Councillors of applications made to the City of Toronto; and

WHEREAS, as Councillor for Ward 14 – Parkdale High Park, I have had written correspondence with the Commissioner of Urban Development Services on rooftop signage applications, to which I had been assured that City staff would keep my office informed of future applications for rooftop signage and, to date, this has not happened; and

WHEREAS we, as Ward Councillors, need to be kept informed by City staff with respect to applications for the erection of rooftop signs in our Wards, so that each Councillor can provide their comments to City staff when processing the application; and

WHEREAS having City staff keeping the Ward Councillors informed of rooftop signage applications will enable the Ward Councillor to have consultation with his/her

constituents affected by the display of rooftop signage on their street;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Commissioner of Urban Development Services to make changes to the policy on rooftop signage, so that each Ward Councillor is consulted on rooftop signage applications in their Ward in the City of Toronto during this term and in the future.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(3) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Moscoe moved that Motion J(3) be referred to the Commissioner of Urban Development Services for report thereon to Council, through the Planning and Transportation Committee.

Vote:

The motion by Councillor Moscoe carried.

11.123 Ontario Municipal Board Hearing - 433-437 Roncesvalles Avenue

Councillor Korwin-Kuczynski 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 Korwin-Kuczynski

Seconded by: Councillor Dominelli

“WHEREAS the Ontario Municipal Board will be considering an appeal by Stinson Developments Limited, for 433-437 Roncesvalles Avenue, with respect to a decision by the Committee of Adjustment, denying permission to demolish the existing place of worship and pastor’s residence (St. Jude’s Church), retail store and restaurant, and to construct a seven-storey, commercial/residential building containing 101 residential units with underground parking; and

WHEREAS Stinson Developments Limited made an agreement with the community and has reneged on that agreement that was based on a proposal containing 99 residential units; and

WHEREAS the community has significant concerns with this project and the building surpasses the maximum permitted residential gross floor area and the maximum permitted combined residential and non-residential gross floor area;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Ontario Municipal Board that the variances being sought by the applicant are not considered minor and do not warrant consideration of approval of the appeal by the Ontario Municipal Board;

AND BE IT FURTHER RESOLVED THAT a representative from Legal Services and an outside planner be requested to appear in support of the Committee of Adjustment decision at the Ontario Municipal Board Hearing.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(4) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(4) was adopted, without amendment.

11.124 20 Gothic Avenue – Status Reports, Application to Amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86, and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects)

Councillor Moscoe 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 Moscoe

Seconded by: Councillor Di Giorgio

“WHEREAS City Council, at its meeting held on July 22, 23 and 24, 2003, adopted without amendment, Humber York Community Council Report No. 6, Clause No. 21, headed ‘Status Reports – 20 Gothic Avenue, Application to amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects), Ward 13-Parkdale-High Park)’, and, in so doing, adopted the recommendation of the Humber York Community Council to designate Gothic Avenue one-way south and eastbound to the westerly limits of the driveway of the new development on Gothic Avenue, subject to favourable results of a resident poll conducted by Councillor Moscoe; and

WHEREAS the Humber York Community Council on July 8, 2003, had before it for consideration a Status Report (June 24, 2003) and a Further Status Report (July 7, 2003), from the Director, Community Planning, South District; both of which

recommended receipt for information; and

WHEREAS the Humber York Community Council reported for the information of Council, that the Status Reports (July 7, 2003 and June 24, 2003) from the Director, Community Planning, South District, were received; and

WHEREAS in Clause No. 21 of Report No. 6, the Status Report (June 24, 2003) from the Director, Community Planning, South District, was copied in error and duplicated where the text for the Further Status Report (July 7, 2003) should have been indicated; and as a result, the Further Status Report (July 7, 2003) from the Director, Community Planning, South District, was inadvertently omitted from Clause No. 21;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Humber York Community Council Report No. 6, Clause No. 21, headed ‘Status Reports – 20 Gothic Avenue, Application to amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects), Ward 13-Parkdale-High Park’, be re-opened for further consideration, for the purpose of including the Further Status Report (July 7, 2003) from the Director, Community Planning, South District, so that it forms part of the record of Clause No. 21 in Report No. 6, of the Humber York Community Council.”

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 Summary, Page 353)

City Council also had before it, during consideration of Motion J(5), a report dated July 7, 2003, from the Director, Community Planning, South District, entitled “Status Reports - 20 Gothic Avenue, Application to amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects), Ward 13-Parkdale-High Park)”. (See Attachment No. 2, Page 302)

City Council also had before it, during consideration of Motion J(5), a communication dated September 24, 2003 from Mr. Steve McNally and Mr. Ajit Muzumbar, Quebec/Gothic Concerned Neighbours Association.

Votes:

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

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

11.125 Approval for the Issue and Sale of Debentures

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(6), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Mayor Lastman

“WHEREAS at its meeting held on February 4, 5 and 6, 2003, City Council adopted By-law No. 114-2003 being a by-law to authorize agreements respecting the issue and sale of debentures; and

WHEREAS pursuant to By-law No. 114-2003, the Mayor and Treasurer are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$500,000,000.00 for the purposes of the City of Toronto, including the purposes of any former area municipality, the former Municipality of Metropolitan Toronto and a board of education; and

WHEREAS the Mayor and Treasurer have entered into an agreement dated September 12, 2003 for the issue and sale of debentures and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

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

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report of the Chief Financial Officer and Treasurer, dated September 15, 2003, regarding the issuance of debentures; that such report be adopted; and that leave be granted for the introduction of the necessary Bills in Council to give effect to the issuance of debentures.”

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 a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 1, Page 358)

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.

City Council also had before it, during consideration of Motion J(6), a report dated September 15, 2003, from the Chief Financial Officer and Treasurer, entitled "Issuance of Debentures". (See Attachment No. 3, Page 305)

Vote:

Motion J(6) was adopted, without amendment.

Summary:

In adopting Motion J(6), without amendment, Council adopted, without amendment, the report dated September 15, 2003, from the Chief Financial Officer and Treasurer, entitled "Issuance of Debentures", embodying the following recommendations:

"It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on September 22, 2003, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate Officials be authorized to take the necessary actions to give effect thereto."

11.126 Defence of Committee of Adjustment Decision - 209A and 209B Scarborough Road

Councillor Bussin 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 Bussin

Seconded by: Councillor Walker

“WHEREAS on May 28, 2003, the Committee of Adjustment refused a variance for lot coverage for properties municipally known as 209A and 209B Scarborough Road; and

WHEREAS the applicant has now appealed the Committee of Adjustment’s decision to the Ontario Municipal Board; and

WHEREAS the Committee of Adjustment refused the variance on the grounds that the general intent and purpose of the Zoning By-law had not been maintained, the variance was not considered desirable for the appropriate development of the land and that in the opinion of the Committee, the variance was not minor; and

WHEREAS the appellant has now been before the Committee of Adjustment on three separate occasions for relief from the By-law on these properties and has appealed the Committee’s refusal to the Ontario Municipal Board on all three occasions and has not been successful on the previous appeals;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Solicitor to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to refuse the variance for lot coverage for properties municipally known as 209A and 209B Scarborough 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(7) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(7) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(7) was adopted, without amendment.

**11.127 Proposed Changes to Parking Regulations on the South Side of Milner Avenue
(Ward 42 - Scarborough-Rouge River)**

Councillor Cho 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(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Cho

Seconded by: Councillor Altobello

“WHEREAS City Council at its meeting held on June 24, 25 and 26, 2003, adopted, without amendment, Clause No. 6 of Report No. 5 of The Scarborough Community Council headed ‘Proposed Changes to Parking Regulations on the South Side of Milner Avenue between Markham Road and Scunthorpe Road’; and

WHEREAS By-law No. 476-2003 was subsequently enacted by City Council on June 26, 2003, to give effect to the changes; and

WHEREAS an amendment is required to Column 4 of Appendix 2 embodied in the aforementioned Clause;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Scarborough Community Council Report No. 5, Clause No. 6, headed ‘Proposed Changes to Parking Regulations on the South Side of Milner Avenue between Markham Road and Scunthorpe Road’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Appendix 2 be amended by deleting from Column 4 the times ‘3:00 p.m. to 8:00 p.m.’ and inserting in lieu thereof the times ‘3:00 p.m. – to 8:00 a.m.’;

AND BE IT FURTHER RESOLVED THAT the necessary bill be introduced in Council to give effect thereto.”

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 a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 2, Page 359)

Votes:

The first Operative Paragraph embodied in Motion J(8) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(8) was adopted, without amendment.

11.128 2100 and 2110 Keele Street – Final Report, Application to Amend the North York Official Plan and Zoning By-law No. 7625 (Ward 12 - York South-Weston)

Councillor Di Giorgio 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(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Dominelli

“WHEREAS City Council, at its meeting held on February 4, 5 and 6, 2003, adopted, without amendment, Humber York Community Council Clause No. 2, Report No. 1, headed ‘Final Report - 2100 and 2110 Keele Street Application to amend the North York Official Plan and Zoning By-law No. 7625 (York South-Weston, Ward 12)’, and in so doing, adopted the recommendation that, ‘The Humber York Community Council, based on findings of fact and conclusions and for the reasons that the proposal is an appropriate use of lands, recommends the adoption of the Final Report (January 7, 2003) from the Acting Director, Community Planning, North District, subject to ‘Section 37 Agreement’ of the Draft Zoning By-law being amended to include an undertaking from the owner, that an application will not be submitted to Committee of Adjustment for relief from the parking standards and the site plan conditions’; and

WHEREAS the Councillor for the Ward has undertaken further consultation with respect to the parking standards for this application as well as the related site plan; and

WHEREAS the Councillor for the Ward is satisfied that it is no longer necessary to include a requirement in the Zoning By-law regarding future applications to the Committee of Adjustment, as they relate to parking standards for the site;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Humber York Community Council Report No. 1, Clause No. 2, headed ‘Final Report – 2100 and 2110 Keele Street,

Application to Amend the North York Official Plan and Zoning By-law No. 7625', be re-opened for further consideration;

AND THEREFORE BE IT FURTHER RESOLVED THAT the above-noted previous direction of City Council as it relates to parking standards for any future applications to the Committee of Adjustment no longer be required."

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(9), 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 Summary, Page 353)

Votes:

The first Operative Paragraph embodied in Motion J(9) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(9) was adopted, without amendment.

11.129 Alternate Parking Requirement for 131 Coxwell Avenue Under Supporting Communities Partnership Initiative (SCPI)

Councillor Bussin 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(10), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Bussin**

Seconded by: **Councillor Walker**

"WHEREAS 873815 Ontario Inc., operating as Mahogany Management, applied for funding and Council, at its meeting to be held on September 22, 23 and 24, 2003 has before it Community Services Committee Clause No. 20 Report No. 7, a Motion to approve federal Supporting Communities Partnership Initiative (SCPI) funds for 873815 Ontario Inc. to develop affordable rental housing at 131 Coxwell Avenue; and

WHEREAS 873815 Ontario Inc., completed the agreement for purchase and sale for the site at 131 Coxwell Avenue on September 8, 2003, with the intent to provide affordable rental housing in the long term; and

WHEREAS 873815 Ontario Inc., once approved by Council for SCPI funding, will

enter into a SCPI Agreement with the City obligating it to provide affordable rental housing for a term of twenty five years, which will be registered on the title of 131 Coxwell Avenue; and

WHEREAS 873815 Ontario Inc. has proposed to develop land at 131 Coxwell Avenue for social housing within the meaning of the City of Toronto Act, 1988 (No.2); and

WHEREAS the City of Toronto Zoning By-law allows for a reduced number of parking spaces on land which the owner or operator agrees to use for the purpose of social housing; and

WHEREAS 873815 Ontario Inc. has requested relief from the parking requirements of the City of Toronto Zoning By-law with respect to the proposed project; and

WHEREAS without the reduced number of parking spaces permitted under the City of Toronto Zoning By-law, the proposed development by 873815 Ontario Inc. at 131 Coxwell Avenue is not viable; and

WHEREAS the City of Toronto Act 1988 (No. 2) authorizes the City of Toronto to enter into a social housing agreement with the owner or operator of a social housing project which, in the opinion of Council, is designated primarily to accommodate persons with low to moderate incomes; and

WHEREAS 873815 Ontario Inc. is prepared to enter into a social housing agreement to use the land at 131 Coxwell Avenue for the purpose of social housing designated primarily to accommodate persons with low to moderate incomes through a long term lease for all units with a non-profit social housing provider;

NOW THEREFORE BE IT RESOLVED THAT the City enter into a social housing agreement with 873815 Ontario Inc. to ensure that the land at 131 Coxwell Avenue shall be used for the purpose of a social housing project designed to provide housing for persons with low to moderate incomes, such agreement to be on terms and conditions satisfactory to the Commissioner of Community and Neighbourhood Services, and in a form satisfactory to 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(10) 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(10), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(10) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(10) was adopted, without amendment.

11.130 To Designate Certain Toronto Parking Authority Carparks for use as Parking Facilities

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(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Feldman

“WHEREAS City Council, under the provisions of Municipal Code Chapter 179, Parking Authority, has authorized the Toronto Parking Authority, subject to the approval of Council, to enter into agreements for the construction of parking facilities, provided that the land and buildings where vehicles may be parked shall be acquired and owned by the City and shall be used by the Parking Authority only where designated by by-law of Council for that purpose; and

WHEREAS consolidated regulations concerning the use and operation of municipal parking facilities within the City of Toronto are now found in Article VI of Municipal Code Chapter 950, Traffic and Parking, which requires that all carparks to which the by-law applies be explicitly identified in Schedule III to Chapter 950; and

WHEREAS, since the enactment of Article VI of Chapter 950 in June 2002, the Parking Authority has received Council approval for the acquisition, construction and operation of several carparks not originally included in Schedule III; and

WHEREAS these lands were designated by Council for use as parking facilities for the purposes of development, but explicit authority was not given to add them to the schedule in Chapter 950 once a carpark name and number were assigned; and

WHEREAS it is necessary for enforcement purposes that these new car parks be added to the schedule in Chapter 950 as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Schedule III to Municipal Code Chapter 950, Traffic and Parking, be amended by adding the following car parks to the list contained in the Schedule:

Car Park Number	Name	Address/Location
195	Rowanwood/Price	15 Price Street
216	McCaul	209 McCaul Street
217	Richmond/Jarvis	87 Richmond Street
218	Malta Village	3354 Dundas Street West
219	Bathurst/St. Clair	1445 Bathurst Street
220	St Clair/Greensides	789 St. Clair Avenue West
221	St. Patrick	121 St. Patrick Street
222	Skydome Bus Parking	305 Bremner Boulevard
602	Bayview/Millwood	1503 Bayview Avenue
667	Eglinton/Alameda	1531-1535 Eglinton Avenue West
706	Milner	284 Milner Avenue
707	Markham	1530 Markham Road

- (2) Municipal Code Chapter 179, Parking Authority, be amended to provide the City Solicitor with standing authority to process housekeeping amendments to Schedule III to Municipal Code Chapter 950, Traffic and Parking, to add new car parks to the list in Schedule III as the names and numbers are assigned, provided that the lands and buildings have been acquired and developed and approved by Council in accordance with the requirements of Municipal Code Chapter 179, Parking Authority; and
- (3) staff be requested to take all appropriate action to give effect to these recommendations.”

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(11) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(11) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(11) was adopted, without amendment.

11.131 Request for “Student Pick-up/Drop-off Zone”, Fronting Upper Canada College Preparatory School - Lonsdale Road, North Side, between Forest Hill Road and Avenue Road

Councillor Walker, with the permission of Council, withdrew the following Notice of Motion J(12):

Moved by: **Councillor Walker**

Seconded by: **Councillor Moscoe**

“WHEREAS a request has been received to introduce a ‘Student Pick-up/Drop-off Zone’ allowing parking for a maximum period of 15 minutes on the north side of Lonsdale Road, fronting Upper Canada College Preparatory School, in order to provide parents/guardians with a designated parking area in order to facilitate picking-up/dropping off their children; and

WHEREAS staff have evaluated the request and concluded that the appropriate by-law amendments can be implemented to provide the desired pick-up/drop-off arrangements; and

WHEREAS staff have advised that funds in the estimated amount of \$500.00 to implement the necessary signage adjustments are available in the Transportation Services 2003 Operating Budget;

NOW THEREFORE BE IT RESOLVED THAT the following by-law amendments be implemented:

- (1) the ‘No Stopping’ regulation, in operation from 7:00 a.m. to 9:00 a.m., and

- from 4:00 p.m. to 6:00 p.m., Monday to Friday, on the north side of Lonsdale Road, from Avenue Road to Warren Road, be amended to be in effect from Forest Hill Road to Warren Road;
- (2) the 'No Parking Anytime' regulation, in effect on the north side of Lonsdale Road, from a point opposite Avenue Road to Forest Hill Road, be rescinded;
 - (3) parking be prohibited at anytime on the north side of Lonsdale Road, from a point 80 metres east of Forest Hill Road, to a point opposite Avenue Road;
 - (4) parking be permitted for a maximum period of 15 minutes from 7:45 a.m. to 9:00 a.m., and from 2:00 p.m. to 3:30 p.m., Monday to Friday, on the north side of Lonsdale Road, from a point 15 metres east of Forest Hill Road, to a point 80 metres east of Forest Hill Road; and
 - (5) parking be prohibited, from 12:01 a.m. to 7:45 a.m., from 9:00 a.m. to 2:00 p.m., and from 3:30 p.m. to 12:00 midnight, Monday to Friday, and at all times on Saturday and Sunday, on the north side of Lonsdale Road, from a point 15 metres east of Forest Hill Road, to a point 80 metres east of Forest Hill Road;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

11.132 No. 11 Millbank Avenue – Request to Prohibit Parking

Councillor Mihevc 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(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Mihevc**

Seconded by: **Councillor Pitfield**

“**WHEREAS** a request has been received to prohibit parking in front of No. 11 Millbank Avenue, due to safety reasons; and

WHEREAS staff have evaluated the request and concluded that the appropriate by-law amendments can be implemented to prohibit parking in front of No. 11 Millbank Avenue with minimal impacts with the loss of only one on-street parking space; and

WHEREAS staff have advised that funds in the estimated amount of \$300.00 to implement the necessary signage adjustments are available in the Transportation

Services 2003 Operating Budget;

NOW THEREFORE BE IT RESOLVED THAT the following by-law amendments be implemented:

- (1) parking be prohibited at all times on the south side of Millbank Avenue, from a point 20.2 metres east of Vesta Drive to a point 70.7 metres east of Vesta Drive;
- (2) the existing parking prohibition in effect from 2:00 a.m. to 7:00 a.m., daily, on the south side of Millbank Avenue, from Strathearn Boulevard to Vesta Drive, be amended to operate from Vesta Drive to a point 20.2 metres east thereof, and from a point 70.7 metres east of Vesta Drive to Strathearn Boulevard; and
- (3) the existing 2-hour maximum parking regulation in effect from 7:00 a.m. to 6:00 p.m., Monday to Saturday, on the south side of Millbank Avenue, from Strathearn Boulevard to Vesta Drive, be amended to operate from Vesta Drive to a point 20.2 metres east thereof, and from a point 70.7 metres east of Vesta Drive to Strathearn Boulevard;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

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(13) 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(13), 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. 3, Page 360)

Procedural Vote:

The vote to waive referral of Motion J(13) to the Midtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(13) was adopted, without amendment.

11.133 Defense of Committee of Adjustment Decision – 18 Fern Avenue

Councillor Nunziata 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 Nunziata

Seconded by: Councillor Dominelli

“WHEREAS the Humber York Committee of Adjustment, at its hearing held on Tuesday, August 12, 2003, unanimously refused Application File No. B18/03HY and A55/03HY by Federico Dirienzo to obtain consent to sever the lands into two residential lots and to maintain the existing two-storey detached dwelling on the easterly portion of the site, identified as Part 2; and

WHEREAS City Council at its meeting held on April 14, 15 and 16, 2003 passed a By-law designating the property at 18 Fern Avenue (John Gardhouse and Stable) under Part 1V of the Ontario Heritage Act; and

WHEREAS the 2½ storey structure at 18 Fern Avenue, known as the John Gardhouse (with adjoining Stable), is a good example of residential architecture in the former Village of Weston and is associated with Edwardian Classicism; and

WHEREAS the property is of historical interest for its association with John Gardhouse, a distinguished cattle breeder who was posthumously elected to the Canadian Agricultural Hall of Fame, and who served as Mayor of Weston, the Reeve of Etobicoke Township and the Warden of York County; and

WHEREAS The Toronto Preservation Board recommended to the Humber York Community Council and City Council, that the application to demolish the stable on the property at 18 Fern Avenue (John Gardhouse Stable) under Section 34 of the Ontario Heritage Act, be refused; and

WHEREAS Humber York Community Council and City Council subsequently refused the application to demolish the stable on the property at 18 Fern Avenue (John Gardhouse Stable) under Section 34 of the Ontario Heritage Act;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Solicitor to authorize City Legal staff to attend the Ontario Municipal Board hearing to support the unanimous 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(14) 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(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 Summary, Page 353)

Procedural Vote:

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

Vote:

Motion J(14) was adopted, without amendment.

11.134 City of Toronto Initiative to Explore the Possibility of Entering into a Long Term Relationship with the City of Paris, France, to Stimulate Investment, Trade, Tourism and Civic Exchange

Councillor Silva 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(15), moved by Councillor Silva, seconded by Mayor Lastman, and, in the absence of Mayor Lastman, moved by Councillor Silva, seconded by Councillor Ootes, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Silva**

Seconded by: **Councillor Ootes**

“WHEREAS the Mayor of the City of Toronto and Councillor Mario Silva have held discussions with the Mayor of Paris, France; and

WHEREAS the City of Paris has expressed an interest in creating a longer-term relationship with the City of Toronto; and

WHEREAS the Mayor of the City of Paris has stated publicly that he believes that

Paris can learn much from the City of Toronto; and

WHEREAS the City of Paris has been identified as an Alpha category City, meaning it is a world City and therefore the type of City with which Toronto should align itself; and

WHEREAS the City of Toronto recognizes that forming economic, cultural and community ties with other world cities strengthens Toronto's economy, well-being and international profile; and

WHEREAS the City of Toronto has developed an International Alliance Program to use City-to-City relationships to further Toronto's economic, cultural, tourism, and cross-cultural community development ties internationally; and

WHEREAS the City of Toronto's International Alliance Program Policy outlines the criteria and process by which the selection of all new relationships must abide;

NOW THEREFORE BE IT RESOLVED THAT in accordance with the procedures and criteria established in the International Alliance Program Policy approved by Council in its meeting on December 4, 5 and 6, 2001, Council initiate the exploration of a long-term relationship with the City of Paris.”

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(15) 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(15), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(15) to the Economic Development and Parks Committee was taken as follows:

Yes - 21
Councillors: Augimeri, Bussin, Cho, Di Giorgio, Dominelli, Hall, L. Jones, Kelly, Li Preti, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas
No - 14

Councillors:	Ashton, Balkissoon, Chow, Feldman, Filion, Holyday, Johnston, Lindsay Luby, McConnell, Milczyn, Miller, Ootes, Shiner, Walker
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Lost, less than two-thirds of Members present having voted in the affirmative.

Motion to Re-Open:

Councillor Johnston, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, the vote to waive referral of Motion J(15) to the Economic Development and Parks Committee be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 23	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Hall, Johnston, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas
No - 12	
Councillors:	Ashton, Balkissoon, Feldman, Filion, Holyday, Milczyn, Miller, Minnan-Wong, Moeser, Ootes, Shiner, Walker

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

Disposition:

Having regard to the foregoing decision of Council, Motion J(15) was referred to the Economic Development and Parks Committee.

11.135 Prohibited Right Turns From Doris Avenue to Byng Avenue

Councillor Filion 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 Filion**

Seconded by: **Councillor Moscoe**

“WHEREAS Doris Avenue forms the East Service Road of the North Yonge Centre area from Avondale Avenue to Byng Avenue; and

WHEREAS the opening of the recent extension of Doris Avenue, from Norton Avenue to Byng Avenue, is imminent; and

WHEREAS the completion of the extension of the Service Road, from Byng Avenue to Finch Avenue East, has not yet been scheduled; and

WHEREAS residents of the community to the east of Doris Avenue have expressed concerns with the potential increase in traffic volumes on their streets until the full extension of the Service Road is completed;

NOW THEREFORE BE IT RESOLVED THAT northbound right turns from Doris Avenue to Byng Avenue be prohibited from 4:00 p.m. to 6:00 p.m., Monday to Friday;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

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 North 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(17), 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. 4, Page 361)

Procedural Vote:

The vote to waive referral of Motion J(16) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Filion moved that Motion J(16) be adopted, subject to amending the first Operative Paragraph by inserting, after the word “Friday”, the words “until the full extension of the Service Road is completed”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT northbound right turns from Doris Avenue to Byng Avenue be prohibited from 4:00 p.m. to 6:00 p.m., Monday to Friday until the full extension of the Service Road is completed.”

Votes:

The motion by Councillor Filion carried.

Motion J(16) as amended, carried.

11.136 Temporary Road Closure of Doris Avenue

Councillor Filion 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 Filion**

Seconded by: **Councillor Moscoe**

“**WHEREAS** a 16-storey residential building is under construction at the north-west corner of Doris Avenue and McKee Avenue; and

WHEREAS Doris Avenue has recently been extended from Norton Avenue to Byng Avenue; and

WHEREAS staff of the Works and Emergency Services Department have expressed concern with the potential damage to the new roadway resulting from construction traffic and activities;

NOW THEREFORE BE IT RESOLVED THAT McKee Avenue west of Doris Avenue be temporarily closed until August 31, 2004, in order to restrict to construction and local traffic on this section of McKee 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(17) to the North 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(17), 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 362)

Procedural Vote:

The vote to waive referral of Motion J(17) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(17) as adopted, without amendment.

11.137 Restricted Parking on Mill Street, Between Parliament Street and Cherry Street

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(18), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS residents of Mill Street, between Parliament Street and Cherry Street, have expressed concerns respecting the increased use of Mill Street and Trinity Street for long-term parking by visitors attending events occurring at the former Gooderham-Worts Distillery site; and

WHEREAS there are upcoming events scheduled at the Gooderham-Worts site that could exacerbate this problem in the near future; and

WHEREAS staff has confirmed that long-term parking is occurring on both sides of Mill Street, between Parliament Street and Cherry Street and on the east side of Trinity Street, between Mill Street and Front Street; and

WHEREAS this practice might be discouraged by approving a by-law amendment implementing a one-hour temporal parking regulation on the above-noted streets; and

WHEREAS staff has advised that funds, in the estimated amount of \$1,000.00, to implement the necessary signage adjustments are available in Transportation Services 2003 Operating Budget;

NOW THEREFORE BE IT RESOLVED THAT the following by-law amendments be implemented:

- (1) parking be restricted to a maximum period of one hour between 10:00 a.m. of one day and 12:01 a.m. of the next following day at the following locations:
 - (i) on the south side of Mill Street, from Parliament Street to Cherry Street;
 - (ii) on the north side of Mill Street, from Cherry Street to a point 40 metres west thereof;
 - (iii) on the north side of Mill Street, from a point 51 metres west of Cherry Street to a point 130 metres west of Cherry Street; and

- (iv) on the north side of Mill Street, from a point 141 metres west of Cherry Street to Parliament Street; and
- (2) parking be restricted to a maximum period of one hour at anytime on the east side of Trinity Street, between Mill Street and a point 110.5 metres south of Front Street East;

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(18) 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(18), 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. 6, Page 363)

Procedural Vote:

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

Vote:

Motion J(18) was adopted, without amendment.

11.138 Section 37 Agreement Regarding the Bathurst/Bremner/Fort York Boulevard Intersection

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Chow

“**WHEREAS** City Council, at its meeting held on April 16, 1998, amended and

adopted Clause No. 41 of Report No. 3 of The Toronto East York Community Council, requiring owner contributions towards the Bathurst/Bremner/Fort York Boulevard intersection; and

WHEREAS The Toronto East York Panel of the Committee of Adjustment, in its decision dated July 10, 2003, granted certain variances to former City of Toronto By-law No. 938-2002 for the property at 600 Fleet Street, subject to the condition that the owner enter into an amending Section 37 Agreement with the City, if deemed necessary by the Commissioner of Urban Development Services, and the City Solicitor, to secure public benefits and allow for the orderly development of the property;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the execution of an amending agreement under Section 37 of the Planning Act with the owner of 600 Fleet Street to secure those facilities, services and matters referred to in the decision of the Toronto East York Panel of the Committee of Adjustment dated July 10, 2003, on the terms set out therein, including such matters that are necessary for the orderly development of the land, in a form satisfactory to the City Solicitor, in consultation with the Commissioner of Urban Development Services.”

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 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(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 Summary, Page 353)

Procedural Vote:

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

Vote:

Motion J(19) was adopted, without amendment.

11.139 Installation of Traffic Control Signals at the Intersection of Church Street and Maitland Street

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(20):

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“WHEREAS the Church Wellesley Village Business Improvement Area has formally requested that the City install traffic control signals at the intersection of Church and Maitland Street; and

WHEREAS the Church – Wellesley neighbourhood has long recognized that this is a dangerous intersection; and

WHEREAS the Transportation Services Division of the Works and Emergency Services Department has investigated the intersection and supports the installation of traffic control signals;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the Commissioner of Works and Emergency Services to install traffic control signals at the intersection of Church and Maitland Streets;

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

the vote upon which was taken as follows:

Yes - 32
Councillors: Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 4
Councillors: Holyday, Kelly, Minnan-Wong, Nunziata

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

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 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(20), 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. 7, Page 364)

Procedural Vote:

The vote to waive referral of Motion J(20) to the Toronto East York Community Council was taken as follows:

Yes - 28	
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 7	
Councillors:	Hall, Holyday, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata

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

City Council also had before it, during consideration of Motion J(20), a communication, dated September 15, 2003, from the Director, Transportation Services, addressed to Councillor Rae, entitled "Church Street and Maitland Street - Request to Install Traffic Control Signals".

Vote:

Motion J(20) was adopted, without amendment.

11.140 Report on Local 3888 Collective Agreement 2002 – 2004 Bargaining - Basic Salaries

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(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Ootes**

Seconded by: **Councillor Holyday**

“WHEREAS the City and the Toronto Professional Fire Fighters’ Association, Local 3888, have recently concluded the collective agreement for the term 1999 - 2001;

WHEREAS the City and the Toronto Professional Fire Fighters’ Association have commenced negotiations for the collective agreement covering the term 2002 - 2004;

WHEREAS the members of Local 3888 have not received a pay increase for the years 2002 and 2003, while other City employees have;

WHEREAS the financial impacts associated with this Motion are described in the attached confidential report;

NOW THEREFORE BE IT RESOLVED THAT Council consider the confidential joint report dated September 22, 2003 from the Commissioner of Works and Emergency Services, the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, 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(21) 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(21), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer. (See Fiscal Impact Statement Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(21) to the Administration 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(21), a confidential joint report dated September 22, 2003, from the Commissioner of Corporate Services, the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer.

Vote:

Motion J(21) was adopted, without amendment.

Summary:

In adopting Motion J(21), without amendment, Council adopted, without amendment, the confidential joint report dated September 22, 2003, from the Commissioner of Corporate Services, the Commissioner of Works and Emergency Services, and the Chief Financial Officer and Treasurer, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to labour relations, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) authority be granted to establish the new annual basic rates of pay effective January 1, 2002 and January 1, 2003 for all positions in Local 3888 in accordance with the Memorandum of Agreement;
- (2) authority be granted to pay any retroactive amounts by the first pay period in December 2003;
- (3) it is recommended that any shortfall between the budgeted provisions and the actual costs of the settlement be addressed as part of the year-end financial accounting process and reported through the 2003 Year End Operating Budget Variance Report; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

11.141 Installation of Speed Bumps on the First Lane East of Pape Avenue, Extending Between Cavell Avenue and Hazelwood Avenue

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(22):

Moved by: Councillor L. Jones

Seconded by: Councillor Chow

“WHEREAS residents of Pape Avenue abutting the public lane extending north from Cavell Avenue to Hazelwood Avenue, at the rear of Premises Nos. 631 to 685 Pape Avenue have expressed concerns respecting cut-through traffic and vehicles travelling at excessive rates of speed and have requested that speed bumps be installed in this lane; and

WHEREAS staff has confirmed that over 100 vehicles a day travel in this lane and that operating speed is in excess of 25 kilometres per hour, thereby satisfying the installation guidelines for speed bumps; and

WHEREAS the speed of traffic could be reduced and operational safety could be enhanced by approving a by-law amendment authorizing the installation of speed bumps in the above-noted lane; and

WHEREAS staff has advised that funds in the estimated amount of \$2,000.00 to implement this proposal are available in the Works and Emergency Services Department’s 2003 Capital Program for Public Laneway Improvements;

NOW THEREFORE BE IT RESOLVED THAT speed bumps be installed in the first lane east of Pape Avenue, extending between Cavell Avenue and Hazelwood Avenue, of the type and design noted and at the locations shown on the attached print of Drawing No. 421F-7147 dated September 2003; and

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.”,

the vote upon which was taken as follows:

Yes - 25	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Pantalone, Rae, Shiner, Silva, Tziretas, Walker
No - 11	
Councillors:	Ashton, Balkissoon, Holyday, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pitfield, Soknacki

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

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 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(22), 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. 8, Page 365)

Procedural Vote:

The vote to waive referral of Motion J(22) to the Toronto East York Community Council was taken as follows:

Yes - 23	
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shiner, Silva, Tziretas, Walker
No - 13	
Councillors:	Ashton, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Soknacki

Lost, less than two-thirds of Members present having voted in the affirmative.
City Council also had before it, during consideration of Motion J(22), Drawing No. 421F-7147 dated September 2003.

Disposition:

Having regard to the foregoing decision of Council, Motion J(22) was referred to the Toronto South Community Council.

11.142 Proposed Change to Provisions of Section 37 Benefits; Rezoning Application No. TB ZBL 2002 0014 – Empire Communities – South Side of Finch Avenue West Between Blakeley Road and Lorraine Drive (Ward 23 – Willowdale)

Councillor Filion 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(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Mammoliti

“WHEREAS City Council at its meeting on July 22, 23 and 24, 2003, adopted, without amendment, North York Community Council Report No. 6, Clause No. 13, headed, ‘Final Report - Application to Amend the Zoning By-law - TB ZBL 2002 0014 & TB SPC 2003 0010 - Empire Communities – South side of Finch Avenue West between Blakeley Road and Lorraine Drive (25, 27, 29, 31, 33 & 35 Finch Ave. West; 8, 10, 12, 14, 26, 28, 30, 32 & 34 Lorraine Drive; 5 & 9 Blakeley Road) & properties south of Finch Avenue West & west of Yonge Street (35 Lorraine Drive & 47 Horsham Avenue & portion of City-owned lands - (Ward 23 - Willowdale)’, and in so doing, approved an amendment to Zoning By-law No. 7625 to permit the construction of a 21-storey residential building in the block defined by Finch Avenue West, Blakeley Road and Lorraine Drive, being Application No. TB ZBL 2002 0014 – Empire Communities, subject to certain conditions; and

WHEREAS one of the conditions of approval in relation to required public benefits pursuant to Section 37 of the Planning Act was the conveyance for nominal consideration, free and clear of encumbrances, of a number of on-site properties in connection with construction of a service road and buffer area, together with two off-site properties at 35 Lorraine Drive and 47 Horsham Avenue, for the purpose of future construction by the City of a public road across such lands; and

WHEREAS City Council authorized, in the event that such lands were not conveyed by December 15, 2003, that staff commence proceedings whereby Council might

repeal the site specific zoning enacted to permit the development proposal; and

WHEREAS the applicant for re-zoning, when it originally acquired such lands, had made arrangements for certain tenants to remain in possession beyond the December 15, 2003 deadline and did not realize that the City requires vacant possession of the conveyed land without tenants or residential structures; and

WHEREAS the applicant for re-zoning proposes to extend the December 15, 2003 deadline to provide vacant possession of such land without structures thereon and the Commissioner of Works and Emergency Services confirms that the extended deadline will not adversely impact the construction schedule for the proposed road and related works;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, The North York Community Council Report No. 6, Clause No. 13, headed 'Final Report - Application to Amend the Zoning By-law - TB ZBL 2002 0014 & TB SPC 2003 0010 - Empire Communities – South side of Finch Avenue West between Blakeley Road and Lorraine Drive (25, 27, 29, 31, 33 & 35 Finch Ave. West; 8, 10, 12, 14, 26, 28, 30, 32 & 34 Lorraine Drive; 5 & 9 Blakeley Road) & properties south of Finch Avenue West & west of Yonge Street (35 Lorraine Drive & 47 Horsham Avenue & portion of City-owned lands – (Ward 23 - Willowdale)', be re-opened for further consideration, only insofar as it pertains to revising the Section 37 public benefits to extend the date for conveyance of the required lands to the City and to revise the City's power to repeal the zoning, in the event that the conveyances are not completed on the required date;

AND BE IT FURTHER RESOLVED THAT City Council revise the Section 37 benefits referenced in North York Community Council Report No. 6 of Clause No. 13, to require the owner to enter into a Section 37 Agreement, to the satisfaction of the City Solicitor, to require all of the properties referenced in that Clause, save and except for 47 Horsham Avenue, to be conveyed to the City prior to March 1, 2004;

AND BE IT FURTHER RESOLVED THAT City Council revise the Section 37 benefits referenced in Clause No. 13 of Report No. 6 of The North York Community Council to require the owner to enter into a Section 37 Agreement to the satisfaction of the City Solicitor providing that 47 Horsham Avenue will be conveyed to the City prior to September 15, 2004;

AND BE IT FURTHER RESOLVED THAT City Council revise the Section 37 benefits referenced in Clause No. 13 of Report No. 6 of The North York Community Council to authorize staff to commence proceedings to repeal the site specific zoning in the event that the owner has not, within 30 days after March 1, 2004, conveyed to the City all of the properties referenced in Clause No. 13, save and except for

47 Horsham Avenue, and has not, by that date, supplemented the Section 37 Agreement by providing an executed Offer to Transfer 47 Horsham Avenue to the City upon terms and conditions satisfactory to the City Solicitor;

AND BE IT FURTHER RESOLVED THAT pursuant to subsection 34(17) of the Planning Act, the change to the proposed zoning by-law resulting from this Motion shall be considered minor and further notice is not required in relation to the proposed zoning by-law.”

