

---

## TORONTO CITY COUNCIL DECISION DOCUMENT MEETING ON APRIL 12, 13 AND 14, 2005

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

---

### **Deferred Clauses:**

Policy and Finance Committee Report 8 .....	2
Administration Committee Report 8.....	3
Board of Health Report 7 .....	3
Scarborough Community Council Report 8 .....	3
Toronto and East York Community Council Report 9 .....	3
Policy and Finance Committee Report 9 .....	3
Audit Committee Report 6.....	3
Etobicoke York Community Council Report 9 .....	4
Policy and Finance Committee Report 2 .....	5
Audit Committee Report 1 .....	7
Community Services Committee Report 2 .....	7
Economic Development and Parks Committee Report 1 .....	7
North York Community Council Report 1 .....	7
Toronto and East York Community Council Report 1 .....	9
Etobicoke York Community Council Report 2 .....	11
North York Community Council Report 2 .....	12
Toronto and East York Community Council Report 2 .....	13

### **New Committee Reports:**

Policy and Finance Committee Report 4 .....	15
Administration Committee Report 3.....	31
Audit Committee Report 2.....	37
Board of Health Report 3.....	38
Community Services Committee Report 3 .....	39
Economic Development and Parks Committee Report 3 .....	41
Economic Development and Parks Committee Report 4 .....	44

Planning and Transportation Committee Report 3 .....	45
Works Committee Report 3 .....	56
Joint Planning and Transportation Committee and Works Committee Report 1 .....	58
<b><u>New Community Council Reports:</u></b>	
Etobicoke York Community Council Report 3 .....	58
North York Community Council Report 3 .....	69
Scarborough Community Council Report 3 .....	74
Toronto and East York Community Council Report 3 .....	79
<b><u>Notices of Motions:</u></b> .....	91
<b><u>Condolence Motions:</u></b> .....	146

### **Deferred Clauses:**

#### **Policy and Finance Committee Report 8**

##### **1e Capital Financing Strategy - 2004**

City Council on April 12, 13 and 14, 2005, amended this Clause by:

- (1) amending Recommendation (I) of the Policy and Finance Committee by inserting the words “in principle”, after the word “adopt”, so that Recommendation (I) now reads as follow:
  - “(I) adopt, in principle, the recommendations of the Ad Hoc Committee on the Development of a Long-term Fiscal Plan in the communication (July 14, 2004) from the Ad Hoc Committee subject to amending Recommendation (1) in the report (July 12, 2004) from the Chief Financial Officer and Treasurer by adding the words ‘or, on an exceptional basis, to support Council’s adopted priorities’, so that the recommendations now read as follows:”; and
- (2) adding the following:
 

“That the Deputy City Manager and Chief Financial Officer be requested to report to the Policy and Finance Committee on a five-year listing, by priority, of Capital projects which have been:

  - (a) approved; and
  - (b) contemplated.”

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

**Administration Committee Report 8****8e Complaint Regarding Actions at Committee Meetings**

City Council on April 12, 13 and 14, 2005, received this Clause.

**Board of Health Report 7****1e Shade Policy and Technical Considerations for the City of Toronto**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**Scarborough Community Council Report 8****7d Elimination of Sidewalks on Starry Crescent and Boulderbrook Drive (Ward 42 - Scarborough Rouge River)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**Toronto and East York Community Council Report 9****58b Installation of Speed Humps – Howard Street, between Parliament Street and Sherbourne Street (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**Policy and Finance Committee Report 9****41d Operating Variance Report for the Nine Months Ended September 30, 2004**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**Audit Committee Report 6****6d Hostel Operations Review - Community and Neighbourhood Services**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**Etobicoke York Community Council Report 9****1d Request for Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 22 Nairn Avenue (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communications:

- (undated) from P. Halford [Communication 1(a)(1)];
- (November 22, 2004) from Francesco Franco and Marianne Corigliano Franco [Communication 1(a)(2)];
- (November 16, 2004) from Domingos and Maria E. Cavalho [Communication 1(a)(3)];
- (November 22, 2004) from Domenico Paolo [Communication 1(a)(4)];
- (November 15, 2004) from Mr. and Mrs. Conforti [Communication 1(a)(5)];
- (November 22, 2004) from Mr. and Mrs. Fernando Costa [Communication 1(a)(6)];
- (November 22, 2004) from Jose C. Silva [Communication 1(a)(7)];
- (November 22, 2004) from Armando Almeida [Communication 1(a)(8)];
- (November 22, 2004) from Sonia Silva [Communication 1(a)(9)];
- (November 17, 2004) from Duarte Darcy [Communication 1(a)(10)];
- (November 22, 2004) from Mr. and Mrs. Antonio Cardoso [Communication 1(a)(11)];
- (December 6, 2004) from the Committee for a Safer Nairn of Corso Italia, attaching 43 individually signed letters [Communication 1(a)(12)];
- (February 16, 2005) from Councillor Cesar Palacio, Ward 17 – Davenport [Communication 1(a)(13)]; and
- (April 5, 2005) from the Committee for a Safer Nairn of Corso Italia, attaching an information package which includes photographs, petitions and letters [Communication 1(a)(14)].

**2d Request for an Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 24 Nairn Avenue (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communications:

- (undated) from P. Halford [Communication 1(a)(1)];
- (November 22, 2004) from Francesco Franco and Marianne Corigliano Franco [Communication 1(a)(2)];
- (November 16, 2004) from Domingos and Maria E. Cavalho [Communication 1(a)(3)];
- (November 22, 2004) from Domenico Paolo [Communication 1(a)(4)];
- (November 15, 2004) from Mr. and Mrs. Conforti [Communication 1(a)(5)];
- (November 22, 2004) from Mr. and Mrs. Fernando Costa [Communication 1(a)(6)];
- (November 22, 2004) from Jose C. Silva [Communication 1(a)(7)];
- (November 22, 2004) from Armando Almeida [Communication 1(a)(8)];
- (November 22, 2004) from Sonia Silva [Communication 1(a)(9)];
- (November 17, 2004) from Duarte Darcy [Communication 1(a)(10)];
- (November 22, 2004) from Mr. and Mrs. Antonio Cardoso [Communication 1(a)(11)];
- (December 6, 2004) from the Committee for a Safer Nairn of Corso Italia, attaching 43 individually signed letters [Communication 1(a)(12)];
- (February 16, 2005) from Councillor Cesar Palacio, Ward 17 – Davenport [Communication 1(a)(13)]; and
- (April 5, 2005) from the Committee for a Safer Nairn of Corso Italia, attaching an information package which includes photographs, petitions and letters [Communication 1(a)(14)].

## **Policy and Finance Committee Report 2**

### **6b Comprehensive Report on the City's Long-Term Fiscal Plan**

City Council on April 12, 13 and 14, 2005, amended this Clause by:

- (1) amending Appendix C1, attached to the communication (April 11, 2005) from the Chief Financial Officer and Treasurer, by adding the following strategy to Section 2:

“The City request the Province of Ontario to amend the *Development Charges Act*:

- (a) so that no municipal services are excluded from the development charge calculation;

- (b) to allow municipalities to adopt service levels that are in keeping with Council-approved long-term service plans, for the purposes of calculating development charges, instead of the average service levels during the 10-year period immediately preceding the preparation of the background study, as allowed under existing legislation; and
  - (c) so that the 10 percent service discounts are removed.”; and
- (2) adding the following:
- “That the Deputy City Manager and Chief Financial Officer report to the Policy and Finance Committee on a review of the City’s Development Charges By-law to determine:
- (a) the actual amounts of additional revenue which would be available to finance infrastructure, if the by-law were amended to provide for increased development charges to the maximum permitted by provincial statutes; and
  - (b) the potential amount of additional revenue that would be available to finance infrastructure if the *Development Charges Act* was amended as indicated in Recommendation (1), above.”

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

---

Council also considered the following:

- Communication (April 11, 2005) from the Chief Financial Officer and Treasurer [Communication 29(a)].

#### **24b Status of Labour Negotiations**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

---

Council also considered the following:

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

**Audit Committee Report 1****1b Toronto Emergency Medical Services Operational Support Review - Works and Emergency Services Department**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That the City Manager be requested to provide a confidential report to the Audit Committee, for its meeting in July 2005, on those individuals responsible for the issues identified in the report dated November 29, 2004, from the Auditor General, whether the actions were deliberate or incompetent, and on any disciplinary action which would be appropriate.”

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

**Community Services Committee Report 2****1b Toronto EMS Hospital Offload Delays**

City Council on April 12, 13 and 14, 2005, referred this Clause back to the Community Services Committee for further consideration, and requested the Chief and General Manager, Emergency Medical Services, to report to the Committee on the progress on this matter and on discussions held with staff of the Ministry of Health and Long Term Care.

**Economic Development and Parks Committee Report 1****9b Tourism Action Plan: Year One Implementation and Year Two Directions (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**North York Community Council Report 1****10b Feasibility to Extend the Concrete Median - Keele Street North of Highway 401 (Ward 9 - York Centre)**

City Council on April 12, 13 and 14, 2005, adopted the staff recommendations contained in the Recommendations Section of the confidential report (April 13, 2005) from the City Solicitor. The following recommendations and Attachment 1 are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor client privilege:

“It is recommended that City Council:

- (1) receive North York Community Council Report 1, Clause 10b;
- (2) authorize execution of a tri-partite agreement with Canadian Tire Corporation and Independence Way Inc. to implement an interim driveway connecting Keele Street to Wilson Avenue, including a revised median design for Keele Street, on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services as outlined in the body of this report;
- (3) approve the extension of the median on Keele Street, as detailed in Attachment 1, for construction in 2005 as part of the Capital Works Program already underway for Keele Street;
- (4) direct the appropriate City officials to introduce in Council the appropriate Road Alterations By-law to permit the construction; and
- (5) authorize and direct the appropriate City officials to take all other necessary action to give effect thereto.”

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

\_\_\_\_\_

Council also considered the following:

- Confidential report (April 13, 2005) from the City Solicitor [Confidential Communication C.23(a)]. The staff recommendations contained in the Recommendations Section of the report, together with Attachment 1, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [See above].

Communications:

- (February 15, 2005) from Michael Melling, Davies Howe Partners [Communication 5(a)];
- (February 15, 2005) from Michael Melling, Davies Howe Partners [Communication 5(b)]; and
- (February 15, 2005) from J. Pitman Patterson, Borden Ladner Gervais LLP [Communication 5(c)].



**30b All Way Stop Control - Brentcliffe Road at Fairland Road (Ward 26 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**35b Request for Poll - Speed Hump Plan - Hillhurst Blvd., west of Bathurst Street (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- a Toronto Sun article (January 24, 2005) entitled “Yes, speed kills – but so do speed humps”, submitted by Councillor Rob Ford, Ward 2, Etobicoke North [Communication 2(a)].

**Toronto and East York Community Council Report 1**

**27b Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 533 St. Clarens Avenue (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, amended this Clause by deleting the Recommendations of the Toronto and East York Community Council and inserting instead the following:

“That Council adopt staff Recommendation (2) contained in the Recommendations Section of the report (December 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to the following conditions:

- (1) that, at the applicant’s expense, an opening of 1.2m x 1.2m minimum, be created in the City street allowance portion of the current interlocked paving area, located to the south of the proposed parking pad; and
- (2) that, in this opening, the applicant provide proper soil conditions and plant a minimum 60 mm diameter Ball-and Burlap tree, to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Urban Forestry Section.”

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

**28b Request for Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles - 319 Glenayr Road (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, referred this Clause back to the Toronto and East York Community Council for further consideration.

**31b Request for Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening - 26 Tarlton Road (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, amended this Clause by deleting the recommendation of the Toronto and East York Community Council and inserting instead the following:

“That Council adopt staff Recommendation (2) contained in the report (December 22, 2004) from the Manager, Right of Way Management, Transportation Services, South District, subject to adding a condition that the applicant be required to plant an additional full shade canopy tree at the applicant’s expense, to the satisfaction of the General Manager, Parks, Forestry and Recreation.”

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

**41b Installation of Speed Humps – Bank Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**42b Installation of Speed Humps – Waterloo Avenue, between Dufferin Street and Gladstone Avenue (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**43b Installation of Speed Humps – Gordon Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**45b Installation of Speed Humps – Poplar Plains Road, between Cottingham Street and Poplar Plains Crescent and Russell Hill Road, between Clarendon Avenue and Boulton Drive (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**46b Speed Hump Poll Results – Laing Street, between Queen Street East and Eastern Avenue (Beaches-East York, Ward 32)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**Etobicoke York Community Council Report 2**

**10a Request for Approval of Variances from By-law No. 280-1998 and Chapter 215, Signs, of the former City of Etobicoke Code for a Third Party Roof Sign at 839 Oxford Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**14a Request for Traffic Calming (Speed Humps) on Bankfield Drive (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**18a Application for Exemption to Toronto Municipal Code Chapter 447, Fences at 3699 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted the following staff recommendations contained in the Recommendations Section of the supplementary report (February 16, 2005) from the Commissioner of Urban Development Services:

“It is recommended that the application for Fence Exemption be granted, subject to the modification of the proposal and submission of a site plan for staff approval, which shall have regard for the following matters to the satisfaction of the Commissioner of Urban Development Services or her designate:

- (1) that a mix of coniferous and deciduous trees be planted at 6 metres (20 feet) on-centre;
- (2) that lower underplanting consisting of shrubs and vines be used;

- (3) any fencing to be erected should be decorative and include a masonry element to break up the monotony of a board-on-board fence;
- (4) no fencing be included in front of a main building, thereby providing for 'eyes on the street' surveillance;
- (5) at the west end of the property, new fencing should more closely align with the front wall of the existing building to allow landscaping between the fence and the sidewalk; and
- (6) the fence and gate on the east side of the main building be relocated approximately 5 to 6 metres easterly."

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

### **North York Community Council Report 2**

**5a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 94 Wanless Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 96 Wanless Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 98 Wanless Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8a Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 100 Wanless Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**16a Cafe Demetre - Boulevard Cafe - 518 Eglinton Avenue West (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted the following:

“That the application for a boulevard café licence at 518 Eglinton Avenue West be denied.”

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

Council also considered the following:

Communication:

- (February 15, 2005) from Danny Tzogas, Michael Tzogas and Jim Christakos [Communication 6(a)].

**Toronto and East York Community Council Report 2**

**1a Final Report - Rezoning Application - 301 Cedarvale Avenue (Beaches-East York, Ward 31)**

City Council on April 12, 13 and 14, 2005, amended this Clause by amending the report (January 19, 2005) of the Director, Community Planning, South District, by:

- (1) adding to Recommendation (4)(e) the words “snow removal and” after the word “private”, so that Recommendation (4)(e) now reads as follows:
  - “(e) provide and maintain private snow removal and refuse collection services for this residential development;”; and
- (2) adding to Recommendation (4)(g) the words “and the snow removal services for the private driveway” after the words “by this development”, so that Recommendation (4)(g) now reads as follows:
  - “(g) include a clause in all offers of purchase and sale and in the common element condominium declaration advising all future owners that the refuse and recycling material generated by this development, and the snow removal services for the private driveway, will be carried out by a private refuse collection firm and such clause to be subject to the review and approval of the Commissioner of Works and Emergency Services;”.

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

Council also considered the following:

Communication:

- (February 8, 2005) from Miodrag Stojakovic, Andjelka Stojakovic and Mike Stojakovic [Communication 3(a)].

**25a Installation of Speed Humps - Edwin Avenue, between Ruskin Avenue and a point 119 metres north of Edith Avenue (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**26a Installation of Traffic Control Signals and Speed Humps - Spadina Road and Kilbarry Road/Burton Road, Kilbarry Road and Burton Road, between Vesta Drive and Dunloe Road (St. Paul's, Ward 21 and St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

Council also considered the following:

Communications:

- (February 9, 2005) from Andrew Diamond and Linda Pincott Kitchen [Communication 4(a)(1)];
- (February 9, 2005) from Michael and Judy Hatch [Communication 4(a)(2)]; and
- (April 11, 2005) from Ian Allison, Principal, Forest Hill Jr. and Sr. Public School [Communication 4(a)(3)].

**27a Proposed Installation of Speed Bumps in Public Lane first east of Church Street, between Charles Street East and Isabella Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**New Committee Reports:****Policy and Finance Committee Report 4****1 Recommendations for Mid-Term Changes to the Council-Committee Structure and Process**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

Council also adopted the following procedural motion:

“That:

- (1) all motions moved at the April 12-14, 2005 meeting of City Council on Policy and Finance Committee Report 4, Clause 1, be forwarded to the special meeting of Council on May 4, 2005, and these motions be deemed to be moved; and
- (2) the speaker’s list from the April 12-14, 2005 meeting of City Council on Policy and Finance Committee Report 4, Clause 1, be carried forwarded to the special meeting on May 4, 2005, and be adopted for continuing the debate on this matter at that meeting, and that a provision be allowed for any Members who were not on the speaker’s list to add their names.”

\_\_\_\_\_

Council also considered the following:

- Communication (April 7, 2005) from the Chair, Council Reference Group on Mid-term Changes to the Council-Committee Structure [Communication 18(a)].

**2 The Community Partnership and Investment Program (CPIP), Program Standards and Performance Measures**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Inter-City Bus Terminal**

City Council on April 12, 13 and 14, 2005, amended this Clause by:

- (1) deleting Part (i) of Recommendation (I) of the Policy and Finance Committee;

- 
- (2) amending Part (ii) of Recommendation (I) of the Policy and Finance Committee to provide that the Chair of the Toronto Coach Terminal be added as a member of the Bus Terminal Coordinating Committee;
  - (3) further amending the staff recommendations contained in the Recommendations Section of the report (March 21, 2005) from the Commissioner of Urban Development Services, by:
    - (a) inserting in staff Recommendation (1), the words “Toronto Coach Terminal Board, the Toronto Transit Commission,”, before the words “the TEDCO Board”;
    - (b) deleting staff Recommendation (3) and replacing it with the following new Recommendation (3):

“(3) the evaluation of potential sites include, but not be limited to, the current terminal location, intermodal opportunities and any other potential sites;”;
    - (c) adding a new staff Recommendation (5) to read as follows:

“(5) that Planning staff, in conjunction with the Inter-City Bus Terminal Coordinating Committee, review the proposed site(s) in full consultation with all appropriate stakeholders and provide an independent report to the Planning and Transportation Committee on the proposed new terminal;”;  
and
    - (d) renumbering staff Recommendations (5) and (6) to Recommendations (6) and (7), accordingly,

so that the recommendations adopted by City Council now read as follows:

“That:

- (I) City Council adopt the staff recommendations in the Recommendations Section of the report (March 21, 2005) from the Commissioner of Urban Development Services, amended to read as follows:

‘It is recommended that City Council endorse the following principles and the establishment of the Inter-City Bus Terminal Coordinating Committee:



- (1) TEDCO be instructed to coordinate its analysis of the feasibility of relocating the Bus Terminal through the Inter-City Bus Terminal Coordinating Committee and report back to the Toronto Coach Terminal Board, the Toronto Transit Commission, the TEDCO Board and the Policy and Finance Committee on the outcome of the analysis no later than the fall of 2005;
  - (2) a relocated Inter-City Bus Terminal should be publicly owned;
  - (3) the evaluation of potential sites include, but not be limited to, the current terminal location, intermodal opportunities and any other potential sites;
  - (4) TEDCO should continue to lead the process in full consultation with all appropriate stakeholders;
  - (5) that Planning staff, in conjunction with the Inter-City Bus Terminal Coordinating Committee, review the proposed site(s) in full consultation with all appropriate stakeholders and provide an independent report to the Planning and Transportation Committee on the proposed new terminal;
  - (6) an informal Coordinating Committee is being established to ensure the process is coordinated; and
  - (7) the Committee is to be chaired by Councillor Altobello and will be comprised of Councillor Moscoe and staff from the Mayor's office, the CAO's office, TEDCO, City Planning, the TTC GO Transit, and the Chair of the Toronto Coach Terminal. Appropriate input will also be presented to the Committee from other stakeholder groups and interested local Councillors. The first meeting of the Committee will occur in the next couple of weeks.'; and
- (II) the proposed Inter-City Bus Terminal Co-ordinating Committee be requested to consider if a relocated Inter-City Bus Terminal should be publicly owned although the project can be a public-private partnership if it is in the public interest."

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

**4 Eucan Advertising on Ecomupi Recycling/Garbage Containers**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

\_\_\_\_\_

Council also considered the following:

Communication:

- (March 21, 2005) from Ronald G. Barr, Executive Director, Community and Government Relations, Pattison Outdoor Advertising [Communication 17(a)].

**5 Plant Services Control Systems for Ashbridges Bay, Highland Creek and Humber Treatment Plants, RFP No. 9117-04-7330 (Ward 32 - Beaches-East York), (Ward 44 - Scarborough East) and (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 Maurice Coulter Housing Co-operative - Withdrawal of Funds from the Social Housing Stabilization Reserve Fund and Social Housing Federal Reserve Fund and Approval of a Loan (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Report (April 6, 2005) from the Commissioner of Community and Neighbourhood Services [Communication 23(a)].

**7 Vila Gaspar Corte Real Inc. - Withdrawal of Funds from the Social Housing Stabilization Reserve Fund and Approval of a Loan (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 55 Howard Park Co-operative Homes Inc. - Withdrawal of Funds from the Social Housing Stabilization Reserve Fund and Approval of a Loan (Ward 14 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**9 Bruckland Foundation - Withdrawal of Funds from the Social Housing Federal Reserve Fund and Approval of a Second Mortgage (Ward 36 - Scarborough Southwest)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Development of Transitional Housing Request for Proposal No. 9155-04-7386 and Pre-Development Training for Aboriginal Groups (Wards 1, 14, 19 and 30)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Increase to Ministry of Community and Social Services Funding for Housing and Homelessness Programs**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Councillor McConnell declared an interest in this Clause, in that her husband is the Executive Director of the Riverdale Action Group, a housing provider for women at risk.

**12 Design Exchange (DX) - 2005 Grant Annual Review (Ward 28 - Toronto Centre-Rosedale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 Establishment of Reserve Fund, Wabash Community Centre Project (Ward 14 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 Helping Visitors Discover Toronto, Toronto Ambassador Program**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**15 Ideas Day/Employee Suggestion Program**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**16 Human Rights 2004 Annual Report**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That a copy of this Clause be forwarded to the Roundtable on Access, Equity and Human Rights for information.”

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

**17 Wayfinding Signage Agreement - 2005 Amendments**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**18 Legislation to Prohibit the Sale of Knives to Minors**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- (March 30, 2005) from Michael Bryant, Attorney General, Minister Responsible for Native Affairs and Minister Responsible for Democratic Renewal, submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre [Communication 31(a)].

**19 Support for the Efforts of the Undocumented Workers Committee**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special Meeting on May 4, 2005.

**20 City of Toronto Endorsement of Partners for Climate Protection Program**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**21 Short-Term Deliverables and Other Requests from the Roundtable on the Environment for Improving Toronto's Air Quality**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**22 Adequacy of Employee Benefits Reserve Funds**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special Meeting on May 4, 2005.

**23 Phase One Implementation of the Policy on City-Owned Space Provided at Below-Market Rent (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**24 Tax Exemption for City's Printing and Distribution Facility at 90 Niagara Street (Ward 19 - Trinity-Spadina)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**25 2005 Education Levy By-law and Other Tax Related Matters**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (April 13, 2005) from the Chief Financial Officer and Treasurer:

‘It is recommended that:

- (1) tax decreases for the 2005 taxation year on properties in the commercial, industrial and multi-residential property classes be reduced by the percentage of the tax decrease set out in Column II in order to recover the revenues foregone as a result of capping:

Column I (Property Class)	Column II (Clawback Percentage)	Column III (Allowable Decrease Percentage)
Commercial	89.285836%	10.714164%
Industrial	80.942170%	19.057830%
Multi-residential	96.523117%	3.476883%; and

- (2) authority be granted for the introduction of the necessary bills in Council and the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

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

Council also considered the following:

- Report (April 13, 2005) from the Chief Financial Officer and Treasurer [Communication 37(a)].

**26 Development Charge Credits - 1015, 1019 and 1181 Sheppard Avenue East, Canadian Tire Corporation (Ward 24 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**27 Tax Exemption for Northern Elms Branch Library (Ward 2 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**28 Expanding the Membership of the Disability Issues Committee**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**29 Policy Forum and Metropolis 2006 Board of Directors' Meeting**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**30 Purchase of 663 Gerrard Street East for Municipal Parking Purposes (Ward 30 - Toronto-Danforth)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential communication (March 10, 2005) from the Administration Committee [Confidential Communication C.2(a)]. The following recommendations contained in the Recommendations Section of the communication are now public, and the balance of the communication remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the acquisition of land for Municipal purposes:

The Administration Committee recommended to the Policy and Finance Committee:

- (1) that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (March 2, 2005) from the President, Toronto Parking Authority, as amended by adding the following recommendation:  
  
‘that the 2005 Toronto Parking Authority Capital Budget be amended by increasing the gross expenditure by \$750,000.00 (\$0 net) funded from Toronto Parking Authority Reserves, to accommodate the acquisition of the property at 663 Gerrard Street East.’; and
  - (2) because the report relates to a proposed or pending acquisition of land for municipal or local board purposes under the *Municipal Act, 2001*, discussions about this report be held in camera.
- Confidential report (March 2, 2005) from the President, Toronto Parking Authority. The following staff recommendations contained in the Recommendations Section of the report, together with the Location Map, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the acquisition of land for Municipal purposes:

“Recommendations:

The property purchase will be funded through Toronto Parking Authority revenues.

- (1) City Council approve the acquisition and development of 663 Gerrard Street East for \$750,000.00. This expenditure consists of \$520,000.00 for the purchase price and associated costs such as land transfer tax, survey, environmental studies, legal, a contingency and the development and construction costs of a municipal surface parking lot;
- (2) upon acquisition, the purchased lands be designated for municipal parking purposes, to be managed by the TPA; and
- (3) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

**31 Proposed Settlement of Pay Equity Dispute of Former Local Area Managers Social Services**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Confidential communication (February 14, 2005) from the Employee and Labour Relations Committee [Confidential Communication C.3(a)]. This communication is now public in its entirety and contains the following recommendation:

“The Employee and Labour Relations Committee recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (February 7, 2005) from the City Solicitor and the Commissioner of Corporate Services.”
- Confidential report (February 7, 2005) from the City Solicitor and the Commissioner of Corporate Services. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations.



**32 Eating Periods under the Employment Standards Act, 2000 (the “Act”)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential communication (February 14, 2005) from the Employee and Labour Relations Committee [Confidential Communication C.4(a)]. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations; and
- Confidential report (February 14, 2005) from the Commissioner of Corporate Services and the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations.

**33 China Trademart in the Automotive Building/Exhibition Place, Long Term Lease**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential report (March 7, 2005) from the General Manager and Chief Executive Officer, Exhibition Place [Confidential Communication C.5(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that the Policy and Finance Committee and City Council:

- (1) approve of entering into a lease with Toronto China Mart Inc. for the mezzanine level of the Automotive Building substantially on the terms and conditions contained in Appendix ‘A’ to this report and such other terms and conditions required by the City Solicitor and the Board’s General Manager and Chief Executive Officer; and

- (2) request City officials and Exhibition Place staff to take all necessary action to give effect thereto.”

### **34 National Trade Centre - Naming Rights**

City Council on April 12, 13 and 14, 2005, amended this Clause in accordance with the staff recommendations contained in the Recommendations Section of the supplementary confidential report (April 11, 2005) from the General Manager and Chief Executive Officer, Exhibition Place. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality.