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 Summary, Page 353)

Votes:

The first Operative Paragraph embodied in Motion J(23) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(23) was adopted, without amendment.

11.143 2003 Food and Hunger Action Fund Allocations and Appeals – Grant for The Learning Enrichment Foundation – 116 Industry Street

Councillor Di Giorgio 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):

Moved by: **Councillor Di Giorgio**

Seconded by: **Councillor Dominelli**

“**WHEREAS** City Council on April 14, 15 and 16, 2003 adopted, as amended, Clause No. 11 of Report No. 3 of the Community Services Committee, headed ‘2003 Food and Hunger Action Fund Allocations and Appeals’; and

WHEREAS the Learning Enrichment Foundation was approved for financial assistance in order to install necessary equipment in their kitchen to enable the preparation of 500 meals a day for the homeless; and

WHEREAS this small capital project is vitally necessary; and

WHEREAS a draft settlement document undertaken by the City has not been prepared and has resulted in a delay in the issuance of the grant; and

WHEREAS this organization's civil action against the City of Toronto remains unsettled and the City has decided to withhold the grant, pending the settlement of the LEF civil action and the City's counterclaim;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Community Services Committee Report No. 3, Clause No. 11, headed '2003 Food and Hunger Action Fund Allocations and Appeals', be re-opened for further consideration, as it pertains to the LEF grant;

AND BE IT FURTHER RESOLVED THAT the requirement for the Learning Enrichment Foundation civil action and the City's counter claim to be settled prior to the issuance of the grant, be rescinded, and the subject grant be now issued.”,

the vote upon which was taken as follows:

Yes - 28	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Fillion, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 8	
Councillors:	Ashton, Balkissoon, Feldman, Hall, Holyday, Minnan-Wong, Shiner, Soknacki

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

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 Summary, Page 353)

Vote:

The first Operative Paragraph embodied in Motion J(24) carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

City Council took no action on this Motion, having regard that that the matter was held for further debate and it remained on the Order Paper at the conclusion of this final meeting of this term of Council. (See also Minute No. 11.187, Page 236)

11.144 Refund of Fees for Barricades and Venue Rentals for Caribana 2003

Councillor Mihevc 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):

Moved by: **Councillor Mihevc**

Seconded by: **Councillor Chow**

“WHEREAS the Caribana festival is a cornerstone summer festival for our City, regularly attracting close to 1 million visitors, 40 percent of which comes from the United States and the Caribbean expressly for the annual Parade and other related events; and

WHEREAS in 2003 the Caribbean Cultural Committee (CCC), the traditional lead organizer for the Caribana festival, successfully dealt with its debt, implemented an organizational restructuring, provided the City an audit for the 2001 and 2002 festivals and hosted a 17-day, 9-event festival that returned the spotlight to our City immediately following the SARS outbreak; and

WHEREAS the Caribbean Cultural Committee is faced with a revenue shortfall for Caribana 2003 due to reduced attendance, close to 40 percent, due to the negative tourist impact associated with the SARS outbreak, poor weather and that the Rolling Stones SARS relief concert at Downsview Park was held during Caribana week; and

WHEREAS the Mayor’s Toronto You Belong Here Recovery Task Force agreed to waive City fees associated with barricades and other fees for all community and cultural events held in the City from June through to September 2003;

NOW THEREFORE BE IT RESOLVED THAT City Council direct appropriate staff to refund all City fees paid by the Caribbean Cultural Committee (CCC), on a one-time basis, for barricades, transportation signage and venue rentals associated with the King & Queen Extravaganza at Lamport Stadium, the Scarborough Junior Carnival in and around Malvern Community Centre, and the Caribana Arts and Culture Festival on Olympic Island”;

the vote upon which was taken as follows:

Yes - 28	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Dominelli, Filion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Tziretas, Walker
No - 5	
Councillors:	Holyday, Minnan-Wong, Ootes, Shiner, Soknacki

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

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 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(25), 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. 9, Page 366)

Procedural Vote:

The vote to waive referral of Motion J(25) to the Policy and Finance Committee was taken as follows:

Yes - 22	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Filion, Johnston, L. Jones, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Rae, Soknacki, Walker
No - 11	
Councillors:	Dominelli, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shiner, Tziretas

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

Disposition:

City Council took no action on this Motion, having regard that that the matter was held for further debate and it remained on the Order Paper at the conclusion of this final meeting of this term of Council. (See also Minute No. 11.187, Page 236)

11.145 Toronto Hydro-Electric System Limited - Trunked Radio System and Equipment Maintenance Services Agreement

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(26), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Augimeri

“WHEREAS City Council at its meeting held on June 18, 19 and 20, 2002, approved Clause No. 4 of Report 6 of The Community Services Committee, headed, ‘Toronto Hydro-Electric System Limited - Trunked Radio System and Equipment Maintenance Services Agreement’ with respect to the Toronto Hydro-Electric System Limited - Trunked Radio System and Equipment Maintenance Services Agreement (‘Approved Report’); and

WHEREAS subsequent negotiations with Toronto Hydro-Electric System Limited with respect to the specific terms of this Services Agreement resulted in a number of issues being addressed that require amendments, clarifications or additions to the original terms outlined in the Approved Report; and

WHEREAS the Commissioner of Works and Emergency Services and the Fire Chief and General Manager, by a confidential joint report dated September 19, 2003, have made recommendations pertaining to this Services Agreement;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to and make a decision on the aforementioned confidential joint report from the Commissioner of Works and Emergency Services and the Fire Chief.”

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 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(26), a confidential 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(26) to the Policy and Finance 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(26), a confidential report dated September 19, 2003, from the Commissioner of Works and Emergency Services and the Fire Chief and General Manager.

Motion:

Councillor Chow moved that Motion J(26) be adopted, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the confidential joint report dated September 19, 2003, from the Commissioner of Works and Emergency Services and the Fire Chief and General Manager, be adopted.”

Votes:

The motion by Councillor Chow carried.

Motion J(26), as amended, carried.

Summary:

In adopting Motion J(26), as amended, Council adopted, without amendment, the confidential joint report dated September 19, 2003, from the Commissioner of Works and Emergency Services and the Fire Chief and General Manager, 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:

“It is recommended that:

- (1) the agreement between the City of Toronto and Toronto Hydro-Electric System Limited for the maintenance of the Toronto Hydro's 900MHz trunked radio

system infrastructure by Toronto Fire Services include a limited indemnity in favour of Toronto Hydro-Electric System Limited, such indemnity to contain terms and conditions substantially as set out in this report;

- (2) this agreement contain the other risk management, audit cost and other terms and conditions substantially as set out in this report;
- (3) subject to approval of Recommendations Nos. (1) and (2), the City be authorized to enter into this agreement; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto and to take any action required to be taken thereunder.”

11.146 Financial Impact of Infestation of Asian Longhorned Beetles

Councillor Mammoliti 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(27), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mammoliti

Seconded by: Councillor Pantalone

“WHEREAS the Asian Longhorned Beetles have made their way into the City of Toronto and have hit York West the hardest; and

WHEREAS yard waste collection has been cancelled for the residents who live in the area bordered by Finch Avenue, north to Steeles and from Highway 400 west to the Humber River; and

WHEREAS the Asian Longhorned Beetle poses a deadly threat to attack and kill healthy broadleaf trees, including all species of maple, elm, ash, poplar, alder, linden, willow and fruit trees; and

WHEREAS the beetle kills trees when their larvae feed within the tree trunks and limbs, causing them to die; and

WHEREAS it has been confirmed that the Federal Government will be cutting down thousands of infected trees in York West, which is home to the City’s largest industrial sector; and

WHEREAS there is a definite possibility that the Asian Longhorned Beetle could attack and kill the many trees along the Humber River;

NOW THEREFORE BE IT RESOLVED THAT City staff be requested to report to the February 2004 meeting of the Economic Development and Parks Committee with respect to the financial impact caused by the Asian Longhorned Beetle infestation and identify the source of additional funds needed to replace the infected trees that where cut down.”

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(27) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(27) to the Economic Development and Parks 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(27), a brochure submitted by the Commissioner of Economic Development, Culture and Tourism, entitled “Asian Longhorned Beetle, Signs of Infestation, September 2003”.

Motions:

- (a) Councillor Pantalone moved that Motion J(27) be amended by adding the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the appropriate federal and provincial Ministers of the Crown and leaders of the provincial and federal parties be contacted so as to alert them to the situation in the Cities of Vaughan and Toronto and assistance from their respective levels of government be sought for costs, including tree replacement in the affected areas, especially in the public realm;”.

- (b) Councillor Li Preti moved that that Motion J(27) be amended by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council establish a task force comprising the Members of Council whose wards are affected, being Councillors Mammoliti, Li Preti and Hall, the Tree Advocate and appropriate City staff, and the Commissioner of Economic Development, Culture and Tourism be requested to invite the City of Vaughan and the provincial and federal governments to appoint representatives to the task force, the mandate of such task force to be the formation of a consolidated effort to tackle the Asian Longhorned Beetle infestation.”

Votes:

Adoption of motion (a) by Councillor Pantalone:

Yes - 30	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

Motion (b) by Councillor Li Preti carried.

Adoption of Motion J(27), as amended:

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

11.147 Amendment to the Noise By-law - Quiet Zone or Residential Area

Councillor Nunziata 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 Nunziata

Seconded by: Councillor Dominelli

“WHEREAS Toronto Municipal Code Chapter 591, Noise, prohibits noise which is clearly audible at a point of reception located in a Residential Area resulting from the loading, unloading, delivering, packing, unpacking, or otherwise handling of any containers, products or materials during the hours of 11:00 p.m. one day to 7:00 a.m. the next day, 9:00 a.m. Sundays and statutory holidays; and

WHEREAS animals are being unloaded from trucks at all hours at an abattoir located at the property occupied by New York Pork and Food Exchange Limited and municipally known as 2306 St. Clair Avenue West, Toronto; and

WHEREAS the current prohibition in Toronto Municipal Code Chapter 591, Noise, would not, in this specific case, be sufficient to avoid an undue hardship on the residents of the community;

NOW THEREFORE BE IT RESOLVED THAT a new section be added to the Table in Section §591-4 of Municipal Code Chapter 591, Noise, to prohibit noise which is clearly audible at a point of reception located in a Quiet Zone or Residential Area resulting from the loading, unloading, delivering, packing, unpacking, or otherwise handling of any animals, containers, products or materials at any abattoir during the hours of 9:00 p.m. one day to 7:00 a.m. the next day, 9:00 a.m. Sundays and statutory holidays.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(28) to the Planning and Transportation Committee, which was taken as follows:

Yes - 21	
Councillors:	Altobello, Bussin, Cho, Di Giorgio, Dominelli, Hall, Johnston, Korwin-Kuczynski, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 15	
Councillors:	Ashton, Augimeri, Balkissoon, Chow, Feldman, Filion, Holyday, L. Jones, Kelly, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Soknacki

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

Disposition:

Having regard to the foregoing decision of Council, Motion J(28) was referred to the Planning and Transportation Committee.

Motion to Re-Open:

Councillor Soknacki, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(28) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(28) was adopted, without amendment.

11.148 Residential Demolition Application – 1445 Bathurst Street (Ward 21 – St. Paul’s)

Councillor Mihevc 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 Mihevc

Seconded by: Councillor Feldman

“WHEREAS City Council at its meeting of July 30, 31 and August 1, 2002, amended

and adopted Clause No. 27 of Report No. 10 of the Administration Committee, headed 'Purchase of 1445 Bathurst Street (Ward 21 - St. Paul's)'; and

WHEREAS City Council thereby adopted confidential reports from the President, Toronto Parking Authority, regarding the acquisition of 1445 Bathurst Street for the purpose of developing the site for a municipal parking lot; and

WHEREAS an application for Development Approval has been submitted to the City on April 29, 2003, for development of the site for a municipal parking lot; and

WHEREAS an application to demolish the existing vacant residential property (retail store and four dwelling units) at 1445 Bathurst Street has been submitted to the City on August 21, 2003; and

WHEREAS City Council may issue the permit or refuse to issue the permit pursuant to Section 33 of the Planning Act;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt Recommendation No. (2), including conditions (a) to (h), embodied in the attached report dated September 19, 2003, from the Commissioner of Urban Development Services, headed, 'Residential Demolition Application – 1445 Bathurst Street - Ward 21'."

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 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(29), 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. 10, Page 367)

Procedural Vote:

The vote to waive referral of Motion J(29) 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(29), a report dated September 19, 2003, from the Commissioner of Urban Development Services, entitled

“Residential Development Application - 1445 Bathurst Street - Ward 21.” (See Attachment No. 4, Page 307)

Vote:

Adoption of Motion J(29), without amendment:

Yes - 27	
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Hall, Johnston, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Rae, Silva, Soknacki, Tziretas
No - 7	
Councillors:	Altobello, Holyday, Li Preti, Miller, Nunziata, Pitfield, Walker

Carried by a majority of 20.

Summary:

In adopting Motion J(29), without amendment, Council, adopted, without amendment, the following Recommendation No. (2), including conditions (a) to (h), as embodied in the report dated September 19, 2003, from the Commissioner of Urban Development Services, headed, ‘Residential Demolition Application – 1445 Bathurst Street - Ward 21’:

“It is recommended that City Council:

- (2) approve the application to demolish the subject residential building with the following conditions:
 - (a) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
 - (b) that all debris and rubble be removed immediately after demolition;
 - (c) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B;
 - (d) that any holes on the property are backfilled with clean fill;
 - (e) the removal, disposal and handling of all hazardous materials are

conducted in accordance with the Ministry of Environment and Technical Standards and Safety Authority regulations and guidelines;

- (f) all excavated soil shall remain on site until tested to determine the disposal options;
- (g) the dust control measures, approved by the Medical Officer of Health, are implemented during demolition; and
- (h) the application for Development approval to establish the site as a municipal parking lot is approved and any conditions of approval are satisfied.”

11.149 Construction Staging Area and Covered Sidewalk for a Portion of the Adjacent Northbound Curb Lane of Bay Street

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(30), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“WHEREAS representatives of Canderel Stoneridge Equity Group met with staff of Transportation Services on August 22, 2003, and requested that a construction staging area be established within the boulevard and northbound curb lane of Bay Street, from a point approximately 70.0 metres north of Gerrard Street West to a point approximately 170.0 metres north of Gerrard Street West in connection with the construction of ‘the Residences of College Park Condominium’ at Premises No. 757 Bay Street; and

WHEREAS consultation with representatives of the Toronto Transit Commission (TTC) regarding this proposal did not meet with any objection; and

WHEREAS Staff of Transportation Services and the TTC recognize that the establishment of this construction staging area is critical to facilitate the construction of two new buildings of 51 and 45 storeys in height at Premises No. 757 Bay Street, and are also aware of the urgency of this matter as it relates to the constraints of the construction schedule of Canderel Stoneridge Equity Group;

NOW THEREFORE BE IT RESOLVED THAT a construction staging area and covered sidewalk be established within the boulevard, sidewalk and adjacent

northbound curb lane of Bay Street, from a point approximately 70 metres north of Gerrard Street West to a point approximately 170 metres north of Gerrard Street, to facilitate construction at Premises No. 757 Bay Street;

AND BE IT FURTHER RESOLVED THAT the construction staging area be removed from the boulevard, sidewalk and northbound curb lane of Bay Street at the conclusion of this construction at Premises No. 757 Bay 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(30) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(30) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(30) was adopted, without amendment.

11.150 A By-law to Prohibit Harassment of Youth

Councillor Moeser 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 Moeser**

Seconded by: **Councillor Soknacki**

“WHEREAS teen suicide is a growing problem in our communities with the Toronto Police Service reporting that, in 1999 alone, there were 134 suicides in Toronto among those aged 13-19 years; and

WHEREAS over a recent 7-year period, Ward 44 mourned the loss of 7 teens who took their own lives; and

WHEREAS the community responded to these suicides with the establishment of a charitable, non-profit organization known as Creating Awareness of Teenage Suicide, Yellow Ribbon Campaign, Toronto (C.A.T.S.) with members that include adults and teenagers who have come together to discuss the problem and to find ways of preventing teen suicide; and

WHEREAS there is considerable anecdotal and direct evidence to suggest that a major contributing factor in teen suicides is harassment from other teens; and

WHEREAS, in 1985, the City of Edmonton, passed Public Places By-law No. 7608 (since amended) that, among other things, makes harassment of a minor an offence punishable by a fine of \$250.00; and

WHEREAS Sergeant Jeff Wilks of the Edmonton Police Department’s School Resource Officer Unit reports that the by-law has successfully been used, confirms that having the by-law has proven to be a powerful deterrent and claims that the number of reported incidents of harassment has dropped substantially since the by-law was passed and a public education campaign was completed;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Solicitor to review the City of Edmonton Public Places By-law No. 7608 and submit a report back to City Council, through the Community Services Committee, on the feasibility of the City of Toronto enacting a similar by-law;

AND BE IT FURTHER RESOLVED THAT City Council, once the by-law has been finalized, direct the Commissioner of Community and Neighbourhood Services to meet with representatives from C.A.T.S., the Toronto District School Board, and the Toronto Catholic District School Board to formulate a communications strategy.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(31) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Nunziata moved that Motion J(31) be amended by inserting in the second Operative Paragraph, after the words “Toronto Catholic District School Board”, the words “and the Toronto Police Services Board”, so that such Operative Paragraph shall now read as follows:

“AND BE IT FURTHER RESOLVED THAT City Council, once the by-law has been finalized, direct the Commissioner of Community and Neighbourhood Services to meet with representatives from C.A.T.S., the Toronto District School Board, the Toronto Catholic District School Board and the Toronto Police Services Board to formulate a communications strategy.”

Votes:

The motion by Councillor Nunziata carried.

Motion J(31) as amended, carried.

11.151 Objection to Application for First Registration – 12 Duthie Street

Councillor Moeser 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 Moeser

Seconded by: Councillor Altobello

“WHEREAS the owners of 12 Duthie Street claim to have acquired ownership, through adverse possession, of the City-owned land forming part of Cherry Street that abuts the north limit of Lots 18 and 19 on Plan 5, and the lane extending southwesterly from the east end of Cherry Street to Duthie Street (collectively the ‘Disputed Lands’); and

WHEREAS it is anticipated that the owners of 12 Duthie Street are going to submit an Application for First Registration under the Land Titles Act, to request that they be certified as the owners of the Disputed Lands; and

WHEREAS notice of any such Application for First Registration will be served upon the City and the City will have 30 days to notify the Director of Titles whether it objects to the Application; and

WHEREAS in order to protect the City's ownership claim to the Disputed Lands, the City should object to any Application for First Registration that is submitted in respect of the Disputed Lands and the City should take all steps necessary to assert the City's claim thereto;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to object to any Application for First Registration that is submitted under the Land Titles Act in respect of the Disputed Lands and to take all steps necessary to assert the City's ownership claim to the Disputed Lands."

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(32) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(32) was adopted, without amendment.

11.152 City Purchase of a Portion of Lands at Saranac Public School

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(33), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Di Giorgio

“WHEREAS in 1953, by registration of Instrument No. NY155056, the Corporation of the Township of North York (the ‘City’) conveyed a parcel of land to the Trustees of the First Township School Area of North York, now the Toronto District School Board (‘TDSB’), for Two Dollars (\$2.00); and

WHEREAS the conveyance to the TDSB was subject to a restrictive covenant whereby, among other matters, the City is entitled, in the event that the TDSB decides that the lands are not required for school purposes, the City shall have the right to re-purchase the said lands at the price the TDSB paid to the City (\$2.00) and if the TDSB has erected a school building on the lands and the lands and the buildings are not required for school purposes, the price of the re-purchase by the City shall be the value of the land as hereinbefore provided, plus a value to be agreed upon for the building, and if the value of the building cannot be agreed upon, the value shall be determined by the Ontario Municipal Board; and

WHEREAS the said lands, shown as Part 1 on the attached sketch (the ‘Part 1 Lands’), represent the majority portion of the lands conveyed in 1953 and form part of the Saranac Public School at 15 Saranac Boulevard; and

WHEREAS the TDSB, at its Board’s meeting of January 31, 2001, adopted a resolution declaring the Saranac Public School property surplus to the educational needs of the TDSB, and that the TDSB proposes to sever a 2-acre portion of the Saranac Public School property to be offered for disposal in exchange for a school site, and the balance of the Saranac Public School property be offered under a 35-year ground lease; and

WHEREAS in compliance with *Ontario Regulation 444/98*, by letter dated April 12, 2001, the TDSB has advised the City of the proposal for the sale or lease of seven (7) school surplus properties, including the Saranac Public School property; and

WHEREAS City staff circulated the aforesaid surplus TDSB properties to the City’s Agencies, Boards, Commissions and Departments to ascertain whether or not there is a municipal interest in the said school properties, and no interest was expressed for

the Saranac Public School property; and

WHEREAS the City was not notified directly by the TDSB regarding the City's option to re-purchase that part of Saranac Public School property the City originally conveyed to the TDSB, that is now surplus; and

WHEREAS staff requires an opportunity to review the City's option to re-purchase the Part 1 Lands pursuant to the restrictive covenant in place for the Part 1 Lands;

NOW THEREFORE BE IT RESOLVED THAT Council request the Toronto District School Board to provide to the City a status report of the proposal to sell and lease parts of Saranac Public School property;

AND BE IT FURTHER RESOLVED THAT the restrictive covenant in the City's favour for the Part 1 Lands not be released unless the City has a legal obligation to do so and City staff be authorized to negotiate with the TDSB respecting the restrictive covenant and report back thereon;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized and directed to take all steps necessary to protect the City's option to re-purchase in the interim."

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(33) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council had before it, during consideration of the foregoing Motion, communications from the following:

- (1) (September 22 and 24, 2003) from Peter D. Quinn, McCarthy Tétrault, Barristers and Solicitors; and
- (2) (September 24, 2003) from Sheila Penny, Executive Superintendent, Facility Services, Toronto District School Board.

Motion:

Councillor Moscoe moved that Motion J(33) be amended by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to submit a further report in this regard to the incoming Council.”

Votes:

The motion by Councillor Moscoe carried.

Motion J(33) as amended, carried.

Motion to Re-Open:

Councillor Cho, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(33) be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 15	
Mayor:	Lastman
Councillors:	Cho, Di Giorgio, Dominelli, Hall, Holyday, L. Jones, Li Preti, Lindsay Luby, Milczyn, Nunziata, Pitfield, Rae, Shaw, Tziretas
No - 18	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Feldman, Fillion, Johnston, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Soknacki, Walker

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

11.153 Request for Sign Variance - 1069 St. Clair Avenue West

Councillor Dominelli 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 Dominelli**

Seconded by: **Councillor Di Giorgio**

“WHEREAS Urban Development Services Staff was inundated with requests for sign variances over the summer months; and

WHEREAS a report regarding a request for a variance to permit a roof sign at 1069 St. Clair Avenue West wasn’t available in time for the Humber York Community Council meeting on September 9, 2003; and

WHEREAS the applicant, Pattison Outdoor Advertising on behalf of Certified Dry Cleaners, is requesting to replace an existing sign already located on the roof;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding the recommendations embodied in the report dated September 23, 2003, from the Commissioner of Urban Development Services, the request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code be granted to permit a roof sign for third party advertising purposes at 1069 St. Clair Avenue West.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(34) 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(34), a report dated September 23, 2003, from the Commissioner of Urban Development Services, entitled, "Request for Approval of a Minor Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code to Permit a Roof Sign for Third Party Advertising Purposes at 1069 St. Clair Avenue West 03-162127 ZSV (Davenport - Ward 17)." (See Attachment No. 5, Page 310)

Vote:

Motion J(34) was adopted, without amendment.

11.154 **Request for Sign Variance - 48 and 50 Caledonia Park Road**

Councillor Dominelli 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(35), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Dominelli**

Seconded by: **Councillor Di Giorgio**

"WHEREAS Urban Development Services Staff was inundated with requests for sign variances over the summer months; and

WHEREAS a report regarding a request for a variance to permit a roof sign at 48 and 50 Caledonia Park Road wasn't available in time for the Humber York Community Council meeting on September 9, 2003; and

WHEREAS the applicant, Pattison Outdoor Advertising on behalf of David Macedo, is requesting to place two illuminated signs on the rooftop for advertising purposes; and

WHEREAS the finished height of the signs would still be at a lower level than the grade at EarlsCourt Park and would be blocked out by the mature trees located on the park lands;

NOW THEREFORE BE IT RESOLVED THAT, notwithstanding the recommendations embodied in the report dated September 23, 2003 from the Commissioner of Urban Development Services, the request for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code be granted

to permit two illuminated rooftop signs for third party advertising purposes at 48 and 50 Caledonia Park 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(35) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(35) to the Humber York Community Council was taken as follows:

Yes - 18	
Councillors:	Altobello, Augimeri, Balkissoon, Di Giorgio, Dominelli, Filion, Hall, Holyday, Johnston, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Nunziata, Pantalone, Pitfield, Soknacki, Walker
No - 16	
Councillors:	Ashton, Bussin, Chow, Feldman, L. Jones, Kelly, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Rae, Shiner, Tziretas

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

City Council also had before it, for consideration with Motion J(35), a report dated September 23, 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 Two Illuminated Roof Signs for Third Party Advertising Purposes at 48 and 50 Caledonia Park Road, 03-162135 ZSV (Davenport, Ward 17).” (See Attachment No. 6, Page 312)

Disposition:

Having regard to the foregoing decision of Council, Motion J(35) was referred to the Toronto

South Community Council.

11.155 Congratulations to Salome Bey

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(36), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Cho

“WHEREAS a group of prominent Toronto community leaders, artists, and musicians are arranging a special tribute to Salome Bey on the occasion of her seventieth birthday this October; and

WHEREAS Salome Bey, affectionately known as Canada’s Queen of Jazz and Blues, has made a tremendous contribution to Toronto and the rest of Canada through international recognition and appreciation of her work; and

WHEREAS Salome Bey has dedicated her adult life to assisting and training young people in Toronto in the performing arts and leadership development for over thirty years; and

WHEREAS there are few celebrities of major talent who have given more generously and unselfishly to their community than Salome Bey;

NOW THEREFORE BE IT RESOLVED THAT, on behalf of the people of Toronto, the Mayor and Members of Toronto City Council express our appreciation to Salome Bey for her dedication, commitment and contribution to the well-being of the City of Toronto.”

Vote:

Motion J(36) was adopted, without amendment.

11.156 Notification of Application for a Rooftop Sign at 3768 Bathurst Street in the City of Toronto

Councillor Feldman 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 Feldman

Seconded by: Councillor Minnan-Wong

“WHEREAS an application has been brought on behalf of the owner of 3768 Bathurst Street in the former City of North York, now the City of Toronto, for the erection of a rooftop sign; and

WHEREAS the current regulations under the existing By-law in the former City of North York, now the City of Toronto, which does permit roof signs, states that said roof sign must be located and erected in a manner that places it at a distance no closer than 500 feet, from any other sign, on the same side of the street; and

WHEREAS on that same side of the street, being the west side of Bathurst Street, there is currently a sign now existing approximately 311 feet north of the proposed sign location; and

WHEREAS on that same side of that street, being the west side of Bathurst Street, there is currently a sign now existing and located approximately 350 feet south of the proposed sign location; and

WHEREAS on that same side of the street, being the North Side of Wilson Avenue, there is currently a sign now existing approximately 196 feet east of the proposed roof sign location; and

WHEREAS on that same side of the street, being the North side of Wilson Avenue, there is currently a sign now existing approximately 164 feet west of the proposed roof sign location; and

WHEREAS the subject property is located at the intersection of Bathurst Street and Wilson Avenue, and as such, has frontages on both Wilson Avenue and Bathurst Street, and as such would technically be affected by distance issues both on Bathurst Street and Wilson Avenue; and

WHEREAS it is proposed that the sign be located on the building at 3768 Bathurst Street and the separation distances along Wilson Avenue and Bathurst Street are as outlined above, it should be deemed that these variances are minor in nature and are in keeping with the general intent and purpose of the Sign By-law of the former City of North York; and

WHEREAS it is the policy of the City of Toronto to encourage the improvement and upgrading of the urban streetscape, particularly at core intersections and this invariably places economic pressures on property owners, and as such an augmented revenue flow would encourage such improvements to be implemented;

NOW THEREFORE BE IT RESOLVED THAT the necessary provisions of the

By-law of the former City of North York be varied to allow and permit the necessary approvals for the erection of the roof sign.”

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 North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, for consideration with 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(37) to the North York Community Council was taken as follows:

Yes - 22	
Councillors:	Altobello, Balkissoon, Di Giorgio, Dominelli, Feldman, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 13	
Councillors:	Ashton, Augimeri, Bussin, Chow, Filion, L. Jones, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes

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

Disposition:

Having regard to the foregoing decision of Council, Motion J(37) was referred to the Toronto North Community Council.

11.157 Status Report Respecting Easements - 9 Hanna Avenue

Councillor Pantalone moved that, in accordance with the provisions of the Chapter 27, Council Procedures, of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion J(38), which carried:

Moved by: Councillor Pantalone

Seconded by: Councillor Lindsay Luby

“WHEREAS City Council at its meeting held on July 22, 23 and 24, 2003, adopted Clause No. 20 of Report No. 8 of The Policy and Finance Committee, headed ‘9 Hanna Street - Purchase of Building for Toronto Police Service Central Traffic and Garage and Court Services (Ward 19 - Trinity-Spadina)’ and in so doing, requested that staff report back directly to Council on the minimization of existing easements located on 9 Hanna Avenue; and

WHEREAS the City entered into a Section 30 Agreement with 863880 Ontario Limited to purchase a property west of Strachan Avenue under a Section 30 Agreement for the future provision of land for the Front Street Extension; and

WHEREAS Staff have had negotiations with the representatives of 11 Hanna Avenue and the Strachan Avenue property and through these negotiations the terms of an amending agreement have been reached with 863880 Ontario Limited, subject to Council’s approval;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated September 18, 2003, from the Commissioner of Corporate Services and that such report be adopted.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(38), a confidential 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 Summary, Page 353)

City Council also had before it during consideration of Motion J(38), a confidential report (September 18, 2003) from the Commissioner of Corporate Services.

Vote:

Motion J(38) was adopted, without amendment.

Summary:

In adopting Motion J(38), without amendment, Council adopted, without amendment, the confidential report dated September 18, 2003, from the Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information regarding the proposed acquisition of land for municipal purposes, save and except the following recommendations embodied therein:

“It is recommended that City Council:

- (1) authority be granted for the City to enter into an agreement with 863880 Ontario Limited to amend the existing agreement between the City and 863880 Ontario Limited, dated December 14, 2001, to include the revised terms and conditions outlined in the body of this report;
- (2) authority be delegated to the Chief Administrative Officer to waive the environmental condition in the Agreement of Purchase and Sale related to the 9 Hanna Avenue property purchase provided the results of the due diligence investigations are acceptable to the Toronto Police Services and the Commissioner of Corporate Services; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

11.158 Defence of Committee of Adjustment Decision - 1186 Royal York Road

Councillor Lindsay Luby 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 Lindsay Luby**

Seconded by: **Councillor Holyday**

“**WHEREAS** the Etobicoke Committee of Adjustment refused an application for a four-plex on a property at 1186 Royal York Road; and

WHEREAS the applicant has appealed the Committee's decision to the Ontario Municipal Board; and

WHEREAS the proposal for a four-plex is not an appropriate use of the land;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested to send a member of her staff to attend the Ontario Municipal Board to oppose the application, to ask that the City be added as a party to the hearing and to make appropriate arrangements for expert witnesses.”

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 Etobicoke 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(39) to the Etobicoke Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(39) was adopted, without amendment.

11.159 Final Report of the Mayor’s Toronto “You Belong Here” Recovery Task Force

Councillor Korwin-Kuczynski 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(40), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Korwin-Kuczynski, seconded by Councillor Ootes, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Korwin-Kuczynski**

Seconded by: **Councillor Ootes**

“WHEREAS Council at its special meeting held on April 24, 2003, established the Mayor’s SARS Recovery Task Force to spearhead the City’s economic recovery

efforts following the SARS outbreak; and

WHEREAS the Task Force has developed and implemented the Toronto ‘You Belong Here’ campaign and other initiatives to engage Torontonians, generate civic pride, encourage local spending and support events and attractions;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated September 18, 2003, from the Commissioner of Economic Development, Culture and Tourism, entitled ‘Final Report on the Initiatives and the Toronto You Belong Here campaign undertaken by the Mayor’s Toronto You Belong Here Recovery Task Force’, and that such report be adopted;

AND BE IT FURTHER RESOLVED THAT Council thank corporate partners, celebrities and business associations for their support and contribution to the City’s Toronto You Belong Here campaign; and in particular, Council thank the citizens of Toronto for their support to the City’s in its economic recovery efforts.”

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(40) 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(40) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council had before it, during consideration of the Motion J(40), a report dated September 18, 2003, from the Commissioner of Economic Development, Culture and Tourism, entitled “Final Report on the Initiatives and the Toronto You Belong Here Campaign Undertaken by the Mayor’s Toronto You Belong Here Recovery Task Force. (All Wards).” (See Attachment No. 7, Page 314)

Vote:

Motion J(40) was adopted, without amendment.

Summary:

In adopting Motion J(40), without amendment, Council adopted, without amendment, the report dated September 18, 2003, from the Commissioner of Economic Development, Culture and Tourism, entitled “Final Report on the Initiatives and the Toronto You Belong Here Campaign Undertaken by the Mayor’s ‘Toronto You Belong Here’ Recovery Task Force (All Wards)” embodying the following recommendations:

“It is recommended that:

- (1) Council endorse and provide concurrence with the actions taken by the Task Force to date, including the forthcoming elements of the Toronto You Belong Here campaign as outlined in this report;
- (2) the Mayor and Members of Toronto City Council thank corporate partners, celebrities and business associations for their support and contribution to the City's Toronto You Belong Here campaign; and
- (3) the Mayor and Members of Toronto City Council thank the citizens of Toronto for their support to the City and to the Toronto You Belong Here campaign to date.”

11.160 Ontario Municipal Board Hearing – 34 Southport Street

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(41), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** City Council, at its meeting held on June 24, 25 and 26, 2003, adopted without amendment, Humber York Community Council Report No. 5, Clause No. 29, headed “Ontario Municipal Board Hearing – Application to amend the City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; 34 Southport Street; Bentley Valley Investors Inc., (E. I. Richmond Architects Ltd.), Parkdale-High Park, Ward 13’, and in so doing adopted Recommendation No. (1), as amended by Humber York Community Council, to recommend that City Council authorize the

City Solicitor to request the Ontario Municipal Board to set a hearing date that allows sufficient time for City staff to consult with the community and to negotiate changes to the proposal to address the concerns raised in the Preliminary Report and at the community meeting, and to provide the opportunity for Council consideration of an amended application; and

WHEREAS City Planning staff has undertaken negotiations with the applicant which have been unsuccessful in resolving this matter; and

WHEREAS the City Solicitor and City Planning staff require City Council direction to appear on this matter at the Ontario Municipal Hearing which is scheduled to begin on October 27, 2003; and

WHEREAS the Commissioner of Urban Development Services has submitted the attached report dated September 16, 2003, which makes recommendations on actions that need to be considered by City Council at its meeting of September 22, 23 and 24, 2003; and

WHEREAS there are no financial implications resulting from the above;

NOW THEREFORE BE IT RESOLVED THAT Council consider the aforementioned report dated September 16, 2003, from the Commissioner of Urban Development Services.”

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 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(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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(41) 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(41), a report dated

September 16, 2003, from the Commissioner of Urban Development Services, entitled “Further Report - Ontario Municipal Board Appeals of Applications to Amend the Official Plan and Zoning By-law 438-86 and Site Plan Approval, 34 Southport Street, Mid-Block between The Queensway and Ormskirk Avenue, Bently Valley Investors Inc., (E.I. Richmond Architects Ltd.) 102029, TC CMB 2002 0016) Parkdale-High Park, Ward 13).” (See Attachment No. 8, Page 332)

Motion:

Councillor Miller moved that Motion J(41) be amended by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the report dated September 16, 2003, from the Commissioner of Urban Development Services be adopted.”

Votes:

The motion by Councillor Miller carried.

Motion J(41) as amended, carried.

Summary:

In adopting Motion J(41), as amended, Council adopted, without amendment, the report dated September 16, 2003, from the Commissioner of Urban Development Services, entitled, “Further Report Ontario Municipal Board Appeals of Applications to amend the Official Plan and Zoning By-law 438-86 and Site Plan Approval, 34 Southport Street, Mid-block between The Queensway and Ormskirk Avenue, Bently Valley Investors Inc., (E. I. Richmond Architects Ltd.), 102029, TC CMB 2002 0016 (Parkdale-High Park, Ward 13)” embodying the following recommendations:

“It is recommended that City Council:

- (1) authorize the City Solicitor and appropriate staff to oppose the amended application in its current form;
- (2) authorize City Planning staff to attempt to secure a Section 37 Agreement for local City benefits in the event that the Ontario Municipal Board approves some form of this application; and
- (3) authorize the City Solicitor to secure conditions of approval requested by City departments and agencies in relation to Site Plan approval.”