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

---

Council also considered the following:

- Confidential communication (March 10, 2005) from the Chair, Board of Governors of Exhibition Place. This communication is now public in its entirety [Confidential Communication C.6(a)];
- Confidential report (March 10, 2005) from the Board of Governors of Exhibition Place [Confidential Communication C.6(b)]. The following recommendations contained in the Recommendations Section of the report are now public as amended, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that the Policy and Finance Committee and City Council:

- (1) approve of entering into an agreement with Direct Energy for the naming rights to The National Trade Centre substantially on the terms and conditions contained in amended Appendix ‘A’ to this report and such other terms and conditions required by the City Solicitor and the Board’s General Manager and Chief Executive Officer with the intent of renaming the Complex the ‘Direct Energy Centre – The Exhibition & Convention Facility’;

- (2) request that the City establish a reserve fund in the name of Exhibition Place to receive the sponsorship payments to be held for the purpose of undertaking environmental initiatives at Exhibition Place as determined by the Board;
  - (3) request that Exhibition Place staff discuss with the City Corporate Services, Energy and Waste Management Division the process for the transfer of natural gas supply to Exhibition Place from the City contract to Direct Energy; and
  - (4) request City officials and Exhibition Place staff to take all necessary action to give effect thereto.”
- Confidential report (April 11, 2005) from the General Manager and Chief Executive Officer, Exhibition Place [Confidential Communication C.6(c)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is related to the security of the property of the Municipality.

### **35 Pending Assessment Appeals on Commercial Office Towers**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential report (March 18, 2005) from the Chief Financial Officer and Treasurer [Confidential Communication C.7(a)]. The following staff recommendations contained in the Recommendations Section of the report, together with Appendix A, are now public, and the balance of the report remains confidential, in accordance with the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that:

- (1) Council endorse the continued participation of City staff (Legal and Finance) in the on-going assessment appeals of the large office towers as listed in Appendix A; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.”

**Appendix A**  
List of Office Towers of the Downtown Financial Core  
Currently Under Assessment Appeals

Roll Number	Address
1904-061-140-00150	171 Bay St
1904-061-140-00250	181 Bay St
1904-061-140-01050	30 Yonge St
1904-061-140-03050	161 Bay St
1904-061-160-00700	79 Wellington St W
1904-061-160-01400	200 Bay Street
1904-061-230-00500	77 King St W
1904-061-230-00600	66 Wellington St W
1904-061-230-00850	222 Bay St
1904-061-230-01400	100 Wellington St W
1904-061-240-00100	199 Bay St
1904-063-010-02000	40 King St W
1904-063-020-02000	100 King St W

**36 Building of Affordable Housing on the Railway Lands Area**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**37 Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That appropriate City officials be directed to submit the following projects to Toronto Hydro Energy Services for consideration, to allow these projects to be assessed for their eligibility for Conservation and Demand Management financial incentives to be allocated to the City:

- (1) Humber Treatment Plant Cogeneration Facility;
- (2) City Facilities Retrofit Program;
- (3) Transmission Operations Optimizer;
- (4) Traffic Signal Lamps LED Conversion;
- (5) Ashbridges Bay Treatment Plant Cogeneration Plant;
- (6) Dufferin Transfer Station Green Bin Initiative; and
- (7) other City projects deemed to be economical.”

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

**38 186 Bartley Drive (Ward 334 - Don Valley East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Confidential report (March 21, 2005) from the Chief Financial Officer and Treasurer and the City Solicitor [Confidential Communication C.8(a)]. The following staff recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality:

“It is recommended that:

- (1) Council approve an amendment to the agreement with the purchaser, allowing an extension to December 31, 2007, as the time needed to complete remediation of the property, and further stipulating that the owner is required to provide, by December 31<sup>st</sup> of each year, an annual status report on the progress of the remediation, with all other terms and conditions to remain unchanged; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**39 Yonge-Dundas Square (Ward 27 - Toronto Centre-Rosedale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**40 Authority to Update City By-laws to Reflect Administrative Re-organization, Statutory Changes and to Make Other Technical Changes**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**41 City Hall Tower and Hydraulic Elevator Renewal 100 Queen Street West, Tender Call 302-2004 (Ward 27 - City Hall, Toronto)**

City Council on April 12, 13 and 14, 2005, did not adopt this Clause.

Council took the following action:

“That:

- (1) Tender 302-2004 for the City Hall Tower and Hydraulic Elevator Renewal be cancelled and the Director, Purchasing and Materials Management, be directed to notify the bidders of Council’s action;
- (2) the Director, Purchasing and Materials Management, be directed to re-scope and re-tender the project to include other elevators that require this type of maintenance, and the Elevator Capital project be excluded from the Facilities and Real Estate year-end completion rate for year-end 2005, such that the budgeted funds are encumbered for this project if the project goes into 2006; and
- (3) the Executive Director of Facilities and Real Estate be requested to report to the Administration Committee on options for dealing with elevator upgrades and maintenance.”

---

Council also considered the following:

- Report (April 11, 2005) from the Chief Financial Officer and Treasurer [Communication 34(a)].

**42 Financial Transaction with Toronto Port Authority**

City Council on April 12, 13 and 14, 2005, referred this Clause back to the Policy and Finance Committee for further consideration at its meeting on May 5, 2005.

---

Council also considered the following:

- Confidential report (January 11, 2005) from the Chief Financial Officer and Treasurer and the City Solicitor [Confidential Communication C.9(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation.

**43 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Administration Committee Report 3****1 Appportionment of Property Taxes**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Tax Adjustment - Municipal Act, 2001, Sections 357 and 358**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Declaration as Surplus - Closed Road Allowances and One-Foot Reserve Strip Adjacent to 117 Confederation Drive (Ward 43 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 Declaration as Surplus - Parcel of Vacant Land - 69 Austin Avenue (Ward 30 - Toronto-Danforth)**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**5 Declaration as Surplus - Three Parcels of Closed Road Allowance Located on the East Side of Thatcher Avenue, adjacent to 39 and 47 Thatcher Avenue and on the West Side of St. Quentin Avenue, adjacent to 30 St. Quentin Avenue (Ward 36 - Scarborough Southwest)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 Declaration as Surplus - Residual Portions of Reserve Strip North Side of Hocken Avenue at the Rear of 17 and 81 Ellsworth Avenue (Ward 21 - St. Paul's)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Offers of Compensation - Expropriation of part of 1251 Tapscott Road - McNicoll Avenue Extension Project (Ward 42 - Scarborough-Rouge River)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential report (February 17, 2005) from the Commissioner of Corporate Services [Confidential Communication C.10(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending acquisition of land for Municipal or local board purposes.

## **8 Suggested Amendments to the Fair Wage Policy**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

Communication:

- (April 5, 2005) from the City Clerk [Communication 7(a)].

## **9 Annual Report of the Toronto Archives for 2004**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

## **10 Procurement of Used Printing Equipment through Auction, Liquidation Sales or Trade Publication Ad**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That the City Manager be requested to report to the Administration Committee on the procurement of equipment through auction, liquidation sales or trade publications in other City divisions as a way of saving money.”

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

## **11 Marketing of the Pre-Authorized Tax Payment Program**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**12 1652 Keele Street - Lease of City Space Provided at Below Market Rent Accommodation for the Woman Abuse Council of Toronto (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 1652 Keele Street - Leases for City Space Provided at Below Market Rent with Six Non-Profit Organizations (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted the following:

“That:

- (a) the General Manager, Shelter, Support and Housing Administration be directed to accommodate St. Clair West Services for Seniors at 1652 Keele Street with space that is consistent with their needs, recognizing that St. Clair West Services for Seniors is prepared to negotiate a lease that is fair and equitable;
- (b) the Executive Director, Facilities and Real Estate be directed to ensure that the office furniture currently at 1652 Keele Street remains in the building for distribution to the six non-profit groups relocating from 2696 Eglinton Avenue West; and
- (c) the following staff recommendations contained in the Recommendations Section of the report (April 7, 2005) from the Commissioner of Corporate Services be adopted:

‘It is recommended that:

- (1) a lease agreement with each of the York Tenants for their respective portions of the first floor and basement at 1652 Keele Street, be approved in accordance with the terms and conditions set out in the body of the report (February 18, 2005) from Commissioner of Corporate Services and in a form acceptable to the City Solicitor;
- (2) the 2005 property tax attributable to the leased premises be absorbed within the Facilities and Real Estate’s 2005 Approved Operating Budget and that funding for property taxes for years 2006 to 2010 be included in the respective year’s Community Partnership and Investment Program Budget submission;

(3) subject to Council's approval of Recommendations (1) and (2), the terms and conditions of the lease be amended as follows:

(a) delete subsection (ii) of Clause (4) Rent, and insert the new subsection (ii) which will read as follows:

“(ii) Additional Rent:

The Tenant shall, at their expense, pay their proportionate share of all applicable taxes (including but not limited to Realty and Business taxes, G.S.T.) and its proportionate share of all operating expenses, including but not limited to: cost of all utilities and services, security, maintenance, repair and/or replacement of any components in relation to the Leased Premises and the Property throughout the entire term. The Landlord may, acting reasonably, amortize any capital expenditure(s) of the Leased Premises and the Property and apply to the operating expenses accordingly. The estimated Additional Rent for 2005 is approximately \$5.82 per square foot per annum (being \$3.20 per square foot per annum of estimated operating expenses and \$2.62 per square foot per annum of estimated realty taxes).

The amount of the taxes operating costs payable by the Tenant may be estimated by the Landlord for such period as the Landlord determines from time to time, and the Tenant agrees to pay to the Landlord such estimated amounts in monthly instalments in advance during such period as Additional Rent. Notwithstanding the foregoing, as soon as bills for all or any portion of the said amounts so estimated are received, the Landlord may bill the Tenant for the Tenant's share or proportionate share thereof and the Tenant shall pay the Landlord such amounts so billed as Additional Rent on demand. At the end of each Fiscal Year or as soon as practical thereafter, upon invoiced by the Landlord, the Tenant shall pay within 30 days any deficiency to the Landlord if the amount paid by the Tenant on account is less than the actual amount payable.”;

- (b) insert into Clause (4) Rent, the following subsections:
- “(iii) Notwithstanding Clause 4 (ii), the City shall pay the 2005 property tax portion attributable to the leased premises for the 2005 year. The Tenant expressly acknowledges that commencing in 2006, the Tenant will be responsible for all additional rent costs, including property taxes.
- (iv) If the Tenant receives any rebate from the City for 2005 property taxes, the Tenant shall send to the City an amount equal to the rebate within 10 business days of receiving a property tax rebate. This obligation on the Tenant shall only be for 2005 property tax rebates and no other future year.”;
- (c) delete subsection (v) of Clause (8) Use, and insert the new subsection (v) which will read as follows:
- “(v) In the event of any meeting/activities outside of the regular business hours, Monday through Friday, 8:30 a.m. to 9:30 p.m. and Saturday and Sunday, 10:00 a.m. to 6:30 p.m., City security must be notified at least 15 business days before the meeting/activity and a list of attendees sent via facsimile to Director of Real Estate Services at least 10 days in advance of the meeting/activity.”;
- (4) the Commissioner of Corporate Services shall administer and manage these lease agreements including the provision of any consents, approvals, notices and notices of termination provided that the Commissioner may, at any time, refer consideration of such matter (including their content) to City Council for its determination and direction; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

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

---

Council also considered the following:

- Report (April 7, 2005) from the Commissioner of Corporate Services [Communication 8(c)].

Communications:

- (undated) from Yasmin Khan, Community Social Planning Council of Toronto, on behalf of the tenant agencies of 2696 Eglinton Avenue West [Communication 8(a)]; and
- (April 8, 2005) from Lorraine Tkadletz, St. Clair West Services for Seniors. [Communication 8(b)]

**14 Declaration as Surplus - Avondale Composting and Borrow Pit Site, Located East of Keele Street, Between Kirby Road and Teston Road (City of Vaughan)**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**15 Remuneration and Expenses of Members of Council and of the Council Appointees to Local Boards and Other Special Purpose Bodies for the Year Ended December 31, 2004**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

---

Council also considered the following:

- Communication (undated) submitted by Councillor Giorgio Mammoliti, Ward 7, York West, entitled "Salary Comparison - Mayors and Councillors". [Communication 38(a)].

**16 Declaration as Surplus - 502R Spadina Avenue (Ward 20 - St. Paul's)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

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

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005.

**18 The Jolly Miller Lands (Wards 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**19 Notice of Candidates who Failed to file Supplementary Financial Statements from the 2003 Municipal Election**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**20 Roster of Real Estate Brokers to Market Industrial, Commercial, Institutional and Substantial Residential Properties for the City of Toronto - Request for Proposal 9130-04-7341 (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**21 Declaration as Surplus - Additional Lands Adjoining the Guild Inn Hotel Precinct Portion of 201 Guildwood Parkway - Guildwood Park (Ward 43 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**22 Expropriation of Interest in Land at the Southeast Corner of Bishop and Yonge - Toronto Transit Commission Pemberton Exit Driveway (Finch Station) (Ward 24 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- (undated) from Richard Wei on behalf of 1260383 Ontario Ltd. [Communication 28(a)].

**23 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

---

**Audit Committee Report 2****1 The Auditor General's Follow-up Review on the October 1999 Report, entitled "Review of the Investigation of Sexual Assaults - Toronto Police Service", dated October, 2004**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Telecommunication Services Review**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Treasury Services Review - Corporate Finance Division, Finance Department**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 External Audit of the City of Toronto's Auditor General's Office - Request for Quotation 9171-05-7038**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Update on Issues Raised in Management Letters**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 2003 Audited Financial Statements and Management Letters**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Board of Health Report 3****1 Curbing Transboundary Air Pollution**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

### **Community Services Committee Report 3**

#### **1 Over-Expenditure of Blanket Contract No. 47006971 - Outdoor Outfits Ltd.**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

\_\_\_\_\_

Council also considered the following:

- Report (April 4, 2005) from the Chief Financial Officer and Treasurer [Communication 13(a)].

#### **2 Over-Expenditure of Blanket Contract No. 47005723 - Sunnybrook and Women's College Hospital Health Sciences Centre for Emergency Medical Services Pharmaceutical Supplies**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Report (April 4, 2005) from the Chief Financial Officer and Treasurer [Communication 13(a)].

#### **3 Over-Expenditure of Blanket Contract No. 47007725 - Ministry of Health and Long-Term Care for SARS-Related Expenditures**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Report (April 4, 2005) from the Chief Financial Officer and Treasurer [Communication 13(a)].

#### **4 Policy of Donating Retired Fire Fighting Vehicles and Equipment to Developing Countries**

City Council on April 12, 13 and 14, 2005, referred this Clause to the City Manager for a report to the Administration Committee on a policy and protocol for all surplus City equipment and vehicles which are appropriate for donation consideration, such report to include:

- (1) a mechanism for annual reporting out; and
- (2) giving donation priority to Cities and countries that have twinning/partnership/co-operation arrangements with the City of Toronto.

**5 Reader's Theatre Presentation of "RESPECT", a Final Report Arising out of Previous Research Study at Castleview Wychwood Towers**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 2005 Toronto Challenge**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Grounds Maintenance at Various Homes for the Aged**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Police Reference Checks, Homes for the Aged**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

- Report (March 29, 2005) from the Commissioner of Community and Neighbourhood Services [Communication 9(a)].

**9 Implementation Planning Guidelines for Best Start**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Youth Employment and Local Leadership for Multi-Barriered Youth**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**11 Funding and Workplan for the Toronto Social Development Network**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Coroner's Inquest into the Death of Joseph Teigesser**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 Ineligible Applicants to the 2005 Community Services Grants Program**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Economic Development and Parks Committee Report 3****1 2004 Culture Build Grants Allocations (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Canada's Historic Places Initiative (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Intention to Expand the Lakeshore Village Business Improvement Area (BIA) Boundary (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 Intention to Designate the Uptown Yonge Business Improvement Area (BIA) (Ward 16 - Eglinton Lawrence and Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Name Change for the Rosedale-Summerhill Business Improvement Area (BIA) (Ward 22 - St. Paul's and Ward 27 - Toronto Centre-Rosedale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 2004 Business Investment Activity Summary Report (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Lakeshore Lions Arena and the Toronto District School Board Negotiations for the Development of a New Arena Facility (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Policy on the Protection and Potential Acquisition of Natural and Cultural Heritage Sites (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**9 International Alliance Program - Summary Report for 2004 (All Wards)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (April 7, 2005) from the Commissioner of Economic Development, Culture and Tourism:

‘It is recommended that:

- (1) the City be authorized to accept private donations in support of the Princes’ Gates Commemorative Open Space Design Competition and hold the funds in the Public Art Reserve Fund (XR 4002);
- (2) the Chief Financial Officer and Treasurer be directed to issue receipts for income tax purposes for the donations received;

- (3) the Commissioner of Economic Development, Culture and Tourism be authorized to pay for competition expenses from the donations received;
- (4) the Commissioner of Economic Development, Culture and Tourism be directed to include the Princes' Gates Commemorative Open Space project for consideration as part of the 2006 Capital Budget submission of the Culture Division; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' ”

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

Council also considered the following:

- Report (April 7, 2005) from the Commissioner of Economic Development, Culture and Tourism [Communication 24(a)].

**10 Nomination of a Representative of the Aboriginal Community to the Heritage Toronto Board of Directors**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Hodgson Senior Public School - Greening Proposal 282 Davisville Avenue (Ward 22 - St. Paul's)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (April 5, 2005) from the Commissioner of Economic Development, Culture and Tourism:

“It is recommended that:

- (1) the General Manager of Parks, Forestry and Recreation submit a report to the Economic Development and Parks Committee, requesting an adjustment to the Parks and Recreation budget in the amount of \$80,000.00 gross, \$0 net, or an amount equal to the amount secured under the Section 37 agreement, at such time as a source for this funding is formally identified and the funds are received by the City;

- (2) prior to expending any funds received for this project, an agreement be signed with the Toronto District School Board which stipulates the cost sharing arrangement between the Board and the City, along with the requirement that the Board provide evidence of its financial commitment to the project and the ongoing maintenance of assets funded in part by the City;
- (3) this project not commence until such time as sufficient total funds are in place to undertake the work required to complete the project; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

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

---

Council also considered the following:

- Report (April 5, 2005) from the Commissioner of Economic Development, Culture and Tourism [Communication 14(a)].

## **12 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

### **Economic Development and Parks Committee Report 4**

#### **1 Toronto 2015 World Expo Feasibility Study (All Wards)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That:

- (1) the concept of a future mixed-use development for the Toronto Island Airport site, as set out on page 58 of the Feasibility Study of a World’s Fair in Toronto in 2015 - Final Report dated March 22, 2005, of Consortium 2015, not be pursued and that it maintain its ‘G’ Open Space Zoning designation, and, in addition, plans to fill in the Western Gap be rejected;

- (2) as part of the next phase of the study, the City specifically undertake a visioning charette with the local community, Architects and designers with respect to the split proposal and potential future use of the Toronto Island Airport site;
- (3) the evaluation consider an 'on land' comprehensive transit plan across the Waterfront;
- (4) the Toronto 2015 World Expo Steering Committee be requested to conduct a comprehensive consultation with the waterfront community residents groups and coalitions; and
- (5) the Mayor establish the Toronto Mayor's 2015 World Expo Task Force at an appropriate stage in the process and the Mayor, or his designate, serve as the Chair of this Task Force."

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

Council also considered the following:

Communications:

- (April 10, 2005) from Helen Riley [Communication 25(a)];
- (April 11, 2005) from Laura F. Cooper [Communication 25(b)];
- (April 12, 2005) from Caroline Lee [Communication 25(c)];
- (April 12, 2005) from Sharon Howarth [Communication 25(d)(1)];
- (April 12, 2005) from Ulla Colgrass, Chair, York Quay Neighbourhood Association [Communication 25(d)(2)];
- (April 12, 2005) from Frank McLean [Communication 25(d)(3)];
- (April 12, 2005) from Danny Lee [Communication 25(d)(4)];
- (April 4, 2005) from Nan F. Cooper [Communication 25(d)(5)];
- (April 12, 2005) from Dennis Findlay, Waterfront Action [Communication 25(d)(6)];
- (April 12, 2005) from Kevin Peck [Communication 25(d)(7)]; and
- (undated) submitted by Councillor Olivia Chow, Ward 20, Trinity-Spadina, entitled "Appendix 7.3, List of Individuals/Organizations Consulted" [Communication 25(e)].

### **Planning and Transportation Committee Report 3**

#### **1 Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005, and directed that it be considered immediately following consideration of Planning and Transportation Committee Report 3, Clause 2, headed "Harmonization of the Sign By-Law Concerning Posters on Utility Poles".

Council also considered the following:

- Report (April 6, 2005) from the Commissioner of Urban Development Services [Communication 10(b)].
- Confidential report (April 4, 2005) from the City Solicitor [Confidential Communication C.11(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege.

Communications:

- (March 24, 2005) from Paula J. Tenuta, Municipal Government Advisor, Greater Toronto Home Builders' Association [Communication 10(a)]; and
- (April 8, 2005) from Carol McCause [Communication 10(c)].

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

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005, and directed that it be considered as a time-specific matter.

---

Council also considered the following:

Communications:

- (March 7, 2005) from Peter Couto [Communication 11(a)];
- (March 7, 2005) from Michael Stewart, Goodmans LLP, Barristers and Solicitors [Communication 11(b)]; and
- (April 12, 2005) from Carol and Don McCause [Communication 11(c)].

## **3 Comprehensive By-law Compliance Programme**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

## **4 Proposed Partial Settlements of Appeals to the New Official Plan - 003011**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential report (February 3, 2005) from the Commissioner of Urban Development Services and the City Solicitor [Confidential Communication C.12(a)]. The following staff recommendations contained in the Recommendations Section of the report, together with Appendices A to E, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that:

- (1) Council approve the proposed settlement of certain appeals to the New Official Plan, in the form of modifications as substantially set out in Appendices A, B, and C;
- (2) the City Solicitor be authorized to take necessary actions at the upcoming Ontario Municipal Board Hearing to give effect to the proposed settlements;
- (3) the appropriate City officials be authorized to execute any necessary documentation, including Minutes of Settlement in relation thereto in a form satisfactory to the City Solicitor; and
- (4) Council adopt the Urban Design Guidelines set out in Appendices D and E to guide new development in portions of the Yonge-St. Clair and Yonge-Summerhill areas respectively.”

[Appendices A to E will be noted at the end of this Clause.]

## **5 Public Art Commission - New Appointments (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

## **6 Amendment to Toronto Municipal Code, Chapter 548, Litter and Dumping of Refuse, to Authorize the Enforcement of Littering and Dumping on Private Property by other than City Employee**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding to the end of staff Recommendation (3) contained in the Recommendations Section of the report (February 7, 2005) from the Commissioner of Urban Development Services, the words “to enforce the by-law on their respective properties only”, so that Recommendation (3) now reads as follows:

“(3) upon Ministry authorization of class designation, the Toronto Parking Authority and the Toronto Zoo be added to Schedule D of Toronto Municipal Code, Chapter 548, to enforce the by-law on their respective properties only; and”.

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

**7 Status Report - Birchcliff Quarry Lands Study File 03 180350 ESC 36 TM - Birchcliff Community (Wards 35 and 36 - Scarborough Southwest) (Ward 32 - Beaches - East York)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Installation of Telecommunication Towers**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

**9 Bill 136 (Proposed Places to Grow Act) and Greater Golden Horseshoe Growth Planning**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Status Report - Warden Corridor and Victoria Park Station Land Use Planning Studies – File Numbers 03 035238 ESC 35 TM and 03 035239 ESC 35 TM (Ward 35 - Scarborough Southwest) (Ward 31 - Beaches-East York)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Bike Week 2005**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Spadina Subway Extension Environmental Assessment Study - Communications Plan**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



### **13 Proposed Graffiti Abatement Strategy – Summer “Clean Team”**

City Council on April 12, 13 and 14, 2005, amended this Clause by:

- (1) amending the report (February 17, 2005) from the Commissioner of Urban Development Services, by:
  - (a) deleting from Recommendation (1), the word “summer”, so that Recommendation (1) now reads as follows:

“(1) City Council adopt the establishment of a proposed ‘Clean Team’ made up of eight staff and related equipment and materials for 2005;” and
  - (b) adding to Recommendation (2), the words “on a year-round basis”, after the word “programme”, so that Recommendation (2) now reads as follows:

“(2) staff report on the continued operation of the programme on a year-round basis into 2006 and beyond within 2006 Operating Budget submissions.”; and
- (2) adding the following:

“That the Executive Director, Municipal Licensing and Standards, be requested to report to the Planning and Transportation Committee on the paint that is being used in other jurisdictions for graffiti abatement.”

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

### **14 Draft Growth Plan for the Greater Golden Horseshoe**

City Council on April 12, 13 and 14, 2005, adopted the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (March 29, 2005) from the Commissioner of Urban Development Services:

‘It is recommended that the Mayor write to the Minister of Public Infrastructure Renewal to:

- (1) commend the Minister for:
  - (a) undertaking regional growth management as represented by the Draft Growth Plan for the Greater Golden Horseshoe as a starting point for curbing urban sprawl and providing a basis for sound infrastructure planning and management; and

- 
- (b) explicitly linking the practices and consequences of urban growth with conservation, water quality and air quality, and stating the intent to limit urban sprawl, and encourage growth in existing Centres;
  - (2) indicate Council's general support for the overall direction of the Draft Growth Plan, contingent upon the plan being modified as recommended in this report, and upon transit improvements and adequate sources of funding for infrastructure priorities being identified in the promised 10-Year Infrastructure Strategy for the Greater Golden Horseshoe;
  - (3) request that the Minister include in the final Growth Plan policies:
    - (a) disallowing the possibility of expansion of settlement areas into lands south of the Greenbelt Plan area prior to 2026;
    - (b) directing population and employment growth and commensurate infrastructure investments to major cities in general, in addition to designated Centres and corridors and away from areas beyond the built boundary of all municipalities in the GGH as of the date the Places to Grow Act comes into force;
    - (c) requiring that concentrations of office employment be distinguished from other forms of employment as means of prioritizing transit infrastructure investments; and
    - (d) addressing the social infrastructure needs and funding that will come with substantial population growth generally, and the specific needs that will be more pronounced within the City of Toronto in particular;
  - (4) request that the Minister revise the proposed employment forecast for the City of Toronto to 1,835,000 jobs for the year 2031;

- 
- (5) request that the Minister clarify within the final Growth Plan the intent, force and effect of the population, household and employment forecasts for the Greater Golden Horseshoe, as amended by Recommendation (4), and, further, that the forecasts be regarded as targets providing guidance for infrastructure and other planning purposes;
  - (6) request that the Minister strengthen the natural system and conservation policies and in particular revise them to:
    - (a) explicitly recognize the invaluable role that natural heritage plays in contributing to human health and well being, strong communities and a competitive economy;
    - (b) require planning authorities to adopt policies to protect and enhance the natural system within their jurisdiction;
    - (c) state that the criteria for identifying natural heritage features and areas, groundwater features and surface water features include the contribution that these features make to the local and regional landscape and require policies for protecting the natural system to be incorporated into municipal Official Plans;
    - (d) state that the natural system will recognize and include where possible the linkages between and among natural heritage features and areas; and
    - (e) encourage municipalities to consider the design of new urban developments for energy conservation and waste diversion as well as for water conservation;
  - (7) advise the Minister that:
    - (a) the forecasted growth in population and households for the City of Toronto is consistent with the Official Plan and can be accommodated in areas designated for growth; and