11.161 Draft By-laws – Official Plan Amendment and Rezoning - 33-45 Lombard Street; 98-110 Church Street; 106 King Street East (St. James Cathedral) (Toronto Centre-Rosedale, Ward 28)

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(42), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS City Council at its meeting held on July 22, 23 and 24, 2003, adopted, without amendment, Toronto East York Community Council Report No. 7, Clause No. 14, headed ‘Draft By-laws – Official Plan Amendment and Rezoning - 33-45 Lombard Street; 98-110 Church Street; 106 King Street East (St. James Cathedral) (Toronto Centre-Rosedale, Ward 28)’; and

WHEREAS Toronto East York Community Council recommended the adoption of the report dated June 18, 2003, from the Director, Community Planning, South District; and

WHEREAS the draft Zoning By-law attached to the June 18, 2003, report as Attachment 9 makes certain requirements regarding parking, the provision of publicly accessible space, the provision of amenity space, and the height of accessory structures; and

WHEREAS during preparation of the Bills in Council there has been minor adjustments to those provisions as contained in the proposed Zoning By-law amendment;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto East York Community Council Report No. 7, Clause No. 14, headed ‘Draft By-laws – Official Plan Amendment and Rezoning - 33-45 Lombard Street; 98-110 Church Street; 106 King Street East (St. James Cathedral) (Toronto Centre-Rosedale, Ward 28)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Clause 1(4) Attachment 9 of the report be amended to alter the permitted height of the development to permit the construction of a stair tower from the underground parking garage beneath the publicly accessible open space and permit certain accessory structures within the

rooftop outdoor amenity area;

AND BE IT FURTHER RESOLVED THAT Clause 1(7), Attachment 9 of the report be amended to permit the required indoor and outdoor residential amenity space to be separated from each other;

AND BE IT FURTHER RESOLVED THAT Clause 1(8), Attachment 9 of the report, be amended to correct a typographical error changing the parking standard for visitor parking from 0.006 parking spaces per dwelling unit to 0.06;

AND BE IT FURTHER RESOLVED THAT Clause (1)(10)(iii) be amended to require that the publicly accessible open space provided may be completed shortly after occupancy, should the weather not permit completion immediately and provided that the cost of the unfinished work is secured through a Letter of Credit deposited with the City;

AND BE IT FURTHER RESOLVED THAT City Council, under 34(17) of the Planning Act determine that no further notice to the public is required for the changes noted above.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(42), 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 Summary, Page 353)

Votes:

The first Operative Paragraph embodied in Motion J(42) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(42) was adopted, without amendment.

11.162 Use of City Facilities For All-Candidates Meetings

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(43), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Milczyn**

Seconded by: **Councillor Korwin-Kuczynski**

“**WHEREAS** Toronto City Council at its meeting held on April 14, 15 and 16, 2003, by its adoption, as amended, of Administration Committee Report No. 1, Clause No. 2a, headed ‘Use of Corporate Resources for Election Purposes Especially During

a Municipal Election Year', re-affirmed its policy that corporate resources and funding may not be used for election-related purposes; and

WHEREAS this policy prohibits all-candidates' meetings held by local ratepayer groups or community associations to take place during a municipal election year on City premises; and

WHEREAS costs for renting alternative locations, such as local schools or private facilities, are prohibitive; and

WHEREAS the Thistleton Ratepayers Association is an established and respected community group in Etobicoke with a long tradition of holding informative and professional all-candidates meetings and community events at the Thistleton Multi-Service Centre; and

WHEREAS the City prides itself on developing higher civic participation and engagement;

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. 1, Clause No. 2a, headed 'Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Thistleton Multi-Service Centre be made immediately available for all-candidates meetings in this upcoming municipal election;

AND BE IT FURTHER RESOLVED THAT other community groups throughout Toronto be extended the same access to respective City facilities for the explicit purpose of conducting all-candidates meetings."

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 no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 353)

City Council also had before it during consideration of the foregoing Motion, a joint memorandum dated September 23, 2003, from the City Solicitor and the City Clerk, entitled "Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year, Notice of Motion J(43)".

Vote Re-Open:

The first Operative Paragraph embodied in Motion J(43) carried, more than two-thirds of Members present having voted in the affirmative.

Motions:

- (a) Councillor Nunziata moved that Motion J(43) be amended by adding to the third Operative Paragraph the words:

“including all-candidates’ meetings for municipal, provincial and federal elections for a nominal fee, and all registered candidates within each specific category must be invited to attend such meetings.”
- (b) Councillor Moscoe moved that Motion J(43) be amended by deleting from the third Operative Paragraph:
 - (1) the word “other”;
 - (2) the words “throughout Toronto”;
 - (3) the words “the same”; and
 - (4) the word “respective”.
- (c) Councillor Hall moved that Motion (a) by Councillor Nunziata be amended by deleting the words “for a nominal fee” and inserting instead the words “at a nominal fee of \$1.00”.

Votes:

Motion (c) by Councillor Hall carried.

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

Motion (b) by Councillor Moscoe carried.

Motion J(43), as amended, carried.

Summary:

City Council re-opened Administration Committee Report No. 1, Clause No. 2a, headed “Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year”, for further consideration. City Council adopted the balance of this Motion, subject to amending the third Operative Paragraph to read as follows:

“AND BE IT FURTHER RESOLVED THAT community groups be extended

access to City facilities for the explicit purpose of conducting all-candidates meetings, including all-candidates' meetings for municipal, provincial and federal elections, at a nominal fee of \$1.00, and all registered candidates within each specific category must be invited to attend such meetings."

11.163 Task Force on Federal Revenue Sharing

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(44), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Mihevc

"WHEREAS the Federation of Canadian Municipalities has a Task Force on Federal Revenue Sharing, which is reviewing options for the sharing of federal revenues, including a portion of the federal fuel tax; and

WHEREAS the Big City Mayors' Caucus of the Federation of Canadian Municipalities, at their meeting held in Brampton on September 19, 2003, adopted a resolution that:

- (1) the FCM Big City Mayors' Caucus requests the Government of Canada to immediately enter into discussions with FCM on implementation of 5 cents per litre federal fuel tax sharing, based on the recommendations of the FCM Task Force on Revenue Sharing, for implementation in the next federal budget; and
- (2) these discussions and negotiations on financing options for immediate implementation take place with the understanding of all parties that a full review of financing, intergovernmental mechanisms and program options is to follow; and

WHEREAS the Big City Mayors' Caucus resolution and media release are attached; and

WHEREAS these resolutions are consistent with positions adopted by Toronto City Council calling for a new financial relationship with the federal and provincial governments;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Federation of Canadian Municipalities that it endorses the resolution regarding

implementation of 5 cents per litre federal fuel tax sharing for implementation in the next federal budget and a full review of federal revenue sharing mechanisms, that was adopted by the FCM Big City Mayors' Caucus on September 19, 2003.”

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(44) 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(44), 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 Summary, Page 353)

City Council had before it, during consideration of Motion J(44), a copy of the Resolution dated September 19, 2003, adopted by the Federation of Canadian Municipalities Big Cities Mayors' Caucus, entitled "Implementing The New Deal For Municipal Government." (See Attachment No. 9, Page 335)

Procedural Vote:

The vote to waive referral of Motion J(44) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(44) was adopted, without amendment.

11.164 Amendment to Chapter 447, Fences, Regarding School Fencing

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(45), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pantalone**

Seconded by: **Councillor McConnell**

WHEREAS the City of Toronto has consistently expressed interest in maintaining public and community access to school playground areas; and

WHEREAS it is not in the best interest of the neighbouring community to have a fence totally surrounding and enclosing school playgrounds; and

WHEREAS Toronto Municipal Code Chapter 447, Fences, provided that a fence for a tennis court, baseball diamond or other recreational facility on non-residential property has no maximum height restriction; and

WHEREAS exemptions from Toronto Municipal Code Chapter 447, Fences, may be granted by Council after a hearing at the local Community Council;

NOW THEREFORE BE IT RESOLVED THAT a new section be created in Chapter 447, Fences, with respect to school fencing to prohibit any portion of a fence adjacent to a public street and/or right-of-way, greater than 1.5 metres in height at any school;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorised and directed to take the necessary actions to give effect thereto;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the impacts of this amendment associated with the construction and presence of recreational and sports facilities and installations on school properties.”

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(45) 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(45), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(45) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(45) was adopted, without amendment.

11.165 261 Jarvis Street, Lease of Recreational Space – Extension of the Closing Date

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(46), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“WHEREAS City Council, by the adoption of Clause No. 11, in Report No. 2 of the Administration Committee at its meeting of February 4, 5 and 6 2003 (the ‘Report’), approved a lease agreement between the City of Toronto and 1433838 Ontario Limited for the lease of recreational space at the property located at 261 Jarvis Street, the release of the Toronto Community Housing Corporation (‘TCHC’) from its obligation to convey the recreational facility to the City and certain ancillary transactions, all on terms outlined in the Report (collectively, the ‘Transactions’); and

WHEREAS the Report provided that the Transactions were to be completed within 90 days of the last to occur of approval by City Council and the Board of Directors of the TCHC; and

WHEREAS this 90-day period has now expired, and staff are recommending an extension to the closing date of the Transactions;

NOW THEREFORE BE IT RESOLVED THAT the closing date of the Transactions be extended until January 15, 2004, and that, with the concurrence of the Commissioner of Economic Development and Tourism and the Commissioner of Corporate Services, a further extension of up to 90 days from January 15, 2004, be granted, if required;

AND BE IT FURTHER RESOLVED THAT 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(46) 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(46), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(46) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(46) was adopted, without amendment.

11.166 Establishing a Green Roofs Task Force

Councillor Ootes, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(47), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor Pantalone

“WHEREAS ‘green’ building design alternatives and landscapes can conserve energy and water resources, minimize air emissions and improve the quality of the living environment for residents of the City; and

WHEREAS an important and highly visible aspect of green building designs are ‘green roofs’ which offer environmental as well as social benefits, including reducing storm water runoff, conserving energy, mitigating the urban heat island effect and restoring displaced green spaces; and

WHEREAS the City has already made a commitment to encourage the implementation of green roofs in the recommendations and policies of the Environmental Plan and Official Plan and participation in the ‘Green Roof Infrastructure Demonstration Project’ at City Hall and the Eastview Community Centre; and

WHEREAS the City of Toronto has no specific regulations governing green roofs, nor incentives to encourage their construction;

NOW THEREFORE BE IT RESOLVED THAT a ‘Green Roofs Task Force’ be

established, in accordance with the attached terms of reference, to investigate and recommend policies and incentives to encourage the construction of more green roofs in new buildings and retrofits in the City of Toronto.”

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(47) 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(47), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(47) to the Policy and Finance 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(47), a document entitled “Terms of Reference for the Green Roofs Task Force”. (See Attachment No. 10, Page 337)

Vote:

Motion J(47) was adopted, without amendment.

11.167 Financial Authority for Interim Funding for Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building

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(48), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pitfield

Seconded by: Councillor Bussin

“**WHEREAS** on August 21, 2003, the Ashbridges Bay Dryer/Pelletizer building was severally damaged by fire; and

WHEREAS the Chief Building Official has directed that no entry be made into the structure until it has been made safe and the City is obligated to make the building safe in order that damage assessments and property damage mitigation may proceed;

and

WHEREAS authority is required to transfer funds for emergency repairs from the Wastewater Stabilization Reserve to fund a new capital project, Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building;

NOW THEREFORE BE IT RESOLVED THAT Council consider the joint report dated September 22, 2003, from the Chief Financial Officer and Treasurer and the Commissioner, Works and Emergency services, entitled 'Financial Authority for Interim Funding for Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building', and that such joint 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(48) 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(48), 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 368)

Procedural Vote:

The vote to waive referral of Motion J(48) to the Policy and Finance 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(48), a joint report dated September 22, 2003, from the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, entitled "Financial Authority for Interim Funding for Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building". (See Attachment No. 11, Page 339)

Vote:

Adoption of Motion J(48), without amendment:

Yes - 25
Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Dominelli, Filion, Hall, Holyday, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Tziretas, Walker
No - 2

Councillors: Kelly, Shiner

Carried by a majority of 23.

Summary:

In adopting Motion J(48), without amendment, Council adopted, without amendment, the joint report dated September 22, 2003, from the Chief Financial Officer and Treasurer, and the Commissioner of Works and Emergency Services, entitled “Financial Authority for Interim Funding for Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building”, embodying the following recommendations:

“It is recommended that:

- (1) authority be granted to establish a Wastewater capital project, entitled ‘Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building’;
- (2) authority be granted for an in-year \$1,000,000.00 adjustment to the 2003 Wastewater capital budget to be funded from the Wastewater Stabilization Reserve for the capital project, entitled ‘Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building’; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

11.168 Land Exchange – The Manson Property, 5421 Lawrence Avenue East

Councillor Moeser 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(49), moved by Councillor Moeser, seconded by Mayor Lastman, and, in the absence of Mayor Lastman, moved by Councillor Moeser, seconded by Councillor Hall, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moeser

Seconded by: Councillor Hall

“**WHEREAS** the Provincial Ministry of the Environment (MOE) has recently approved the audit for the property located at 5421 Lawrence Avenue East (also known as the Manson property) clearing the way for the resumption of the Ontario Municipal Board (OMB) hearing relating to the property; and

WHEREAS the property owner intends to construct more than 214 homes on this site; and

WHEREAS the MOE has approved the audit without consultation with the community or the Public Review Committee (PRC) established by the Ward Councillor, in consultation with the local Homeowners' Association; and

WHEREAS the Mayor and the area Provincial representative have held previous discussions on the future of this 26-acre property; and

WHEREAS the Manson property is an important component of the 8-acre Village Common which is presently under construction by the City and is an integral linkage for this community to the waterfront; and

WHEREAS Scarborough Council turned down the application by the property owner to build 214 homes on this site;

NOW THEREFORE BE IT RESOLVED THAT City Council request the Ministry of the Environment and the area Provincial representative to immediately review the approval of the environmental audit for this site;

AND BE IT FURTHER RESOLVED THAT staff from the City and the Province, in consultation with the Ward Councillor and the area Provincial representative, initiate an immediate discussion regarding the future of this environmentally sensitive property;

AND BE IT FURTHER RESOLVED THAT all discussions be in consultation with the PRC Committee and key representatives from the community;

AND BE IT FURTHER RESOLVED THAT staff be requested to submit a report as quickly as possible to the Ward Councillor regarding options to bring the Manson property into public ownership in partnership with the Province including land exchange.”

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(49) 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(49), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(49) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(49) was adopted, without amendment.

11.169 Demolition of Structures at the Former Don Incinerator

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(50), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pitfield**

Seconded by: **Councillor Balkissoon**

“**WHEREAS** the City issued Tender No. 260-2003 for the Demolition of Structures at the former Don Incinerator; and

WHEREAS the bid submitted by the lowest bidder, Teperman Contracting Inc. was declared informal as the Bid Bond and Agreement to Bond provided were photocopies from the bonding company, with an original signature of the bidder; and

WHEREAS Teperman Contracting Inc. later submitted an original Bid Bond and Agreement to Bond from the bonding company after the tender had closed which was not signed by Teperman Contracting Inc.; and

WHEREAS Teperman Contracting Inc. has objected to its tender being declared informal and has asked that the contract not be awarded until the City further considers this matter, and the solicitor for Teperman Contracting Inc., Howard Ungerman, has submitted a formal letter to the City dated September 15, 2003, in support of his client’s objection, which letter is attached to this Motion; and

WHEREAS the City’s Purchasing By-law, Municipal Code, Chapter 195, requires all matters be referred to Council for consideration where there is an objection to the award of a contract; and

WHEREAS the City is trying to have this work completed prior to the end of the construction season, and is seeking authority for the Bid Committee to award this contract, despite the objection, to the lowest bidder meeting specification;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Bid Committee, on report by the Purchasing Agent, in consultation with the Commissioner of Works and Emergency Services and the City Solicitor, be authorized to award the contract for Tender No. 260-2003, despite the objection received (or any further objection which may be received) to the lowest bidder meeting specifications.”

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(50) 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(50), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(50) to the Administration 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(50), a communication dated September 15, 2003, from Howard Ungerman, Barrister and Solicitor.

Vote:

Motion J(50) was adopted, without amendment.

11.170 Computer Equipment – End of Lease Transition Issues Preliminary Report

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(51), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ashton

Seconded by: Councillor Holyday

“WHEREAS the Commissioner of Corporate Services wishes to report on an analysis of the City’s End of Lease options developed for the Toronto Computer Leasing Inquiry and the City’s next steps to address the issue; and

WHEREAS the Assetlinx report was recently introduced at the Inquiry and its contents are no longer confidential; and

WHEREAS it is important that City Council be advised of these pending issues;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated September 22, 2003, from the Commissioner of Corporate Services, 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(51) 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(51), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(51) to the Administration 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(51), a report dated September 22, 2003, from the Commissioner of Corporate Services, entitled, “Computer Equipment - End of Lease Transition Issues Preliminary Report”. (See Attachment No. 12, Page 342)

Vote:

Motion J(51) was adopted, without amendment.

Summary:

In adopting Motion J(51), without amendment, Council adopted, without amendment, the report dated September 22, 2003, from the Commissioner of Corporate Services, entitled “Computer Equipment - End of Lease Transition Issues Preliminary Report”, embodying the following recommendations:

“It is recommended that:

- (1) appropriate City staff be instructed to begin preliminary discussions with MFP, through the appropriate legal channels, on all end of lease issues; and
- (2) City staff report, in detail, with respect to the end of lease transition plan and the financial implications to the new Council at its first business meeting of 2004.”

11.171 Jarvis Street Corridor Reserve Fund

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(52), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“**WHEREAS** at its meeting on February 13, 14, and 15, 2002, City Council adopted the recommendations contained in Report No. 2, Clause No. 17 of The Policy and Finance Committee, and thereby established the Jarvis Street Corridor Reserve Fund; and

WHEREAS a \$900,000.00 Section 37 Planning Act contribution received from Rogers Wireless Inc., has been deposited into the Jarvis Street Corridor Reserve Fund; and

WHEREAS funds can be withdrawn from the Reserve Fund to achieve heritage objectives for Jarvis Street, south of Isabella Street; and

WHEREAS the Culture Division of the Economic Development, Culture and Tourism Department has initiated the Jarvis Street Streetscape Study, as one element of a heritage plan for Jarvis Street; and

WHEREAS a traffic study would provide essential information for the Jarvis Street Streetscape Study; and

WHEREAS the Urban Development Services Department (UDS) and the Works and Emergency Services Department (WES) have agreed to contribute \$45,000.00 to the estimated \$75,000.00 cost of the traffic study (UDS - \$20,000.00 and

WES \$25,000.00), and the Works and Emergency Services Department has also agreed to take the lead on this traffic study; and

WHEREAS the Chief Financial Officer and Treasurer has reviewed the transfer of \$30,000.00 from the Jarvis Street Corridor Reserve Fund to Works and Emergency Services Department, and also concurs that funds are available;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the transfer of \$30,000.00 from the Jarvis Street Corridor Reserve Fund to the Works and Emergency Services Department, as partial funding of the Jarvis Street Traffic Study.”

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(52) 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(52), 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 369)

Procedural Vote:

The vote to waive referral of Motion J(52) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(52) was adopted, without amendment.

11.172 2055 Kennedy Road, Application to Amend Official Plan, Zoning By-law and Plan of Subdivision

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(53), moved by Councillor Kelly, seconded by Councillor Altobello, and, in the absence of Councillor Kelly, moved by Councillor Soknacki, seconded by Councillor Altobello, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Soknacki

Seconded by: Councillor Altobello

“WHEREAS in November 2002, City Council directed the City Solicitor to attend an Ontario Municipal Board hearing in opposition to an application by the owner of 2055 Kennedy Road for Official Plan Amendment, Zoning By-law and Plan of Subdivision, to permit the addition of 2,000 residential units in the form of apartment buildings and stacked townhouses to the permitted uses, for the property; and

WHEREAS the Ontario Municipal Board hearing commenced on May 16, 2003, and continued until June 3, 2003, and is scheduled to resume on October 8, 2003; and

WHEREAS the applicant has made an Offer to Settle the planning applications; and
WHEREAS it is necessary for the City Solicitor to report directly to the September 22, 2003, meeting of Council so that instructions can be obtained prior to the resumption of the Ontario Municipal Board hearing;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report dated September 17, 2003, from the City Solicitor regarding the development proposal for 2055 Kennedy Road, 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(53) 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(53), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(53) 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(53), a confidential report dated September 17, 2003, from the City Solicitor.

Vote:

Motion J(53) was adopted, without amendment.

Summary:

In adopting Motion J(53), without amendment, Council adopted, without amendment, the confidential report dated September 17, 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 Council not accept the settlement offer made by the applicant, and instruct staff to continue with the current Council position which is to oppose the planning applications currently before the Ontario Municipal Board.”

11.173 Declaration of Vacancy in Ward 25 – Don Valley West

Councillor Nunziata moved that, in accordance with the provisions of the Chapter 27, Council Procedures, of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion J(54), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Nunziata, seconded by Councillor Ootes, which carried:

Moved by: Councillor Nunziata

Seconded by: Councillor Ootes

“**WHEREAS** subsection 260(1) of the Municipal Act, 2001, as amended, provides that a Member of Council may resign from office, by filing a notice in writing, with the City Clerk; and

WHEREAS Councillor Joanne Flint has filed a letter of resignation dated September 8, 2003, with the City Clerk, such resignation to be effective immediately; and

WHEREAS subsection 259(1) of the Municipal Act, 2001, as amended, provides that the office of a Member of Council becomes vacant if the Member resigns from office; and

WHEREAS subsection 262(1) of the Municipal Act, 2001, as amended, requires that Council shall, at its next meeting, declare the office to be vacant; and

WHEREAS paragraph 263(5)3. of the Municipal Act, 2001, as amended, provides that if a vacancy occurs within 90 days of voting day, Council is not required to fill the vacancy;

NOW THEREFORE BE IT RESOLVED THAT pursuant to subsection 262(1) of the Municipal Act, 2001, as amended, the office of Councillor, Ward 25 – Don Valley West be declared vacant;

AND BE IT FURTHER RESOLVED THAT Council not fill the vacancy in the office of Councillor, Ward 25 – Don Valley West.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(54), 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 Summary, Page 353)

Vote:

Motion J(54) was adopted, without amendment.

11.174 Vacancy on the Toronto Transit Commission

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(55), moved by Mayor Lastman, seconded by Councillor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Moscoe, seconded by Councillor Ootes, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Ootes**

“**WHEREAS** subsection 260(1) of the Municipal Act, 2001, as amended, provides that a Member of City Council may resign from office, by filing a notice in writing, with the City Clerk; and

WHEREAS Councillor Joanne Flint has filed a letter of resignation dated September 8, 2003, with the City Clerk, such resignation to be effective immediately; and

WHEREAS City Council, by its adoption on May 21, 22 and 23, 2002, of Clause No. 1 of Report No. 3 of the Striking Committee and By-law 430-2002, appointed former Councillor Joanne Flint to the Toronto Transit Commission for a term of office expiring November 30, 2003; and

WHEREAS Section 26 of the City of Toronto Act, No. 2, provides that for the Toronto Transit Commission:

- (3) ‘... a member of the council who is appointed as a member of the commission ceases to be a member of the commission on ceasing to be a member of the council.’ and

- (5) 'If a member's term of office becomes vacant during his or her term of office, the council shall immediately appoint another person to hold office for the unexpired remainder of the term.'; and

WHEREAS City of Toronto Municipal Code, Chapter 27, Council Procedures, Section 106, provides that:

- A. 'Before any recommendation is made for the appointment of any member to a committee, an agency, board or commission to fill a vacancy occurring during the term of the Council, all members shall be advised of the vacancy and shall be permitted to submit names for consideration.';

NOW THEREFORE BE IT RESOLVED THAT City Council consider the vacancy on the Toronto Transit Commission caused by the resignation of former Councillor Joanne Flint."

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(55) to the Striking 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(55), 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 Summary, Page 353)

Procedural Vote:

The vote to waive referral of Motion J(55) to the Striking Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Shiner moved that Councillor Feldman be nominated to replace Councillor Flint on the Toronto Transit Commission for the term of office ending November 30, 2003, or until a successor is appointed.

Disposition:

City Council took no action on the motion by Councillor Shiner or Motion J(55), having regard that that the matter was held for further debate and it remained on the Order Paper at the conclusion of this final meeting of this term of Council. (See also Minute No. 11.187, Page 236)

11.175 Restricted Parking on the East Side of Cherry Street, from Lake Shore Boulevard East to Mill Street

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(56), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS the Gooderham-Worts Neighbourhood Association has expressed concerns respecting the increased use of Cherry Street, between Front Street East and Lake Shore Boulevard East, for long-term parking by commuters, people working in the area and visitors attending events at the former Gooderham-Worts distillery site; and

WHEREAS there are upcoming events scheduled in the Gooderham-Worts neighbourhood that could exacerbate this problem in the near future; and

WHEREAS staff has confirmed that parking in excess of three hours duration is occurring on the west side of Cherry Street, between Front Street East and Lake Shore Boulevard East; and

WHEREAS, this practice could be discouraged and the short term parking requirements of businesses, visitors and residents in the area could be facilitated by approving a by-law amendment implementing a two-hour temporal parking regulation on the above-noted street; and

WHEREAS staff has advised that funds, in the estimated amount of \$500.00.00, to implement the necessary signage adjustments, are available in Transportation Services 2003 Operating Budget;

NOW THEREFORE BE IT RESOLVED THAT the following by-law amendments be implemented:

- (1) parking be restricted to a maximum period of two hours, at anytime, on the east side of Cherry Street, from Lake Shore Boulevard East to Mill Street; and
- (2) parking be restricted to a maximum period of two hours, at anytime, on the west side of Cherry Street, from a point 30.5 metres south of Front Street East, to Lake Shore Boulevard East;

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(56) 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(56), 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. 13, Page 370)

Procedural Vote:

The vote to waive referral of Motion J(56) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(56) was adopted, without amendment.

11.176 Request for Study of Parking Lots

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(57), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Kelly**

“BE IT RESOLVED THAT the Commissioner of Urban Development Services, in consultation with the Toronto Parking Authority, be requested to submit a report to the Planning and Transportation Committee on the issue of standards for public and private parking lots, such report to explore the following issues:

- (a) the urban design of parking lots;

- (b) uniform standards for the development of parking lots across the City of Toronto;
- (c) the issue of temporary parking lots;
- (d) a strategy for encouraging the development of lands currently used as pay parking lots; and
- (e) illegal and unregulated parking lots;

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(57) 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(57), 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. 14, Page 371)

Procedural Vote:

The vote to waive referral of Motion J(57) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(57) was adopted, without amendment.

11.177 Request to Rezone the Lands at 535 to 595 Commissioners Street

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(58), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pantalone**

Seconded by: **Councillor L. Jones**

“WHEREAS the lands at 535 to 595 Commissioners Street were the subject of a Motion adopted by City Council at its meeting on June 24, 25, and 26, 2003, which directed the Commissioner of Urban Development Services to hold a community

consultation meeting, together with the Ward Councillor, upon the receipt of an application to rezone the lands; and

WHEREAS the lands at 535 to 595 Commissioners Street have been subject to ongoing discussions with staff from Toronto Waterfront Revitalization Corporation, the Economic Development, Culture and Tourism Department, Urban Development Services Department (including the Waterfront Secretariat), the Works and Emergency Services Department, and TEDCO, in terms of their future use for the consolidation of the operations of St. Mary's Cement, Innocon, Strata Aggregates and Dufferin Custom Concrete Group; and

WHEREAS the relocation and consolidation of these concrete uses to this location within the Port Lands would facilitate the planned mixed-use development in the Fort York Neighbourhood, as well as resolving other long term land use issues in the Port Lands; and

WHEREAS the lands in question have an Industrial zoning which allows a range of heavy industrial uses, this zoning does not include permission for the proposed concrete related uses; and

WHEREAS no application to rezone the lands has been filed;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to file an application to rezone the lands to permit the proposed concrete related uses, and hold a community consultation meeting, together with the Ward Councillor;

AND BE IT FURTHER RESOLVED THAT upon the resolution of any outstanding issues, staff be directed to prepare a final report on this application, as soon as possible, and to schedule a statutory public meeting related to the proposed amendment to the Zoning By-law."

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(58) 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(58), 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. 15,

Page 372)

Procedural Vote:

The vote to waive referral of Motion J(58) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

City Council took no action on this Motion, having regard that that the matter was held for further debate and it remained on the Order Paper at the conclusion of this final meeting of this term of Council. (See also Minute No. 11.187, Page 236)

11.178 Zanini Developments Inc., 35 Fieldway Road, Section 37 Agreement (Ward 5 - Etobicoke-Lakeshore)

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(59), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Milczyn

Seconded by: Councillor Lindsay Luby

“**WHEREAS** City Council, at its meeting held on June 24, 25 and 26, 2003, adopted, as amended, Etobicoke Community Council Report No. 5, Clause No. 22(b), headed ‘Final Report – Application to Amend the Official Plan and Zoning Code, 35 Fieldway Road, Owner: CIC Millwork Ltd., Architect: OP Design Inc, File No. TA CMB 2002 0020’, thereby authorizing the preparation and execution of an agreement pursuant to Section 37 of the Planning Act; and

WHEREAS the owner of the lands, Zanini Developments Inc., entered into a Section 37 Agreement with the City of Toronto, which provides that a building permit may not be issued with respect to the development on the subject site, until such time, as the owner has remediated the environmental contamination on the owner’s property, and on the abutting City owned lands; and

WHEREAS the owner has remediated his lands, and desires that a building permit be issued, notwithstanding that the owner has not yet remediated the off-site environmental contamination on the abutting City-owned lands; and

WHEREAS the owner is prepared to provide the City with a letter of credit, to guarantee the off-site environmental remediation, which is to be completed to the satisfaction of the Commissioner of Works and Emergency Services, prior to the registration of a plan of condominium on the owner's lands;

NOW THEREFORE BE IT RESOLVED THAT in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 5, Clause No. 22(b) entitled 'Final Report – Application to Amend the Official Plan and Zoning Code, 35 Fieldway Road, Owner: CIC Millwork Ltd., Architect: OP Design Inc, File No. TA CMB 2002 0020', be re-opened for further consideration;

AND THEREFORE BE IT FURTHER RESOLVED that the City Solicitor be authorized to amend the Section 37 Agreement dated July 17, 2003, with Zanini Developments Inc., to provide that a building permit may be issued, notwithstanding Section No. 5.2, of the said agreement, on the condition that the owner provide to the City, a letter of credit, in a form acceptable to the City Solicitor, and in an amount satisfactory to the Commissioner of Works and Emergency Services, to secure the environmental remediation of abutting City-owned lands, and that the environmental remediation be completed, to the satisfaction of the Commissioner of Works and Emergency Services, prior to the registration of a plan of condominium. on the owner's lands;

AND THEREFORE BE IT FURTHER RESOLVED THAT the City Clerk, and the Chief Financial Officer and Treasurer, be authorized to execute the amending agreement.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(59), 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. 16, Page 373)

Votes:

The first Operative Paragraph embodied in Motion J(59) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(59) was adopted, without amendment.

11.179 Prohibited Parking on Whittaker Crescent, from the Westerly Limit of Burbank Drive to a Point 112 metres West of the Westerly Limit of Burbank Drive

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(60), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Feldman

“WHEREAS residents of Whittaker Crescent, south leg west of Burbank Drive, have expressed concerns with excessive daytime on-street parking generated by patrons on the Sheppard Subway; and

WHEREAS parking is currently prohibited at anytime, on the south side of the south leg of Whittaker Crescent, between a point 112 metres and 157 metres west of Burbank Drive, and restricted for periods of up to a maximum of three hours, between Burbank Drive and a point 112 metres west; and

WHEREAS vehicles, which are often parked for extended periods of time on Whittaker Crescent, obstruct the visibility of motorists exiting from adjacent driveways;

NOW THEREFORE BE IT RESOLVED THAT parking be prohibited from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the south side of the south leg of Whittaker Crescent, from the westerly limit of Burbank Drive to a point 112 metres west of the westerly limit of Burbank Drive;

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(60) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(60) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(60) was adopted, without amendment.

11.180 20 Gothic Avenue – Instructions Regarding Upcoming OMB Hearing; Applications to Amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86, and Site Plan Approval; Quebex Development Corporation on behalf of the City of Toronto

Councillor Moscoe 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(61), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Di Giorgio

“WHEREAS City Council, at its meeting held on April 14, 15 and 16, 2003, adopted Humber York Community Council Report No. 3, Clause No. 2, 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)’, thereby adopting the following Recommendation Nos. (1), (2) and (3) of the March 18, 2003 report of the Director of Community Planning, South District, with respect to the proposed amendments to the former City of Toronto Official Plan and Zoning By-law No. 438-86, and for site plan approval in respect of the property known municipally as 20 Gothic Avenue:

- (1) authorize the City Solicitor and appropriate staff to attend at the Ontario Municipal Board hearing to support the application set out in the March 18, 2003 report of the Director of Community Planning, South District;
- (2) authorize the City Solicitor to seek amendments to By-law No. 337-75 to secure 25 surface visitor parking spaces at 50, 80 and 100 Quebec Avenue; and
- (3) require the owner to enter into an agreement pursuant to Section 37 of the Planning Act to provide funds to the City in the amount of \$250,000.00 to be used in the provision of local park and school playground equipment improvements as well as pedestrian weather protection to the High Park subway station entrance at Parkview Gardens; and

WHEREAS City Council further adopted the recommendation of Humber York Community Council to delete Recommendation No. (4) of the March 18, 2003 report of the Director of Community Planning, South District, authorizing the City Solicitor

to secure the conditions of site plan approval, and to substitute it with the following:

- (1) direct the Commissioner of Urban Development Services, to arrange a community consultation meeting after the Ontario Municipal Board pre-hearing regarding the Site Plan appeal; and that staff submit a further report to the Humber York Community Council prior to the Ontario Municipal Board hearing, so that further instructions can be provided to staff for the purpose of the hearing; and

WHEREAS further Staff Reports of June 24, 2003 and July 7, 2003 were received by Humber York Community Council, but as staff comments on the June 24, 2003 site plan submission were not complete, no specific direction has been given to date, to the City Solicitor, in respect of the site plan appeal; and

WHEREAS the Ontario Municipal Board hearing in respect of the amendments to the former City of Toronto Official Plan and Zoning By-law No. 438-86, and the site plan approval, will commence on October 20, 2003; and

WHEREAS Recommendation No. (2), in respect of securing 25 surface visitor parking spaces at 50, 80 and 100 Quebec Avenue, through an amendment to By-law No. 337-75, may also be secured through an agreement or agreements;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Humber York Community Council Report No. 3, Clause No. 2, 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)=, be re-opened for further consideration;

AND BE IT RESOLVED THAT Council hereby amends Recommendation No. (4) to read as follows:

- ‘(4) authorize the City Solicitor to secure the conditions of approval requested by the City departments and agencies in relation to the site plan control application, as determined by the Director of Community Planning, South District;’

AND IT FURTHER BE RESOLVED THAT Council hereby amends Recommendation No. (2) to read as follows:

- ‘(2) authorize the City Solicitor to secure 25 surface visitor parking spaces at 50, 80 and 100 Quebec Avenue either through appropriate agreement(s) or by seeking amendments to By-law No. 337-75’.”

Votes:

The first Operative Paragraph embodied in Motion J(61) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(61) was adopted, without amendment.

11.181 Permanent Boulevard Café Enclosure – 350 Spadina Avenue

Councillor Korwin-Kuczynski 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(62), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Chow

“WHEREAS 350 Spadina Avenue, on the St. Andrew Street flankage, has been licenced to operate a boulevard café, and that the café has been there for a number of years; and

WHEREAS the location has always been used either for a café or a marketing use; and

WHEREAS the Owner of 350 Spadina Avenue has requested to erect a permanent enclosure on the boulevard in order to have a year round patio;

NOW THEREFORE BE IT RESOLVED THAT City Council grant approval to allow a permanent enclosure at 350 Spadina Avenue, subject to the applicant applying for a building permit, receiving public utility clearances, and approval from the Works and Emergency Services Department for the use of the boulevard, and the applicant pay all fees and costs involved.”

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(62) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(62) to the Toronto East York Community Council

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

Vote:

Motion J(62) was adopted, without amendment.

11.182 Declaration of 1900 Sheppard Avenue West as Surplus to Municipal Requirements

Councillor Feldman 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(63):

Moved by: **Councillor Feldman**

Seconded by: **Councillor Rae**

“**WHEREAS** in December 1999, the Property Management Committee allocated the City-owned site at 1900 Sheppard Avenue West for affordable housing, and in August 2001, recommended the issuance of a Request for Proposals to develop three City-owned properties, which included 1900 Sheppard Avenue West, for affordable housing; and

WHEREAS Youth Clinical Services Inc. has been recommended for funding, as a result of that Request for Proposals to the Community Services Committee; and

WHEREAS the Toronto Public Library Board, at its meeting of July 15, 2002, passed a Motion to enter into a co-development through Shelter Housing and Support with a housing project to construct a library on the City-owned site at 1900 Sheppard Avenue West; and

WHEREAS City Council, at its meeting of October 29, 30 and 31, 2002, approved capital project pre-approval to construct a library at 1900 Sheppard Avenue West, in co-development with Shelter, Housing and Support, at net zero cost based on cost savings of approximately \$270,000.00 achieved through co-development with a housing project; and

WHEREAS City Council, at its meeting held on September 23, 2003, approved Supporting Communities Partnership Initiative (SCPI) funding for Youth Clinical Services Inc., to develop a transitional housing project on the City-owned site at 1900 Sheppard Avenue West; and

WHEREAS the City is required to declare the property surplus to municipal requirements under the Municipal Act for the purposes of a long-term lease; and

WHEREAS due to time sensitivity of meeting all steps necessary to declare the property surplus and to approve the long-term lease in order to ensure that Youth Clinical Services Inc. will have sufficient time to proceed to construction in co-development with the library and expend its SCPI funding by the federal March 31,

2006 deadline, it is necessary that the declare surplus matter be considered at the September 2003 Council meeting;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the joint report dated September 24, 2003, from the Commissioner of Corporate Services, and the Commissioner of Community and Neighbourhood Services, and that such joint report be adopted.”,

the vote upon which was taken as follows:

Yes - 26	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, L. Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Augimeri, Holyday, Li Preti

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

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(63) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(63) to the Administration Committee was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, L. Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Augimeri, Holyday, Li Preti

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

City Council also had before it, during consideration of Motion J(63), a joint report dated September 24, 2003, from the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services, entitled “Declaration as Surplus - Portion of 1900 Sheppard Avenue West (Ward 9 - York Centre)”. (See Attachment No. 13, Page 347)

Vote:

Adoption of Motion J(63), without amendment:

Yes - 26	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Ford, Hall, L. Jones, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Tziretas, Walker
No - 3	
Councillors:	Augimeri, Holyday, Li Preti

Carried by a majority of 23.