- (b) Council urges the Province to recognize local differences, provide municipalities with appropriate powers and tools to implement the Growth Plan, and ensure municipal compliance with the Growth Plan across the GGH;
- (8) request the Minister of Public Infrastructure Renewal to co-ordinate with other Ministries to introduce other planning tools to facilitate implementation, including:
- (a) revisions to the *Development Charges Act* to enable municipalities to recover the full cost of growth related infrastructure and to charge for all municipal services required to support complete communities; and
  - (b) at minimum, further revisions to the *Planning Act* to:
    - (i) provide that there is no appeal to the OMB of a council decision to refuse an application to convert employment lands to non-employment purposes; and
    - (ii) give municipalities greater authority to protect and enhance natural heritage features and functions within their jurisdictions;
  - (c) fiscal policies and tools to direct market demand to achieve the objectives of the GGH Growth Plan;
  - (d) revisions to the *Environmental Assessment Act* to significantly streamline approval for transit projects designed to implement the growth objectives of the GGH Growth Plan; and
  - (e) inclusionary zoning powers to assist in implementing the affordable housing targets that will be part of the sub-area growth strategies;

and, further, that:

- (9) this report be sent to the Minister to support the Mayor's letter;

- (10) this report and Council's action be communicated to the Minister of Transportation as an input to the preparation of a GTA Transportation Strategy and to the Minister of Finance; and
- (11) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

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

Council also considered the following:

Report (March 29, 2005) from the Commissioner of Urban Development Services. [Communication 19(a)]

Communication:

- (April 1, 2005) from the Regional Clerk, York Region. [Communication 19(b)]

## **15 Development Infrastructure Policy and Standards Review**

City Council on April 12, 13 and 14, 2005, amended this Clause:

- (1) in accordance with the following Recommendation (b) of the Works Committee contained in the communication (March 8, 2005) from the Committee:

“The Works Committee recommended that:

- (b) Recommendation (4) of the Planning and Transportation Committee be amended to read as follows:

‘(4) all streets in new townhouse developments and subdivisions be designed to permit curbside garbage collection by City vehicles, as well as other City services, such as snow removal, street repair and maintenance, water and sewage maintenance, and Fire Services, etc.’ ”; and

- (2) by adding to Recommendation (2) contained in the report (March 1, 2005) from the Acting Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services, the words “by December 2005”, so that Recommendation (2) now reads as follows:

- “(2) staff be directed to consult with stakeholders, including the development industry; residents in existing infill developments; the Toronto Public Utilities Coordinating Committee, and the Roundtable on a Beautiful City on the work to be undertaken in Recommendation (1) above, and report back to the Planning and Transportation Committee and the Works Committee, preferably at a joint meeting, by December 2005;”.

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

---

Council also considered the following:

- Communication (March 8, 2005) from the Works Committee [Communication 12(a)].

**16 Proposed Partial Settlement of Appeals of the New Official Plan and Full Settlement of General Appeal of the Development Charges By-law - 003011**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

- Confidential communication (March 7, 2005) from the Planning and Transportation Committee [Confidential Communication C.13(a)]. The following recommendations contained in the Recommendations Section of the communication are now public, and the balance remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“The Planning and Transportation Committee recommends that Council adopt the staff recommendations in the Recommendations Section of the confidential report (March 2, 2005) from the Commissioner of Urban Development Services, the City Solicitor, the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer, subject to:

- (1) amending Appendix ‘A’ Part (e) by adding the words ‘of the development site or the value of the development site’ after the words ‘less than 5%’ so that it now reads as follows:

- '(e) in no case will the parkland dedication, cash-in-lieu, or combination thereof, be less than 5% of the development site or the value of the development site, net of any conveyances for public road purposes;'; and
- (2) amending Appendix 'A' Part (f) (iii) by deleting the words '1 ha. to 5 ha.' and inserting the words 'over 5 ha.', so that it now reads as follows:
  - '(f) (iii) 20% of the value of the development site, net of any conveyances for public road purposes, for sites over 5 ha. in size;';

and that in accordance with the *Municipal Act, 2001*, discussions pertaining to the confidential report be considered in-camera as the subject relates to the litigation or potential litigation matters.”

- Confidential report (March 2, 2005) from the Commissioner of Urban Development Services, the City Solicitor, the Commissioner of Economic Development, Culture and Tourism, and the Chief Financial Officer and Treasurer. The following staff recommendations contained in the Recommendations Section of the report, together with Appendix “A” as amended, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that:

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

[Appendix “A”, as amended, will be noted at the end of this Clause.]

**17 Proposed Partial Settlement of Appeals of the New Official Plan - 003011**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

Council also considered the following:

- Confidential report (February 28, 2005) from the Commissioner of Urban Development Services and the City Solicitor [Confidential Communication C.14(a)]. The following staff recommendations contained in the Recommendations Section of the report, together with Appendix “A”, are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that:

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

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

**18 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Works Committee Report 3****1 Contract Extension for Dean & Fulkerson of Troy, Michigan**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**2      Review of Automated Vehicle Location (AVL) and Management Control System Pilot Project in Solid Waste Management Services**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

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

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005.

**4      Pilot Project Regarding Transboundary Movement of Municipal Solid Waste**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5      Extension of Agreement with CCI-TBN Toronto Inc. for the Operation of the Dufferin Organics Processing Facility**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6      SSO Public Facility Business Plan - Preliminary Evaluation of the Dufferin Organics Processing Facility**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That a feasibility study for the collection of biogas at the Dufferin SSO processing facility and its conversion into energy, be implemented as part of the consideration of the long-term planning for the Dufferin facility and the process be put into place in an expedited manner.”

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

**7      Performance Bonding for Deep Lake Water Cooling**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8      Municipal Access Agreement for Telecommunications Installations - Beanfield Technologies Inc. (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**9 Municipal Access Agreement for Telecommunications Installations - Cable VDN Inc. (MAXTV Toronto Inc.) (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Partnership with the Federal Department of the Environment to Investigate and Evaluate Best Practices and Technologies for Wastewater Treatment and Wet Weather Flow Management (All Wards)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 567 Oakwood Avenue - Drain Grant Appeal (Ward 21 - St. Paul's)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Other Items Considered by the Committee**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Joint Planning and Transportation Committee and Works Committee Report 1**

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

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005.

\_\_\_\_\_

Council also considered the following:

Communications:

- (April 10, 2005) from Helen Riley [Communication 26(a)]; and
- Petition (undated) submitted by Councillor Jane Pitfield, Ward 26, Don Valley West, containing approximately 504 signatures in support of the further study within the Don Valley Corridor Master Plan [Communication 26(b)].

**Etobicoke York Community Council Report 3****1 Draft By-law to Name a Private Lane at 120 Eringate Drive as “Ramage Lane” (Ward 3 - Etobicoke Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Draft By-law to Name a Private Lane at 35 Fieldway Road as “Shires Lane” (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Draft By-law to Name a Private Lane at 35 Fieldway Road, an Extension of Van Dusen Boulevard, as “Van Dusen Boulevard” (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 Application for an Outdoor Marketing Display at 4917 Dundas Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Limiting Distance Agreement - High Park Adjacent to 383 Ellis Park Road (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 Request for Approval of Variances from Chapter 215, Signs, of the Former City of Etobicoke Municipal Code 1500 Islington Avenue (Ward 4 - Etobicoke Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Final Report - Official Plan Amendment and Rezoning Application; Applicant: Morguard Investments; Architect: Petroff Partnership; Finch Avenue West (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Final Report - Commercial Outdoor Roof Top Patio Study (Ward 5 - Etobicoke Lakeshore)**

City Council on April 12, 13 and 14, 2005, amended this Clause in accordance with the following staff recommendations contained in the Recommendations Section of the supplementary report (April 12, 2005) from the Commissioner of Urban Development Services:

“It is recommended that City Council:

- (1) delete Attachment 2 to the report from the Acting Director of Community Planning, West District dated March 11, 2005, and insert Attachment 2 to this report in its place; and
- (2) deem that no further notice of public meeting pursuant to Section 34(17) of the *Planning Act* be required with respect to the proposed by-law.”

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

\_\_\_\_\_

Council also considered the following:

- Report (April 12, 2005) from the Commissioner of Urban Development Services [Communication 33(a)].

**9 Final Report - Rezoning Application; Applicant: Greg Bettencourt, Bettencourt Designs Ltd.; Architect: Greg Bettencourt, 82 Daniels (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Final Report and Supplementary Report - West District Application - Proposed Zoning Amendments for Coulter Avenue/King Street Area and King Street Crescent Little Avenue Study Area (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Payment-In-Lieu of Parking - 3329 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, amended this Clause by deleting Recommendations (1) and (2) of the Etobicoke York Community Council, and inserting instead the following:

- “(1) recognize an existing two stall parking shortfall under the Etobicoke Zoning Code parking standards for the commercial office uses that previously occupied the basement of the building at 3329 Bloor Street West, and that the payment-in-lieu of parking shall apply only to the holistic centre currently proposed in the basement of the building; and
- (2) exempt the applicant at 3329 Bloor Street West from the Etobicoke Zoning Code parking requirement of two parking stalls required for the proposed holistic centre, subject to a \$5,000.00 payment-in-lieu of parking.”

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

**12 Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11- York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 Request for Approval of Variances from Chapter 215, Signs, Of the Former City of Etobicoke Municipal Code - 125 The Queensway (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 6 Sidford Court, Former City of York; Application for an Exemption to Toronto Municipal Code, Chapter 447, Fences (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**15 6 Sidford Court, Former City of York; Application for an Existing Swimming Pool Fence to Encroach onto the Street Allowance of Sunvalley Drive, Flanking Sidford Court (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**16 Thistletown Ratepayers Association - Village of Thistletown Community Identification Sign, Southeast Corner of the Albion Road and Islington Avenue Intersection (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**17 Amendments to the Stopping Regulations and Relocation of the School Bus Loading Zone on Silverstone Drive (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**18 Boulevard Parking Agreement - 1045 Albion Road (Pizza Pizza Ltd.) (Ward 1 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**19 Proposed Installation of Traffic Control Signals Queens Plate Drive, Janda Court and Woodbine Centre Driveway (Ward 2 - Etobicoke North)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**20 Reduction of Speed Limit from 50 km/h to 40 km/h on Waterford Drive (Ward 4 - Etobicoke Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**21 Amendment to the School Bus Loading Zone and Parking Regulations on Sun Row Drive and Norby Crescent (Ward 4 - Etobicoke Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**22 Proposed Installation of Traffic Control Signals Martin Grove Road and Longbourne Drive (Ward 4 - Etobicoke Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**23 Proposed Amendment to the Definition of a Heavy Truck in the Etobicoke Municipal Code to Include a Full Size School Bus (Wards 1 & 2 - Etobicoke North) (Wards 3 & 4 – Etobicoke Centre) and (Wards 5 & 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**24 Temporary Lane Closing on Public Highways Adjoining 3391 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- (April 8, 2005) from Nathalie Richard [Communication 22(a)].

**25 Request for the Installation of an All-Way Stop Control at the Intersection of Grand Avenue and Manitoba Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**26 Amendment of School Bus Loading Zone on Weston Road in the Vicinity of St. Jude Catholic School (Ward 7 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**27 Proposed Extension of the Existing “No Standing Anytime” Prohibition on Toryork Drive (Ward 7 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**28 Traffic Calming (Speed Humps) on Firgrove Crescent (Ward 7 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**29 Traffic Calming (Speed Humps) on Clair Road and Stanley Road (Ward 7 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**30 Installation of Speed Humps - Wendell Avenue, between Gary Drive and Pellat Avenue (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**31 Installation of Speed Humps - Terry Drive between Rockcliffe Boulevard and Symes Road (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**32 Ravine Erosion on Spears Street - Construction of a Retaining Wall (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**33 Installation of Speed Humps - Kinkora Drive between Redberry Parkway and Treelawn Parkway (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**34 Amendment to Existing Parking Regulations - Runnymede Road, between Deforest Road and Morningside Avenue (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**35 Establishment of a “No Stopping 8:30 a.m. to 4:30 p.m. Monday to Friday” Zone Brookside Avenue (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**36 Implementation of All-Way Stop Condition Humbercrest Boulevard at Baby Point Road (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**37 Proposed Installation of Speed Bumps in the Public Lane First North of St. Clair Avenue West, between Silverthorn Avenue and Blackthorn Avenue (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**38 Installation/Removal of On-Street Parking Spaces for Persons with Disabilities (Ward 11 - York South-Weston) (Ward 13 - Parkdale-High Park) and (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**39 Renaming of East Avenue to “Grievés Avenue” (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**40 Request for One-Way Operation Eastbound on Rutland Street between Laughton Avenue and Wiltshire Avenue and One-Way Operation Southbound on Wiltshire Avenue between Rutland Street and Davenport Road (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**41 Request for One-Way Operation Northbound on Gilbert Avenue between Innes Avenue and Rogers Road and One-Way Operation Southbound on Gilbert Avenue Between Innes Road and Norman Avenue (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**42 Rescinding of Eastbound and Southbound Right Turns on Red Prohibition on Old Weston Road and Turnberry Avenue (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**43 Installation of On-Street Parking Spaces for Persons with Disabilities (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**44 Final Report - Part-Lot Control Exemption Application Applicant: Marlene DiGiuseppe, IQ Developments 255 Dalesford Road (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**45 Terms of Reference - Community Improvement Plan for Etobicoke City Centre (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**46 Request for Approval of a Minor Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code – 537 Keele Street (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**47 Amendment to Section 37 Agreement - Site Plan Control Applicant: Gabriel Di Martino, Tiffany Park (St. Clair) Ltd. 1912 St. Clair Avenue West (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**48 Application for Outdoor Cafe Encroachment at 3359 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**49 Request for Approval of Variances from Chapter 215, Signs, Of the Former City of Etobicoke Municipal Code - 1800 The Queensway (Ward 5 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**50 Sale of Surplus Land - Strip of Land Fronting 3857-3865 Lake Shore Boulevard West (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**51 Designation of the CIRV FM Summerfest 2005 as a Community Event (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**52 52 Cliff Street - Request to Remove One City-Owned Tree (Ward 11 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, amended this Clause by amending Recommendation (3) of the Etobicoke York Community Council to now read as follows:

- “(3) the owner agreeing to the satisfaction of the General Manager of Parks, Forestry and Recreation, to plant and ensure the survival of three full shade canopy replacement trees at 50, 52 and 56 Cliff Street.”

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

**53 Status Report - Site Plan Approval Application Applicant: Glen J. Wellings, MHBC Planning Ltd. 207 New Toronto Street (Ward 6 - Etobicoke-Lakeshore)**

City Council on April 12, 13 and 14, 2005, adopted the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (April 13, 2005) from the Commissioner, Urban Development Services:

“It is recommended that City Council:

- (1) authorize the City Solicitor, City staff and any necessary consultants to attend at a future Ontario Municipal Board hearing to support the application, subject to the conditions contained in this report as Attachment 1;

- (2) require the applicant to provide in writing, a commitment to not object to a future rezoning of the undeveloped portion of the site to a lighter industrial or alternate employment use category, to the satisfaction of the City Solicitor; and
- (3) request the applicant to submit the necessary revisions together with any supporting information that addresses the issues identified in this report.’ ”

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

Council also considered the following:

- Report (April 13, 2005) from the Commissioner of Urban Development Services [Communication 36(a)].

**54 Traffic Calming (Speed Humps) on Duncanwoods Drive between Pearldale Avenue and Rubydale Gardens (Ward 7 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**55 Parking Adjustments Fronting Regal Road Public School (Ward 17 - Davenport)**

City Council on April 12, 13 and 14, 2005, amended this Clause by amending the staff recommendations contained in the Recommendations Section of the report (March 24, 2005) from the Director, Transportation Services, West District, by:

- (1) deleting from Recommendation (3) the time “11:25 a.m.”, and inserting instead the time “11:00 a.m.”, and deleting the time “12:01 p.m.”, and inserting instead the time “12:00 p.m.”; and
- (2) deleting from Recommendation (4) the time “11:25 a.m.”, and inserting instead the time “11:00 a.m.”, deleting the time “12:01 a.m.”, and inserting instead the time “12:00 a.m.”, and deleting the time “12:01 p.m.”, and inserting instead the time “12:00 p.m.”,

so that Recommendations (3) and (4) now read as follows:

- “(3) the existing ten-minute maximum parking limit in operation from 8:30 a.m. to 9:00 a.m., from 11:00 a.m. to 12:00 p.m. and from 3:00 p.m. to 3:30 p.m., Monday to Friday, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east, be rescinded;

- (4) the parking prohibition from 12:00 a.m. to 8:30 a.m., from 9:00 a.m. to 11:00 a.m., from 12:00 p.m. to 3:00 p.m. and from 3:30 p.m. to 12:00 a.m., Monday to Friday and at all times on Saturday and Sunday, on the south side of Regal Road from a point 22 metres east of Dufferin Street to a point 22 metres further east, be rescinded;”.

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

**56 Appointment - Director on the Board of Management of the Swansea Town Hall (Ward 13 - Parkdale-High Park)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**57 Amendments to Parking Regulations - Request for Alternate Side Parking on Kane Avenue, between Rogers Road and Trowell Avenue (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**58 1555 Jane Street, Section 37 Agreement, Committee of Adjustment Decision and Application to Amend the Official Plan and Zoning By-law No. 7625 (Ward 12 - York South-Weston)**

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its Special meeting on May 4, 2005.

---

Council also considered the following:

Communications:

- (April 11, 2005) from the City Clerk [Communication 30(a)]; and
- (April 13, 2005) from Mark Noskiewicz, Goodmans, Barristers and Solicitors [Communication 30(b)].

**59 Other Items Considered by the Community Council**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**North York Community Council Report 3****1 Draft By-law - To Permanently Close a Portion of the Unopened Glengarry Avenue Road Allowance located at the rear of 250 Lawrence Avenue West (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Request for Fence Exemption - 7 Vernham Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Request for Fence Exemption - 8 Mead Court (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 Boulevard Leasing Agreement - 1728 Eglinton Avenue West (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Encroachment Agreement - Daniels Kenaston North Corporation - 18 Kenaston Gardens (Ward 24 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 Request to Remove One City-owned Tree - 75 St. Clements Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Request for Authority to Enter into a Heritage Easement Agreement - 108 Stayner Avenue (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Request for Driveway Entrance Widening - 73 Laskay Crescent (Ward 8 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**9 All Way Stop Control - Covington Road at Saranac Boulevard (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 All Way Stop Control - Drexel Road and Saranac Boulevard (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Northbound Right Turn Lane Designation Amendment - Jane Street at Sheppard Avenue West (Ward 9 - York Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Parking Prohibitions - Sentinel Road (Ward 9 - York Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 40 km/h Speed Limit - Gordon Road, Munro Boulevard and Owen Boulevard (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 Installation of an On-Street Parking Space for Persons with Disabilities - Woburn Avenue (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**15 Installation of On-Street Parking Space for Persons with Disabilities - Broadway Avenue (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**16 40 km/h Speed Limit - Franklin Avenue (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**17 40 km/h Speed Limit - Burbank Drive (Ward 24 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**18 All Way Stop Control - Brooke Avenue/Ridley Boulevard at Yonge Boulevard (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**19 40 km/h Speed Limit - Langholm Drive (Ward 9 - York Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**20 Installation of an On-Street Parking Space for Persons with Disabilities - Castlewood Road (Ward 16 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**21 Parking Prohibitions - St. Regis Crescent (Ward 8 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**22 Special Occasion Beer Garden Permit Requests for Community Events (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**23 Request for Extension of Existing Liquor Licence for Community Event - Armenian Community Centre Annual Summer Festival - 45 Hallcrown Place - Friday, July 8, 2005 - Sunday, July 10, 2005 (Ward 33 - Don Valley East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**24 Appointments to the Leaside Gardens Board of Management (Ward 26 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**25 Final Report - Context Plan for Bayview Avenue/Sheppard Avenue East - Northwest Quadrant (“Clairtrell Area Context Plan”) - 04 200060 TM (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**26 Final Report - Application to Amend the Official Plan and Zoning By-law and Draft Plan of Subdivision – 03 201751 NNY 08 OZ and 04 138822 NNY 08 SB - 1530787 Ontario Inc. (George Popper Architect) - 102-134 Hucknall Road (Ward 8 - York West)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Councillor Shiner declared an interest in this Clause, in that his brother represented one of the parties interested in this application.

Councillor Moscoe declared an interest in this Clause, in that his principal residence is in the vicinity of the subject development.

**27 Request for Driveway Entrance Side Yard Variance - 55 Westgate Boulevard (Ward 10 - York Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**28 Agreement with CN Rail Ltd. - UDSB 1247 - TB SPC 2002 0012 - UDOZ-00-02 - Future Esther Shiner Boulevard (Ward 24 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**29 Naming of Proposed Public Street between Yonge Street and Lorraine Drive, south of Finch Avenue West - Tolman Street (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**30 Renaming of Portion of Bales Avenue to “Harrison Garden Boulevard” and Renaming of Terlean Road to “Avondale Avenue” (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**31 Ontario Municipal Board Hearing - Committee of Adjustment Application - A0080/05NY - 8 Winton Road (Ward 25 - Don Valley West)**

City Council on April 12, 13 and 14, 2005, amended this Clause by deleting from the Operating Paragraph contained in the Resolution by Councillor Jenkins, the words “City Planning and Legal staff”, and inserting instead the words “appropriate City staff”, so that the Operative Paragraph now reads as follows:

“**THEREFORE BE IT RESOLVED THAT** appropriate City staff be authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment refusal decisions of June 10, 2004 and March 3, 2005.”

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

**32 Ontario Municipal Board Hearing - Committee of Adjustment Application - 1 Marcia Avenue (Ward 15 - Eglinton-Lawrence)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**33 Ontario Municipal Board Hearing - Committee of Adjustment Application - 282 Ellerslie Avenue (Ward 23 - Willowdale)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**34 Other Items Considered by the Community Council**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Scarborough Community Council Report 3**

**1 Scarborough Civic Action Network Scarborough Community Summit**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Removal of Eleven (11) Private Trees 29 Blueking Crescent (Ward 44 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Release of Requirement to Construct a Secondary Access to Morningside Avenue Affecting Vacant Land East of Portia Street (Ward 43 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**4 Proposed On-Street Disabled Parking in Front of 2400 Queen Street East (Ward 36 - Scarborough Southwest)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Proposed Minor Street Stop Signs in the Ionview Community (Ward 37 - Scarborough Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**6 Proposed Minor Street Stop Signs at Uncontrolled Intersections in the Wexford Community (Ward 37 - Scarborough Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Proposed Parking Regulations on Calthorpe Avenue between Ellesmere Road and Calverley Trail (Ward 44 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Request for All-Way Stop Controls on Wayne Avenue at Lancefield Avenue and at Lingarde Drive (Ward 37 - Scarborough Centre)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That there also be demarcation of the crossing area and it be developed in conjunction with the local Ward Councillor and George Peck School.”

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

Council also considered the following:

- Petition (November 15, 2004) from George Peck Public School, submitted by Councillor Michael Thompson, Ward 37, Scarborough Centre, containing approximately 113 signatures in support of a stop sign at the northwest corner of Wayne Avenue and Lingarde Drive [Communication 32(a)].

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

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**10 Final Report - Rezoning Application 02 035463 ESC 38 OZ Removal of Holding Symbol (H) – OMERS Realty Holdings Inc. 530 Progress Avenue (N/W Corner Progress and Corporate Drive), Progress Employment District (Ward 38 - Scarborough Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Final Report - Official Plan Amendment and Rezoning Application, 04 150743 ESC 37 OZ - Gykan Enterprises Inc. (Architect: Turner Fleischer Architects Inc.) 1510 Birchmount Road – Wexford Employment District (Ward 37 - Scarborough Centre)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Final Report - Official Plan Amendment and Rezoning Application, 03 166812 ESC 41 OZ Ogden Funeral Homes Limited (Architect: Mark Nawrocki) 14 Donalda Crescent – Agincourt Community (Ward 41 - Scarborough Rouge River)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**13 Final Report - Official Plan Amendment and Rezoning Application, 02 035542 ESC 44 OZ Kelmore Ltd./Romlek Enterprises Inc.- 215 Morrish Road – Highland Creek Community (Ward 44 - Scarborough East)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 Naming of Proposed Private Lane Extending Southerly from Staines Road Opposite Mantis Road - Chicory Lane (Ward 42 - Scarborough Rouge River)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**15 Final Report - Site Plan Control Application 02 035533 ESC 40 SA (OPA and Employment Districts Zoning By-law 24982 South Agincourt Application 01 036249 ESC 40 OZ Plan of Subdivision 02 035523 ESC 40 SB) 2055 Kennedy Road - 1309230 Ontario Limited Agincourt Community (Ward 40 – Scarborough Agincourt)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**16 Sale of Parcel Vacant Land Adjacent to 130 Maybourne Avenue (Ward 35 - Scarborough Southwest)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**17 Request for Direction OPA and Rezoning Application 03 154613 ESC 35 OZ Georgian Clairlea Inc., 1151 Victoria Park Avenue Clairlea Community (Ward 35 - Scarborough Southwest)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the confidential report (April 14, 2005) from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

‘It is recommended that:

- (1) the City Solicitor be instructed to appear at the OMB with appropriate staff and prepare any necessary documentation and agreements, in support of the proposed development for the subject site for 142 residential units, based upon the applicant’s revised proposal as generally illustrated by Attachments 1, 2 and 3 and also including specific terms outlined in Schedule A attached hereto;

- (2) the City Solicitor be instructed, in consultation with City Planning staff, to draft and make such stylistic and technical changes to an Official Plan Amendment and Zoning By-law Amendment as may be required to implement the proposal and any OMB decision;
- (3) Council authorize execution of any agreement that may be required to secure matters outlined in this report or to implement any OMB decision; and
- (4) Council instruct the City Solicitor to request, if necessary, that the OMB:
  - (a) withhold its final Order on the Official Plan and Zoning By-law Amendments pending completion of any outstanding matter, including: review of the waste management plan; the submission of a Record of Site Condition acknowledged by the Ministry of the Environment and if the City requires a peer review that such a review is completed satisfactorily; and, the execution of a Section 37 Agreement; and
  - (b) withhold its Order on the Site Plan pending: the completion of any site plan issues that may be required to be addressed; approval of consent applications to secure the pedestrian access from the subject development to St. Clair Avenue East and for vehicular access from St. Clair Avenue East to the parking area on the adjacent church property accessed through the subject lands; the receipt of monies as security for the new access driveway and potential damage to the existing driveway; and the execution of a Site Plan Control Agreement all to the satisfaction of Director of Community Planning, East District, Urban Development Services.’ ”

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

Council also considered the following:

- Confidential report (April 14, 2005) from the City Solicitor [Confidential Communication C.22(a)]. The staff recommendations contained in the Recommendations Section of the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation [See above].

**18 Other Items Considered by the Community Council**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Toronto and East York Community Council Report 3****1 Proposed Closing of Public Lane - 229 and 231 Markham Street (Trinity-Spadina, Ward 19)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**2 Renaming of public highway Hillholme Road - located between Avenue Road and Russell Hill Road, "Hillholm Road" (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**3 Final Report – Application for Draft Plan of Subdivision Approval – Regent Park Revitalization – Toronto Community Housing Corporation (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

Communication:

- (undated) from Linda Jeffrey, MPP, Brampton – Centre [Communication 16(a)].