Summary:

In adopting Motion J(63), without amendment, Council adopted, without amendment, the joint report dated September 24, 2003, from the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services, entitled “Declaration as Surplus, Portion of 1900 Sheppard Avenue West (Ward 9 - York Centre)”, embodying the following recommendations:

“It is recommended that:

- (1) a portion of 1900 Sheppard Avenue West, required to facilitate the development of transitional housing, save and except that portion required by the Toronto Public Library for library purposes, be declared surplus to the City’s requirements with the intended method of disposal to be by way of a long-term lease to Youth Clinical Services Inc. (‘YCS’) or another entity associated with and controlled by it and acceptable to the Commissioner of Community and Neighbourhood Services (the ‘Commissioner’);
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto

Municipal Code be taken;

- (3) authority be granted to the Commissioner to negotiate the long-term lease described in Recommendation No. (1) and any mortgages/charges or other agreements, deemed appropriate by the Commissioner and the City Solicitor to facilitate the co-development and provision of transitional housing and a library at 1900 Sheppard Avenue West, generally in accordance with the terms and conditions outlined in the body of this report and to protect the City's interests, all such terms and conditions as are satisfactory to the Commissioner, in his discretion and in a form acceptable to the City Solicitor, and to report back on the results of such negotiations; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

11.183 66, 68, 74 and 76 Quebec Avenue – Application for Demolition Permit

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(64), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Di Giorgio

"WHEREAS Council has authorized a land exchange permitting the City-owned lands at 20 Gothic Avenue to be developed for residential purposes, in exchange for parcel(s) at 66-76 Quebec Avenue to be utilized for recreational purposes; and

WHEREAS the development applications for 20 Gothic Avenue have been appealed to the Ontario Municipal Board, which hearing will commence on October 20, 2003; and

WHEREAS the applicant has submitted applications for demolition permits of the detached dwellings located at 66-76 Quebec Avenue (permit file numbers: 03 173 643 DEM, 03 173 657 DEM, and 03 173 673 DEM); and

WHEREAS the notice of applications for demolition permits were posted on the properties on September 12, 2003, and are to be posted for a minimum of 14 days; and

WHEREAS, following September 26, 2003, when the notice requirements for the applications for demolition permits will have been satisfied; and

WHEREAS the approval of the demolition permit applications would facilitate the applicant in moving forward with the proposal for recreational uses at 66-76 Quebec Avenue, once the Ontario Municipal Board approves the application for the residential development for 20 Gothic Avenue;

NOW THEREFORE BE IT RESOLVED THAT City Council hereby approves demolition applications for 66-76 Quebec Avenue, in accordance with the plans filed, and being permit applications numbers 03 173 643 DEM, 03 173 657 DEM, and 03 173 673 DEM, subject to the project being approved by the Ontario Municipal Board.”

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(64) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(64) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(64) was adopted, without amendment.

11.184 Request for Report on Amendment to the Noise By-law – Handling of Garbage Containers

Councillor Di Giorgio 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(65), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

“**WHEREAS** Toronto Municipal Code Chapter 591, Noise, prohibits noise which is clearly audible at a point of reception located in a Residential Area, resulting from the loading, unloading, delivering, or otherwise handling of any containers, products or materials during the hours of 11:00 p.m. one day, to 7 a.m. the next day, 9:00 a.m. Sundays and statutory holidays; and

WHEREAS garbage bins are being unloaded by trucks, in the dark, at 1 Connie Street, in the parking lot; and

WHEREAS trucks backing up, or moving in an unenclosed parking area, create a continuous beeping sound to encourage caution and avoid potential danger; and

WHEREAS the current prohibition in the Toronto Municipal Code Chapter 591, Noise, would not, in this specific case, be sufficient to avoid an undue hardship on the residents of the community;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested to submit a report to the first meeting of the Planning and Transportation Committee in 2004, on amending the Noise By-law to prohibit activity such as delivering, unloading, loading, or otherwise handling of any garbage containers in an unenclosed area, during the hours of 9:00 p.m. one day, to 7:00 a.m. the next day, 9:00 a.m. Sundays and statutory holidays.”

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(65) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(65) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(65) was adopted, without amendment.

11.185 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(66), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Rae**

Seconded by: **Councillor Bussin**

“WHEREAS City Council, at its meeting held on December 4, 5 and 6, 2001, by its adoption, as amended, of Clause No. 27 of Report No. 16 of the Policy and Finance Committee, headed ‘Yonge/Dundas Square - Operations Resulting from Urban Development Services Capital Project and Governance Model (Ward 27 - Toronto Centre)’, established and appointed members to the Yonge-Dundas Square Board of Management; and

WHEREAS Mr. Bob Sniderman was appointed as one of four representatives from the Downtown Yonge Business Improvement Area (BIA); and

WHEREAS Mr. Sniderman has resigned as a BIA representative on the Yonge-Dundas Square Board of Management; and

WHEREAS the Downtown Yonge BIA has nominated Mr. Keith Travis, who is a member of the BIA, to the Yonge-Dundas Square Board of Management to replace Mr. Bob Sniderman as a representative of the Downtown Yonge BIA;

NOW THEREFORE BE IT RESOLVED THAT City Council appoint Mr. Keith Travis to the Yonge-Dundas Square Board of Management, as a representative of the Downtown Yonge BIA, for a term of office expiring November 30, 2003 and until his 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(66) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(66) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(66) was adopted, without amendment.

11.186 Request for Sign Variance – 550 Adelaide Street East

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(67), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“**WHEREAS** City Council is in receipt of a request by Robert Van Sickle, of Provincial Sign Systems, for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit three illuminated and one non-illuminated Fascia signs (encroaching) and 2 illuminated non-encroaching fascia signs and one illuminated ground sign at 5550 Adelaide Street East;

NOW THEREFORE BE IT RESOLVED THAT City Council consider a report dated September 25, 2003, from the Director, Community Planning, South District, headed ‘Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, for Illuminated and Non-illuminated Signage, Application No. 2003 175180 ZSV 00 (Ward 28 - Toronto Centre-Rosedale)’, 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(67) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(67) 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(67), a report dated September 24, 2003, from the Director, Community Planning, South District, entitled, “Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, for Illuminated and Non-illuminated Signage, Application No. 2003 175180 ZSV 00 (Ward 28 - Toronto Centre-Rosedale).” (See Attachment No. 14, Page 351)

Vote:

Motion J(67) was adopted, without amendment.

Summary:

In adopting Motion J(67), without amendment, Council adopted, without amendment, the report dated September 25, 2003, from the Director, Community Planning, South District, entitled “Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, for Illuminated and Non-illuminated Signage, Application No. 2003 175180 ZSV 00 (Ward 28 - Toronto Centre-Rosedale)”, embodying the following recommendations:

“It is recommended that:

- (1) the request for the variance be approved to permit three illuminated and one non-illuminated fascia signs (encroaching) and two illuminated non-encroaching fascia signs and one illuminated ground sign at 550 Adelaide Street East; and
- (2) the applicant be advised, upon approval of variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.”

11.187 City Council took no action on the following matters, having regard that they were held for further debate and remained on the Order Paper at the conclusion of this final meeting of this term of Council:

DEFERRED CLAUSE FROM REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 18a - “Cigarette Practices in City Shelters”.

REPORT NO. 7 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 2 - “Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms (All Wards)”.

REPORT NO. 7 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 12 - “Traffic Assessment - The Kingsway Neighbourhood (Ward 5- Etobicoke-Lakeshore)”.

Clause No. 13 - “Traffic Assessment - Edgemore Drive, Glenroy Avenue and Meadowvale Drive (Ward 5 – Etobicoke-Lakeshore)”.

REPORT NO. 7 OF THE HUMBER YORK COMMUNITY COUNCIL

Clause No. 11 - “Little Avenue: (1) Poll Results to change the Direction of Traffic between Lawrence Avenue West and Weston Road; (2) On-Street Permit Parking; and (3) Request to Change Little Avenue into a Cul-de-Sac (Ward 11 - York South-Weston)”, (See also Minute No. 11.37, Page 37)

NOTICES OF MOTIONS

- J(24) Moved by Councillor Di Giorgio, seconded by Councillor Dominelli, respecting the 2003 Food and Hunger Action Fund Allocations and Appeals - Grant for the Learning Enrichment Foundation - 116 Industry Street.
- J(25) Moved by Councillor Mihevc, seconded by Councillor Chow, respecting the refund of fees for barricades and venue rentals for Caribana 2003.
- J(55) Moved by Councillor Moscoe, seconded by Councillor Ootes, respecting a vacancy on the Toronto Transit Commission.
- J(58) Moved by Councillor Pantalone, seconded by Councillor L. Jones, respecting a request to rezone the lands at 535 to 595 Commissioners Street.

BILLS AND BY-LAWS

11.188 On September 22, 2003, at 11:01 a.m., Councillor Lindsay Luby, seconded by Councillor Holyday, 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. 849	By-law No. 766-2003	To authorize the borrowing upon debentures in the principal amount of \$180,000,000.00 for purposes of the City of Toronto.
Bill No. 850	By-law No. 767-2003	To authorize the borrowing upon sinking fund debentures in the principal amount of \$120,000,000.00 for purposes of the City of Toronto,

the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Cho, Chow, Di Giorgio, Dominelli, Feldman, Fillion, Ford, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

11.189 On September 22, 2003, at 7:19 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, 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. 1017

By-law No. 768-2003

To confirm the proceedings of the Council at its meeting held on the 22nd day of September, 2003,

the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Tziretas, Walker
No - 0	

Carried, without dissent.

- 11.190 On September 23, 2003, at 5:56 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:

Bill No. 1018	By-law No. 769-2003	To confirm the proceedings of the Council at its meeting held on the 22nd and 23rd of days of September, 2003,
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the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

- 11.191 On September 24, 2003, at 5:02 p.m., Councillor Moscoe, seconded by Councillor Holyday, 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. 1019	By-law No. 770-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd and 24th days of September, 2003,
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the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Tziretas, Walker
No - 0	

Carried, without dissent.

11.192 On September 24, 2003, at 7:17 p.m., Councillor Minnan-Wong, seconded by Councillor Bussin, 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. 766	By-law No. 771-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 767	By-law No. 772-2003	To amend City of Toronto Municipal Code Chapter 27, Council Procedures, to change the number of Community Councils.
Bill No. 768	By-law No. 773-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 769	By-law No. 774-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 770	By-law No. 775-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 771	By-law No. 776-2003	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 772	By-law No. 777-2003	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding King Street West and Atlantic Avenue.
Bill No. 774	By-law No. 778-2003	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 775	By-law No. 779-2003	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 776	By-law No. 780-2003	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 777	By-law No. 781-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 778	By-law No. 782-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 779	By-law No. 783-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 780	By-law No. 784-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 781	By-law No. 785-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.

Bill No. 782	By-law No. 786-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 783	By-law No. 787-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 784	By-law No. 788-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 785	By-law No. 789-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 786	By-law No. 790-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 787	By-law No. 791-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 788	By-law No. 792-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 789	By-law No. 793-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 790	By-law No. 794-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 791	By-law No. 795-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 792	By-law No. 796-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 793	By-law No. 797-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 794	By-law No. 798-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 795	By-law No. 799-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 796	By-law No. 800-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 797	By-law No. 801-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 798	By-law No. 802-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 799	By-law No. 803-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 800	By-law No. 804-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 801	By-law No. 805-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 802	By-law No. 806-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 803	By-law No. 807-2003	To amend By-law No. 31878, as amended, of the former City of North

York.

Bill No. 804	By-law No. 808-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 805	By-law No. 809-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 806	By-law No. 810-2003	To amend former City of Scarborough Sign By-law No. 22980, as amended, to delete the words “on the same side of the street”, used when measuring distance separation between billboards, to reduce the minimum distance separation between billboards and to increase the minimum distance of billboards from street intersections.
Bill No. 807	By-law No. 811-2003	To permanently close a portion of the Murray Ross Parkway road allowance, extending southerly from Shoreham Drive.
Bill No. 808	By-law No. 812-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to permit the retention of a corrugated metal panel fence on the property municipally known as 6 Eugene Street.
Bill No. 809	By-law No. 813-2003	To designate an area that includes the existing Village of Islington Business Improvement Area as an Improvement Area.
Bill No. 810	By-law No. 814-2003	To amend City of Toronto Municipal Code Chapter 19, “Business Improvement Areas”, to reflect the expanded boundaries of the Village of Islington Business Improvement Area.
Bill No. 811	By-law No. 815-2003	To designate an area that includes the

existing Parkdale Village Business Improvement Area as an Improvement Area.

Bill No. 812	By-law No. 816-2003	To amend City of Toronto Municipal Code Chapter 19, "Business Improvement Areas", to reflect the expanded boundaries of the Parkdale Village Business Improvement Area.
Bill No. 813	By-law No. 817-2003	To adopt Amendment No. 516 of the Official Plan for the former City of North York in respect of lands municipally known as 1800 Sheppard Avenue East.
Bill No. 814	By-law No. 818-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 1800 Sheppard Avenue East.
Bill No. 815	By-law No. 819-2003	To exempt certain lands found on Morningview Trail from Part Lot Control.
Bill No. 816	By-law No. 820-2003	To amend the former City of York Municipal Code Chapter 982, Parking - Meter, regarding Onslow Crescent.
Bill No. 817	By-law No. 821-2003	To amend Municipal Code Chapter 636, Public Squares, to delegate the approval of exceptions from certain restrictions on the use of Nathan Phillips Square during the election period.
Bill No. 818	By-law No. 822-2003	To amend Municipal Code Chapter 441, Fees, to establish fees or charges for digital images and reproductions of archival records and related services provided by the City Clerk.

Bill No. 819	By-law No. 823-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway Bonspiel Drive.
Bill No. 820	By-law No. 824-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 93 Erie Street from the maximum height requirements.
Bill No. 821	By-law No. 825-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of the fence on the property municipally known as 31 Blue Springs Road from the maximum height requirements.
Bill No. 823	By-law No. 826-2003	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. 824	By-law No. 827-2003	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. 825	By-law No. 828-2003	To further delegate the Chief Financial Officer and Treasurer's signing authority with respect to various taxation and collection documents.
Bill No. 826	By-law No. 829-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Gerrard Street East.

Bill No. 827	By-law No. 830-2003	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, regarding Blair Street, Cadorna Avenue, Cosburn Avenue, Guillet Street, Skopje Gate and Tucker Street.
Bill No. 828	By-law No. 831-2003	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, regarding Blair Street and Skopje Gate.
Bill No. 829	By-law No. 832-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Adelaide Street East.
Bill No. 830	By-law No. 833-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Adelaide Street East.
Bill No. 831	By-law No. 834-2003	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, regarding King Edward Avenue.
Bill No. 832	By-law No. 835-2003	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, regarding Avonlea Boulevard and Rosevear Avenue.
Bill No. 833	By-law No. 836-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Don Roadway.

Bill No. 834	By-law No. 837-2003	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, regarding Thomas Elgie Drive.
Bill No. 835	By-law No. 838-2003	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, regarding Southvale Drive.
Bill No. 836	By-law No. 839-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 837	By-law No. 840-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 838	By-law No. 841-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 839	By-law No. 842-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding Meadowvale Road.
Bill No. 840	By-law No. 843-2003	To amend further Metropolitan Toronto By-law No. 108-96, respecting designated School Speed Zones on certain former Metropolitan Roads, regarding Avenue Road.
Bill No. 841	By-law No. 844-2003	To amend further Metropolitan By-law

		No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street and McNairn Avenue.
Bill No. 842	By-law No. 845-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East, Milverton Boulevard and Morton Road.
Bill No. 843	By-law No. 846-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Edith Drive.
Bill No. 844	By-law No. 847-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Kennedy Park Road and Margdon Road.
Bill No. 845	By-law No. 848-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street, Budgell Terrace, Gilmour Avenue, Indian Road, Peterborough Avenue and St. Helens Avenue.
Bill No. 846	By-law No. 849-2003	To provide for five committee of adjustment members per Community Council area.
Bill No. 847	By-law No. 850-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting The Esplanade.
Bill No. 848	By-law No. 851-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Algonquin Avenue, Annette Street and Waller Avenue.
Bill No. 851	By-law No. 852-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Roselawn Avenue.

Bill No. 852	By-law No. 853-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on certain streets within the City of Toronto.
Bill No. 853	By-law No. 854-2003	To amend the former City of Toronto Municipal Code Ch. 194, Footpaths, Bicycle Lanes and Pedestrian Ways, re: bicycle lanes on Runnymede Road and Unwin Avenue.
Bill No. 854	By-law No. 855-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Front Street West. <i>*amended*</i>
Bill No. 855	By-law No. 856-2003	To adopt a Community Improvement Plan for the Kensington Market Community Improvement Project Area, bounded by College Street, Spadina Avenue, Dundas Street West and Bellevue Avenue.
Bill No. 856	By-law No. 857-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bishop Street, Gould Street, Kingswood Road, Kippendavie Avenue, Playter Boulevard, Playter Crescent and Roblocke Avenue.
Bill No. 857	By-law No. 858-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Belsize Drive, Broadway Avenue, Coulson Avenue, Dunloe Road, Gilgorm Road, Hawarden Crescent, MacPherson Avenue, Manor Road East, Poplar Plains Road, Roehampton Avenue and Roselawn Avenue. <i>*amended*</i>
Bill No. 858	By-law No. 859-2003	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. 859	By-law No. 860-2003	To establish a Building Permit Service Delivery Reserve and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 860	By-law No. 861-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt a portion of the fence on the property municipally known as 80 Waniska Avenue from the maximum height requirements.
Bill No. 861	By-law No. 862-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property municipally known as 550 Rushton Road from the maximum height requirements.
Bill No. 862	By-law No. 863-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence along the properties municipally known as 10, 22 and 36 Willowridge Road from the maximum height requirements.
Bill No. 863	By-law No. 864-2003	To authorize the issue of 3 perecent debentures in the amount of \$183,750,000.00 for a purpose of the City of Toronto.
Bill No. 864	By-law No. 865-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Yonge Street.
Bill No. 865	By-law No. 866-2003	To amend further Metropolitan By-law

		No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street.
Bill No. 866	By-law No. 867-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Sheppard Avenue West.
Bill No. 867	By-law No. 868-2003	To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads, regarding Yonge Street.
Bill No. 868	By-law No. 869-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Abell Street, Belsize Drive, Berkeley Street, Birch Avenue, Boulton Drive, Caledonia Road, Carlaw Avenue, Colgate Avenue, College Street, Crawford Street, Elmer Avenue, Elm Ridge Drive, Fleet Street, Gough Avenue, Gwynne Avenue, Hilltop Road, Kenilworth Avenue, Kew Beach Avenue, King Street East, King Street West, Lansdowne Avenue, Mark Street, Mill Street, Northcliffe Boulevard, Ontario Street, Queen Street East, Rosemount Avenue, Seaton Street, Sheridan Avenue, Shirley Street, Springmount Avenue, Strachan Avenue, Strathmore Boulevard, Verral Avenue, Victoria Street, Wascana Avenue and Woodmount Avenue.
Bill No. 869	By-law No. 870-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, and By-laws Nos. 1995-0466, as amended, and 1996-0245, as amended, with respect to the Fort York Neighbourhood (formerly known as the Bathurst/Strachan Area).

Bill No. 870	By-law No. 871-2003	To designate the property at 55 King Street West (Toronto-Dominion Centre) as being of cultural heritage value or interest.
Bill No. 871	By-law No. 872-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Parking Meters at various locations.
Bill No. 872	By-law No. 873-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Raglan Avenue.
Bill No. 873	By-law No. 874-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Raglan Avenue.
Bill No. 874	By-law No. 875-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bathurst Street, Baylawn Drive, Bloor Street West, Dufferin Street, Dundas Street, Dundas Street East, Dundas Street West, Gerrard Street, Gerrard Street West, King Street West, Laird Drive, Millwood Road, Park Lawn Road, Queen Street, Queen Street East, Queen Street West, Rylander Boulevard, St. Clair Avenue West and University Avenue.
Bill No. 875	By-law No. 876-2003	To adopt Amendment No. 4 of the Official Plan for the City of Toronto in respect of lands known as south-east corner of Yonge Street and Avondale Avenue Part of Block 4, Plan 66M-2354.
Bill No. 876	By-law No. 877-2003	To adopt Amendment No. 538 of the Official Plan for the former City of North York in respect of lands known

		as south-east corner of Yonge Street and Avondale Avenue Part of Block 4, Plan 66M-2354.
Bill No. 877	By-law No. 878-2003	To amend former City of North York By-law No. 7625, as amended in respect of lands known as south-east corner of Yonge Street and Avondale Avenue Part of Block 4, Plan 66M-2354.
Bill No. 878	By-law No. 879-2003	To adopt Amendment No. 546 of the Official Plan for the former City of North York in respect of lands municipally known as 2609 Bayview Avenue.
Bill No. 879	By-law No. 880-2003	To amend former City of North York By-law No. 7625, as amended, in respect of lands municipally known as 2609 Bayview Avenue.
Bill No. 880	By-law No. 881-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Islington Avenue, Kipling Avenue and Rexdale Boulevard.
Bill No. 881	By-law No. 882-2003	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, regarding Claxton Boulevard".
Bill No. 882	By-law No. 883-2003	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, regarding Claxton Boulevard".
Bill No. 883	By-law No. 884-2003	To exempt lands known municipally as 1105 Dundas Street East from Part Lot Control.
Bill No. 884	By-law No. 885-2003	To adopt an amendment to the former City of Toronto Part I Official Plan in

		respect of the lands municipally known as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road and to adopt an amendment to the Part II Plan for Old Stockyards District regarding the same lands to permit a low-density residential development.
Bill No. 885	By-law No. 886-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road.
Bill No. 886	By-law No. 887-2003	To exempt certain lands on Preakness Drive (formerly 20 Bond Avenue) from Part Lot Control.
Bill No. 887	By-law No. 888-2003	To amend City of Toronto Municipal Code Chapters 71, Financial Control and 195, Purchasing to facilitate the operation of the Water and Wastewater Services Business Unit.
Bill No. 888	By-law No. 889-2003	To define the Blythwood Area as an area of the City of Toronto to be examined for future designation as a heritage conservation district.
Bill No. 889	By-law No. 890-2003	To adopt Amendment No. 277 of the Official Plan for the former City of Toronto respecting lands known as 30 The Queensway.
Bill No. 890	By-law No. 891-2003	To amend Zoning By-law No. 530-85 of the City of Toronto in respect of St. Joseph's Health Centre at 30 The Queensway.
Bill No. 891	By-law No. 892-2003	To define the Cabbagetown/ North-East Area as an area of the City of Toronto

to be examined for future designation
as a heritage conservation district.

Bill No. 892

By-law No. 893-2003

To adopt Amendment No. 262 to the
Official Plan for the former City of
Toronto respecting the lands known as
1001 Queen Street West.

Bill No. 893

By-law No. 894-2003

To adopt Amendment No. 18 of the
Official Plan, being an amendment to
the provisions of the Official Plan,
Chapter 6, Section 14, the Garrison
Common North Secondary Plan.

Bill No. 894	By-law No. 895-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended, respecting the lands known in the year 2003 as 1001 Queen Street West.
Bill No. 895	By-law No. 896-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting MacPherson Avenue.
Bill No. 896	By-law No. 897-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bartlett Avenue.
Bill No. 897	By-law No. 898-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 899	By-law No. 899-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Millbank Avenue.
Bill No. 900	By-law No. 900-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mill Street and Trinity Street.
Bill No. 902	By-law No. 901-2003	To amend further Metropolitan By-law No. 107-86, respecting parking meters on former Metropolitan Roads, regarding various locations.
Bill No. 903	By-law No. 902-2003	To exempt the property municipally known as 23, 25, 27, 31 and 33 Heath Street West from Part Lot Control.
Bill No. 904	By-law No. 903-2003	To adopt Amendment No. 271 to the Official Plan for the former City of Toronto respecting lands known as 22 Shallmar Boulevard.

Bill No. 905	By-law No. 904-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 8, 10 and 12 Clairtrell Road.
Bill No. 906	By-law No. 905-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting annual increase in licensing fees.
Bill No. 907	By-law No. 906-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting transfers of standard taxicab owner's licences.
Bill No. 908	By-law No. 907-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 909	By-law No. 908-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Northcliffe Boulevard and Westmount Avenue.
Bill No. 910	By-law No. 909-2003	To authorize the alteration of Glen Ames between Lee Avenue and Southwood Drive by the installation of speed humps.
Bill No. 911	By-law No. 910-2003	To authorize the alteration of Bain Avenue between Ingham Avenue and Logan Avenue by the installation of speed humps.
Bill No. 912	By-law No. 911-2003	To authorize the alteration of Oakridge Drive between Brimley Road and McCowan Road by the installation of speed humps.
Bill No. 913	By-law No. 912-2003	To name the private walkway at Pearen Street and Eglinton Avenue West as "Bijou Walk".
Bill No. 914	By-law No. 913-2003	To name the private lane at 2209 Weston

		Road as “Elphick Lane”.
Bill No. 915	By-law No. 914-2003	To authorize the alteration of Seaton Street, Ontario Street and Berkeley Street, between Shuter Street and Carlton Street, by the installation of speed humps.
Bill No. 916	By-law No. 915-2003	To adopt Amendment No. 280 to the Official Plan for the former City of Toronto respecting the lands known as 233 Carlaw Avenue.
Bill No. 917	By-law No. 916-2003	To amend the General Zoning By-law No. 438-86, as amended, of the former City of Toronto with respect to the lands known as 233 Carlaw Avenue.
Bill No. 918	By-law No. 917-2003	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Bellwoods Avenue by the installation of speed humps from Queen Street West to Dundas Street West.
Bill No. 919	By-law No. 918-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding William R. Allen Road.
Bill No. 920	By-law No. 919-2003	To adopt Amendment No. 270 to the Official Plan for the former City of Toronto respecting lands known in the year 2002 as 912, 930 and 940 Mount Pleasant Road.
Bill No. 921	By-law No. 920-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto, as amended with respect to

		lands known municipally in the year 2002 as 912, 930 and 940 Mount Pleasant Road.
Bill No. 922	By-law No. 921-2003	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads, regarding Don Valley Parkway/Bayview-Bloor Ramp.
Bill No. 923	By-law No. 922-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads, regarding Don Valley Parkway.
Bill No. 924	By-law No. 923-2003	To appoint Dr. Tamara Wallington as Associate Medical Officer of Health for the City of Toronto Health Unit and to repeal the appointment of Dr. Rob Stirling as Associate Medical Officer of Health.
Bill No. 925	By-law No. 924-2003	To amend Municipal Code Chapter 849, Water and Sewage Services, to set out responsibility for payment of bills, to permit the Chief Financial Officer and Treasurer to make adjustment to water accounts and to provide for harmonized billing and collection procedures.
Bill No. 926	By-law No. 925-2003	To adopt Amendment No. 273 to the Official Plan for the former City of Toronto with respect to lands known municipally in the year 2003 as 2 Lightbourn Avenue.
Bill No. 927	By-law No. 926-2003	To adopt Amendment No. 17 to the Official Plan for the City of Toronto with respect to lands known municipally in the year 2003 as 2 Lightbourn Avenue.
Bill No. 928	By-law No. 927-2003	To amend the General Zoning By-law

		No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2003 as 2 Lightbourn Avenue.
Bill No. 929	By-law No. 928-2003	To amend Interim Control By-law No. 846-2002 respecting lands known as 1 to 29 Musgrave Street, 600 Victoria Park Avenue, 2234 to 2276 Gerrard Street East, 2284 to 2316 Gerrard Street East and 2336 to 2366 Gerrard Street East.
Bill No. 930	By-law No. 929-2003	To amend By-law No. 846-2002 to extend the period of interim control on lands known as 1 to 29 Musgrave Street, 600 Victoria Park Avenue, 2234 to 2276 Gerrard Street East, 2284 to 2316 Gerrard Street East and 2336 to 2366 Gerrard Street East.
Bill No. 931	By-law No. 930-2003	To designate certain lands along Danforth Avenue and Danforth Road between Victoria Park Avenue and Warden Avenue as a Community Improvement Project Area.
Bill No. 932	By-law No. 931-2003	To remove a Site Plan Control Area (Eglinton Community).
Bill No. 933	By-law No. 932-2003	To amend Scarborough Zoning By-law No. 12360, as amended, with respect to the Tam O'Shanter Community.
Bill No. 934	By-law No. 933-2003	To adopt a Community Improvement Plan for the Community Improvement Project Area along Danforth Avenue and Danforth Road from Victoria Park Avenue to Warden Avenue.
Bill No. 935	By-law No. 934-2003	To adopt Amendment No. 1113 of the Official Plan for the former City of Scarborough.

Bill No. 936	By-law No. 935-2003	To designate a Site Plan Control Area (Oakridge Community).
Bill No. 937	By-law No. 936-2003	To amend Scarborough Zoning By-law No. 9812, as amended, with respect to the Oakridge Community.
Bill No. 938	By-law No. 937-2003	To adopt Amendment No. 1112 of the Official Plan for the former City of Scarborough.
Bill No. 939	By-law No. 938-2003	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Marshalling Yard Employment District.
Bill No. 940	By-law No. 939-2003	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Neilson Employment District.
Bill No. 941	By-law No. 940-2003	To amend Municipal Code Chapter 658, Ravine Protection, Schedule A to show revised ravine protection area boundaries in the area of Sandringham Ravine.
Bill No. 942	By-law No. 941-2003	To amend Chapter 320 of the Etobicoke Zoning Code with respect to certain lands fronting on the north and south sides of Bloor Street West, between Montgomery Road and Thompson Avenue, respectively, in the west, and Prince Edward Drive, in the east, to introduce an Avenue zoning area and associated development standards.
Bill No. 943	By-law No. 942-2003	To layout and dedicate certain land south of Davenport Road on the west side of Kendal Avenue for public highway purposes to form part of the public highway Kendal Avenue.

Bill No. 944	By-law No. 943-2003	To layout and dedicate certain land east of Wilson Heights Boulevard, on the north side of Sheppard Avenue West, for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 945	By-law No. 944-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 5566 Yonge Street.
Bill No. 946	By-law No. 945-2003	A By-law to authorize submitting an application to the Ontario Municipal Economic Infrastructure Financing Authority (“OMEIFA”) for financing certain ongoing capital works of the City of Toronto (The “Municipality”); and to authorize long term borrowing for such works through the issue of debentures.
Bill No. 947	By-law No. 946-2003	To amend former City of North York By-law No. 7625 in respect to the lands municipally known as 499 Wilson Heights Boulevard.
Bill No. 948	By-law No. 947-2003	To authorize the alteration of sections of the roadway on Willard Avenue between Dundas Street West and St. John’s Road, and on St. John’s Road between Willard Avenue and the west leg of Windermere Avenue at St. John’s Road.
Bill No. 949	By-law No. 948-2003	To authorize the alteration of sections of the roadway on Armadale Avenue from Verbena Avenue to Sunnybrook Road.
Bill No. 950	By-law No. 949-2003	To authorize the alteration of sections of the roadway on Humbercrest Boulevard between Baby Point Road and Humberview Road.

Bill No. 951	By-law No. 950-2003	To rename the public highway Lower Shaw Street as “Pirandello Street”.
Bill No. 952	By-law No. 951-2003	To name the public lane bounded by Harbord Street, Euclid Avenue, Ulster Street and Manning Avenue as “Frank Kovac Lane”.
Bill No. 953	By-law No. 952-2003	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, regarding King George’s Drive and Paulson Road”.
Bill No. 954	By-law No. 953-2003	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, regarding King George’s Drive and Paulson Road”.
Bill No. 955	By-law No. 954-2003	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, regarding Aileen Avenue”.
Bill No. 956	By-law No. 955-2003	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, regarding Aileen Avenue”.
Bill No. 957	By-law No. 956-2003	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, regarding Onslow Crescent”.
Bill No. 958	By-law No. 957-2003	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, regarding Onslow Crescent”.
Bill No. 959	By-law No. 958-2003	To amend Municipal Code Chapter 681, Sewers, to permit combined Pollution Prevention Plans and Pollution Prevention Plan Summaries.

Bill No. 960	By-law No. 959-2003	To amend City of Toronto Municipal Code Chapter 849, Water and Sewage Services, respecting water rates and sewer service rates.
Bill No. 961	By-law No. 960-2003	To adopt Municipal Code Chapter 743, Streets and Sidewalks, Use of, and incorporate a provision to prohibit the use or occupation of the public highways within the City of Toronto for the sale, or display for sale, of event tickets.
Bill No. 962	By-law No. 961-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting 30 kilometre per hour speed limits on various streets with Traffic Calming measures in effect within the former City of Toronto and the former City of North York.
Bill No. 963	By-law No. 962-2003	To amend former City of North York By-law No. 7625 by lifting the Holding 'H' provisions on lands known municipally as 350 Rumsey Road.
Bill No. 964	By-law No. 963-2003	To amend former City of York By-law No. 1-83, respecting lands known as 3633 and 3635 Dundas Street West).
Bill No. 965	By-law No. 964-2003	To amend By-law No. 1994-0805, the Railway Lands West Zoning By-law, by removing the holding symbol from the zoning designation for Blocks 24, 25, 26 and 29 in the Railway Lands West.
Bill No. 966	By-law No. 965-2003	To adopt Amendment No. 114-2003 to the Official Plan of the Etobicoke Planning Area in order to implement modification to Site-Specific Policy No. 88, affecting the lands located at

		the southeast corner of Royal York Road and Manitoba Street.
Bill No. 967	By-law No. 966-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located in the southeast corner of Royal York Road and Manitoba Street, known municipally as 445-449 Royal York Road.
Bill No. 968	By-law No. 967-2003	To layout and dedicate certain land on the south side of Sheppard Avenue East, east of Yonge Street, for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 969	By-law No. 968-2003	To assume the municipal services located on Boardwalk Drive, Joseph Duggan Road, Laneway A, Laneway B and Laneway C, being streets and lanes on part of Plan 66M-2311.
Bill No. 970	By-law No. 969-2003	To layout and dedicate certain land extending easterly from Lower Simcoe Street then northerly to Bremner Boulevard, for public highway purposes to be named Grand Trunk Crescent and to assume the municipal services located therein.
Bill No. 971	By-law No. 970-2003	To adopt Amendment No. 109-2003 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting the lands located on the east side of Superior Avenue, north of Lake Shore Boulevard West, municipally known as 2398 Lake Shore Boulevard West and 13 Superior Avenue.
Bill No. 972	By-law No. 971-2003	To amend Chapters 340 and 342 of the Etobicoke Zoning Code with respect to certain lands located on the east side of Superior Avenue, north of Lake Shore

		Boulevard West, municipally known as 2398 Lake Shore Boulevard West and 13 Superior Avenue.
Bill No. 973	By-law No. 972-2003	To amend former City of North York By-law No. 31001, as amended, being a by-law "To regulate traffic on North York Roads", to prohibit skateboarding on Ptarmigan Crescent and on Wallingford Road.
Bill No. 974	By-law No. 973-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting King Street West.
Bill No. 975	By-law No. 974-2003	To authorize the alteration of sections of the roadway on Bude Street, between Alameda Avenue and Oakwood Avenue.
Bill No. 976	By-law No. 975-2003	To authorize the alteration of sections of the roadway on Hopewell Avenue, between Dufferin Street and Marlee Avenue.
Bill No. 977	By-law No. 976-2003	To authorize the alteration of sections of the roadway on Lanark Avenue, between Glenholme Avenue and Oakwood Avenue.
Bill No. 978	By-law No. 977-2003	To authorize the alteration of sections of the roadway on Hanson Road, between Glenholme Avenue and Oakwood Avenue.
Bill No. 979	By-law No. 978-2003	To authorize the alteration of sections of the roadway on Schell Avenue, between Fairbank Avenue and Dufferin Street.
Bill No. 980	By-law No. 979-2003	To amend Municipal Code Chapter 179, Parking Authority, to provide a standing authority to recognize new carparks for enforcement purposes.

Bill No. 981	By-law No. 980-2003	To amend Municipal Code Chapter 950, Traffic and Parking, to add certain carparks to Schedule III to the Code Chapter.
Bill No. 982	By-law No. 981-2003	To amend Municipal Code Chapter 950, Traffic and Parking, to establish a separate offence for the parking or leaving of a bus in a municipal parking facility contrary to the code chapter.
Bill No. 983	By-law No. 982-2003	To adopt Amendment No. 266 to the Official Plan for the former City of Toronto respecting lands known as 33-45 Lombard Street, 98-110 Church Street and 106 King Street East.
Bill No. 984	By-law No. 983-2003	To adopt Amendment No. 15 to the Official Plan for the City of Toronto respecting lands known as 33-45 Lombard Street, 98-110 Church Street and 106 King Street East.
Bill No. 985	By-law No. 984-2003	To amend General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as 33-45 Lombard Street, 98-110 Church Street and 106 King Street East.
Bill No. 986	By-law No. 985-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to restrict the height of fences at schools. <i>*amended*</i>
Bill No. 987	By-law No. 986-2003	To exempt certain lands known municipally as 4691 Bathurst Street, 500 Ellerslie Avenue and 47-51 Farrell Avenue from Part Lot Control.
Bill No. 988	By-law No. 987-2003	To exempt certain lands known municipally as 1 Pearen Street from Part Lot Control.
Bill No. 989	By-law No. 988-2003	To exempt lands municipally known as

		5 Tyre Avenue from Part Lot Control.
Bill No. 990	By-law No. 989-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 12-26 Kenaston Gardens.
Bill No. 991	By-law No. 990-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cherry Street.
Bill No. 992	By-law No. 991-2003	To amend By-law No. 438-86, as amended, to remove the holding symbol from a portion of the area bounded by Trinity Street, Cherry Street, Front Street East and Eastern Avenue.
Bill No. 993	By-law No. 992-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 994	By-law No. 993-2003	To adopt Amendment No. 20 of the Official Plan for the City of Toronto in respect of lands known as 1 Davenport Road.
Bill No. 995	By-law No. 994-2003	To adopt Amendment No. 278 of the Official Plan for the former City of Toronto in respect of lands known as 1 Davenport Road.
Bill No. 996	By-law No. 995-2003	To amend General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 1 Davenport Road,

the vote upon which was taken as follows:

Yes - 29

Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

- 11.193 On September 24, 2003, at 7:18 p.m., Councillor Moscoe, seconded by Councillor Soknacki, 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. 1020	By-law No. 996-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd and 24th days of September, 2003,
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the vote upon which was taken as follows:

Yes - 29	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

- 11.194 On September 24, 2003, at 7:21 p.m., Councillor Lindsay Luby, seconded by Councillor Holyday, 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. 1021	By-law No. 997-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd and 24th days of September, 2003,
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the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Di Giorgio, Dominelli, Feldman, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

11.195 On September 25, 2003, at 12:22 p.m., Councillor Tziretas, seconded by Councillor Walker, 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. 997	By-law No. 998-2003	To adopt Amendment No. 275 of the Official Plan for the former City of Toronto respecting lands known as 49-51 River Street.
Bill No. 998	By-law No. 999-2003	To adopt Amendment No. 21 of the Official Plan for the City of Toronto respecting lands known as 49-51 River Street.
Bill No. 999	By-law No. 1000-2003	To amend General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 49-51 River Street.
Bill No. 1000	By-law No. 1001-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 25, 27, 29, 31, 33 and 35 Finch Avenue West, 8, 10, 12, 14, 26, 28, 30, 32 and 34 Lorraine Drive, 5, 7, 9 and 11 Blakeley Road, and 35 Lorraine Drive and 47 Horsham Avenue.
Bill No. 1001	By-law No. 1002-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 1002	By-law No. 1003-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting St David Street.
Bill No. 1003	By-law No. 1004-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bishop Street.
Bill No. 1004	By-law No. 1005-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and

		Parking, respecting Andrews Avenue.
Bill No. 1005	By-law No. 1006-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Broadway Avenue.
Bill No. 1006	By-law No. 1007-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Booth Avenue.
Bill No. 1007	By-law No. 1008-2003	To amend City of Toronto Municipal Code Chapter 591, Noise, to prohibit noise from any abattoir during certain times.
Bill No. 1008	By-law No. 1009-2003	To adopt Amendment No. 274 to the Official Plan for the former City of Toronto respecting lands known as 414 Jarvis Street.
Bill No. 1009	By-law No. 1010-2003	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, to replace parking meters with parking machines on Borough Drive, between Triton Gate and Town Centre Court,

the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Filion, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Rae, Shaw, Tziretas, Walker
No - 0	

Carried, without dissent.

11.196 On September 25, 2003, at 12:24 p.m., Councillor Augimeri, seconded by Councillor Minnan-Wong, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1022	By-law No. 1011-2003	To confirm the proceedings of the
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Council at its meeting held on the
22nd, 23rd, 24th and 25th days of
September, 2003,

the vote upon which was taken as follows:

Yes - 30	
Councillors:	Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Tziretas, Walker
No - 0	

Carried, without dissent.

11.197 On September 25, 2003, at 5:35 p.m., Councillor Mammoliti, seconded by Councillor Lindsay Luby, 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. 773	By-law No. 1012-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting Toronto Licensing Tribunal reporting requirement.
Bill No. 1010	By-law No. 1013-2003	To adopt Amendment No. 19 to the Official Plan for the City of Toronto respecting lands known as 56 Queen Street East and 51 Bond Street.
Bill No. 1011	By-law No. 1014-2003	To adopt Amendment No. 279 to the Official Plan for the former City of Toronto respecting lands known as 56 Queen Street East and 51 Bond Street.
Bill No. 1012	By-law No. 1015-2003	To amend General Zoning By-law No. 438-86 of the former City of Toronto, as amended, with respect to lands known as 56 Queen Street East and 51 Bond Street.

Bill No. 1013	By-law No. 1016-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 1014	By-law No. 1017-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 1015	By-law No. 1018-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 1016	By-law No. 1019-2003	To amend former City of North York By-law No. 7625 in respect of lands located on the south-west corner of Dufferin Street and Steeles Avenue West,

the vote upon which was taken as follows:

Yes - 32	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Tziretas, Walker
No - 0	

Carried, without dissent.

11.198 On September 25, 2003, at 5:36 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, 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. 1023	By-law No. 1020-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd, 24th and 25th days of September, 2003,
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the vote upon which was taken as follows:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Tziretas, Walker
No - 0	

Carried, without dissent.

The following Bills were withdrawn:

- Bill No. 822 To amend By-law No. 30788 of the former City of North York, as amended, to restrict the content of signs on office or industrial buildings in the Yonge Street City Centre area.
- Bill No. 898 To amend the former City of Toronto Municipal Code, Chapter 400, Traffic and Parking, respecting Lonsdale Road.
- Bill No. 901 To amend the former City of Toronto Municipal Code, Chapter 400, Traffic and Parking, with respect to speed control zones.

OFFICIAL RECOGNITIONS:

11.199 Condolence Motions

September 22, 2003:

Councillor Miller, seconded by Councillor Bussin, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn of the passing of Margery M. Trick, beloved mother of Councillor Anne Johnston, on July 25, 2003, in London, England, in her 94th year;

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

Councillor Rae, seconded by Councillor Chow, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn of the sudden passing of Jessica Fraser, Executive Director of the Toronto Theatre Alliance and a driving force in theatre in Toronto, over the years, as an award winning actor, producer, teacher and administrator; and

WHEREAS Jessica Fraser personified civic involvement in her commitment to making Toronto a better place to live, by her relentless boosterism of theatrical entertainment in our City, through her involvement in T.O. Tix, the Dora Mavor Moore Awards and countless other projects large and small; and

WHEREAS Jessica Fraser’s contagious passion for theatre drove her to share her energy with others, especially young people, which she showed through her involvement with Theatre Direct Canada, as a lecturer at York University and as a mentor to young theatre professionals; and

WHEREAS Jessica Fraser was a tireless advocate for the importance of culture and the performing arts in our City, enjoying and promoting all theatrical forms from the small and avant-garde to large and lavish musical productions; and

WHEREAS Jessica Fraser’s ongoing dedication to breathing life into Toronto also led her to be involved in projects far beyond the theatre - as an executive member of the Yonge-Dundas Square Board of Management and as a director of Tourism Toronto; and

WHEREAS Jessica will be missed by family in her native Scotland, in Australia and here in Canada, as a mother, grandmother, sister and daughter and by an extensive group of devoted friends around the world who have reacted with grief to her sudden passing;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to her father James, her former husband and good friend Sandy Fraser, her daughter Laurie and her son Andrew and their families, her brother Martin and her sister Muriel and their families.”

Councillor McConnell, seconded by Councillor Rae, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn of the passing of Mr. George Breithaupt on August 26, 2003, a resident of the Hugh Garner Co-Op; 550 Ontario Street in Ward 28; and

WHEREAS, as a result of an accident in 1972, George Breithaupt became paraplegic and depended on a wheelchair for mobility and was quoted in a November 28, 2002, article in the Toronto Sun, saying that, ‘...If it wasn’t for that [1972] accident, I wouldn’t be the man I am today... [A wheelchair] is a necessary companion... To fight it is, in essence, to fight myself, to deny that I am paraplegic, to deny that I am human, alive.’; and

WHEREAS on November 14, 2002, George Breithaupt was involved in a second accident while loading onto a TTC bus with his wheelchair and as a result of this accident, he was in a coma, and, while he did regain consciousness, George remained in the hospital until his death on August 26, 2003; and

WHEREAS George Breithaupt was very active in the community as an advocate for people with mobility problems and was a founding member of the Hugh Garner Barrier Free Access Group, which advocates for barrier free access to public transportation, local buildings and services and housing; and

WHEREAS George Breithaupt helped ensure that people with mobility problems are able to access the swimming pool at the local YMCA without assistance, by successfully lobbying for a lift that was installed at poolside; and

WHEREAS George was also a key participant in a press conference shortly before his 2002 accident to highlight the lack of accessibility in some local businesses; and

WHEREAS George Breithaupt also volunteered his time at the former Wellesley Hospital, which was one of the main treatment centres for people living in the community that were HIV positive and was involved organizing many food drives for the Daily Bread Food Bank and fund raised for countless charities;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere sympathy to the family of George Breithaupt and the residents of the Hugh Garner Co-op.”

Councillor Pantalone, seconded by Councillor Augimeri, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn that Mr. Paolo Pietropaolo passed away on June 17, 2003 at age 89; and

WHEREAS Paolo Pietropaolo served as the Town Councillor in his native village, Maierato, in Calabria, Italy and many years later brought this sense of public service to Toronto as a founding member of the seniors’ social and community service club *Le Caravelle* in College Street’s Little Italy; and

WHEREAS Paolo Pietropaolo, when he died in Toronto's Little Italy, left an extended family of university-educated children and grandchildren whose accomplishments in the New World were a source of pride for this self-schooled man, and the final celebration for his decision to uproot the whole family and move to Toronto; and

WHEREAS Paolo Pietropaolo lived the quiet heroism of an immigrant's life;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife Mrs. Maria-Carmela Pietropaolo, and the families of Damiano Pietropaolo, Domenico Pietropaolo, Vincenzo Pietropaolo and Maria Pietropaolo."

Councillor McConnell, seconded by Councillor Rae, moved that:

"WHEREAS as the result of a fatal hit and run accident in the St. Lawrence community, the Members of City Council are deeply saddened to learn of the passing of Mr. Kalid Soleman Said and his wife Mrs. Negat Mohamed Norhagg; and

WHEREAS Kalid Soleman Said and Negat Mohamed Norhagg had just been recently reunited after the birth of their child in January and were looking forward to celebrating their second wedding anniversary with friends and family; and

WHEREAS on the evening of Monday, June 30, 2003, while taking their baby for a walk in their home community, Kalid Soleman Said and Negat Mohammed Norhagg were struck down and killed when a vehicle drove up on a curb at the corner of Jarvis Street and The Esplanade; and

WHERAS Kalid Soleman Said's last act was to push his beloved daughter to safety; and

WHEREAS Azalea Said, born on January 1, 2003, and the only child of Kalid Soleman Said and Negat Mohamed Norhagg, in this tragic event, lost both of her parents and is now in the care of her second cousin; and

WHEREAS Kalid Soleman Said and Negat Mohamed Norhagg's tragic passing has mobilized the community to enhance pedestrian safety in the St. Lawrence community, with specific enhancements to be presented to City Council at this meeting and future meetings; and

WHEREAS, as is customary in the Eritrean community, Kalid Soleman Said and

Negat Mohamed Norhagg's family had asked that any memorial in their honour be done after the time of mourning in order for the family to recover from the terrible shock and deal with the pressing issue of the health and future care of baby Azalea;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of all Members of City Council, our sincere sympathy to their daughter Azalea and her family."

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 Ms. Margery M. Trick, Ms. Jessica Fraser, Mr. George Breithaupt, Mr. Paolo Pietropaolo, Mr. Kalid Soleman Said and Mrs. Negat Mohamed Norhagg.

September 23, 2003:

Councillor Ootes, seconded by Councillor Lindsay Luby, moved that:

"WHEREAS the Members of City Council are deeply saddened to learn of the death of Mr. C. Dennis Flynn on August 19, 2003; and

WHEREAS C. Dennis Flynn committed over 25 years of dedicated public service, serving both as Mayor and Councillor of the former City of Etobicoke, Chairman and Member of Metropolitan Council and sat on the Toronto Police Services Board for several terms; and

WHEREAS C. Dennis Flynn was a decorated World War Two veteran and war hero who was wounded while participating in the invasion of Normandy on D-Day and later served as Honorary Lt.-Colonel of the Toronto Scottish Regiment; and

WHEREAS C. Dennis Flynn received the Order of Ontario in 2001 for his long service to the community; and

WHEREAS his passing has saddened residents across the City of Toronto who will always remember him as a remarkable man and a remarkable politician who was kind and decent and was always there for the people of his community, his Province and his Country;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to the family of C. Dennis Flynn, his wife Margaret, his seven children and his many grandchildren."

Councillors Feldman and Shiner, seconded by Councillor Ootes, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn that Mr. Vernon Singer passed away on September 20, 2003; and

WHEREAS Vernon Singer served as a Councillor and a Reeve in the Township of North York, a member of the Committee of Adjustment in the City of North York, a Councillor on the Metropolitan Toronto Council, a member of the Ontario Legislature and a member of the Ontario Municipal Board; and

WHEREAS his contributions also included military service with the Royal Canadian Dragoons in England and North Europe; and

WHEREAS he also served his community through volunteer work with the Canadian Cancer Association, the Mount Sinai Hospital, and the North York Red Cross; and

WHEREAS his passing has saddened residents of the City of Toronto, who will always remember him as hard-working man who served the people of his community, his province and his country with dedication

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to the family of Mr. Vernon Singer.”

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 Mr. C. Dennis Flynn and Mr. Vernon Singer.

September 25, 2003:

Councillor Altobello, seconded by Councillor Pantalone, moved that:

“WHEREAS the Members of City Council are deeply saddened to learn of the passing of Nick Christou, an inspector with the Buildings Division of the City of Toronto’s Urban Development Services Department, who suffered a tragic accident while at a construction site and died early this morning as a result of injuries sustained in the accident;

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

Leave to introduce the foregoing Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Mr. Nick Christou.

11.200 Presentations/Introductions/Announcements:

September 22, 2003:

Councillor Ashton, during the morning session of the meeting, introduced a delegation of Planners and Architects from Hamburg, Germany, present at the meeting.

Councillor Pantalone, during the morning session of the meeting, introduced a delegation from the City of Beijing, China, present at the meeting.

September 23, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, advised the Council that Mayor Lastman would be giving his farewell speech to Council. Following the Mayor's speech, he and the Chief Administrative Officer would address Council and each Member of Council would then, in turn, be permitted to address Council, if they so wished.

Mayor Lastman addressed the Council, outlined the accomplishments made by the City of Toronto in his first and second terms as Mayor of the newly amalgamated City of Toronto and expressed appreciation to all Members of Council for their assistance during his tenure as the first Mayor of the new amalgamated City. (See Attachment No. 1, Page 294)

Deputy Mayor Ootes and the Chief Administrative Officer addressed the Council and expressed their appreciation to Members of Council and staff for their achievements during this term of Council.

Councillor Anne Johnston, with the permission of Council, addressed the Council as the Senior's Advocate for the City of Toronto and, together with Deputy Mayor Ootes, presented the Senior of the Year Award to Alice Graham, one of the pioneers of the volunteer program at Fudger House, and who, at the age of 87, continues to devote her time to improve the quality of life of the residents of Fudger House.

September 24, 2003:

Councillor Pantalone, during the morning session of the meeting, with the permission of Council, addressed the Council, as the Tree Advocate for the City of Toronto, regarding the success of the Tree Advocacy Program since the program was launched by the Mayor and Council in June 2000 and advised the Council that, since its inception, the program has

planted more than 200,000 trees and shrubs in over 250 locations. Councillor Pantalone expressed, on behalf of Council, the appreciation of Council to all of the sponsors who had contributed to the success of the City of Toronto Tree Advocacy Program and invited the following Toronto Tree Advocacy Planting Program sponsors, present at the meeting, to the podium to receive their scroll and their leaf to be placed on the Tree Hall of Fame in the lobby of City Hall:

- David Bednar, General Manager, Canadian National Exhibition Association;
- David Gray, President, Creative Outdoor Advertising;
- Craig Kelly, Promotions Executive, Toronto Star;
- Blair Peberdy, Vice President Communications and Public Affairs, Toronto Hydro;
- and
- Maurice Anderson, President, Toronto Parking Authority.

Mayor Lastman, during the morning session of the meeting, addressed the Council in regard to the “Toronto You Belong Here” campaign which was launched to encourage everyone to support the City of Toronto following the SARS outbreak and the resulting challenges presented to the City. Mayor Lastman then invited Deputy Mayor Ootes to address the Council.

Deputy Mayor Ootes addressed the Council and advised that many corporations, partners and individuals contributed to the success of the “Toronto You Belong Here” campaign. The Deputy Mayor introduced the representatives of the following sponsors present at the meeting:

Business and Community Associations:

- Toronto Association of Business Improvement Areas;
- Toronto Chinese Business Association;
- Chinese Chamber of Commerce (East Toronto);
- Scadding Court Community Centre;
- Toronto Chinatown Community Development Association;
- Scarborough York Region Chinese Business Association;
- Ontario Chinese Restaurant and Food Services Association;
- Toronto Board of Trade; and
- Toront03.

Corporations in the Playbook and Ambassador Program:

- McDonald’s;
- Bell Canada;
- Cadillac Fairview - Eaton Centre;
- The Loyalty Group - Air Miles;
- Visa Canada Association;

- Avis Rent-a-Car;
- Sears Travel;
- Telus;
- Air Canada;
- Greater Toronto Airports Authority; and
- Bankers/Spector Image.

The Ethnic Campaign had the support of the Chinese community, including:

- | | |
|---------------------|-----------------|
| • Ronald Bi (rep) | • Teresa Carpio |
| • Ivy Ling Po (rep) | • Lok Hiu Shan |
| • Lau Tin Chi (rep) | |

There were many who made the Toronto song and our Television Commercial possible, including:

- Jason Gleed -- Grayson Matthews (the writer of the song);
- Jeff Adams;
- Partners Film Company;
- Panic and Bob Editing;
- Jigsaw Casting;
- Characters Talent Agency;
- Sundance Children's Choir;
- Sister Someone;
- Maestro Williams;
- Damhnait Doyle;
- Michee Mee;
- Max Ingrao;
- Madawaska String Quartet;
- Doug Gilmour;
- Jason Preistley;
- Barenaked Ladies;
- AXYZ Edit; and
- Manta DSP.

The campaign, of course, could not be successful without the support of our Signature Events and Attractions:

- | | |
|---------------------------------------|--------------------------|
| • Pride Week | • Toronto Zoo |
| • Molson Indy | • Ontario Place |
| • Caribana | • Casa Loma |
| • Beaches International Jazz Festival | • Ontario Science Centre |
| • Krinos Taste of the Danforth | • CN Tower |

- Canadian National Exhibition
- Toronto International Film Festival
- Word on the Street
- Royal Ontario Museum
- Art Gallery of Ontario

The Deputy Mayor invited Members of Council to view a video presentation on the “Toronto You Belong Here” program.

Councillor Walker, during the afternoon session of the meeting, with the permission of Council, addressed the Council in regard to “The Real Tenant Protection Campaign 2003” - a campaign which encourages voters to cast their ballots for the candidates and the parties that will provide real tenant protection, and encouraged Members of Council to support the campaign and wear the Tenant Vote 2003 Campaign button.

Councillor Mihevc, during the afternoon session of the meeting, with the permission of Council, introduced Gregor and Monika Šlibar, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, invited Councillor Sherene Shaw, Diversity Advocate and Chair of the Race and Ethnic Relations Committee, and Councillor Pam McConnell to the podium.

Councillor Shaw addressed the Council and introduced Mr. Doudou Diène, the United Nations Special Rapporteur on Racism. Councillor Shaw advised the Council that the Government of Canada has invited Mr. Diène to visit Canadian Cities and meet with all orders of government and civil society. Mr. Diène will present his report on various countries to the United Nations General Assembly, in March 2004, on the manifestations of racism and on governmental measures to overcome racism. Councillor Shaw then invited Councillor McConnell, as the representative of the City of Toronto and the Federation of Canadian Municipalities at the United National World Conference against Racism held in Durban, South Africa in 2001, to address the Council.

Councillor McConnell addressed the Council, congratulated Mr. Diène on his challenging mission, advised the Council that Mr. Diène’s mandate is based on the United Nations Durban Declaration and the Vienna Declaration and that he will be discussing a range of issues with civil society and government bodies, including racial profiling, police violence, discrimination in access to services, discrimination in housing, health, education, racial harassment, gender bias and any other relevant issues. Councillor McConnell further advised that City Council had proposed that the Government of Canada develop a domestic Plan of Action to eliminate racism and that Council had developed and adopted its Plan of Action against Racism and Discrimination in April 2003.

September 25, 2003:

Mayor Lastman, during the afternoon session of the meeting, extended, on behalf of Council, the appreciation of Council to the City Clerk and her staff for their assistance during this term of Council, and presented floral bouquets to Ulli Watkiss, City Clerk, Marilyn Toft, Manager, Council Secretariat Support, and Madeline Brown, Council Administrator, to mark the occasion.

11.201 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

September 22, 2003:

Councillor Silva, at 10:40 a.m., moved that Council vary the order of its proceedings to consider Clause No. 27 of Report No. 9 of The Policy and Finance Committee, headed “China Trademart in the Queen Elizabeth Building - Long Term Lease”, on Thursday, September 25, 2003, at 9:30 a.m., such matter to be considered in-camera, the vote upon which was taken as follows:

Yes - 18	
Councillors:	Ashton, Augimeri, Cho, Filion, Ford, Hall, Johnston, L. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Milczyn, Nunziata, Shaw, Silva, Tziretas, Walker
No - 16	
Mayor:	Lastman
Councillors:	Chow, Di Giorgio, Feldman, Holyday, Li Preti, Lindsay Luby, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki

Carried by a majority of 2.

Councillor Miller, at 10:45 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 9 of The Administration Committee, headed “Authority to Renew Option Years for Request for Quotation (RFQ) No. 0203-02-0150 for the Supply of all Labour, Materials, Equipment and Supervision Necessary to Perform Janitorial Services at Various Locations within the City of Toronto for Corporate Services Department, Facilities and Real Estate Division, Facilities Services”, on September 24, 2003, at 3:30 p.m., which carried.

Motion to Waive Procedure:

Councillor Pitfield, on September 22, 2003, at 10:46 a.m., moved that the necessary provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived, in order to prohibit further motions to establish specific times for items at this Council meeting, the vote upon which was taken as follows:

Yes - 17	
Councillors:	Ashton, Cho, Di Giorgio, Dominelli, Feldman, Hall, Holyday, Lindsay Luby, Mammoliti, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Tziretas
No - 13	
Councillors:	Chow, Filion, Ford, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Rae, Shaw, Walker

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

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

September 22, 2003:

Deputy Mayor Ootes, at 12:25 p.m., proposed that Council now recess and reconvene at 2:00 p.m. Council concurred in the proposal by Deputy Mayor Ootes.

Deputy Mayor Ootes, at 7:25 p.m., proposed that Council now recess and reconvene at 9:30 a.m., on Tuesday, September 23, 2003. Council concurred in the proposal by Deputy Mayor Ootes.

September 23, 2003:

Deputy Mayor Ootes, at 2:30 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, and that Council recess at 6:00 p.m. and reconvene at 9:30 a.m., on Wednesday, September 24, 2003, the vote upon which was taken as follows:

Yes - 19	
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Johnston, Li Preti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Shiner, Tziretas
No - 10	
Councillors:	Altobello, Ashton, Filion, Hall, Holyday, Kelly, Korwin-Kuczynski, Moeser, Rae, Soknacki

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

Councillor Soknacki, at 2:33 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, and that Council recess at 6:02 p.m. and reconvene at 9:30 a.m., on Wednesday, September 24, 2003, the vote upon which was taken as follows:

Yes - 25

Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Hall, Johnston, L. Jones, Li Preti, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Shiner, Soknacki, Tziretas, Walker
No - 11	
Councillors:	Altobello, Ashton, Filion, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Moeser, Rae, Shaw

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

Deputy Mayor Ootes, at 2:38 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 6:00 p.m. recess on Wednesday, September 24, 2003, and that Council continue in session until 7:30 p.m. on Wednesday, September 24, 2003, the vote upon which was taken as follows:

Yes - 30	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Tziretas
No - 6	
Councillors:	Cho, L. Jones, Li Preti, Moeser, Shiner, Soknacki

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

September 24, 2003:

Councillor Shiner, at 6:45 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, and that Council continue in session, in order to complete consideration of all time critical matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 17	
Councillors:	Altobello, Bussin, Cho, Feldman, Ford, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Ootes, Pitfield, Shaw, Shiner, Soknacki, Tziretas, Walker
No - 14	

Councillors: Ashton, Augimeri, Chow, Di Giorgio, Dominelli, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pantalone

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

Deputy Mayor Ootes, at 7:25 p.m., proposed that Council now recess and reconvene at 9:30 a.m., on Thursday, September 25, 2003. Council concurred in the proposal by Deputy Mayor Ootes.

11.202 ATTENDANCE

Councillor L. Jones, seconded by Councillor Moeser, moved that the absence of Councillors Berardinetti and Duguid, from this meeting of Council, be excused, which carried.

September 22, 2003	9:40 a.m. to 12:25 p.m.*	Roll Call 11:20 p.m.	Roll Call 11:40 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Lastman	x	x	x	-	x
Altobello	x	x	x	x	x
Ashton	x	-	-	-	x
Augimeri	x	-	-	x	x
Balkissoon	x	-	x	-	x
Berardinetti	-	-	-	-	-
Bussin	x	x	-	x	x
Cho	x	-	-	x	x
Chow	x	x	x	x	x
Di Giorgio	x	x	-	x	x
Dominelli	x	x	x	x	x
Duguid	-	-	-	-	-
Feldman	x	x	x	x	x
Filion	x	x	x	x	x
Flint	x	-	-	-	-
Ford	x	x	x	-	x
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	x	-	x	x	x
I. Jones	-	-	-	-	-

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September 22, 2003	9:40 a.m. to 12:25 p.m.*	Roll Call 11:20 p.m.	Roll Call 11:40 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
L. Jones	x	x	x	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	-	x	-	x
Li Preti	x	x	x	-	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	-	x
McConnell	x	x	x	-	x
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Miller	x	-	-	-	x
Minnan-Wong	x	-	-	x	x
Moeser	x	x	-	x	x
Moscoe	x	x	x	x	x
Nunziata	x	-	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	-	x	x
Pitfield	x	x	-	x	x
Rae	x	x	x	x	x
Shaw	x	x	x	-	x
Shiner	x	-	-	x	x
Silva	x	-	-	-	-
Soknacki	x	x	-	x	x
Sutherland	x	-	-	-	-
Tziretas	x	x	x	x	x
Walker	x	x	x	x	x
Total	42	29	27	29	39

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

September 22, 2003	Roll Call 4:09 p.m.	Roll Call 4:20 p.m.	Roll Call 4:45 p.m.	Roll Call 5:10 p.m.
Lastman	x	x	x	x
Altobello	x	x	x	x
Ashton	-	x	-	x
Augimeri	x	x	x	x

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September 22, 2003	Roll Call 4:09 p.m.	Roll Call 4:20 p.m.	Roll Call 4:45 p.m.	Roll Call 5:10 p.m.
Balkissoon	-	-	-	x
Berardinetti	-	-	-	-
Bussin	x	x	x	x
Cho	-	x	x	-
Chow	x	x	-	x
Di Giorgio	x	x	x	x
Dominelli	x	-	x	x
Duguid	-	-	-	-
Feldman	x	x	x	-
Filion	-	-	-	-
Flint	-	-	-	-
Ford	-	-	-	-
Hall	x	x	x	x
Holyday	x	x	x	x
Johnston	-	-	-	-
I. Jones	-	-	-	-
L. Jones	x	x	x	x
Kelly	x	x	x	x
Korwin-Kuczynski	x	x	-	-
Li Preti	x	x	x	x
Lindsay Luby	x	x	x	x
Mammoliti	x	x	x	x
McConnell	x	x	x	x
Mihevc	x	x	-	x
Milczyn	x	-	-	-
Miller	-	-	-	-
Minnan-Wong	-	-	x	x
Moeser	x	-	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	x	x

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September 22, 2003	Roll Call 4:09 p.m.	Roll Call 4:20 p.m.	Roll Call 4:45 p.m.	Roll Call 5:10 p.m.
Pitfield	-	-	x	x
Rae	x	x	x	x
Shaw	-	-	-	x
Shiner	x	x	x	x
Silva	-	-	-	-
Soknacki	-	x	-	-
Sutherland	-	-	-	-
Tziretas	x	x	x	x
Walker	x	x	x	x
Total	28	28	26	29

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

September 23, 2003	9:40 a.m. to 12:30 p.m.*	Roll Call 11:40 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 6:02 p.m.*	Roll Call 3:27 p.m.	Roll Call 3:40 p.m.	Roll Call 3:50 p.m.	Roll Call 4:15 p.m.
Lastman	x	x	-	-	-	-	-	-
Altobello	x	-	x	x	x	x	x	x
Ashton	x	x	x	x	x	x	x	x
Augimeri	x	x	-	x	x	x	x	x
Balkissoon	x	x	-	x	x	-	x	x
Berardinetti	-	-	-	-	-	-	-	-
Bussin	x	-	-	x	x	x	x	-
Cho	x	x	x	x	x	x	x	x
Chow	x	x	-	x	x	-	-	-
Di Giorgio	x	x	x	x	x	x	x	x
Dominelli	x	x	-	x	x	x	x	x
Duguid	-	-	-	-	-	-	-	-
Feldman	x	x	x	x	x	x	x	-
Filion	x	x	x	x	-	-	-	x
Flint	-	-	-	-	-	-	-	-
Ford	x	x	-	-	-	-	-	-
Hall	x	x	-	x	x	x	-	x
Holyday	x	x	x	x	x	x	x	x
Johnston	x	-	x	x	-	x	x	x
	-	-	-	-	-	-	-	-

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September 23, 2003	9:40 a.m. to 12:30 p.m.*	Roll Call 11:40 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 6:02 p.m.*	Roll Call 3:27 p.m.	Roll Call 3:40 p.m.	Roll Call 3:50 p.m.	Roll Call 4:15 p.m.
I. Jones								
L. Jones	x	x	-	x	x	x	x	x
Kelly	x	x	-	x	x	x	x	x
Korwin-Kuczynski	x	-	x	x	x	-	x	x
Li Preti	x	x	x	x	-	x	x	x
Lindsay Luby	x	x	-	x	x	x	x	x
Mammoliti	x	-	x	x	x	-	-	-
McConnell	x	x	-	x	x	x	x	x
Mihevc	x	x	x	x	x	x	x	-
Milczyn	x	x	-	x	-	x	-	x
Miller	x	x	x	x	x	-	-	-
Minnan-Wong	x	-	x	x	-	-	x	-
Moeser	x	-	x	x	-	-	-	x
Moscoe	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
Rae	x	-	x	x	x	x	x	x
Shaw	x	-	-	x	-	-	-	-
Shiner	x	x	x	x	-	-	-	-
Silva	x	-	x	x	-	-	-	-
Soknacki	-	-	x	x	-	-	x	x
Sutherland	x	-	-	-	-	-	-	-
Tziretas	x	x	x	x	-	-	-	-
Walker	x	x	x	x	x	x	x	x
Total	40	29	25	38	27	24	26	27

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

September 24, 2003	9:45 a.m. to 10:40 a.m.*	Ctte. of the Whole in-Camera 10:45 a.m.	12:05 P.M. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Lastman	-	-	-	-	x
Altobello	x	x	x	x	x

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September 24, 2003	9:45 a.m. to 10:40 a.m.*	Ctte. of the Whole in-Camera 10:45 a.m.	12:05 P.M. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Ashton	x	x	-	-	x
Augimeri	x	x	x	x	x
Balkissoon	x	x	x	x	x
Berardinetti	-	-	-	-	-
Bussin	x	-	x	x	x
Cho	x	x	x	-	x
Chow	x	x	-	-	x
Di Giorgio	x	x	x	-	x
Dominelli	x	x	x	x	x
Duguid	-	-	-	-	-
Feldman	x	x	x	x	x
Filion	x	x	x	-	x
Flint	-	-	-	-	-
Ford	x	-	-	-	-
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	x	-	x	x	x
I. Jones	-	-	-	-	x
L. Jones	x	x	x	x	x
Kelly	x	x	x	-	x
Korwin-Kuczynski	x	x	x	x	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	x	x
McConnell	x	-	x	x	x
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Miller	x	-	-	-	x
Minnan-Wong	x	x	-	x	x
Moeser	x	-	x	x	x
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x

Minutes of the Council of the City of Toronto
September 22, 23, 24 and 25, 2003

September 24, 2003	9:45 a.m. to 10:40 a.m.*	Ctte. of the Whole in-Camera 10:45 a.m.	12:05 P.M. to 12:30 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Pantalone	x	x	x	x	x
Pitfield	x	x	x	-	x
Rae	x	x	x	x	x
Shaw	-	-	-	-	x
Shiner	-	-	x	x	x
Silva	x	x	-	-	x
Soknacki	x	x	-	x	x
Sutherland	x	x	-	-	-
Tziretas	x	x	-	x	x
Walker	x	x	x	x	x
Total	38	32	30	28	40

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

September 25, 2003	9:45 a.m. to 9:51 a.m.*	Ctte. of the Whole in-Camera 9:57 a.m.	12:23 p.m. to 12:30 p.m.*	Roll Call 2:14 p.m.	2:14 p.m. to 2:17 p.m.*	Ctte. of the Whole in-Camera 2:22 p.m.	4:05 p.m. to 5:40 p.m.*	Roll Call 4:45 p.m.
Lastman	-	-	-	x	x	x	-	-
Altobello	x	x	x	x	x	x	x	x
Ashton	x	x	x	x	x	x	x	x
Augimeri	x	x	x	x	x	x	x	x
Balkissoon	x	x	x	-	-	x	x	-
Berardinetti	-	-	-	-	-	-	-	-
Bussin	-	x	-	x	x	x	x	x
Cho	x	x	-	-	x	x	x	x
Chow	x	x	x	-	x	x	x	-
Di Giorgio	x	x	x	x	x	x	x	x
Dominelli	x	-	-	x	x	x	x	x
Duguid	-	-	-	-	-	-	-	-
Feldman	x	x	x	x	x	x	-	-
Filion	-	x	x	x	x	x	x	x
Flint	-	-	-	-	-	-	-	-
Ford	x	x	-	-	-	-	-	-
Hall	x	x	x	x	x	x	x	x

Minutes of the Council of the City of Toronto
September 22, 23, 24 and 25, 2003

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September 25, 2003	9:45 a.m. to 9:51 a.m.*	Ctte. of the Whole in-Camera 9:57 a.m.	12:23 p.m. to 12:30 p.m.*	Roll Call 2:14 p.m.	2:14 p.m. to 2:17 p.m.*	Ctte. of the Whole in-Camera 2:22 p.m.	4:05 p.m. to 5:40 p.m.*	Roll Call 4:45 p.m.
Holiday	x	x	x	x	x	x	x	x
Johnston	x	x	x	-	x	x	x	x
I. Jones	-	-	-	-	-	-	-	-
L. Jones	x	x	x	x	x	x	x	x
Kelly	-	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	x	-	-	-	x	x	x
McConnell	x	x	x	x	x	x	x	-
Mihevc	x	x	x	-	x	x	x	x
Milczyn	x	x	x	x	x	x	x	x
Miller	-	-	-	-	-	-	-	-
Minnan-Wong	x	x	x	x	x	x	x	x
Moeser	x	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
Pitfield	x	x	-	x	x	x	x	x
Rae	x	x	x	x	x	x	x	-
Shaw	-	x	x	-	-	x	x	x
Shiner	x	x	x	x	x	x	-	-
Silva	x	x	-	-	-	-	-	-
Soknacki	x	x	-	-	-	-	-	-
Sutherland	-	-	-	-	-	-	-	-
Tziretas	-	x	x	-	-	x	x	-
Walker	x	x	x	x	x	x	x	x
Total	33	37	29	27	30	36	33	28

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

Council adjourned on September 25, 2003, at 5:40 p.m.

MEL LASTMAN,
Mayor

ULLI S. WATKISS,
City Clerk

ATTACHMENT NO. 1

Comments of Mayor Mel Lastman and the record of accomplishments during his term as the first Mayor of the amalgamated City of Toronto (See Minute No. 11.114, Page 116):

I haven't worn this Chain of Office in Council since our first meeting, back in December 2000.

It was an honour to wear it then – and after all we've been through together, it is even more of an honour to be wearing it today.

Together, we've tackled the critical issues that previous governments failed to address.

We made current value assessment work. We purchased Union Station from the Toronto Terminal Railways Company. We approved a bridge to the Island Airport. We settled lawsuits with the CBC and with the Toronto Port Authority. We cleaned up our taxi industry. We built dozens of waterparks. We developed an Official Plan for the City of Toronto to guide growth for the next 20 years and we made our 4,000 restaurants smoke-free and clean.

Think about it for a moment. The debates we had over the creation of an office for the Auditor General. The work that went into saving the School Board's swimming pools and making regular restaurant inspections a reality - and I could go on and on.

We didn't always agree. Not everybody got their way – but we were steadfast in our attempts to put Toronto on the path to greatness.

I think we succeeded – and we did it with the odds stacked against us.

Remember what it was like that first Council meeting in 1998? Remember learning that the transition team had only hired a total of five bureaucrats? Remember when you first found out that we had 56 collective agreements that had to be rolled into one?

I remember – just as I remember how I felt when I learned that downloading was short-changing Toronto to the tune of \$276 million a year.