**4 College Street Avenues Study - Study Report (Trinity-Spadina, Wards 19 and 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**5 Inclusion on City of Toronto Inventory of Heritage Properties – 130 Bloor Street West (Torno Penthouse) (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

\_\_\_\_\_

Council also considered the following:

Communication:

- (April 8, 2005) from the Toronto Preservation Board [Communication 27(a)].

**6 Inclusion on the City of Toronto Inventory of Heritage Properties - 425 Cherry Street (Canadian National Railways Office Building) (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**7 Inclusion on the City of Toronto Inventory of Heritage Properties - 6 Church Street (Greey's Factory Building) (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**8 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 460 Jarvis Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**9 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 150 Bloor Street West (Mackenzie Financial Corporation) (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- (April 7, 2005) from Ronald M. Kanter, Gardiner Roberts LLP, Lawyers [Communication 21(a)].



**10 Installation of Art Structures, Retaining Walls and Steps and Maintenance of a Gas Meter Vault – Fronting 281 Mutual Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**11 Maintenance of Wooden Fences - Fronting 94 and 96 Pembroke Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**12 Maintenance of a Chain Link Fence - Fronting 86 Bond Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

---

Council also considered the following:

Communication:

- (April 8, 2005) from Karey Anne Dhirani, Teplitsky, Colson, Barristers [Communication 20(a)].

**13 Construction of a Decorative Wrought Iron Fence - 10 Roxborough Street West (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**14 Construction of a Wooden Fence - Cluny Drive flank of 85 Roxborough Street East (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**15 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening for Two Vehicles - 27 Parkway Avenue (Parkdale-High Park, Ward 14)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**16 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening - 167 Dowling Avenue (Parkdale-High Park, Ward 14)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**17 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening for Three Vehicles - 87 Lonsdale Road (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**18 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening for a Second Vehicle - 433 Belsize Drive (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**19 Request for an Exemption for Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening for a Second Vehicle - 89 Hillsdale Avenue (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**20 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit Driveway Widening for Two Vehicles - 53 Duncannon Drive (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, amended this Clause by adding the following new Recommendations (5) and (6) to the recommendations of the Toronto and East York Community Council:

- “(5) the required landscaping and green-fill of the paved excess in the right of way not to be used for parking [referred to in Recommendation (2)] being completed to the standards of the Manager, Right of Way Management, Transportation Services South District, no later than June 30, 2005; and
- (6) City staff narrowing the double curb-cut of this property to reflect the new narrowing of the driveway demarcated by the required landscaping, as soon as possible, at the City’s cost.”

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

Council also considered the following:

Communication:

- (April 2, 2005) from Rebecca Sugarman [Communication 15(a)].

**21 Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to permit Front Yard Parking - 78 Belsize Drive (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

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

City Council on April 12, 13 and 14, 2005, referred this Clause back to the Toronto and East York Community Council for further consideration.

**23 Request for an Exemption from Chapter 489 of the Toronto Municipal Code to permit a Natural Garden - 900 Davenport Road (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**24 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 292 Spadina Avenue (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**25 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 1303 Yonge Street (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**26 Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 2 Bloor Street East (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**27 Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 118 Sumach Street (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

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

City Council on April 12, 13 and 14, 2005, deferred consideration of this Clause to its next regular meeting on May 17, 2005.

**29 Various Streetscape Improvements - 444 Sherbourne Street and Homewood Avenue Rear – Our Lady of Lourdes Catholic School (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**30 Maintenance of Balconies – Fronting 100 Hayden Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**31 Delineation of a “Day-care Pick-up and Drop-off Area” and 15 Minute Maximum Parking Restrictions - Asquith Avenue, south side, east of Church Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**32 Installation of Lateral Fibre Optic Cable Connection - 100 Wellington Street West (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**33 Speed Hump Poll Results - Sterling Road, between Perth Avenue and Bloor Street West (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**34 Request for Installation of Speed Humps - Afton Avenue, between Northcote Avenue and Lisgar Street (east junction) (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**35 Roadway Narrowing to Accommodate Tree Planting - Gladstone Avenue, from Bloor Street West to Dupont Street and Request for Installation of Speed Humps on Section between Hallam and Dupont Streets (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**36 Installation of Speed Humps - Plains Road, Between Greenwood Avenue and Woodbine Avenue (Beaches-East York, Ward 31 and Toronto-Danforth, Ward 29)**

City Council on April 12, 13 and 14, 2005, amended this Clause to provide that the speed hump plan be extended to include the section of Plains Road between Donlands Avenue and Greenwood Avenue, so that the entire section of Plains Road, between Donlands Avenue and Woodbine Avenue, would be included in the speed hump plan.

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

**37 Installation of Speed Humps - Blake Street, between Strathcona Avenue and Boulton Avenue (Toronto-Danforth, Ward 30)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

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

City Council on April 12, 13 and 14, 2005, referred this Clause back to the Toronto and East York Community Council for further consideration.

**39 Request for a “No Stopping Anytime” Regulation - Ruttan Street, between Bloor Street West and Merchant Lane (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**40 Installation of Northbound “Stop” Sign Control - Intersection of Rose Park Crescent, Heath Street East and Heath Crescent (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**41 Establishment of a Construction Staging Area - Laneway at rear of 507 College Street (Europa Residences) (Trinity-Spadina, Ward 19)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**42 Establishment of a Construction Staging Area - Leonard Avenue at rear of 399 Bathurst Street (Toronto Western Hospital) (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**43 Establishment of a Construction Staging Area - 340 Front Street West (The Element) (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**44 Establishment of a Construction Staging Area - Dundas Street West, between McCaul Street and Beverley Street and Beverley Street, between Dundas Street West and a point 27.5 metres south of Grange Avenue (317 Dundas Street West – Art Gallery of Ontario) (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**45 Establishment of a Construction Staging Area - 212 Eglinton Avenue East (The Panache Condominium) (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**46 Snow Removal and Alternate Side Parking - Armstrong Avenue and Millicent Street (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**47 Proposed Amendments to Parking Regulations - College Street, between Bathurst Street and Spadina Avenue (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**48 Narrowing of the Pavement and Amendments to Parking and Traffic Operations - Dalhousie Street, between Dundas Street East and Gould Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**49 Speed Hump Poll Results - Mayfair Avenue/Shallmar Boulevard, between Eglinton Avenue West and Bathurst Street (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**50 Mechanical Street Sweeping - One Year Trial Programme - Dundas Street West, Dufferin Street, Queen Street West and Dovercourt Road (Davenport, Ward 18)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**51 Installation of On-Street Parking Spaces for Persons with Disabilities (Davenport, Ward 18; Trinity-Spadina, Ward 19; Toronto Centre-Rosedale, Ward 28; Toronto-Danforth, Ward 30; and Beaches-East York, Ward 32)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**52 Extension of an Existing Loading Zone and Changes to Parking Regulations - Mercer Street, between John Street and Blue Jays Way (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**53 Amendments to Existing Parking Regulations - Whitmore Avenue, between Park Hill Road and W. R. Allen Road (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**54 Provision of a “Student Pick-up/Drop-off Zone” with a Ten Minute Maximum Parking Limit – Baldwin Street, north side, between Beverley Street and Huron Street, fronting No. 64 (Beverley Public School) (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**55 Implementation of a “No Standing Anytime” Prohibition - De Lisle Avenue, south side, from Deer Park Crescent to a Point 92 Metres West of Yonge Street (St. Paul's, Ward 22)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**56 Installation of Traffic Control Signals - Pape Avenue and Floyd Avenue (Toronto-Danforth, Ward 29)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**57 Reduction of Speed Limit to 40 Kilometres Per Hour - Cedarvale Avenue, between Lumsden Avenue and Trenton Avenue (Beaches-East York, Ward 31)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**58 Installation of Traffic Control Signals - Queen Street East at Elmer Avenue (Beaches-East York, Ward 32)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**59 Operation of the 2005 Molson Indy Race at Exhibition Place (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**60 Naming of Proposed Private Lane at 51 River Street - Raffeix Lane (Toronto Centre-Rosedale, Ward 28)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.



**61 Installation of Inukshuk Sculpture – Traffic Island Opposite 14 Vaughan Road “Na-Me-Res” (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**62 Amendments to the Plan of Subdivision and Subdivision Agreement and Daycare and Escrow Agreement for the Railway Lands West Blocks 24, 25, 26 and 29 (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**63 Use of Nathan Phillips Square: The Toronto Outdoor Art Exhibition - July 8 - 10, 2005**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**64 Use of Nathan Phillips Square: Tastes of Thailand - July 17, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**65 Use of Nathan Phillips Square: Walk of Hope for Schizophrenia - May 29, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**66 Use of Nathan Phillips Square: Camp Jumoke Turtle Walk - June 4, 2005 (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**67 Poll Results - Implementation of Overnight On-Street Permit Parking - Valewood Avenue, between Wychwood Avenue and Humewood Drive; and between Cherrywood Avenue and Arlington Avenue (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**68 Poll Results - Implementation of Overnight On-Street Permit Parking - Humewood Gardens, between Arlington Avenue and Humewood Drive (St. Paul's, Ward 21)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**69 Appeal to the Ontario Municipal Board Committee of Adjustment Conditions - 450, 470, 470R and 500 Lake Shore Boulevard West (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**70 Appointment - Board of Management - Harbourfront Community Centre (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**71 Traffic and Parking - Bloor Street West, between Bathurst Street and Avenue Road/Queen's Park Crescent (Trinity-Spadina, Ward 20)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**72 Requests for Endorsement of Events for Liquor Licensing Purposes (Davenport, Ward 18; Trinity-Spadina, Wards 19 and 20; St. Paul's, Ward 21; Toronto Centre-Rosedale, Wards 27 and 28; and Beaches-East York, Ward 31)**

City Council on April 12, 13 and 14, 2005, amended this Clause by amending the recommendations of the Toronto and East York Community Council by:

(1) adding the following Part (o) to Recommendation (1):

“(o) Annual Festival-Festa Do Imigrante to be held on June 25 and 26, 2005, in Dovercourt Park (located between Bartlett Avenue and Westmoreland Avenue, south of Hallam Street and north of Bloor Street).”; and

(2) adding the Courthouse Market Grill & Chamber Lounge, 57 Adelaide Street East, to the list of establishments in Recommendation (2).

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

**73 Site Plan Approval Application and Solid Waste Bulk Pick-Up Collection - 76 Shuter Street (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**74 Liquor Licence – Lion on the Beach – 1958 Queen Street East (Beaches-East York, Ward 32)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**75 Amendment to Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 2 Queen Street East (Toronto Centre-Rosedale, Ward 27)**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**76 Front Yard Parking and Driveway Widening**

City Council on April 12, 13 and 14, 2005, adopted this Clause without amendment.

**77 Other Items Considered by the Community Council**

City Council on April 12, 13 and 14, 2005, received this Clause, for information.

**Notices of Motions Appearing Under Item F**

**F(1) Consolidating the Naming of the Community Council Boundaries with the Service Districts of the City of Toronto**

*Moved by Councillor Milczyn, seconded by Councillor Holyday*

“**WHEREAS** City Council at its special meeting on July 30, 31 and August 1, 2002, adopted, as amended, Administration Committee Report 10, Clause 2, headed ‘Four District Model for City Public Services (All Wards)’; and

**WHEREAS** Council amended Recommendation (2) contained in the report dated June 17, 2002, from the Chief Administrative Officer and, in so doing, adopted the recommendations of the Administration Committee to implement the four new service district boundaries; and

**WHEREAS** these service districts were named North, South, East and West Districts; and

**WHEREAS** City Council at its meeting on May 18, 19 and 20, 2004, adopted Policy and Finance Committee Report 1, Clause 2b, headed ‘Naming of Community Councils’, and renamed the Toronto West Community Council, the ‘Etobicoke York Community Council’; and

**WHEREAS** the Toronto South Community Council was renamed the ‘Toronto and East York Community Council’; and

**WHEREAS** the Toronto East Community Council was renamed the ‘Scarborough Community Council’; and

**WHEREAS** the Toronto North Community Council was renamed the ‘North York Community Council’; and

**WHEREAS** citizens of Toronto have raised a number of concerns about the confusion that exists by having two different names for identical City boundaries, one political and one bureaucratic; and

**WHEREAS** further consideration of this matter is warranted in order to simplify and clarify the City of Toronto’s administration to the citizens of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council rename the four service districts to align with the four Community Council boundary names that have been approved by Council, so that the names of the service districts shall be as follows:

Etobicoke York District;  
North York District;  
Scarborough District; and  
Toronto and East York District;

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

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**F(2) Request to Renew the Facade Program for the York Eglinton Business Improvement Area**

*Moved by Councillor Moscoe, seconded by Councillor Palacio*

**“WHEREAS** the City of Toronto has, for a considerable period of time, operated a Facade Program to encourage businesses to renovate the fronts of their properties; and

**WHEREAS** by way of establishing the Clean and Beautiful City Program the City has made a commitment to improving its public face; and

**WHEREAS** the Facade Program has, in the past, improved the appearance of our retail strips and has proved its value;

**NOW THEREFORE BE IT RESOLVED THAT** the City renew the Facade Program to apply to the York Eglinton Business Improvement Area.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to adding to the Operative Paragraph, the words “conditional upon staff finding the resources from within their Department and without it negatively impacting on existing areas where the Facade Program is being implemented”, so that the Operative Paragraph now reads as follows:*

***“NOW THEREFORE BE IT RESOLVED THAT the City renew the Facade Program to apply to the York Eglinton Business Improvement Area, conditional upon staff finding the resources from within their Department and without it negatively impacting on existing areas where the Facade Program is being implemented.”***

\_\_\_\_\_

Council also considered the following:

- Fiscal Impact Statement (February 2, 2005) from the Chief Financial Officer and Treasurer.