It was kind of like how I felt when I learned that the Province – in co-operation with the Federal Government - was going to download responsibility for 95,000 units of subsidized social housing onto our taxpayers.

How I felt in 1999 when the snowstorm hit – and I realized that the old City of Toronto didn't have any snowplows.

When I learned about SARS this spring – or blackouts this summer.

We rose to all challenges. We created the Toronto Community Housing Corporation, which will save taxpayers \$25 million in its first three years and \$25 million every year after.

We found hundreds of millions of dollars in our budget to help offset the impact of downloading.

We worked to keep our citizens safe through storms and outbreaks and blackouts.

And we fought like cats and dogs to get the Provincial and the Federal Governments to re-invest in our City.

Is Toronto a better place for our efforts?

You bet it is.

In the last six years, we secured commitments for \$1.1 billion in Provincial funding and \$76 million in Federal funding for the TTC.

Our counterparts in Queen's Park and Ottawa also pledged \$1 billion for our waterfront.

We secured \$235 million in cultural grants to help build new landmarks like the Opera House – and renovate old ones like the Royal Ontario Museum and the Art Gallery of Ontario.

And in the middle of all this – the post-amalgamation chaos and the downloading and the outbreaks – we actually improved our City's credit rating, bringing it up to Aa1 from Aa2.

We did these things. You and me. Together – and for being bold in the face of adversity – for fighting for what you believe in – you have both my respect, and my thanks.

You also have my best wishes as you go forward – because I don't think it's going to get any easier.

I've learned a few things these past six years.

One of them is that the path we are on is not sustainable.

We cannot afford to pay for all the programs that have been forced down on us.

Particularly when two-thirds of our tax base has been frozen and we only have direct control over 25 percent of our total budget; Queen's Park dictates how we spend the rest.

We're not going to make it without adequate, on-going funding delivered directly to us - without strings attached.

I've also learned that when you schedule a budget meeting, you've got to be at least two weeks away from a holiday break.

I've learned that if Council doesn't finish its agenda in three days, it should have at least up to two more days the following week to complete the agenda.

We've got to stop allowing our own unions to lobby Members of Council – and I've learned that labour negotiations should last no longer than four months and start two months before contracts expire.

Negotiations cannot stretch into the summer months; they should start in October and end in February.

I've learned that we should stay away from issues that we aren't responsible for and that we have no control over.

And I've learned that Cities should resist getting pushed into funding or running programs that the Provincial and the Federal governments are responsible for.

Sure, the funding looks attractive at first – but after a few years, they walk away and we are left holding the bag.

As far as I am concerned, filibustering is tantamount to theft of taxpayer money – and if I were to stay on as Mayor, all contracts and Requests for Proposals would go to the Policy and Finance Committee from Standing Committees before they go to Council.

Of course, I am not staying on – and I've always believed that retired Mayors should stay that way.

I've also always believed in giving credit where credit is due – and on that count, there are several people here today who deserve special recognition.

Deputy Mayor Case Ootes has done an outstanding job. I know I speak for everyone when I say that he has earned both our respect and our trust.

He's been more than a friend to me and to everyone on this Council - he's been my right hand man.

On behalf of Toronto City Council and the 2.5 million people we represent, thank you.

We wouldn't have made it this far without you – or without our CAO, Shirley Hoy, our Commissioners Joe Halstead, Barry Gutteridge, Eric Gam, Joan Anderton, Paula Dill, and our Treasurer and CFO, Joe Pennechetti.

This Council has been blessed with a good, conscientious staff – and we should be grateful for the effort that they put into their work.

I am grateful – just as I am grateful to you, the members of Toronto City Council, past and present.

We've taken on more politically difficult and controversial items in the past three years, I should also say in the last 6 years, than any Council in the history of this City or any City I know of.

There have been some bitter fights – but at the end of the day, every item that was important to the future of this City was approved.

Thank you – for putting partisanship aside and doing what's right for Toronto.

As a token of appreciation, I've delivered a gift to each of your offices this morning – and I hope you will accept it in the spirit that it is offered.

I should take a moment to thank my own staff, led by Alan Slobodsky.

Alan and the rest of the men and women who work for me have remained dedicated and loyal.

I couldn't ask for a better team of people. Thank you.

I'd like to take a moment to acknowledge those Councillors who are leaving or have already left the municipal arena.

Joanne Flint, Brad Duguid, Paul Sutherland, Lorenzo Berardinetti, Irene Jones, Mario Silva, Chris Korwin-Kuczynski, Jack Layton, Betty Disero, Laura Jones, Fred Dominelli – and me.

Good luck in your future endeavours – and please, for those of you who go on to Provincial or Federal politics, don't forget your friends at Toronto City Hall – or the needs of the City that you represent.

Last but not least, I'd like to acknowledge some friends I've made along the way.

I'm talking about friends like Father Tom Rosica, George Cohon, the people at Molson, David and Ed Mirvish and Lenny and Johnny Lombardi, who have made extraordinary contributions to make our City work.

I would like to thank the great people of Toronto for whom we all serve. I will always be grateful in more ways than you will ever know.

And I hope Toronto never ever forgets the friend it has in the Province of Prince Edward Island – that little island that came to our aid not once, but twice in the past two terms, and they came without us even asking – and at great expense to themselves.

Members of Council, we've survived another three years.

The struggle to save Toronto continues: it will be up to future Councils to build upon the foundation we've started here.

For those of you who are staying, keep fighting for what you believe in. Keep fighting for your constituents, your ward, and your City.

And please don't be afraid to keep repeating yourselves – you have to get your message across.

If you do all of these things, you – and our City – will prevail.

Members of Council, good luck in your future endeavours, whether they be municipal, Provincial, Federal, private sector or personal.

Thank you.

First Term Accomplishments

- Six cities and seven governments were amalgamated into one, new City of Toronto - the largest merger in Canadian history; and
- All three levels of government came together on Toronto's Waterfront Redevelopment Project.

Economic Development:

- Union Station was purchased from the Toronto Terminals Railway Company and a comprehensive redevelopment plan for the station was launched;
- Film studio expenditures in Toronto grew from \$700 million to \$1.3 billion; and
- Torontonians enjoyed a three-year tax freeze and saw the institution of an equitable tax assessment based on current value.

Public Safety:

- the Red Light Camera Project was established to reduce traffic fatalities in intersections;
- additional police officers, firefighters and paramedics were hired to improve emergency response times and reduce fire deaths;
- the Community Action Policing Program was launched, leading to a 47 percent crime rate reduction in certain neighbourhoods; and
- 263 graffiti-marred buildings were repainted with murals through a \$310,000.00 City program.

City Services:

- more than 15,000 food premises were inspected for cleanliness and the dirty ones were closed;
- 4,000 restaurants were made smoke-free;
- the taxi industry was revamped; and
- dozens of new splash pads, waterparks, recreation centres, playgrounds and swimming pools were built.

Finances:

- \$1.5 billion has been committed to Toronto's waterfront redevelopment by all three levels of government; and
- \$138.4 million in surplus property was sold.

Events:

- Winterfest has grown into the second largest winter festival in Ontario;
- The Celebrate Toronto Street Festival was launched, attracting crowds approaching 1 million people; and
- Tourism was increased and \$1.4 million was raised for charity through the Moose in the City campaign.

Second Term Accomplishments

Economic Development:

- construction of a bridge to the Island Airport was approved and Council took important steps to secure the future of the Island Airport;
- Council approved an out-of-court settlement with the Toronto Port Authority, giving the City undisputed ownership of 248 hectares of central waterfront land;
- an Official Plan was passed to guide development over the next 30 years;
- opened the Sheppard Subway Line, the first new subway in a quarter-century; and
- Council approved a \$5 million SARS recovery plan to help revive Toronto's international image as a great place to visit and do business.

Public Safety:

- the Amber Alert program was created with the help of the public, the police and the media, to find abducted children in those first few crucial hours;
- the Cardiac Safe City Program was established to support Public Access Defibrillation;
- Federal and Provincial funding was secured for both a Heavy Urban Search and Rescue Team and a Chemical, Biological, Radiological, Nuclear Response team; and
- Council approved a bylaw restricting the use of pesticides on Toronto lawns, gardens and other landscapes.

City Services:

- an office of the Auditor General was created;
- the City took over \$6.3 million of the Toronto District School Board's pool operating costs;
- a municipal shelter bylaw was passed, making it easier to build homeless shelters outside the downtown core;
- the Toronto Community Housing Corporation was created to oversee 95,000 units;
- the 2010 Waste Diversion Task Force was created, putting Toronto on the road to diverting 30 percent of its waste by 2003, 60 percent by 2006 and 100 percent by 2010; and
- Council approved plans for pilot studies of source-separated organic collection from all City departments, agencies, boards, commissions and schools.

Finances:

- \$1.1 billion in provincial funding and \$76 million in federal funding has been promised to the TTC;
- \$235 million in cultural grants have been awarded to help build new landmarks like the Opera House and renovate old ones like the Royal Ontario Museum and the Art Gallery of Ontario; and
- Moody's Investor Services raised the City's credit rating from Aa2 to Aa1.

Events:

- through a partnership with Molson and the Federal and Provincial governments, the City brought the Rolling Stones to Toronto for a SARS recovery concert that attracted half a million people;
- Council approved a Motion to declare August 30, 31 and September 1 "Toronto You Belong Here" Event Weekend to allow retail businesses to stay open; and
- World Youth Day came to Toronto, showcasing our City to the world.

This doesn't include the thousands of other items that have been approved and are still controversial.

ATTACHMENT NO. 2 [Notice of Motion J(5)]

Report dated July 7, 2003, from the Director, Community Planning, South District, entitled "Status Reports - 20 Gothic Avenue, Application to Amend the (Former) City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; Quebex Development Corporation on Behalf of the City of Toronto (Dermot J. Sweeny, Architects), (Ward 13-Parkdale-High Park)" (See Minute No. 11.124, Page 131):

Purpose:

To report on the status of the application for 20 Gothic Avenue and the outcome of a further community meeting held on July 3, 2003.

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:

On April 14, 15 and 16, 2003 City Council adopted the four recommendations in the Further Report: Ontario Municipal Board Pre-hearing: 20 Gothic Avenue. Council amended the fourth recommendation and requested the Commissioner of Urban Development Services to arrange a community consultation meeting after the Ontario Municipal Board pre-hearing on April 23, 2003. City Planning staff were also directed to submit a further report to the Humber York Community Council meeting prior to the next Ontario Municipal Board pre-hearing scheduled for July 9, 2003.

Comments:

This report supplements the Status Report of June 22, 2003. Subsequent to the submission of the Status Report, the two condominium corporations representing 50, 80 and 100 Quebec Avenue voted to support the proposed "land exchange" which will allow the development of 20 Gothic Avenue. In return, the site at 66-74 Quebec Avenue will be provided to the condominium corporations as landscaped amenity space.

Community Consultation

A further public meeting was held on July 3, 2003. Approximately 45 residents attended the meeting. The following concerns were raised at this meeting:

Access to Bloor Street West/High Park Subway Station

Some residents raised concerns that the building proposal permanently closes off access to a staircase that provides a shortcut to Bloor Street West and the Parkview Gardens entrance to the High Park Subway station. The staircase and access pathway is currently boarded up because of the poor condition of the staircase. Alternatively, there is a direct access to the subway station on the east side of Quebec Avenue just north of Bloor Street West. The proposed building will also have a covered link from the lower parking garage exit to the Parkview Gardens subway entrance into the High Park Subway Station.

A number of residents at the community meeting indicated that illegal drug use was taking place around the staircase. Teenagers were also hanging around the pathway in the evenings causing safety concerns for seniors using this shortcut. Councillor Moscoe stated that he would request the appropriate City staff, in consultation with the applicant, to investigate the feasibility of maintaining this link or closing it down permanently. The proposed development does not maintain this link.

Traffic and Access

A number of residents of Gothic Avenue raised concerns respecting increased vehicular traffic accessing the site. The potential to make Gothic Avenue a one-way street to reduce these impacts was raised at the meeting. This issue requires further consideration. City policy also requires that residents of Gothic Avenue be polled prior to further consideration of a one-way system.

Re-use of 66-74 Quebec Avenue

Questions were raised at the community meeting about the future detailed plans for the re-development of 66-74 Quebec Avenue site. An information meeting was recently held by the two condominium corporations, which include 50, 80 and 100 Quebec Avenue, to look at alternative plans. These plans include options for either one or two tennis courts and landscaping. The developer of 20 Gothic Avenue has agreed to put \$250,000 towards building demolition, site preparation, landscaping and tennis court construction.

Quebec/Gothic Parkette

Residents at the community meeting were informed that a larger parkette would be part of the overall project and were shown landscaping plans that showed a number of trees proposed to be retained or planted. Councillor Moscoe asked for more trees to be planted, the provision of acceptable park lighting as well as a few park benches. Proposals for additional landscaping will require approval from the TTC as the parkette is located over the subway structure.

Protection of 32 Gothic Avenue

Adjacent residents felt it is important to protect and preserve this property and building because of its architectural merit and the history of its use. The owner recently contacted City Planning staff about the same issues and has had discussions with the applicant about this matter as well. The building is currently being advertised on the real estate market.

Building Unit Increase

Shortly before the April 1, 2003 Community Council meeting the applicant advised City planning staff that it might be necessary to increase the unit count and number of parking spaces to deal with changing market conditions. The applicant proposed maintaining the same total gross floor area for the building. However, revised plans were not received prior to the Council meeting and a slightly smaller number of units was approved. The Ontario Municipal Board can deal with this matter at the actual hearing.

Site Plan Approval

No comments have been received from circulated Departments since the submission of revised plans on June 24.

Conclusions:

The adjacent condominium corporations have voted to support the development of 20 Gothic Avenue for the eight storey condominium building.

The community information meeting held on July 3, 2003 generally went well and the majority of residents were in support of the current proposal. The issues raised at the meeting have been summarized in this report.

There are no Site Plan comments yet available for this application as the revised plans were only submitted on June 24, 2003. Staff will advise the Ontario Municipal Board of the current status of the application and the outcome of the condominium vote and community information meeting at the pre-hearing scheduled for July 9, 2003.

Contact:

Barry Brooks, Senior Planner, West Section
Telephone: 416-392-0758
Fax: 416-392-1330
Email: bbrooks@toronto.ca

ATTACHMENT NO. 3 [Notice of Motion J(6)]

Report dated September 15, 2003, from the Chief Financial Officer and Treasurer, entitled "Issuance of Debentures" (See Minute No. 11.125, Page 133):

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on September 22, 2003 to give effect to the issuance of debentures.

Financial Implications and Impact Statement:

The level of debt issuance undertaken, \$300 million on September 12, 2003 in the Canadian domestic market, is required to finance previously approved capital expenditures. The debt charges associated with this issue have been included in the City's 2003 operating budget and will also be included in the 2004 budget on an annualized basis.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on September 22, 2003, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Background:

By-law No. 114-2003, as adopted by Council on February 7th 2003, authorizes the Mayor and Treasurer to enter into agreements for the issuance and sale of debentures during the year 2003 to provide an aggregate amount not exceeding \$500,000,000 for purposes of the City and including the purposes of any former municipality, the former municipality of Metropolitan Toronto and a board of education.

Any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments:

Acting in accordance with the aforementioned authorities and the unanimous advice of our investment syndicate lead managers (RBC Capital Markets Inc., CIBC World Markets Inc. and Scotia Capital Inc), negotiations were completed on September 12, 2003, for a public issue of debentures in the Canadian domestic market.

This transaction is the City's sole debenture issue in 2003 and received an excellent reception in an attractive and stable bond market. The instalment debentures were issued with a par value of \$180 million for maturities ranging from 1 to 9 years with interest rates between 2.875% to 5.00% per annum. Sinking fund debentures in the amount of \$120 million were issued with a ten-year maturity at an interest rate of 5.125% per annum. The overall net average cost of financing the \$300 million issue is approximately 4.95%. The structure and pricing of the transaction represents the lowest cost of funds available relative to other potential structures, markets and currencies as provided by legislation.

Delivery of the debentures and the receipt of proceeds will occur on September 25, 2003. The issue will be book-based only with no physical certificates as were previous debenture issues. This process continues to generate savings for the City related to the printing, registration and distribution of the securities since the Canadian Depository for Securities (CDS) administers the interest and principal payments to the debenture holders at no cost to the City.

Conclusion:

As the capital projects to be financed with the proceeds of this issue were previously approved and are either completed or in the process of being completed, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings, given current favourable capital market conditions.

Contact Names and Telephone Numbers:

Len Brittain, Director, Corporate Finance
Tel: 416-392-5380, Fax: 416-397-4555, E-mail: lbrittai@toronto.ca

Martin Willschick, Manager, Treasury Services
Tel: 416-392-8072, Fax: 416-397-4555, E-mail: mwillsch@toronto.ca

ATTACHMENT NO. 4 [Notice of Motion J(29)]

Report dated September 19, 2003, from the Commissioner of Urban Development Services, entitled "Residential Demolition Application - 1445 Bathurst Street, Ward 21)" (See Minute No. 11.148, Page 172):

Purpose:

In accordance with the Section 33 of the Planning Act and the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, I refer the demolition application for 1445 Bathurst Street to City Council whether to grant or refuse the application, including any conditions, if any, to be attached to the permit.

Financial Implications and Impact Statement:

Not applicable.

Recommendations:

It is recommended that City Council either:

- (1) refuse the application to demolish the subject residential building because there is no permit for a replacement building on the site; or
- (2) approve the application to demolish the subject residential building with the following conditions:
 - (a) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
 - (b) that all debris and rubble be removed immediately after demolition;
 - (c) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B;
 - (d) that any holes on the property are backfilled with clean fill;
 - (e) the removal, disposal and handling of all hazardous materials are conducted in accordance with the Ministry of Environment and Technical Standards and Safety Authority regulations and guidelines;
 - (f) all excavated soil shall remain on site until tested to determine the disposal

options;

- (g) the dust control measures, approved by the Medical Officer of Health, are implemented during demolition; and
- (h) the application for Development approval to establish the site as a municipal parking lot is approved and any conditions of approval are satisfied.

Background:

On August 21, 2003, Mr. Robert Albert of 95 Edward Street, Aurora, Ontario L4G 1W1 applied for a permit to demolish a mixed use building consisting of retail use and four residential dwelling units at 1445 Bathurst Street.

The building is not listed or designated with Heritage Preservation Services under the Ontario Heritage Act.

Comments:

This application is being referred to the City Council because records indicate this building at 1445 Bathurst Street contains four residential units plus a retail use and the applicant has not applied for a building permit to erect a new building on the site. In such cases, the Municipal Code requires City Council to issue or refuse the permit application.

City Council at its meeting on July 30, 31 and August 1, 2002 adopted Clause 27 of the Administration Committee. In so doing it adopted confidential reports from the President of the Toronto Parking Authority recommending the acquisition and development of 1445 Bathurst Street for municipal parking purposes.

The demolition application was referred to the Medical Officer of Health, Healthy Environmental Office. The recommendations of the Healthy Environments office are included in the recommendation number 2 e), f) and g).

On April 29, 2003 Ian Maher of City of Toronto Parking Authority made a Development Approval Application to develop the subject site as a municipal surface parking lot containing 25 parking spaces. A review of the application indicates that the application complies with the Zoning by-law. The application for development approval is currently under review by the Planning Division.

In accordance with the City of Toronto Act 1991 (No. 4), City Council may impose any reasonable conditions which have regard to the nature of the residential property including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures. In addition, in accordance with the City of Toronto Act, 1985, City Council may revoke the demolition permit, if the demolition has not been seriously commenced six months after permit issuance, or the demolition has been suspended or

discontinued for a period of more than one year.

Conclusion:

Given the applicant's intention to demolish the existing residential building and not erect a new building on the site, it is my opinion that reasonable conditions would be to include potential fencing of the site, removal of debris, maintenance of the site to the Property Standards by-law and disposal of hazardous materials, testing of excavated soil, and dust control to the requirements of the Medical Officer of Health would be reasonable.

Contact:

Jim Laughlin
Deputy Chief Building Official and Director, South District
Telephone: 416 392-7961
E-mail: jlaug@toronto.ca

ATTACHMENT NO. 5 [Notice of Motion J(34)]

Report dated September 23, 2003, from the Commissioner of Urban Development Services, entitled “Request for Approval of a Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code to Permit a Roof Sign for Third Party Advertising Purposes at 1069 St. Clair Avenue West, 03-162127 ZSV (Davenport, Ward 17)” (See Minute No. 11.153, Page 183):

Purpose:

To respond to a request Sid Catalano of Pattison Outdoor Advertising, on behalf of Certified Dry Cleaners, for approval of a variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit a roof sign for third party advertising purposes at 1069 St. Clair Avenue West.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that the requested variance be refused for the reasons outlined in this report.

Background:

The proposed sign will be located on a top of a two-storey building located on the south side of St. Clair Avenue West, a short distance east of Dufferin Street. St. Clair Avenue is a busy “mainstreet” area occupied by two and three storey buildings. Most buildings have retail uses along the street edge with residential or office uses above. The property is zoned “MCR” which permits a mix of commercial and residential uses.

Comments:

A roof sign is not permitted in a MCR district by Chapter 297, Signs, of the former City of Toronto Municipal Code.

Sign By-law Section and Requirements	Applicant’s Proposal	Required Variance

(1) 297-10D (16)	To erect an illuminated “V” shaped roof sign. Each face of the sign is 6.10m wide and 3.05m high with an area of 18.61m ² .	The proposed roof sign in a MCR district is not permitted.
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In 1995, City Council adopted By-law 1995-0229 to amend Chapter 297 of the Municipal Code to prohibit roof signs in all CR and MCR districts in the former City of Toronto. The prohibition resulted from a study of signage along the city's “main streets” that documented the negative effects of roof signs on skyline views, and their unattractive appearance within these mixed-use areas and from the adjacent residential districts.

In addition, Council is currently considering designating this portion of St. Clair Avenue West as part of a Community Improvement Project area. This designation will allow Council to consider and implement measures to enhance the appearance of the area, support a stronger retail sector and create an improved pedestrian environment. Approval of this sign would be contrary to the City's initiatives to improve the area through the development of a Community Improvement Plan.

As well, the proposed sign will contribute to sign clutter along this portion of St. Clair Avenue. There is a legal non-conforming roof sign already located on the roof of a building located at 1038 St. Clair Avenue West. Also, two large size satellite dishes are erected on the roof of near by buildings located to the west of 1038 St. Clair Avenue West.

Conclusions:

For the above noted reasons, staff consider the requested variance to be significant and not within the general intent and purpose of the sign provisions of the Municipal Code and therefore staff is recommending refusal of this application.

Contact:

Norm Girdhar, Assistant Planner, West Section
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(A copy of the attachments referred to in the foregoing report is on file in the City Clerk's Office.)

ATTACHMENT NO. 6 [Notice of Motion J(35)]

Report dated September 23, 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 Two Illuminated Roof Signs for Third Party Advertising Purposes at 48 and 50 Caledonia Park Road, 03-162135 ZSV (Davenport, Ward 17)” (See Minute No. 11.154, Page 184):

Purpose:

To respond to a request from Councillor Fred Dominelli to review and make recommendations on a request by Sid Catalano of Pattison Outdoor Advertising, on behalf of David Macedo, for approval of variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to permit, two illuminated roof signs for third party advertising purposes at 48 & 50 Caledonia Park Road.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that the requested variances be refused for the reasons outlined in this report.

Background:

The property is zoned I2 and located south of St. Clair Avenue West on the west side of Caledonia Park Road. The property contains two single-storey non-residential buildings.

Comments:

The proposed third party roof signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in the following ways:

Sign By-law Section And Requirements	Applicant's Proposal	Required Variance
(1) 297-10G (3)(b)	To erect two illuminated roof signs on top of the buildings at 48 and 50 Caledonia Park Road.	The proposed roof signs are not permitted.

(2) 297-10H	The proposed signs would be located less than 20m from a "G" district.	An illuminated sign located less than 20 metres from a "G" district is not permitted.
(1) 297-10F(1)	The proposed third party roof signs would have a separation distance of less than 60 metres from each other and other existing signs in the surrounding area.	Third party signs having a separation distance of less than 60 metres are not permitted.

This application clearly contradicts the City's prohibition on new roof signs. Allowing new roof signs will undercut the clear intent of Council's policy.

The proposed signs would contribute to sign clutter because there are already several existing third party signs located along this portion of Caledonia Park Road. Also, there are two existing third party signs located on the property. The intent of the By-law to provide 60 metres separation distance between the third party sign is to protect the areas from sign clutter.

The second variance occurs because the signs would be located less than 20 metres from a public park. The Municipal Code has very restrictive signage provisions for the park districts befitting their primary function as places for use by the public for recreational purposes.

Conclusion:

Staff is recommending refusal of this application, as staff finds the requested variances to be major and not within the general intent and purpose of the sign provisions of the Municipal Code.

Contact:

Norm Girdhar, Assistant Planner, West Section

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(A copy of the attachments referred to in the foregoing report is on file in the City Clerk's Office.)

ATTACHMENT NO. 7 [Notice of Motion J(40)]

Report dated September 18, 2003, from the Commissioner of Economic Development, Culture and Tourism, entitled “Final Report on the Initiatives and the ‘Toronto You Belong Here’ Campaign Undertaken by the Mayor’s Toronto You Belong Here Recovery Task Force (All Wards)” (See Minute No. 11.159, Page 191):

Purpose:

To provide a summary on the initiatives and the preliminary results of the “Toronto - You Belong Here” Campaign, undertaken by the Mayor’s Toronto You Belong Here Recovery Task Force.

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 and provide concurrence with the actions taken by the Task Force to date, including the forthcoming elements of the ‘Toronto - You Belong Here’ campaign as outlined in this report;
- (2) the Mayor and members of Toronto City Council thank corporate partners, celebrities and business associations for their support and contribution to the City’s ‘Toronto - You Belong Here’ campaign; and
- (3) the Mayor and members of Toronto City Council thank the citizens of Toronto for their support to the City and to the ‘Toronto - You Belong Here’ campaign to date.

Background:

At its special meeting of Council on April 24, 2003, Council established the Mayor’s SARS Recovery Task Force to coordinate and spearhead the City of Toronto’s economic recovery efforts. At the same meeting, Council also approved a budget of \$5.5 million for the Task Force to launch and implement the recovery campaign.

Membership of the Mayor’s Task Force is comprised of the Mayor, Deputy Mayor, Chairs of Standing Committees, the Budget Chief, the Diversity Advocate and the Chair of the Board of Health.

At its meeting of May 22, 23 and 24, City Council approved the report titled "Mayor's SARS Recovery Task Force -- Status Report". The report outlined the work plans of the Task Force in five mandate streams, including Public Health, Global Positioning -- Tourism and Global Positioning -- Business Investment/Economic Development, Engaging Torontonians, Hardship Relief and Global Positioning. The report also outlined the engagement of BBDO Canada Inc. as the City's agency for the recovery plan, and described some of the initial campaign components.

The City's campaign slogan Toronto You: Belong Here was launched on May 9 and the campaign began with a Mother's Day promotion. This was quickly followed by a campaign which included promotions for four fireworks and entertainment events for the Victoria Day weekend, as well as ambassadors and welcome packages at the airport, train and bus stations for visitors to Toronto over the long weekend.

This report will provide an update on the economic recovery actions of the Task Force to date, including the details of the Toronto You Belong Here campaign. The report will then provide an overview of the impact of SARS on Toronto's economy, the effectiveness of the City's campaign in mitigating some of these negative impacts, and the need for the City of Toronto to maintain the momentum and continue in its recovery efforts in order to restore the economy to pre-SARS levels and repair Toronto's tarnished international image.

Comments:

MAYOR'S TORONTO YOU BELONG HERE RECOVERY TASK FORCE

The Mayor's Task Force was formed on April 24 and held its first meeting on April 28. Subsequent to the selection of the campaign slogan and the launch of the campaign on May 9, the Task Force was renamed the Mayor's Toronto You Belong Here Recovery Task Force. The Task Force has met 15 times since April 28.

The major strategic directions and objectives of the City's recovery campaign are to rejuvenate and reassure the City, to elicit a strong sense of local pride, to engage Torontonians to participate, to drive sales for businesses, to focus on multicultural diversity, and to establish a long-term positioning platform for the City of Toronto.

Subsequent to the two quick starts with promotional campaigns for the Mother's Day and the Victoria Day weekends, the Task Force proceeded to develop and implement an integrated recovery program that included advertising, media relations, promotions, fee waiver policies, specific support to the Chinese community and outreach to multicultural communities. Highlights of the campaign and its achievements are contained in Attachment 1.

RECOVERY PARTNERS AND ROLES

A key element to ensuring the success of the City's recovery plan is strategic alignment and working in partnership with the Provincial and Federal Governments, and with other corporate partners, organizations and the Tourism Industry Coalition. While the City of Toronto focused its efforts on engaging Torontonians and in encouraging local spending and local attendance at events and attractions, our recovery partners targeted their marketing efforts in the rest of Ontario, across Canada and in the United States.

To date, the Province of Ontario has committed \$128 million towards a two-year SARS recovery program, while the Federal Government has also announced a commitment of up to \$100 million for SARS, with no specific timing attached to this announcement.

Of the \$128 million announced by the Province of Ontario, \$70 has been earmarked for 2003, with the remainder committed for 2004. The Province has focused on three areas of tourism funding, comprising funding for specific events marketing, meetings and conventions, as well as culture and theatre. Part of the budget also supported an advertising campaign in Ontario, Quebec and in US border states through the Ontario Tourism Marketing Partnership.

Federal recovery efforts focused on marketing campaigns undertaken by the Canadian Tourism Commission across Canada and in the United States. In addition, the Federal Government also provided funding of \$10 million to Toront03, a private sector group comprised of members of the City Summit Alliance and whose mandate is to market to US and out-of-market areas to draw tourists to Toronto.

TORONTO YOU BELONG HERE CAMPAIGN

The 'Toronto - You Belong Here' campaign is a totally integrated campaign that generates emotion and pride among Torontonians, encourages them to be tourists in their own town, and to come out and support the City by attending events, visiting attractions, going to restaurants, and patronizing Toronto's many stores and malls.

The campaign aims to create awareness throughout the year with a sustained program that features media advertising, promotions, on-street presence, media relations and a strong multicultural component. The summer campaign focused on eight signature events, including Celebrate Toronto Street Festival, Toronto Molson Indy, Beaches Jazz Festival, Caribana, Krinos Taste of the Danforth, Canadian National Exhibition, the Toronto International Film Festival and Word on the Street. The campaign also provided marketing support to Toronto attractions, including the Toronto Zoo, Casa Loma, CN Tower, Ontario Place, Ontario Science Centre, Royal Ontario Museum, Art Gallery of Ontario, etc. The fall/winter campaign will focus on promoting culture/theatre and entertainment, as well as shopping and dining in Toronto during the Holidays.

Elements of the campaign and preliminary results include:

Original song: *Right Here with Me* -- written by local songwriter Jason Gleed and produced free for the City. Used in television and radio advertising. Full song put on radio station play lists. Ringtone version available via Telus, Bell Mobility and Rogers AT & T.

Television advertising -- 60- and 30-second spots on seven stations. Total of 1,673 spots aired.

Radio advertising -- 30-second spots that promote events and attractions. Aired on seven stations. Total of 2,478 spots.

Newspaper advertising -- in daily and community newspapers.

Outdoor transit shelter posters and street banners

Toronto playbook -- 1 million copies were printed and distributed. The playbook featured coupons to attractions, an event calendar and offers by corporate partners. The playbook was well received by the public and generated significant business for partners.

Ambassador program -- The ambassadors were the face of the campaign. Four teams of 5 uniformed young ambassadors attended 50 events throughout the summer, for a total of 91 event days and 320 event hours. The exposure of the Toronto You Belong Here campaign was further enhanced by branded vehicles and branded marquees.

Merchandising and slogan cross-promotions -- promotional materials were produced and distributed for community events, staff open-houses and other occasions. Bumper stickers were produced and were placed on Toronto cabs as well as on all City vehicles. 200,000 copies of a Toronto post-card were printed and distributed to City staff and to visitors via hotels and attractions. A letter from the Mayor to 100 major corporations was sent in August. The slogan has been featured in ads by Canadian Tire, Eaton Centre, Cadillac Fairview, Dominion, Pepsi, etc.

Media and public relations -- weekly media releases listing events across the City were distributed to the mainstream media as well as to specialty writers and columnists. In addition, photo opportunities and media events were organized as appropriate.

Website -- By the end of August, the mini-site had attracted more than 750,000 visitors with 3,400,000 hits, making it one of the most popular pages on the City's site. Approximately 160,000 HTML web pages and 35,000 PDF files were viewed, and 35,000 playbooks were downloaded. The site also featured a downloadable postcard.

The campaign also included a strong multicultural component. The theme song, *Right Here with Me*, was translated and recorded into Cantonese and Mandarin Chinese versions. Television advertising was placed on Fairchild, and on Omni 1 and 2 stations in Chinese, Italian, Portuguese, Greek, Russian, Spanish and South Asian Programs. Radio advertising in Cantonese, Mandarin, Italian, Portuguese, Spanish, Greek, Russian and Punjabi were aired. Print ads were also placed in Chinese, Vietnamese, French, Italian, Portuguese, Spanish, Russian, Tamil, Tagalog, Punjabi publications.

The Fall/Winter campaign will continue with television, radio and print advertising, and with a Culture and Shopping Guide to support the culture and retail sectors.

The campaign leveraged significant corporate support and value. The combined television and radio media buy value was \$2.3 million, which is 120 percent of the original planned media budget. Additional value was delivered by partners, such as Partners Film (\$700,000 for production of the commercial), Bell Canada (\$50,000 long-distance phone cards), Avis Rent-a-Car (\$50,000 for four ambassador vehicles from July to September), The Loyalty Group Air Miles (25,000 miles for contest winners) and Sears Travel (\$10,000 of prizes for contest winners).

The campaign has received extremely positive response from Toronto residents and visitors, from the business community, and from events and attractions. Some of these comments are included in Attachment 3.

ADDITIONAL TASK FORCE INITIATIVES

In addition to the main Toronto You Belong Here promotional campaign, the Task Force also undertook a number of other initiatives which aimed to provide additional support to events and festivals across the City and to generate a positive image for Toronto internationally.

Support to Chinese Summer Festivals

The Chinese community was one community that was particularly impacted by the SARS outbreak. Because the original index case of SARS in Toronto was Chinese, business in Chinese malls and restaurants were reported to be down between 50 to 80 per cent at the initial stages of the SARS outbreak.

In order to alleviate the hardship felt by the Chinese community, the Task Force provided specific support to six Chinese summer festivals, including the International Drumming Festival (June 7 and 8), Toronto International Dragonboat Festival (June 21 and 22), Dragon Fest (July 12), Scarborough Fair (July 13), Downtown Chinese Festival (August 16 and 17) and the Festival of Flavours (June to August). All the event organizers reported excellent attendance at their events and thanked the City for its prompt and solid support. Additional support was provided to festivals in other areas, e.g. the Alton Towers where an entire

apartment complex was quarantined.

Fee Waiver for Special Events

In order to provide enhanced support to community events and festivals, the Task Force approved a one-time fee waiver for events and festivals held across the City between June 1 and September 30. The fee waiver includes road closure permits, barricades where the City supplied them in the past, Emergency Medical Services costs, as well as Parks and Recreation infrastructure fees. The estimated cost to the City was \$500,000 in revenue losses.

Works and Emergency Services reported that by the end of September, 213 actual and expected Street Vendor Permits would be waived, with fees totalling close to \$18,000.

The City traditionally provided barricades to two events – Pride and Caribana. The total cost of fee waiver was \$77,000.

EMS reported waiving of \$47,000 for the Toronto Molson Indy and \$26,000 for the Canadian National Exhibition.

Parks and Recreation reported 244 events during the fee waiver period, with a total of \$129,000 infrastructure fees waived.

Molson Canadian Rocks for Toronto Concert

The Rolling Stones concert, organized by Molson Sports and Entertainment, took place on July 30 at Parc Downsview Park with 450,000 fans. Direct funding support was provided by the Provincial and Federal Governments. The City of Toronto was an integral partner in the organization of the concert and was critical to its success. City staff provided significant services to ensure that the event was held safely for all participants and surrounding residents and businesses, and that the impact on services to the rest of the City was minimized. Despite the short planning cycle, staff from Toronto Transit Commission, Toronto Police, Fire Services, Emergency Medical Services, Solid Waste, Water and Waste Water, Transportation, Public Health, Municipal Licensing and Standards, Finance, Protocol, Corporate Communications and Special Events, worked tirelessly to meet all challenges.

The event received significant international media attention and coverage, such as CNN and Reuters, and helped reassure the rest of the world that Toronto is alive and well, and continues to be an exciting and thriving urban centre.

The cost of City services to the Stones concert included staffing costs as well as some material expenses and total \$580,000, excluding the cost of Police Services. The funding for these services come from three sources. Some are regular City programs and services that are provided to special events and are part of existing departmental budgets, e.g. Municipal

Licensing and Standards. Others are fee waived as part of the City's SARS recovery efforts and will be reported as revenue losses as a result of SARS, e.g. Emergency Medical Services. Still other costs are directly charged back to the event organizer, such as Solid Waste Management.

Retail Business Holiday Act

One of the major objectives of the Task Force was to ensure that local businesses could maintain their business volume and transaction. One way was to allow retail businesses to open on traditional statutory holidays. By special City Council approval and using Section 5 of the Retail Business Holiday Act, Toronto You Belong Here event weekends were declared for both the Victoria Day and the Labour Day weekends. Retail stores and malls welcomed the additional business day opportunity, and many reported brisk sales.

Partnership with HRDC

As part of the Toronto You Belong Here campaign, 276 summer students were hired with funding by HRDC for "Clean City Initiatives" and to provide assistance to signature events across the City. Summer students were engaged in Parks and Recreation, Special Events, Economic Development, Public Health, and Solid Waste Management initiatives. Future phases of this initiative will focus on a Small Business Development Program and a Multi-Barrier Youth program. Details of this program is described separately in the reported titled "Report on the Job Creation Initiatives developed in Support of the Toronto You Belong Here Campaign", which was approved by the September 8 meeting of the Economic Development and Parks Committee and is in front of the current Council for approval.

HERE Local 75

Council Motion from May 22, 23 and 24 City Council meeting directed staff to locate a City facility, or to pay for other space, for one year to accommodate a training program of the Hotel Employees and Restaurant Employees Union Local 75, conditional on funding from senior governments. Facilities and Real Estate and Finance staff have worked closely with Union representatives to identify a suitable location. The Canada Malting site at 1 Bathurst Street has been proposed by the City as a potential location. The Union requested use of an alternative office location at Yonge and Adelaide. The Task Force directed staff to continue to work with the Union on the Canada Malting site and allocated funding of up to \$5,000 to prepare the space for use.

IMPACT OF SARS ON TORONTO

It is difficult to isolate the impact of SARS on Toronto's overall economic health, as there are a number of other significant factors at play, including the aftermath of September 11, the anti-terrorist campaign, the War on Iraq, the sluggish American economy, the higher Canadian dollar and the recent blackout.

Some sectors which rely more heavily on tourist visits and Toronto's general image overseas suffered more severely as a result of SARS than other sectors. The City of Toronto's campaign has been successful in achieving its goal, which is to encourage local spending in order to mitigate the effect of the drop in tourism numbers. This is showcased by the success of most signature events through the summer and by the recovery of business in local communities in Business Improvement Areas and in the Chinese community. However, there continued to be severe impact on certain sectors, such as Tourism/Hospitality, Culture, Film and Television and Retail and continued recovery efforts will be required in 2004.

Culture

Initial research indicated that the immediate revenue loss to the culture sector as a result of SARS exceeded \$6 million because of cancellations, low attendance and reduced ticket sales. Organizations that had major events and productions during the SARS crisis, along with those who traditionally attract a strong tourist base, suffered the greatest impact. International presenters who feared coming to Toronto has resulted in lost opportunities to tour Toronto-based productions outside Canada.

Canadian Stage's Dream in High Park, for example, lost \$50,000 based on their average attendance for their annual summer outdoor production, which they can track to U.S. tourists. Three opera companies – Opera Atelier, Soundstreams and Tapestry New Opera Works all suffered losses through cancellations of groups from the U.S. and of international presenters. Between April 6 and July 3, Roy Thompson Hall and Massey Hall lost 11 booked shows due to artist cancellations or postponement.

Because most theatres are closed for the summer, the full impact on the culture sector will be tested when bookings for the new season begin in the Fall. To provide assistance to the Culture sector, the City's Toronto You Belong Here campaign will target this sector in its advertising campaign in October.

Culture industry representatives have pointed to a significant need for Toronto to make a concerted effort to market its cultural industries in a bold, centralized and coordinated program. It is hoped that the City's efforts in 2004 will place more focus on the culture sector.

Tourism/Hospitality

According to KPMG, total visitor spending in the Toronto region in the last six months of 2003 (March 2 - August 30) was down by \$450 million compared to a year ago. This represented a reduction of 31 percent over last year (Source: Pannell Kerr Forster).

The week by week tourism expenditure variance in six major cities in Canada showed that while Toronto was significantly impacted by the SARS outbreak and suffered a sharp drop

in tourism expenditure during March and April, the drop in expenditures has improved gradually over the summer. During the week of August 24 to 30, the reduction in tourism spending was down 18.5 percent, compared to the same period last year.

Downtown hotel occupancy rates experienced a similar significant drop in occupancy in April/May, accompanied by a similar gradual upswing through the summer. In April 2003, the occupancy rate was 43 percent, compared to 70 percent in 2002. In July, the rate has improved to 57 percent, but was still significantly down from the 75 percent occupancy rate in 2002.

While the drop in tourism expenditure has improved over the summer, the tourism and face significant challenge in the fall and winter period, extending into 2004. Industry hospitality industry is still at 15 to 30 percent down from its volume in 2002, and continue to presentatives have predicted that it would take another year of concerted marketing efforts to regain Toronto's lost visitor numbers. The Province of Ontario's tourism marketing plan covers two years with \$58 million of its announced \$128 million targeted for 2004. The Tourism Industry Coalition has also received \$14 million from the province for a two-year recovery program. It is important that the City also continue its efforts in 2004 so as not to lose the momentum of its success with the current campaign, and its ability to leverage resources with our recovery partners.

Film and Television

The Toronto Film and Television Industry is an important sector in Toronto's economy, directly employing close to 25,000 people. The impact of SARS on the industry, for both feature film production and commercial production, has been severe.

During the outbreak, Toronto lost a number of major feature films, most notably *Shall We Dance*, a \$40-million film featuring Richard Gere and Jennifer Lopez that moved from Toronto to Winnipeg.

Comparing January to June 2003 to 2002, location permits declined by 16 percent, foreign production spending dropped by 26 percent and foreign major productions dropped by 36.6 percent.

The lasting effects of SARS on the Film and Television sector will require direct outreach to decision makers to reposition Toronto as the production centre for North America.

Investment Attraction

Toronto's economy has continued to grow over the past decade through the continuous investment and location decisions of businesses outside of the GTA to locate in the City. The process leading to a move most often involves a request for information and then an exploratory trip. In the second and third quarters of 2003, leads were down by 16 percent and

investment missions declined by 56 percent. In addition, and perhaps the most significant impact of the SARS outbreak, was the cancellation of the Corenet Global Conference in May. This international gathering of the real estate executives of the major international companies and the facilitators of their corporate moves would have been an unique opportunity to showcase Toronto to 1,500 of our highest target audience.

The actual results of these events will only be seen in a year or more. It is, however, imperative to Toronto's recovery to actively and expeditiously re-engage with this client group.

Events

The 'Toronto - You Belong Here' campaign provided targeted specific marketing support to eight signature events in the City through television, radio and print advertising, website comprehensive event listings, and via the Toronto playbook.

All signature events featured in the Toronto playbook reported positive attendance numbers, with most events at comparable levels or even exceeding last year's attendance. Celebrate Toronto Street Festival's attendance was approximately 1 million, similar to the event's attendance in 2001 (no event in 2002 because of the municipal strike). Toronto Molson Indy roared to another successful year. The Beaches International Jazz Festival reported a record attendance of 800,000, compared to 725,000 in 2001. Caribana organizers were pleased with the high turnout at the events despite the wet weather, and the Krinos Taste of the Danforth reported close to 1 million visitors to savour the great food and entertainment. Attendance at CNE was marginally down from 2002 as a result of a 4-day delay in the start of the event because of the blackout. The 2003 Toronto International Film Festival was a glittering success with celebrities, fans and film industry representatives enjoying two great weeks in Toronto. Attendance numbers are not yet available at the writing of this report but is expected to exceed 2002's record of 200,000. The Word on the Street, to be held on September 28, reported getting a higher number of calls and enquiries from Michigan looking for details on the event.

The 'Toronto - You Belong Here' campaign received direct exposure at these events through on-site banners, ambassador and marquee presence, as well as recognition in official publications. Media coverage of these signature events helped to project a positive image of Toronto nationally and internationally.

The 'Toronto - You Belong Here' campaign is the first ever attempt for these signature event organizers to work together and cross-promote each other under an umbrella campaign. The success of the campaign has prompted strong calls for the City to continue this initiative in 2004 by event organizers and members of the tourism industry.

Attractions

Toronto attractions suffered significant attendance loss during Spring/Summer of 2003, as compared to the same period in 2002. The aggregate attendance at six major attractions,

including Toronto Zoo, Casa Loma, Ontario Science Centre, Royal Ontario Museum, Art Gallery of Ontario and CN Tower showed that on average, there was a 35 percent drop in attendance during the period March-July 2003, compared to the same period last year. The attractions most dependent on tourist markets suffered the most. While attendance has improved over the summer, average attendance was still 18 percent down from 2002.

The 'Toronto - You Belong Here' campaign provided marketing support to attractions through the feature of coupons in the Toronto playbook, and through added promotion on television and radio for the Toronto Zoo and Casa Loma.

The campaign was evaluated highly by major attractions in Toronto. The Ontario Science Centre reported 1,325 redemptions in July, which was the number one coupon handed in at their box office. CN Tower said the coupon has been their biggest draw so far and that the 'Toronto - You Belong Here' campaign has been a good promotion for them. Royal Ontario Museum, Casa Loma and Ontario Place all reported close to 500 redemptions each, and were happy with the City's program.

General

To put the reduced tourist expenditures in perspective, the total output of goods and services produced in the Toronto region is about \$200 billion annually. Therefore, the reduction in visitor spending (March-August) in 2003 amounts to approximately 0.25 percent of annual regional output.

Since SARS was largely a Toronto issue, its impact was also highly concentrated in the Toronto region. The Conference Board of Canada estimated (May 2003) that the Toronto CMA would absorb roughly two-thirds of the impact of SARS on the Canadian economy, estimated at \$2 billion.

Nonetheless, while the overall Toronto economy remains stable, the impact of SARS on certain sectors is real and significant. The tourism and hospitality sector, restaurants and retail stores, culture, film and television sectors have all been affected and have only begun to see improvements. While the City's campaign has been successful in engaging Torontonians to be local tourists and in mitigating the impact of the drop in tourism, much work needs to be done. Continuous efforts are required to restore these sectors to pre-SARS levels and grow them in face of tough competition from other Canadian and U.S. cities.

STRATEGIC DIRECTIONS FOR THE FUTURE

The SARS medical outbreak in Spring 2003 has had a devastating effect on Toronto's economy, especially on certain sectors such as Culture, Tourism/Hospitality, Film and Television and Retail. The City's economic recovery efforts have been successful in building civic pride, generating attendance at events and attractions, and boosting Toronto's economy

through local spending. This has mitigated the negative impact of SARS somewhat, but much work still remains.

The long road of recovery for Toronto's economy is estimated to be at least two years, and will require a strong program by the City. The decline in the Tourism Sector, the impact on the Film and Television Industry and the hardship suffered by the Culture Sector all require continuous targeted marketing and promotional programs.

In addition, the work to repair Toronto's local and international reputation as a visitor and business destination remains. The tourism/hospitality sector and attendance at Toronto's major attractions can only totally recover when tourists begin to return to our City. Similarly, a sustained and concentrated effort is required to reinforce Toronto's competitive advantages to decision-makers.

The 'Toronto - You Belong Here' campaign is the first-ever major campaign by the City of Toronto to build a strong identity and presence for the City as a whole. Many residents are well aware of the slogan, hum the song, and feel proud of being Torontonians. The slogan has also received positive feedback from the business community and the hospitality/tourism industry. It is crucial for the City to capture the civic pride that has been generated, build on its momentum and extend its impact.

As part of the 2004 Operating Budget Submission, Economic Development, Culture and Tourism will submit for consideration, the continuation of the City's SARS Economic Recovery Program in 2004. The recovery program will include a promotional campaign to promote Toronto local and internationally, as well as strategies targeted at specific sectors.

Through the implementation of the second phase of the City's SARS Economic Recovery Program, a number of strategic directions contained in Council-approved strategic plans, such as the Culture Plan, the Tourism Development Action Plan and the Economic Development Strategy, will also be realized.

Conclusions:

The Mayor's Toronto You Belong Here Recovery Task Force has developed and implemented numerous significant initiatives to revive Toronto's economy, including the Toronto You Belong Here campaign. The campaign has received overwhelming positive response and has been successful in reducing the impact of the lack of visitors by encouraging Torontonians to be tourists in their own town. The campaign has also generated significant civic pride and support among Torontonians. However, the recovery of Toronto's economy is not complete. Certain sectors in the economy, including the culture, hospitality and film sectors still experience significant hardship. An intensive marketing campaign is also needed to restore international confidence and investment. It is important that the city captures the goodwill and momentum of the current campaign and continues with its economic recovery efforts in 2004.

Contact:

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Attachment 1**TORONTO YOU BELONG HERE CAMPAIGN
PROGRESS REPORT****September 16, 2003****Mayor's Toronto You Belong Here Recovery Task Force**

- Met 15 times since first meeting April 28
- Directed recovery plan in five work streams -- Public Health, Engaging Torontonians, Global Positioning, Hardship Relief, Social/Community
- Toronto You Belong Here Campaign launched May 9
- Mother's Day and Victoria Day weekend promotions
- Phase 2 covers end of June through to December 2003

Toronto You Belong Here Campaign**Campaign Strategy -- Engaging Torontonians**

- Mobilize Torontonians to offset downturn in tourists
- Instill civic pride and support
- Drive business transactions
- Provide special support to events and festivals

Campaign Progress to Date***Toronto Song***

- Original song – *Right Here with Me* written specifically for campaign by local songwriter
- Featured in TV and Radio commercials
- 2-minute version for radio play lists, e.g. CFRB
- Downloadable ring tone for cell phones -- with Telus, Bell Mobility and Rogers AT & T

Television Advertising

- Features Barenaked Ladies, Doug Gilmour, Jason Priestley, Maestro, Jeff Adams and others
- Production pro-bono, value at \$700,000
- 750 TV spots planned -- 1,673 spots aired
- 60 percent prime time; 43 percent in top 20 programming (Canadian Idol, Teen Choice Awards, PGA Golf etc.). Sponsorship of Toronto 1 launch.
- Spill exposure into Hamilton, Kitchener, Peterborough, Ottawa, Barrie, Sudbury, Timmins and North Bay

Radio Advertising

- 30-second radio commercials promote 8 signature events, Casa Loma and Toronto Zoo
- 500 radio spots planned -- 2,478 aired

Print Advertising

- Drives attendance to signature/community events
- Weekly insertions in daily and community papers
- 2 for 1 placements with value of \$2 million provided by newspapers

Outdoor Advertising

- 110 transit posters July to September. Second posting in November/December
- 50 street banners features Filming theme in September
- *Playbook*
- 1 million copies printed -- 350,000 in Toronto Star; 200,000 by ambassadors, 450,000 via partner outlets, tourism information centres, civic and community centres
- Corporate partners and attractions very pleased with exposure and business results
- Ontario Science Centre -- 1,500 redemptions in July -- "Best promotion"
- ROM/Casa Loma/Ontario Place -- 500 redemptions up to early August. "Very pleased"
- CN Tower -- one of their best promotions
- Avis -- \$3,500 in revenue booked through playbook discount
- Vinnies -- 40 to 50 token cards per week. "Exceeded their other offers"

Ambassadors

- 4 teams of 5 young uniformed ambassadors provided added exposure of campaign at street level with branded booths and vehicles
- Attended 50 events -- 91 event days and 320 event hours
- *Slogan Promotions*
- City stationery and mail frank
- Merchandizing program, including caps, T-shirts, water bottles, sweat shirts, wind jackets, window posters
- Postcards -- 200,000 to staff, hotels, tourist centres, etc. E-version on website.
- Bumper stickers for cabs and city fleet vehicles
- Slogan usage in partners' campaigns, e.g. Eaton Centre, VISA, Canadian Tire
- Partnerships, e.g. Raptor's Foundation psa's to thank public health workers.
- Direct mail campaign to 100 major corporations
- Banner presence at events/festivals

Website

- Banner presence at events/festivals
- Mini-site off Toronto main URL, with downloadable playbook, commercials and detailed

weekly events calendars

- By end of August – 3,400,000 hits, 640,000 unique visitors, 157,000 web pages and 35,000 PDF files viewed, 35,000 playbooks downloaded
- Among top four most popular pages on city site

Media Relations

- 13 weekly media releases on events issued to date
- Photo ops and media events in conjunction with Pride Week, Canada Day, Caribana launch, Beaches Jazz, Molson Indy
- *Ethnic Campaign*
- Chinese song and slogan launched in 2 media events
- Television advertising in Chinese, Italian, Portuguese, Greek, Russian, Spanish and South Asian Programs
- Radio advertising in 8 languages
- Print advertising in 10 languages

Other Campaign Components

- **Chinese Community Recovery Strategy**
 - Six Chinese summer festivals well attended and generated business volume for affected areas
 - Positive response from business association and community leaders
- **Special Event Fee Waiver**
 - June 1 to September 30
 - Street events permits, EMS, Barricades, P & R infrastructure fees
 - Waived fees of \$300,000 for 213 Street Vendor Permits and 244 events with Parks and Recreation infrastructure fees.
- **Retail Business Holiday Act**
 - Declaration of TYBH Event weekend for Victoria Day and Labour Day weekends
 - Generated economic and retail activity. Welcomed by businesses and malls.
- **HRDC Program**
 - Summer Program -- 290 students for P & R, Public Health, Solid Waste, Events
 - Fall/Winter Program – Business Development Program and Multi-Barrier Youth
- **Molson Canadian Rocks for Toronto Concert**
 - July 30 at Parc Downsview Park
 - Largest outdoor rock concert in North America -- 450,000 attended
 - Significant international media coverage

Preliminary Impact of Toronto You Belong Here Campaign

- **Decline in Tourism Expenditure lessened**
 - Weekly KPMG report -- tourism expenditure down \$450 million in the last six months (March to August 2003) when compared to the same period in 2002.

- Situation improved over the summer -- August spending down 22 percent compared to reduction of 39 percent in April
- **New Convention Bookings are Taking Place**
 - Tourism Toronto -- 50 percent of 2003 conventions have cancelled
 - Reports of new convention bookings encouraging sign
- **Drop in Downtown Hotel Occupancy lessened, though still down from pre-SARS level**
 - Downtown hotel occupancy improved between April and July. April occupancy rate was down 38.3 percent compared to 2002. July occupancy rate was down 22.7 percent compared to 2002, showing an upward trend.
- **Restaurant Sales has almost recovered**
 - Retail and restaurants reported a 50 percent to 80 percent decline of business in April.
 - Most dramatic among Chinese community -- Restaurants and malls were empty.
 - Chinese summer festivals boosted business and visitors -- random survey of Downtown Chinatown businesses show business volume has recovered to 75 percent - 90 percent of pre-SARS levels.
 - Success of events also boosted business, e.g. restaurants did brisk business through the 10 days of the Toronto International Film Festival
- **Most Signature Events Matched or Exceeded 2002 Attendance Numbers**
 - Most of the signature events feared that their attendance in 2003 would be dramatically lower than in 2002 because of the impact of SARS. The campaign has been successful in encouraging local people to attend events to offset the drop in tourists.
 - According to organizers of Pride Week, they experienced a slight drop in attendance but it was much less than originally anticipated. Although tourist attendance was down, the strong turnout of Torontonians made up the difference..
 - Celebrate Toronto Street Festival - 1 million attendance as in 2001 (no event in 2002 because of municipal workers' strike)
 - Molson Indy - match 2002 record of 120,000
 - Beaches Jazz Festival – attendance of 800,000 was up from 650,000 in 2002
 - Krinos Taste of the Danforth -- 1 million visitors vs. 800,000 in 2002
 - CNE -- slightly down from 2002 because of the blackout and the 4-day delay of the event start date. Attendance has been strong for remainder of event.
 - Film Festival -- large celebrity turnout and significant international media attention. Attendance numbers are not yet available but are expected to match or exceed 2002
 - Drop in Average attendance at major attractions improved over summer
 - Attractions experienced a significant drop in attendance in April -- some reported as high a reduction as 46 percent to 50 percent. While attendance is still lower than pre-

SARS levels, the decline has improved by 20 percent over the summer with July attendance 18 percent lower than in 2002.

- **Significant corporate partnership and goodwill generated**
 - Additional in-kind media value of \$4.3 million provided to City
 - Free advertising exposure through partners, e.g. Eaton Centre and VISA campaigns
 - Donation of goods and service to campaign, Avis vehicles \$50,000
 - Positive response from BIAs on city campaign
- **Delayed impact on Culture sector**
 - Culture sector reported a \$6 million loss because of SARS from cancelled shows, cancelled groups and loss of overseas touring opportunities. However, since most theatre shows are closed over the summer, the fall opening season is critical and will be the focus of the Toronto You Belong Here campaign in October.
 - Impact on Film and TV requires focused attention
 - Loss of big budget feature films, e.g. *Shall we Dance* was moved to Winnipeg
 - 26 percent reduction in foreign productions
 - 36 percent in foreign production spending
 - 14 percent drop in film permits
 - commercial production, feature films and made for television films all affected
 - Focused effort to market Toronto to producers and studio heads during Film Festival
 - Continued efforts required

Conclusion

- Toronto economy stable due to the diversity of its economic sectors -- GDP in Toronto area \$200 billion; reduction in visitor spending 0.25 percent of annual regional output
- Impact on some sectors more severe with increased competition from other cities
- Other factors continue to be at play: war in Iraq, high Canadian dollar, weak US economy, blackout
- Conference Board of Canada -- forecast \$1 billion impact in overall economy, including health sector.

Strategic Directions

- TYBH Campaign generated civic pride and public goodwill. Torontonians' Survey -- 82 percent said the City's campaign is excellent and 100 percent said it should be repeated
- Need to continue overall marketing of Toronto to capture the goodwill and build on existing momentum and initial investment
- Tie in with sectoral strategic plans -- Culture Plan, Tourism Development Action Plan, Economic Development Strategy to advance recovery plans for specific sectors, including Tourism, Culture, Film and TV, Retail/Fashion, and Investment Attraction
- Implement elements to build Toronto's profile internationally and repair Toronto's image
- Generate long term economic benefits and maintain Toronto's competitive position in face

of tough challenges and competition

- 2004 campaign to be considered as part of Economic Development, Culture and Tourism's Operating Budget submissions

Attachment 2

Comments from the Public and from TYBH Campaign Partners

"It was conservatively estimated that the attendance was about 150,000 with more attendance on the second day the festival has been the largest ever festival in Toronto Chinatown. According to our random survey, recently the business in Chinatown generally has been up about 75 percent to 90 percent of the pre-SARS level."

Sidney S. Poon

*President and Director, Toronto Chinatown Community Development Corporation
Chairman, Toronto Chinatown Festival Committee*

"Thank you for the City to include the Festival of Flavours into the Toronto You Belong Here campaign. There were many people interested in what is the Festival of Flavours about, and they got this information from the Toronto You Belong Here website. Some got the information from the poster. We appreciated that the City helped our event with such promotions."

Peter Chen

President, Ontario Chinese Restaurant and Food Service Association

"I'm usually at the cottage. Having this book hanging around will remind me of all the great things Toronto has to offer."

Participant at Canada Day at Etobicoke's Centennial Park

"Let me thank you in advance for creating such an amazing ad. I just moved here from Halifax (in March) and was very impressed by this city From the moment my plane landed, I have been completely blown away. I could not believe how a city so big has come together so easily. So far, I have been through SARS, West Nile, blackout There is no other place that I would rather be And then I see a television ad. The song is great and video ... even better!"

A Toronto resident

"It has been a crazy year – with our #1 advertising benefit coming directly from .. Toronto Play Book. That little booklet in fact created the best direct sales results in the history of our company. We are so pleased."

Julia Henderson, President

The Helicopter Company Inc.

ATTACHMENT NO. 8 [Notice of Motion J(41)]

Report dated September 16, 2003, from the Commissioner of Urban Development Services, entitled "Further Report Ontario Municipal Board Appeals of Applications to Amend the Official Plan and Zoning By-law 438-86 and Site Plan Approval, 34 Southport Street, Mid-Block between The Queensway and Ormskirk Avenue, Bently Valley Investors Inc., (E.I. Richmond Architects Ltd.) 102029, TC CMB 2002 0016 (Parkdale-High Park, Ward 13)." (See Minute No. 11.160, Page No. 193)

Purpose:

This report recommends that City Council adopt a position with respect to the Ontario Municipal Board Appeals of applications to amend the Official Plan and Zoning By-law and for Site Plan Approval to permit a 19-storey residential building and a replacement shopping plaza at 34 Southport Street. The hearing is scheduled to commence on October 27, 2003.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) authorize the City Solicitor and appropriate staff to oppose the amended application in its current form;
- (2) authorize City Planning staff to attempt to secure a Section 37 Agreement for local City benefits in the event that the Ontario Municipal Board approves some form of this application; and
- (3) authorize the City Solicitor to secure conditions of approval requested by City departments and agencies in relation to Site Plan approval.

Background:

At its meeting of June 10, 2003, Humber York Community Council received and adopted a planning report (May 22, 2003) related to this application. Community Council amended the staff recommendations and authorized the City Solicitor to request an Ontario Municipal Board (OMB) hearing date that allowed sufficient time for City staff to consult with the community and to negotiate changes to the proposal to address the concerns raised in the Preliminary Report and at the community meeting, and to provide the opportunity for Council consideration of an amended application.

On June 13, 2003 the City Solicitor and City Planning staff appeared before the OMB at a pre-hearing conference. At that time the Board set a commencement date for the hearing of October 27, 2003. The Board also encouraged all sides to seek a settlement.

On June 24, 25 and 26 City Council adopted the above noted clause from Humber York Community Council, without amendment.

On July 24, 2003 the applicant submitted revised plans to the City. These plans were also shared with the other parties to the OMB hearing.

On August 19, 2003 City Planning staff and a planning consultant retained by the Ripley Area Resident's Group Limited met with the applicant's planning consultant to discuss further changes to the plans submitted on July 24, 2003. The applicant's consultant agreed to seek instructions from his client for further amendments to the plans.

On August 28, 2003 City Planning staff, the ratepayer's planning consultant and architect, and a planning consultant representing an individual unit owner in 1 Ripley Avenue, held further discussions with the applicant's planning consultant. The applicant's consultant advised that his client was not prepared to make any further changes to the height and massing of the residential building. Modest changes to the retail stores layout and parking/loading arrangements were agreed upon. However, on September 11, 2003 a revised site plan was submitted that did not show some of the changes discussed with City Planning staff and the community representative's consultants.

Comments:

Outstanding Issues

Height/Built Form/Density

The latest revisions to the original design have resulted in a single tower that is 19 storeys in height. This tower is located at the west edge of the site and is oriented in a north - south direction. The elimination of one tower and the re-location of the building improve the separation distance from the condominium building to the south and improve the view corridor from the buildings to the north and south. However, density has increased from 2.26 to 2.38 times the area of the lot, and the result is a fairly massive building that only steps down one-storey to the north and south.

City Planning staff and the other planning consultants had requested the applicant to terrace the building down more substantially at both ends to break up the building mass and reduce overlook, shadowing and intrusion into local view corridors. The proposed building has higher floor to ceiling heights than the 20-storey condominium to the north and therefore does not provide the transition requested by City Planning staff. The proposed density is slightly higher than the Reon/Cressford site to the south, and this becomes more critical because this site is smaller. It has a greater impact since the site is in closer proximity to adjacent high and

mid-rise buildings.

Traffic

The traffic generated by this project is still a concern to local residents and is being studied by Works and Emergency Services staff. A staff position on this issue will be available before the Ontario Municipal Board hearing.

Section 37

The Official Plan contains provisions pertaining to the exchange of public benefits for increases in height and density pursuant to Section 37 of the Planning Act. The applicant has had discussions with Planning staff with respect to contributions suggested by area residents and the Councillor. The contributions would include improvements to public building facilities in High Park, school playground equipment replacement, and expansion of community space within the Swansea Town Hall basement.

Conclusions:

City Planning staff and consultants hired by the local ratepayers association and a private individual have made their best efforts to reach a settlement with the applicant. Some progress has been made. The proposal has been revised to show one 19-storey residential building. While its location is acceptable, issues remain with respect to height and massing. Some further reduction in building height is required to provide a transitional building form that meets planning objectives for the site and the surrounding neighbourhood. The proposed retail plaza has been improved, however, there is still a need for more retail frontage in the proposed Loblaws store along the centre roadway as well as improved loading and storage areas.

As a result of an impasse in negotiations to reach an agreement on these issues, City Planning staff recommend that City Council refuse the current proposal.

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Barry Brooks, Senior Planner, West Section

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(The Attachments referred to in the foregoing report are on file in the City Clerk's Office.)

ATTACHMENT NO. 9 [Notice of Motion J(44)]

Resolution adopted by the Federation of Canadian Municipalities Big Cities Mayors' Caucus dated September 19, 2003 (See Minute No. 11.163, Page 200):

**RESOLUTION ADOPTED BY FCM BIG CITIES MAYOR'S CAUCUS
September 19, 2003**

Implementing The New Deal For Municipal Government

WHEREAS Canadian municipal governments urgently require enhanced, stable and predictable sources of funding to preserve a high quality of life for their citizens;

WHEREAS the FCM Task Force on Revenue Sharing Options was empowered by the FCM National Board of Directors and Big City Mayors Caucus to delineate options for implementation of enhanced funding and a New Deal for Canadian municipalities;

WHEREAS the FCM Task Force on Revenue Sharing Options has identified a mechanism to implement the sharing of the federal exercise fuel tax and set out a strategy and options to implement the New Deal;

WHEREAS Federal Liberal leadership candidate Paul Martin challenged municipal governments to provide the Government of Canada with proposals for a New Deal that would include options for revenue sharing, such as a share of the federal fuel tax;

WHEREAS the Government of Canada should engage provinces and territories in negotiations to ensure that:

- Provinces and territories create a mechanism for municipal governments to receive fuel tax revenues raised by the Government of Canada;
- Provinces and territories commit that agreed revenue streams are new and incremental and do not result in clawing back of other transfers; and
- Intergovernmental and/or institutional agreements establish net new revenue streams that are guaranteed to be long term.

WHEREAS a sharing of gas tax revenue would not be the only revenue stream in the New Deal;

WHEREAS net new revenue streams from the fuel tax will be directed at municipal transportation infrastructure.

BE IT RESOLVED that the FCM Big City Mayors Caucus requests the Government of Canada to immediately enter into discussions with FCM on implementation of 5¢ per litre fuel tax sharing, based on the recommendations of the Task Force, for implementation in the next

federal budget; and

BE IT RESOLVED that these discussions and negotiations on financing options for immediate implementation take place with the understanding of all parties that a full review of financing, intergovernmental mechanisms and program options is to follow.

FCM BIG CITY MAYORS' CAUCUS CALLS FOR IMMEDIATE NEGOTIATIONS ON FUEL TAX DEAL

Brampton, Ont., Sept. 19, 2003--The mayors of Canada's largest cities are calling on the federal government to immediately begin negotiations on sharing a part of the gas tax collected to meet urgent municipal needs.

The mayors are meeting in Brampton today to discuss strategies aimed at securing a new revenue sharing agreement with the federal government.

"At the FCM annual conference last May, Paul Martin asked Canadian municipal leaders to look at his proposal for a portion of the federal fuel tax and decide if it could help alleviate the challenges we face—we have and we believe it can work," said Brampton Mayor Susan Fennell, who chaired the meeting. "Our proposal would see five cents per litre of the current federal excise fuel tax go to municipal governments for transportation infrastructure needs. We are prepared to participate in discussions to make it happen and make it work."

"The need for action on this is urgent," said FCM President Gatineau Mayor Yves Ducharme. "Municipal governments across the country are finding it increasingly difficult to meet the needs of their communities. We need a new deal to cope with decaying infrastructure and growing social pressures—this proposal would help."

The FCM Big City Mayors' Caucus is made up of the mayors of the country's 22 largest cities. Its members represent 40 per cent of the population of Canada.

For more information:

Massimo Bergamini

613-295-3678

or

Robert Ross

613-720-0545

ATTACHMENT NO. 10 [Notice of Motion J(47)]

Terms of Reference for the Green Roofs Task Force (See Minute No. 11.166, Page 204):

Green Roofs Task Force – Terms of Reference

Purpose of Task Force

The purpose of the Green Roofs Task Force is to investigate ways in which the city could promote green roofs and make recommendations regarding policies and incentives to encourage implementation. Specifically, the Task Force will:

- investigate the benefits of green roofs and barriers to implementation;
- provide a public forum to engage the stakeholders (developers, designers, environmental community) in discussion with the City; and
- recommend actions the City might take to encourage implementation of green roofs.

Composition of Task Force

It is proposed that the Task Force be composed of no more than 9 members:

- 3 members of Council;
- representatives from the following sectors:
 - developers – UDI or specific developer;
 - builders – Greater Toronto Home Builders Association;
 - building managers – Building Owners and Managers Association;
 - designers – Ontario Association of Landscape Architects; Ontario Association of Architects;
 - green roof industry – Green Roofs for Healthy Cities Coalition; and
 - environmental health - Clean Air Partnership.

Work Program and Time Line

It is anticipated that the work of the Task Force will occur over a 12 month period (January 2004 to January 2005) with 4 to 6 meetings.

Proposed Task Force Meetings

January 2004

Initial meeting – introduction to green roofs; identification of issues.

April 2004

Presentation on initial findings; questions raised; case studies from other cities.

September 2004

Presentation on research findings.

November 2004 - Conclusions

Staff present findings, options for policies, programs, incentives. Discussion of alternatives.

December 2004 - Recommendations

Wrap up of committee work. Report and recommendations to January 2005 Council.

ATTACHMENT NO. 11 [Notice of Motion J(48)]

Joint Report dated September 22, 2003, from the Chief Financial Officer and Treasurer and Commissioner of Works and Emergency Services, entitled “Financial Authority for Interim Funding for Emergency Repairs to Ashbridges Bay Dryer/Pelletizer Building.” (See Minute No. 11.167, Page 205):

Purpose:

To authorize the transfer of \$1,000,000 from the Wastewater Stabilization Reserve to the Wastewater Capital Budget to finance immediate emergency capital repairs at the Ashbridges Bay Dryer/Pelletizer building following the fire of August 21, 2003.

Financial Implications and Impact Statement:

A wastewater emergency repair capital project will be established and requires rate supported funding from the Wastewater Stabilization Reserve. An immediate transfer of \$1,000,000 from the Wastewater Stabilization Reserve to the Wastewater Capital Budget is required to finance the emergency capital repairs. Sufficient funds are available in the reserve to finance these repairs. Efforts to recoup all City costs from Third Parties are underway. The Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services shall report jointly back to Council on the emergency repairs to the first Council meeting in January 2004.

Recommendations:

It is recommended that:

- (1) authority be granted to establish a Wastewater capital project entitled Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building;
- (2) authority granted for an in-year \$1,000,000 adjustment to the 2003 Wastewater capital budget to be funded from the Wastewater Stabilization Reserve for the capital project entitled Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its February 13, 14, 15, 2002 meeting, City Council amended the purpose of the Wastewater Stabilization Reserve to include funding for unanticipated budget variances arising from unexpected emergency capital requirements.

On August 21, 2003 the Dryer/Pelletizer building at Ashbridges Bay Treatment Plant was damaged by fire. Damage to the building is extensive rendering it unsafe and the processing equipment inoperable. The condition inside the building is such that machinery is exposed to the weather and it will continue to deteriorate unless immediate preservative steps are taken.

The Chief Building Official has issued a Building Inspection Order declaring the building unsafe. The Building Inspection Order requires that a professional engineer assess the structural adequacy of the building and file a report on the scope of work required to make the building safe. Engineer and construction experts require entry into the building to complete assessments on fire causation and to commence work to prevent further damage to the building and equipment contained within.

Immediate emergency capital repairs are required to make the Dryer/Pelletizer building safe and to prevent further damage from occurring to the building and equipment. It is estimated that the emergency repair costs will reach \$1,000,000.

Comments:

The Wastewater Stabilization Reserve was established to provide annual funding to stabilize the net operating expenditures for Water Supply and Wastewater Treatment requirements and to fund capital projects including emergency capital repairs subject to Council approval. The projected 2003 year-end balance of the Wastewater Stabilization Reserve is \$28.4 Million.

There are numerous stakeholders with interests in the Dryer/Pelletizer building who may ultimately be held financially responsible for the fire damage. Stakeholders include the design-build contractor, subcontractors, equipment suppliers, installers and their insurers and the City's property insurer. The City will endeavour to recover expenditures from the responsible stakeholders.

All stakeholders have been or are being notified of the City's intent to recover its loss, and in anticipation of possible litigation, the City has retained Borden Ladner Gervais (an external legal firm for insurance claim work as approved by City Council at its June 2000 meeting) to protect the City's financial interests and maximize financial recovery.

Immediate emergency work is required to prevent further damage to the building and equipment and make the structure safe enough for experts to complete fire cause and damage assessments. Failure to undertake this emergency work will expose the City to possible safety issues and unrecoverable financial loss since the City has a duty to mitigate its loss.

Conclusions:

The Dryer/Pelletizer building requires emergency structural and equipment repair to make the

building safe, prevent additional damage and to allow access for purposes of assessing the extent of property damage. The costs are estimated at \$1,000,000.

This report recommends the establishment of a new capital project, Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building with funding from the Wastewater Stabilization Reserve. The Wastewater Stabilization Reserve was established to permit emergency capital repairs to Water & Wastewater facilities subject to Council Approval.

The Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services will jointly report back on fire damage cost recovery from the responsible stakeholders.

Contact:

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Mike Price, General Manager Water & Wastewater Services
416-392-8200, mprice@toronto.ca

ATTACHMENT NO. 12 [Notice of Motion J(51)]

Report dated September 22, 2003, from the Commissioner of Corporate Services, entitled "Computer Equipment - End of Lease Transition Issues Preliminary Report" (See Minute No. 11.170, Page 210):

Purpose:

To report on the City of Toronto's End of Lease options as developed for the Toronto Computer Leasing Inquiry by Assetlinx and the City's next steps to address the issue.

Financial Implications and Impact Statement:

There are no immediate financial implications arising from the adoption of this report. Future financial implications are identified which will be addressed in a detailed report that will be presented in early 2004 to the new Council.

Recommendations:

It is recommended that:

- (1) appropriate City staff be instructed to begin preliminary discussions with MFP through the appropriate legal channels on all end of lease issues, and
- (2) City staff report in detail with respect to the end of lease transition plan and the financial implications to the new Council at its first business meeting of 2004.

Background:

The City must replace the great majority of its computer equipment, and some software, in the near future. Staff have been working for over a year to address end of lease planning to replace ageing computer equipment when it comes off lease, or sooner if required. This is a particularly complex but urgent exercise for a number of reasons:

- The majority of the City's I&T assets are leased until March of 2005 at which point they will be an average of 6 years old.
- I&T assets are now 4.5 years old and well past their useful lifespan. Replacement of these assets should ideally have started early in 2003. However in light of the lease commitments it was necessary to try to maximize their lifespan.
- Operating hardware longer than 4 years presents significant operational and financial risk. Replacement parts are generally not available, new software and security protections will

not run on older computers, and failure rates begin to escalate.

- Microsoft is intending to withdraw technical support for the operating system the City currently uses (Windows NT4). This was scheduled to happen in the summer of 2003 and is now estimated for early 2004. The City would then have to enter into an expensive arrangement to receive critical security and operational software patches for NT4.
- The City's software licence maintenance agreement, which until September of 2002 was leased with MFP, provides for the upgrade of a majority of the City's Microsoft Windows and Office licences to the newer XP version. This upgrade cannot take place until the hardware is upgraded. The current computers will not reliably run Windows XP or XP Office.
- While desktop computers can be replaced fairly quickly in the event of failure, the failure of a server can cause major operational disruption for hundreds of staff, and shut down a major business process for days or weeks until a new server is ordered, received and application and data reloaded and tested. A small but growing number of the City's servers are increasingly at risk of failure. Several have failed fully or partially in recent months.
- Replacement of the existing I&T infrastructure must be done over an extended period. Optimistically, the City could replace its computer infrastructure over a 20-month period.
- The end of lease replacement plan is further complicated by the current litigation. Normal lessor to lessee discussions about end of lease planning will need to be done with the assistance of outside legal counsel.
- Existing City budgets for I&T hardware are generally predicated on leasing and there is no budget for short-term replacement of a large number of computers. As with any transition from leasing to owning there is a major one-time capital outlay necessary at the time of transition.
- Ideally any I&T replacement plan should allow for a transition to regular planned lifecycle management that would avoid large cost spikes every four years as hardware needs replacing.
- There is a need to implement a more comprehensive asset management system as the replacement begins to fully track all assets, hardware and software.

Staff have created a team to manage the end of lease transition and Council has approved a variety of policies necessary to support an end of lease plan including disposal of unneeded assets, technology lifecycle standards, and a new acquisition model. Council has previously directed that staff will purchase I&T hardware and software unless an alternative is explicitly approved by Council. Therefore, alternative financing methods like leasing have not been

actively examined and would generally not be examined in advance of the final report of the Inquiry.

Much of the end of lease transition planning to date has focused on examining the logistics and planning associated with such a large-scale exercise and working with the CFO and Finance staff to examine budget models.

In the spring of 2003 staff became aware that Commission Counsel for the Toronto Computer Leasing Inquiry engaged an external expert company, Assetlinx, to prepare two reports. The first report addressed financial impacts of the City's lease with MFP. The second report focuses on the options the City has in regards to terminating the lease and replacing the leased computer equipment, as well as the City's I&T asset management capacity. City staff worked with Assetlinx as they prepared the second report both to help Assetlinx understand the City's planning and needs, and to allow City staff to benefit from the analysis done by Assetlinx. Staff have reviewed the Assetlinx analysis to assist in the financial planning that the City will need to carry out.

In July of 2003, Assetlinx submitted their final report to the Inquiry, however the report remained confidential until Assetlinx staff testified at the Inquiry on September 11 and 15, 2003. The I&T Sub-Committee of Administration Committee was briefed generally on the nature of the report and the surrounding confidentiality issues on the 29th of July. Staff were directed by the Sub-Committee to request the Inquiry Commissioner to expedite the public release of the report. A letter to this effect was sent by the CAO to the Inquiry Commissioner. However, as noted above, the report did not become public until Mr. Chris Kerr, General Manager of Assetlinx, gave evidence on September 11, 2003.

Summary of the Assetlinx report

It is critical to recognize that the Assetlinx report is based on a 'best possible world' premise. It sets out what the City should do in a perfect situation and therefore does not address affordability, the budget process, the on-going litigation and Inquiry, or the unusual legislative timetable resulting from the election.

The report makes a number of key recommendations:

- The report states that although the lease contracts run until March of 2005, most of the leased assets are now past their useful life. Drawing on information provided to Assetlinx by City staff the report identifies that 14,083 of the City's 17,474 technology assets are now over 4 years of age. The report draws on a range of industry research into technology lifecycle to argue that there is an unacceptable operational risk and cost to large organizations to attempt to use technology beyond four years. It argues that many organizations refresh their computer hardware every three years although some are moving to four years.

- The report then argues that because of this risk, the City must immediately commence an aggressive replacement, or refresh, of most of its technology assets, ideally beginning in November of 2003 and continuing for 18 months. The report estimates the total cost of the refresh is \$82,430,322. This includes hardware, labour, some necessary software replacements, and the cost of maintenance on certain software that comes off lease.

The report does a financial analysis of four options available to the City.

1. The City can buy out the leases prior to the refresh project.
2. The City can make remaining payments and purchase the equipment at the end of the term (March 2005).
3. The City can terminate the leases early and return the equipment.
4. The City can negotiate an alternative negotiated settlement with MFP.

The Assetlinx report recommends option one and rejects the other three. Option two would be more expensive than option one. The report argues that option three would be impossible to execute without exposing the City to substantial risk, primary because all equipment must be returned to MFP at the City's cost in full working order. Many hundreds of pieces of equipment would therefore require repair or replacement before being returned to MFP. Option four is deemed to be highly unlikely. Council has rejected previous settlement proposals, and there is ongoing litigation between the City and MFP.

In order to implement option one, the Assetlinx report recommends that the City undertake a buyout on September 30th of 2003. The report suggests that if the City were to buy out the lease on that date it would need to pay MFP an estimated \$29,963,478. This amount is the present value cost of all remaining payments due to MFP, plus the maximum residual costs at 9%. This amount is separate to the replacement costs above.

In addition, the report talks at length about the City's technology asset management capacity and recommends that that City must put in place a more robust and comprehensive asset management process to support the recommended refresh.

The Assetlinx report also examines the I&T spending in the City of Toronto and concludes that spending is in line with other Municipal governments, but may be low in relation to broader industry standards. It also states that the current model of dispersed I&T budgets adds a level of complexity to the management of assets and the refresh project.

Staff Actions to Date and Next Steps

I&T staff have been developing a refresh plan that is based on the key assumptions in the Assetlinx report but would not start until early 2004. It is slightly more conservative in approach than that suggested in the Assetlinx report. Although slightly less expensive than the Assetlinx study it will still present a major financial pressure for the City for at least the next two fiscal years. It is designed to phase the City to a steady state of refreshing one quarter of the City's infrastructure a year beginning in 2007.

This plan will be presented to the first business meeting of the new I&T Sub-Committee and Administration Committee and Council for discussion and decision. As well, the 2004 Capital and Operating Requests will address the budget pressures associated with the plan.

A project manager has been working to build a refresh project team since early 2003. A cross-departmental working group has been created with representatives of all departments and the Library. A test laboratory is being built to allow departments to test business applications under a new operating system. I&T staff are testing 'thin client' and 'slim client' technology to determine their value as replacements for traditional desktop computers. A computer assisted scheduling exercise is now underway with the City departments to determine when it is operationally possible to replace computers down to a detailed working unit level.

Staff have also done a detailed plan for the replacement of the City's servers and key network infrastructure, a portion of which is included in the approved 2003 I&T budget. Budget Advisory Committee has recently pre-approved a portion of the 2004 I&T Capital request so high risk hardware can be replaced pending decision on the full budget submission.

As well, intensive work has started to develop a comprehensive asset management system to track all hardware and software being taken out of service and new hardware/software replacing it. Staff are also doing an internal review and verification of the calculations in the Assetlinx report.

Conclusions:

The purpose of this report is to advise City Council of the complex end of lease issues that will need to be addressed as identified in the Assetlinx report prepared for the Toronto Leasing Inquiry. Staff will be reporting in detail on these issues and the financial and operational impacts which arise from the end of lease to the new Council at its first business meeting of 2004.

Contact:

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ATTACHMENT NO. 13 [Notice of Motion J(63)]

Joint Report dated September 24, 2003, from the Commissioner of Community and Neighbourhood Services and Commissioner of Corporate Services, entitled “Declaration as Surplus, Portion of 1900 Sheppard Avenue West (Ward 9 - York Centre)” (See Minute No. 11.182, Page 228):

Purpose:

To secure authority to declare a portion of 1900 Sheppard Avenue West surplus to municipal requirements for the purposes of transitional housing and to undertake negotiations of a long-term lease, mortgage and any other agreements deemed appropriate in order to facilitate the co-development of transitional housing and a library by the Toronto Public Library at this location.

Financial Implications and Impact Statement:

Co-development of the property for transitional housing and a public library will require the foregoing of any revenue from its sale. The appraised value of the property is \$550,000.00. No support is required from the City’s capital budget as funding for the development of the property for transitional housing is being provided by the federal government’s Supporting Communities Partnership Initiative (SCPI) funds, by institutional mortgages and by proponent’s equity and included in the budget for Shelter, Housing and Support. The library costs are included in the Toronto Public Library 2003 Approved Capital Budget.

By its adoption of Clause 19 of Report No. 7 of the Community Services Committee, as amended, on September 23, 2003, Council allocated SCPI funding in the amount of \$2.0 million for this project, conditional on zoning. No support for operations is required as funding for operations is being provided through rental revenues and provincial rent supplement monies. The proponent has requested that pursuant to Clause 13 of Report No. 9 of the Policy and Finance Committee entitled “Exempting Non-Profit Housing from Planning Application Fees, Building Permit Fees and Parkland Dedication Requirement”, adopted as amended by City Council on July 4, 5 and 6, 2000, the City’s fees and charges for development and building permits and approvals be waived.

City Council at its meeting of October 29, 30 and 31, 2002 approved capital project pre-approval to construct a library at 1900 Sheppard Avenue West in co-development with Shelter, Housing and Support at net zero cost based on cost savings of approximately \$270,000.00 achieved through co-development with a housing project.

All of the above will be reported on in greater detail at the time the terms and conditions of the proposed long-term lease arrangements and other agreements as necessary are submitted for approval.

The Chief Financial Officer and City Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) a portion of 1900 Sheppard Avenue West, required to facilitate the development of transitional housing, save and except that portion required by the Toronto Public Library for library purposes, be declared surplus to the City's requirements with the intended method of disposal to be by way of a long-term lease to Youth Clinical Services Inc. ("YCS") or another entity associated with and controlled by it and acceptable to the Commissioner of Community & Neighbourhood Services (the "Commissioner");
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (3) authority be granted to the Commissioner to negotiate the long-term lease described in Recommendation (1) and any mortgages/charges or other agreements, deemed appropriate by the Commissioner and the City Solicitor to facilitate the co-development and provision of transitional housing and a library at 1900 Sheppard Avenue West, generally in accordance with the terms and conditions outlined in the body of this report and to protect the City's interests, all such terms and conditions as are satisfactory to the Commissioner, in his discretion and in a form acceptable to the City Solicitor, and to report back on the results of such negotiations; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

On June 17, 1960, the former Metropolitan Toronto acquired 1900 Sheppard Avenue West (the "Property") for police purposes. The Property was not acquired through expropriation proceedings. The Property, located on the north side of Sheppard Avenue West, east of Jane Street, is improved with a single storey brick building, former Police Division 31. Toronto Police Services continued to utilize the property until June 1999 when Toronto Police Services staff advised that the Property was no longer required for police purposes.

The Property was circulated to the City's Agencies, Boards, Commissions, Departments and Ward Councillor to ascertain whether or not the Property could be declared surplus to the City's requirements. Shelter, Housing and Support staff of Community and Neighbourhoods Services identified the Property as being suitable for development of affordable transitional

housing pursuant to the Council approved *Housing First* Policy.

In September 2001, a Request for Proposals (RFP) for transitional housing with Supporting Communities Partnership Initiative (SCPI) funds was issued pursuant to the *Let's Build* program. The RFP provided for proponents to submit proposals on any of three City sites (1900 Sheppard Avenue West, 973 Lansdowne Avenue and 30 Darrell Avenue) or to propose another property. SCPI is part of the federal government's investment to help alleviate and prevent homelessness across Canada. Over the next three years, the federal government will provide the City of Toronto with up to \$53 million to be made available for projects in Toronto. According to the new Community Plan for Homelessness in Toronto, \$24 million is to be allocated for transitional housing.

Comments:

The Toronto Public Library Board, at its meeting of July 15, 2002, passed a motion to enter into a co-development through Shelter, Housing and Support with a housing project to construct a library on the Property.

City Council, at its meeting on September 23, 2003, adopted as amended Clause 19 of Report No. 7 of the Community Services Committee thereby approving SCPI funding for YCS to co-develop a transitional housing project with a new library on the Property.

The co-development will be subject to the normal planning and development approval processes, including obtaining any approvals required under the *Planning Act*. Further negotiations are required with the proponent to determine the final terms and conditions of any lease, mortgage and other appropriate agreements in order to achieve the City's objectives in relation to SCPI funding for transitional housing, while protecting the City's interests.

In order to proceed with the negotiations for the proposed long-term lease, the City must comply with the procedures governing disposal of property. Section 193(4) of the *Municipal Act* requires that, before disposing of any property (including a lease of 21 years or more), Council must declare the property to be surplus by by-law or resolution passed at a meeting open to the public, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the Property, unless exempted by regulations passed under the legislation.

Details of the Property are as follows:

Subject Property: 1900 Sheppard Avenue West

Legal Description: Lots 123, 124, 125 and 126, Plan 5618

Approximate Dimensions: Frontage: 72 metres (236 feet)

	Depth: 46 metres (150 feet)
Approximate Site Area:	3307 m ² (35,597.4 sq. ft.)
Zoning:	RM2 - Multiple-Family Dwellings Second Density Zone
Official Plan:	RD1 - Low Density Residential
Improvements:	Single storey brick building, no basement (former Police Station)
GFA:	887.9 m ² (9,558 sq. ft.)

The Property Management Committee has reviewed this matter and concurs with the use of this Property for a *Let's Build* initiative.

Conclusions:

To comply with the *Municipal Act* and in order to proceed with the negotiations for the proposed long-term lease, mortgage and any other appropriate agreements with YCS for the development of transitional housing in conjunction with the development of a library by the Toronto Public Library, City Council should declare a portion of 1900 Sheppard Avenue West required for transitional housing development, save and except that portion required by the Toronto Public Library for library purposes, surplus to the City's requirements.

Contacts:

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(The Site Map referred to in the foregoing report is on file in the City Clerk's Office.)

ATTACHMENT NO. 14 [Notice of Motion J(67)]

Report dated September 25, 2003, from the Director, Community Planning, South District, entitled "Request for Approval of Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code, for Illuminated and Non-illuminated Signage, Application No. 2003 175180 ZSV 00 (Ward 28 - Toronto Centre-Rosedale)" (See Minute No. 11.186, Page 234):

Purpose:

To review and make recommendations on a request by Robert Van Sickle of Provincial Sign Systems, for approval of the variance from Chapter 297, Signs, of the former City of Toronto Municipal Code, to permit 3 illuminated and 1 non-illuminated fascia signs (encroaching) and 2 illuminated non-encroaching fascia signs and one illuminated ground sign 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 the variance be approved to permit 3 illuminated and 1 non-illuminated fascia signs (encroaching) and 2 illuminated non-encroaching fascia signs and one illuminated ground sign at 550 Adelaide Street East; and
- (2) the applicant be advised, upon approval of variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.

Background:

The subject property is being redeveloped as a "Nissan" automobile retail and service site. As a result, existing signage reflecting the current, similar use as a BMW dealership must be replaced.

Comments:

The applicant proposes to install 3 illuminated and 1 non-illuminated fascia signs (encroaching) and 2 illuminated non-encroaching fascia signs and one illuminated ground sign. All three signs will be used for first party advertising for the car dealership.

Consideration has been given to the appearance and placement of the signs. The pylon sign that is replacing an existing sign is being placed in virtually the same location, allowing for visibility to on-coming traffic and it is placed entirely on private property. Due to the fact that the buildings have been built up to the property line there is no opportunity to set the signs further back from the property line. This also explains the encroachments, which are unavoidable if signs are to be mounted on the street elevation of the building.

The proposed signs are in keeping with signs in the area which have been previously approved. While the signs have been designed to promote the products of the car dealership, they also fit into the character of the surrounding neighbourhood. Each of the elements is dependent upon the other and there are no extraneous or repetitive elements.

The signs do not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code in that the proposed ground sign is not setback a minimum 2.0m from the street line and a minimum 6 metres from the point of intersection of two street lines. [297-10.D.(8)(b)] Therefore, a variance is required to permit the proposed signs. However, as described above, due to the massing of the existing building and the location of the existing signs, the proposed signs will have minimal impact and are consistent with the intent of the By-law.

Conclusions:

It is recommended that the request for the variances be approved.

Contact:

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(A copy of the attachment referred to in the foregoing report is on file in the City Clerk's Office.)

FISCAL IMPACT STATEMENT SUMMARY
Submitted by the Chief Financial Officer and Treasurer
Notices of Motion
Council Meeting – September 22, 23, 24 and 25, 2003

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
F(1)	City Employees Strike – Summer of 2002	\$ 0	\$ 0	See FIS. Consider.
F(2)	Request to Provincial Government to Abandon Electricity Deregulation and Privatization.	\$ 0	\$ 0	See FIS. Consider.
F(3)	FOI Request – Removal of Trees at Bales & Glendora Ave	\$ 0	\$ 0	Consider.
F(4)	Mandatory Retirement Policy	\$ 0	\$ 0	Consider.
F(5)	Approval to Erect Election Signs on Mayoral and City Councillor Candidates Campaign Offices prior to Sept. 11, 2003	\$ 0	\$ 0	Consider.
I(1)	Clothing Drop Boxes	\$ 0	\$ 0	Consider.
J(1)	Request to Waive Council's Policy to Permit the Mailing of a Notice Regarding the Rezoning of Lands Located in the Gerrard/Clonmore Area	\$ 0	\$ 0	Consider.
J(2)	OMB Hearing – 482 & 484 St.Clair Ave. East	\$ 0	\$ 0	Consider.
J(3)	Notification of Applications for Rooftop Signage in the City of Toronto	\$ 0	\$ 0	Consider.
J(4)	OMB Hearing – 433-437 Roncesvalles Ave.	\$ 0	\$ 0	Consider.
J(5)	20 Gothic Ave. – Status Reports, Application to Amend the (former) City of Toronto Official Plan and Zoning By-law	\$ 0	\$ 0	Consider.
J(6)	Approval for the Issue and Sale of Debentures	See FIS	See FIS	See FIS. Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(7)	Defence of Committee of Adjustment Decision – 209A and 209B Scarborough Rd.	\$ 0	\$ 0	Consider.
J(8)	Proposed Change to Parking Regulations on the South Side of Milner Ave	\$ 150.00	\$ 0	See FIS. Consider.
J(9)	2100 & 2110 Keele Street – Final Report, Application to Amend the North York Official Plan	\$ 0	\$ 0	Consider.
J(10)	Alternate Parking Requirement for 131 Coxwell Avenue Under Supporting Communities Partnership Initiative	\$ 0	\$ 0	Consider.
J(11)	To Designate Certain Toronto Parking Authority Carparks for use as Parking Facilities	\$ 0	\$ 0	Consider.
J(12)	Request for Student Pick-up/Drop-off Zone, Fronting Upper Canada College Preparatory School			Withdrawn
J(13)	11 Millbank Avenue – Request to Prohibit Parking	\$ 300.00	\$ 0	See FIS. Consider.
J(14)	Defense of Committee of Adjustment Decision – 18 Fern Avenue	\$ 0	\$ 0	Consider.
J(15)	City of Toronto Initiative to Explore the Possibility of Entering into a Long Term Relationship with the City of Paris, France to Stimulate Investment, Trade, Tourism & Civic Exchange	\$ 0	\$ 0	Consider.
J(16)	Prohibited Right Turns From Doris Ave. to Byng Ave.	\$ 150.00	\$ 0	See FIS. Consider.
J(17)	Temporary Road Closure of Doris Avenue	\$ 150.00	\$ 0	See FIS. Consider.
J(18)	Restricted Parking on Mill St., Between Parliament St. and Cherry St.	\$ 1,000.00	\$ 0	See FIS. Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(19)	Section 37 Agreement Regarding the Bathurst/Bremner/Fort York Blvd. Intersection	\$ 0	\$ 0	Consider.
J(20)	Installation of Traffic Control Signals at the Intersection of Church St. and Maitland St.		TBD	See FIS. Consider.
J(21)	Report on Local 3888 Collective Agreement 2002 – 2004 Bargaining – Basic Salaries			<i>Confidential.</i>
J(22)	Installation of Speed Bumps on the First Lane East of Pape Ave., Extending Between Cavell Ave. and Hazelwood Ave.	\$ 0	\$ 2,000.00	See FIS. Consider.
J(23)	Proposed Change to Provisions of Section 37 Benefits; Empire Communities – South Side of Finch Ave. West between Blakeley Rd & Lorraine Dr.	\$ 0	\$ 0	Consider.
J(24)	2003 Food and Hunger Action Fund Allocations and Appeals – Grant for The Learning Enrichment Foundation - 116 Industry Street	\$ 0	\$ 0	Consider.
J(25)	Refund of Fees for Barricades and Venue Rentals for Caribana 2003	\$ 63,505	\$ 0	See FIS. Consider.
J(26)	Toronto Hydro-Electric System Ltd. – Trunked Radio System & Equipment Maintenance Services Agreement			<i>Confidential. See FIS.</i>
J(27)	Financial Impact of Infestation of Asian Longhorned Beetles	\$ 0	\$ 0	Consider.
J(28)	Amendment to the Noise By-law – Quiet Zone or Residential Area	\$ 0	\$ 0	Consider.
J(29)	Residential Demolition Application – 1445 Bathurst St	See FIS	See FIS	See FIS. Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(30)	Construction Staging Area and Covered Sidewalk for a Portion of the Adjacent Northbound Curb Lane of Bay Street	\$ 0	\$ 0	Consider.
J(31)	A by-law to Prohibit Harassment of Youth	\$ 0	\$ 0	Consider.
J(32)	Objection to Application for First Registration – 12 Duthie Street	\$ 0	\$ 0	Consider.
J(33)	City Purchase of a Portion of Lands at Saranac Public School	\$ 0	\$ 0	Consider.
J(34)	Request for Sign Variance – 1069 St. Clair Ave. West	\$ 0	\$ 0	Consider.
J(35)	Request for Sign Variance – 48 & 50 Caledonia Park Road	\$ 0	\$ 0	Consider.
J(36)	Congratulations to Salome Bey	\$ 0	\$ 0	Consider.
J(37)	Notification of Application for a Rooftop Sign at 3768 Bathurst Street in the City of Toronto	\$ 0	\$ 0	Consider.
J(38)	Status Report Respecting Easements – 9 Hanna Ave.			<i>Confidential. See FIS.</i>
J(39)	Defence of Committee of Adjustment Decision – 1186 Royal York Road	\$ 0	\$ 0	Consider.
J(40)	Final Report of the Mayor’s Toronto “You Belong Here” Recovery Task Force	\$ 0	\$ 0	Consider.
J(41)	Ontario Municipal Board Hearing – 34 Southport Street	\$ 0	\$ 0	Consider.
J(42)	Draft By-laws – Official Plan Amendment	\$ 0	\$ 0	Consider.
J(43)	Use of City Facilities for All-Candidates Meetings	\$ 0	\$ 0	Consider.
J(44)	Task Force on Federal Revenue Sharing	\$ 0	\$ 0	Consider.
J(45)	Amendment to Chapter 447, Fences, Regarding School Fencing	\$ 0	\$ 0	Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(46)	261 Jarvis St., Lease of Recreational Space – Extension of the Closing Date	\$ 0	\$ 0	Consider.
J(47)	Establishing a Green Roofs Task Force	\$ 0	\$ 0	Consider.
J(48)	Financial Authority for Interim Funding for Emergency Repairs to the Ashbridges Bay Dryer/Pelletizer Building	\$ 0	\$ 1.0 m	Consider.
J(49)	Land Exchange – The Manson Property, 5421 Lawrence Ave. East	\$ 0	\$ 0	Consider.
J(50)	Demolition of Structures at the former Don Incinerator	\$ 0	\$ 0	Consider.
J(51)	Computer Equipment – End of Lease Transition Issues Preliminary Report	\$ 0	\$ 0	Consider.
J(52)	Jarvis Street Corridor Reserve Fund	\$ 0	\$ 0	See FIS. Consider.
J(53)	2055 Kennedy Rd., Application to Amend Official Plan, Zoning By-law			
J(54)	Declaration of Vacancy in Ward 25 – Don Valley West	\$ 0	\$ 0	Consider.
J(55)	Vacancy on the Toronto Transit Commission	\$ 0	\$ 0	Consider.
J(56)	Restricted Parking on the East Side of Cherry St., from Lake Shore Blvd. East to Mill St.	\$ 500.00	\$ 0	See FIS. Consider.
J(57)	Request for Study of Parking Lots	TBD		See FIS. Refer to Standing Committee.
J(58)	Request to Rezone the Lands at 535 to 595 Commissioners St.	\$2,000	\$ 0	See FIS. Consider.

FINANCIAL IMPACT STATEMENT NO. 1 [NOTICE OF MOTION J(6)]
(See Minute No. 11.125, Page 133)

Financial Implications:

Operating

- ☒ Current year impacts: \$ see note (net) ☒ Future year impacts: \$ see note (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: \$ _____ (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):

Notices of Motion – J (6) – As per the report, 2003 debt charges are included as part of the approved budget; 2004 will be budgeted on an annualized basis.

- ☒ Consider ☐ Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 2 [NOTICE OF MOTION J(8)]

(See Minute No. 11.127, Page 136)

Financial Implications:**Operating**Current year impacts: \$ 150.00 (net)☐ Future year impacts: \$ _____ (net)☐ Following year☐ Future years☒ Funding sources (specify):☒ Accommodation within approved operating budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Tax rate impact☐ Other☐ Budget adjustments: \$ N/A (net)☐ Impact on staffing levels: N/A (positions)☐ **Capital**☐ Current year impacts: \$ _____ (net)☐ Future year impacts: \$ _____ (net)☐ Following year☐ Future years☐ Funding sources (specify):☐ Accommodation within approved capital budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Debt☐ 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):

Notices of Motion – J (8) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program
--

X Consider

☐ Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 3 [NOTICE OF MOTION J(13)]
(See Minute No. 11.132, Page 143)**Financial Implications:****Operating**Current year impacts: \$ 300.00 (net)☐ Future year impacts: _____ (net)☐ Following year☐ Future years☒ Funding sources (specify):☒ Accommodation within approved operating budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Tax rate impact☐ Other☐ Budget adjustments: \$ N/A (net)☐ Impact on staffing levels: N/A (positions)☐ **Capital**☐ Current year impacts: \$ _____ (net)☐ Future year impacts: \$ _____ (net)☐ Following year☐ Future years☐ Funding sources (specify):☐ Accommodation within approved capital budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Debt☐ 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):

Notices of Motion –(J13) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program

X Consider ☐ Refer to Standing CommitteeSubmitted by: Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 4 [NOTICE OF MOTION J(16)]
(See Minute No. 11.135, Page 148)

Financial Implications:

Operating

Current year impacts: \$ 150.00 (net)

☐ Future year impacts: _____ (net)

☐ Following year

☐ Future years

☒ Funding sources (specify):

☒ Accommodation within approved operating budget

☐ Third party funding

☐ New revenues

☐ Tax rate impact

☐ Reserve/Reserve Fund contributions

☐ Other

☐ Budget adjustments: \$ N/A (net)

☐ Impact on staffing levels: N/A (positions)

☐ **Capital**

☐ Current year impacts: \$ _____ (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ Third party funding

☐ New revenues

☐ Debt

☐ Reserve/Reserve Fund contributions

☐ Other

☐ Budget adjustments: \$ _____ (net)

☐ Operating Impact:

☐ Program costs: \$ _____ (net)

☐ Debt service costs: \$ _____ (net)

Impacts/Other Comments:

☐ Service Level Impact:(Specify)

☐ Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion –(J16) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program

X Consider

☐ Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 5 [NOTICE OF MOTION J(17)]
(See Minute No. 11.136, Page 150)**Financial Implications:****Operating**Current year impacts: \$ 150.00 (net)☐ Future year impacts: \$ _____ (net)☐ Following year☐ Future years☒ Funding sources (specify):☒ Accommodation within approved operating budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Tax rate impact☐ Other☐ Budget adjustments: \$ N/A (net)☐ Impact on staffing levels: N/A (positions)☐ **Capital**☐ Current year impacts: \$ _____ (net)☐ Future year impacts: \$ _____ (net)☐ Following year☐ Future years☐ Funding sources (specify):☐ Accommodation within approved capital budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Debt☐ 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):

Notices of Motion –(J17) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program

X Consider

☐ Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 6 [NOTICE OF MOTION J(18)]
(See Minute No. 11.137, Page 151)

Financial Implications:

Operating

Current year impacts: \$ 1,000.00 (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☒ Funding sources (specify):

☒ Accommodation within approved operating budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Tax rate impact

☐ Other

☐ Budget adjustments: \$ N/A (net)

☐ Impact on staffing levels: N/A (positions)

☐ **Capital**

☐ Current year impacts: \$ _____ (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Debt

☐ 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):

Notices of Motion –(J18) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program

X Consider

☐ Refer to Standing Committee

Submitted by:

Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 7 [NOTICE OF MOTION J(20)]
(See Minute No. 11.139, Page 154)**

Financial Implications:

Operating

Current year impacts: \$ _____ (net) ☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved operating budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Tax rate impact

☐ Other

☐ Budget adjustments: \$ _____ (net)

☐ Impact on staffing levels: _____ (positions)

☐ **Capital**

☐ Current year impacts: \$ n/a _____ (net) ☒ Future year impacts: \$ TBD _____ (net)

☒ Following year

☐ Future years

☒ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☒ Debt

☐ 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):

Notices of Motion –(J20) – Cost TBD to provide new traffic signals, to be accommodated within the 2004 capital expenses of the program

X Consider

☐ Refer to Standing Committee

Submitted by:

Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 8 [NOTICE OF MOTION J(22)]
(See Minute No. 11.141, Page 158)**

Financial Implications:

Operating

Current year impacts: \$ _____ (net) ☐ Future year impacts: \$ _____ (net)

☐ Following year
☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved operating budget
☐ New revenues
☐ Reserve/Reserve Fund contributions

☐ Third party funding
☐ Tax rate impact
☐ Other

☐ Budget adjustments: \$ _____ (net)

☐ Impact on staffing levels: _____ (positions)

☒ **Capital**

☒ Current year impacts: \$ 2,000.00 (net) ☐ Future year impacts: \$ _____ (net)

☐ Following year
☐ Future years

☒ Funding sources (specify):

☒ Accommodation within approved capital budget
☐ New revenues
☐ Reserve/Reserve Fund contributions

☐ Third party funding
☒ Debt
☐ 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):

Notices of Motion –(J22) – Estimated cost to provide traffic calming measures (speed bumps) to be accommodated within the 2003 capital expenses of the program.

X Consider ☐ Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 9 [NOTICE OF MOTION J(25)]
(See Minutes Nos. 11.144, Page 164, and 11.187, Page 236)

Financial Implications:

Operating

Current year impacts: **\$ 63,505** (net)

☐ Future year impacts: \$ 0 (net)

☐ Following year

☐ Future years

☐ Funding sources (specify): **None**

☐ Accommodation within approved operating budget

☐ Third party funding

☐ New revenues

☐ Tax rate impact

☐ Reserve/Reserve Fund contributions

☐ Other

☐ Budget adjustments: \$ 0 (net)

☐ Impact on staffing levels: N/A (positions)

☐ **Capital**

☐ Current year impacts: \$ 0 (net)

Future year impacts: \$ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ Third party funding

☐ New revenues

☐ Debt

☐ Reserve/Reserve Fund contributions

☐ Other

☐ Budget adjustments: \$ (net)

☐ Operating Impact:

☐ Program costs: \$ (net)

☐ Debt service costs: \$ (net)

Impacts/Other Comments:

☐ Service Level Impact:(Specify)

☐ Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion – J (25) – This motion would increase the 2003 unrealizable revenue for Parks and Recreation and Transportation Services by \$63,505 with no compensating source of funding. To date, some payments on these rentals have been received. All commitments to Caribana under the "You Belong Here" task force have been met; these fees are outside of other funding agreements.

X Consider

☐ Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 10 [NOTICE OF MOTION J(29)]
(See Minute No. 11.148, Page 172)****Financial Implications:****X Operating**

X Current year impacts: \$0 (see note) (net)

☐ Future year impacts: \$0 (net)☐ Following year☐ Future years☐ Funding sources (specify):☐ Accommodation within approved operating budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Tax rate impact☐ Other☐ Budget adjustments: \$ (net)☐ Impact on staffing levels: (positions)☐ **Capital**☐ Current year impacts: \$ (net)☐ Future year impacts: \$ (net)☐ Following year☐ Future years☐ Funding sources (specify):☐ Accommodation within approved capital budget☐ New revenues☐ Reserve/Reserve Fund contributions☐ Third party funding☐ Debt☐ 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):

Notices of Motion –J (29) – No financial impact if adopted during current Council, however if demolition delayed until Council reconvenes in January, and if site plan issued next month, construction could be delayed which could have cost implications

X Consider

☐ Refer to Standing Committee

Submitted by:

Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 11 [NOTICE OF MOTION J(48)]
(See Minute No. 11.167, Page 205)****Financial Implications:**

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$_____ (net)	<input type="checkbox"/> Future year impacts: \$_____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$_____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$1.0 million (net)	<input checked="" type="checkbox"/> Future year impacts: \$TBD (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" 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 checked="" type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
X Budget adjustments: \$1.0 million (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):

Notices of Motion (J 48) – According to the Chief Building Official immediate emergency capital repairs are required at the Ashbridges Bay Dryer/Pelletizer building to make it safe for assessments on fire causation. The total funding envelope for the W/WW program will increase from \$520.1 million to \$521.1 million. The City will endeavour to recover expenditures for the fire damage, including this \$1.0 million from the responsible stakeholders.

X Consider ☐ Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 12 [NOTICE OF MOTION J(52)]

(See Minute No. 11.171, Page 212)

Financial Implications:**Operating**Current year impacts: \$ _____ (net) ☐ Future year impacts: \$ _____ (net)

- ☐
- Following year
-
- ☐
- Future years

☐ Funding sources (specify):

- ☐
- Accommodation within approved operating budget
-
- ☐
- New revenues
-
- ☐
- Reserve/Reserve Fund contributions

- ☐
- Third party funding
-
- ☐
- Tax rate impact
-
- ☐
- Other

☐ Budget adjustments: \$ _____ (net)☐ Impact on staffing levels: _____ (positions)☒ **Capital**☒ Current year impacts: \$ 0.00 _____ (net) ☐ Future year impacts: \$ _____ (net)

- ☐
- Following year
-
- ☐
- Future years

☒ Funding sources (specify):

- ☒
- Accommodation within approved capital budget
-
- ☐
- New revenues
-
- ☒
- Reserve/Reserve Fund contributions

- ☐
- Third party funding
-
- ☐
- Debt
-
- ☒
- 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):

Notices of Motion – J (52) – Estimated cost of \$75,000.00 to provide traffic study to be accommodated within the 2003 capital expenses of the program. Project entitled Engineering Studies to require budget adjustment to reflect funding of: Total \$75,000 consisting of \$30,000.00 Reserve Fund, \$25,000.00 CFC, \$20,000.00 Other (UDS).

X Consider ☐ Refer to Standing CommitteeSubmitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 13 [NOTICE OF MOTION J(56)]

(See Minute No. 11.175, Page 218)

Financial Implications:

Operating

Current year impacts: \$ 500.00 (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☒ Funding sources (specify):

☒ Accommodation within approved operating budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Tax rate impact

☐ Other

☐ Budget adjustments: \$ N/A (net)

☐ Impact on staffing levels: N/A (positions)

☐ **Capital**

☐ Current year impacts: \$ _____ (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Debt

☐ 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):

Notices of Motion –(J56) – Estimated cost to provide new signage to be accommodated within the normal operating expenses of the program

X Consider

☐ Refer to Standing Committee

Submitted by: _____

Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 14 [NOTICE OF MOTION J(57)]
(See Minute No. 11.176, Page 219)

Financial Implications:

X Operating

- X Current year impacts: \$_____ (net) ☐ Future year impacts: \$0_____ (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: \$_____ (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):

Notices of Motion –J(57) – Cost undetermined at this point in time.

Consider ☒ Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 15 [NOTICE OF MOTION J(58)]
(See Minutes Nos. 11.177, Page 220, and 11.187, Page 236)**Financial Implications:****X Operating**

- X Current year impacts: \$2,000 (net) ☐ Future year impacts: \$0 (net)
- ☐ Following year
☐ 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 |
- ☐ 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):

Notices of Motion – J (58) – Cost associated with the study will be paid for by the cement company. The only potential cost to the city would be the cost of the notification of the public meeting required under the Planning Act. Cost to be incurred in year when meeting posted.

- X Consider ☐ Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 16 [NOTICE OF MOTION J(59)]
(See Minute No. 11.178, Page 222)

Financial Implications:

X Operating

Current year impacts: \$ TBD (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved operating budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Tax rate impact

☐ Other

☐ Budget adjustments: \$ _____ (net)

☐ Impact on staffing levels: _____ (positions)

☐ **Capital**

☐ Current year impacts: \$ _____ (net)

☐ Future year impacts: \$ _____ (net)

☐ Following year

☐ Future years

☐ Funding sources (specify):

☐ Accommodation within approved capital budget

☐ New revenues

☐ Reserve/Reserve Fund contributions

☐ Third party funding

☐ Debt

☐ 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):

Notices of Motion – J (59) – Zanini Developments Inc., 35 Fieldway Road, Section 37 Agreement

Consider X Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