**F(3) Waiving of fees for Community Festivals on St. Clair Avenue West**  
*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

**“WHEREAS** City Council at its meeting on September 28, 29, 30 and October 1, 2004, approved Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’; and

**WHEREAS** the report resolved that ‘City departments waive fees related to hosting community festivals on St. Clair Avenue West from 2005 to 2007 (the construction period and immediately thereafter)’; and

**WHEREAS** City staff interpretation of the wording contained in the aforementioned report limits the waiving of fees and charges to City departments; and

**WHEREAS** the revitalization of St. Clair Avenue West and the strengthening of the local small business community, including supporting community events and festivals on the street, remain high priorities of the City of Toronto; and

**WHEREAS** City staff have been consulted in writing this Motion;

**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 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’, be re-opened for further consideration, only as it pertains to the waiving of fees for Community Festivals on St. Clair Avenue West;

**AND BE IT FURTHER RESOLVED THAT** City Council clarify the intent of Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’, only as it pertains to the waiving of fees and costs for community festivals on St. Clair West from 2005 to 2007, by approving that all necessary barricades, non-departmental permit fees for community festivals on St. Clair Avenue West from 2005 to 2007 are to paid for by the City;

**AND BE IT FURTHER RESOLVED THAT** City Council request that the Toronto Transit Commission and the Toronto Police Service waive costs for Community Festivals on St. Clair Avenue West, from 2005 to 2007;

**AND BE IT FURTHER RESOLVED THAT** this Resolution be forwarded to the Toronto Transit Commission and Toronto Police Services Board for their consideration and endorsement.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, deferred consideration of this Motion to its Special meeting on May 4, 2005.***

\_\_\_\_\_

Council also considered the following:

- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**F(4) Support for International Car Free Day**

*Moved by Councillor Giambrone, seconded by Councillor Fletcher*

**“WHEREAS** International Car Free Day is an annual event celebrated by 100 million people on every continent and supported by the European Union, the United Nations, the Government of Canada and the leaders of 1,500 Cities around the world; and

**WHEREAS** Car Free Day street events and forums highlight the many problems caused by our dependence on the private automobile, including air pollution, global warming, stress and safety issues; and

**WHEREAS** it emphasizes the rights of pedestrians and cyclists, the need for more and better public transit, and helps people rediscover their local community, outside the confines of their vehicle; and

**WHEREAS** Car Free Day began in Canada on September 22, 2001, when Toronto became the first Canadian and North American City to officially host a Car Free Day; and

**WHEREAS** in July 2004, Dr. Barbara Yaffe, Toronto’s Acting Medical Officer of Health, released a study estimating that five common air pollutants contribute to about 1,700 premature deaths and 6,000 hospital admissions in Toronto each year;

**NOW THEREFORE BE IT RESOLVED THAT** City Council express its support for International Car Free Day;

**AND BE IT FURTHER RESOLVED THAT** City Council strongly affirm its support for Car Free Day festivities in Toronto.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

**F(5) Disclosure of Proponents’ Responses to Certain Sections of Request for Proposal (RFP) 3401 04-3216 - Supply, Delivery and Installation of Desktop and Notebook Computers and Related Products and Services**

*Moved by Councillor Milczyn, seconded by Councillor Del Grande*

“**WHEREAS** the e-City Committee on February 14, 2005, considered a report dated February 2, 2005, from the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services responding to the e-City Committee’s request to provide copies of the responses from the eight proponents to Request for Proposal 3401-04-3216, Sections 5.5, 6, 8, 9, 10 and 12; and

**WHEREAS** the e-City Committee on February 14, 2005, requested that Council direct that the documents referred to in the staff report dated February 2, 2005, from the Chief Financial Officer and Treasurer and Commissioner of Corporate Services, be made available to the April 4, 2005 meeting of the e-City Committee, and that the documents will only be available during the in-camera session; and

**WHEREAS** the Administration Committee will meet on March 8, 2005, for subsequent report to City Council on April 12, 13 and 14, 2005; and

**WHEREAS** in order to comply with the e-City Committee’s request for the information to be available at its April 4, 2005 meeting, it is necessary for City Council to consider this request at its February 16, 2005 meeting;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct that the documents referred to in the attached staff report dated February 2, 2005, from the Chief Financial Officer and Treasurer and Commissioner of Corporate Services, be made available to the April 4, 2005 meeting of the e-City Committee, and that the documents will only be available during the in camera session.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, referred this Motion to the Administration Committee for consideration at its meeting on April 26, 2005.***

Council also considered the following:

- Report (February 2, 2005) from the Chief Financial Officer and Treasurer and the Commissioner of Corporate Services.

Councillor Jenkins declared an interest in Motion F(5), in that he is a former employee of one of the proponents.

**Notices of Motions Appearing Under Item I**

- I(1) New City of Toronto Act – Governance Changes**  
*Moved by Councillor Holyday, seconded by Councillor Ford*



**“WHEREAS** it is generally accepted that the City of Toronto budget process is flawed; and

**WHEREAS** it is abundantly clear that it cannot be corrected under the present system of governance; and

**WHEREAS** it is similarly proven that Toronto cannot balance its budget without financial assistance from the Province and/or through onerous property tax rate increases; and

**WHEREAS** even with tax revenues from gas consumption, the Capital Budget continually suffers from a revenue shortfall; and

**WHEREAS** growth projections indicate that the responsibilities of administering City finances and programs will increase exponentially as time marches on; and

**WHEREAS** the two senior levels of government are reluctant to provide new methods of taxation or agree to ‘uploading’ of either capital or service responsibilities; and

**WHEREAS** the Mayor’s Office is powerless to unilaterally set the required tax rate increase to balance the budget; and

**WHEREAS** it is incumbent upon the Province and/or the federal government to find a solution to this conundrum, either through new forms of direct funding or the creation of new city taxation powers; and

**WHEREAS** the commercial well-being of the City is undergoing serious impairment because of the erosions of fiscal prudence and funding shortages; and

**WHEREAS** cutbacks to social service programs, along with incremental curtailment of grants to community groups, is shattering the safety net infrastructure; and

**WHEREAS** transportation gridlock produces emission pollution and hinders the movement of goods; and

**WHEREAS** the Province has no long-term plan to accommodate population growth;

**NOW THEREFORE BE IT RESOLVED THAT** the Province of Ontario be requested to include the following provisions in the proposed new *City of Toronto Act*:

- (1) provisions be written into the proposed new *Act* that would create a protocol for the annual setting of the City budget;
- (2) new *Act* should dictate that Toronto form an Executive Committee composed of the Mayor and the leading vote-getting Councillors from the four geographical components of the City;
- (3) the new *Act* should call for the said Executive Committee to be responsible for arbitrarily setting the yearly budget;
- (4) the new *Act* require that the budget be then delivered balanced or unbalanced to a provincial committee consisting of the Ministers of Finance, Infrastructure and Municipal Affairs for their comments and approval;
- (5) the new *Act* stipulate that, if the Provincial Ministers agree to an unbalanced budget that the shortfall be resolved by assistance from the provincial treasury and/or that the Province sets the City tax rate increase required in order to balance, or that a combination of the two be formulated to achieve a satisfactory result;
- (6) the new *Act* provide that the three Provincial Ministers also have the power to remove items from the budget at their discretion but cannot add new budget items or alter the allocation of City tax revenues as presented in the budget document; and
- (7) the new *Act* direct that the Toronto Transit Commission budget follow a similar procedure that requires provincial approval to cover capital expenditures and/or dictate fare increases if so required.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, referred this Motion to the Policy and Finance Committee.***

---

Council also considered the following:

- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**I(2) Promoting Environmentally-Friendly Buildings in Toronto**

*Moved by Councillor Moscoe, seconded by Councillor De Baeremaeker*

“**WHEREAS** February 16, 2005, is the date of implementation for the Kyoto Protocol; and

**WHEREAS** local governments have a vital role to play in promoting environmentally sustainable practices in communities; and

**WHEREAS** the City of Toronto has been a leader in environmental initiatives; and

**WHEREAS** City staff are currently developing Green Building Guidelines, as well as participating on the Green Roofs Taskforce;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Urban Development Services be requested to report to the Planning and Transportation Committee on ways in which the City can further promote environmentally sustainable development.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to amending the Operative Paragraph so that it now reads as follows:*

*“NOW THEREFORE BE IT RESOLVED THAT the Chief Building Official and General Manager of Building, in consultation with appropriate City staff, be requested to report to the Policy and Finance Committee on ways in which the City can further promote environmentally sustainable development for all Divisions, Agencies, Boards and Commissions.”*

**Notices of Motions Appearing Under Item J**

**J(1) “Poetry in the Street” Project – Report Request**

*Moved by Councillor Palacio, seconded by Councillor Soknacki*

**“WHEREAS** the City of Toronto has been, and is home to many great poets, authors and writers who have left a significant mark on the citizens of Toronto, Canada and the World; and

**WHEREAS** the City of Toronto has never had a significant tribute, that involves all communities across Toronto from all former municipalities, to Toronto’s poets or literary community, which is long overdue; and

**WHEREAS** the City of Toronto has a ‘Clean and Beautiful City’ mandate that Council is trying to find innovative and realistic ways to advance; and

**WHEREAS** bp Nichol Lane (Ward 20) was named for the late poet bp Nichol and one of his poems has been inscribed in the pavement there (picture attached) at very little cost to the City, much to the enjoyment of local residents, tourists and visitors; and

**WHEREAS** Pier Giorgio di Cicco, Toronto's Poet Laureate and his advisory committee, Friends of the Poet Laureate, enthusiastically endorses this Motion as part of the Poet Laureate's advocacy for poetry and the arts in our City;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Acting Commissioner Works and Emergency Services and the Commissioner Economic Development, Culture and Tourism, in consultation with the City of Toronto Poet Laureate and his Committee, to bring forward a report to implement a 'Poetry in the Street' program across the City that would imprint poems written by Toronto poets in sidewalks, parks and other public spaces across the City, similar to how it was done in bp Nichol Lane, when those sidewalks etc. are scheduled to be permanently reconstructed;

**AND BE IT FURTHER RESOLVED THAT** this report consider creating a 'bank' of poems that would be inscribed in sidewalks, etc., in all corners of the City, with the consent or at the request of the adjacent property owner(s), local BIAs or Residents' Associations, where applicable, as well as consider creating special theme areas in the City where there is a historical connection to a particular poet or type of poetry;

**AND BE IT FURTHER RESOLVED THAT** the report consider the possibility that this can be done across the entire City at virtually no cost, since the concrete is being laid anyway, as well as the potential of the program to generate tourism, promote culture and showcase certain areas of the City."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

---

Council also considered the following:

- Photograph depicting a bp Nichol poem inscribed in pavement.

**J(2) Licensing of Clothing Drop Boxes**

*Moved by Councillor Moscoe, seconded by Councillor Holyday*

**“WHEREAS** charitable organizations invite people to donate used clothing to be sold to raise funds for charitable purposes; and

**WHEREAS** clothing drop boxes are commonly located on shopping plaza lots; and

**WHEREAS** drop boxes masquerading as charitable, but which are entirely private business ventures, have been located on private lots or City property throughout the City without authorization; and

**WHEREAS** these boxes take advantage of the good nature of people by displaying messages that imply or indicate that the clothing will be used for charitable purposes when, in fact, they are fraudulent; and

**WHEREAS** these boxes rip off not only contributors but also legitimate charities by drawing away used clothing that would otherwise go to charitable purposes; and

**WHEREAS** these boxes are often located on or near a property line so that the property owners or tenant businesses assume that they are on City property; and

**WHEREAS** most are located without authorization; and

**WHEREAS** the 'Clean and Beautiful City' initiative has been adopted as a priority in the City's recent budget; and

**WHEREAS** on September 23, 24, and 25, 2003, Council adopted a resolution that would 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

**WHEREAS** at its meeting of July 30, 31 and August 1, 2002, Council adopted a Resolution indicating that the licensing of clothing drop boxes be the preferred option for controlling their indiscriminate use; and

**WHEREAS** nothing has been done about the Council's determination to see the boxes licensed;

**NOW THEREFORE BE IT RESOLVED THAT** staff report to next meeting of Council, through the Planning and Transportation Committee, on what actions they have taken to put into effect the direction of Council with respect to drop boxes on City Property (September 2003);

**AND BE IT FURTHER RESOLVED THAT** the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to license clothing drop boxes as follows:

- (1) the licenses be for a nominal sum;
- (2) in order to receive a license sticker, the applicant must:
  - (a) provide proof of charitable status;
  - (b) prove that they have permission from the owner of the land to locate the box on the property;
  - (c) agree to keep the area free of litter;
  - (d) agree to remove graffiti from the box; and
  - (e) agree to keep the box in good repair;

**AND BE IT FURTHER RESOLVED THAT** the By-law provide for the removal of a box by City staff and a provision for a removal and storage fee commensurate with the provisions of the new mobile sign by-law;

**AND BE IT FURTHER RESOLVED THAT** any related cost be paid out of the existing funds budgeted for the 'Clean and Beautiful City' initiative;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor be requested to prepare a draft by-law for consideration at the public meeting."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to adding the following Operative Paragraph:***

***"AND BE IT FURTHER RESOLVED THAT a copy of this Motion be forwarded to the City's Agencies, Boards and Commissions with a request that they implement similar controls."***

---

Council also considered the following:

- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(3) GO Transit Georgetown Corridor Expansion Environmental Assessment**  
*Moved by Councillor Nunziata, seconded by Mayor Miller*

**"WHEREAS** GO Transit has begun a Class Environmental Assessment for expansion of commuter rail service in the GO Georgetown/Weston Sub-Division Corridor; and

**WHEREAS** the purpose of this Class Environmental Assessment will be to provide the necessary improvements to accommodate increased GO train service for CN, CP and VIA services, including the proposed new Air Rail Link (ARL) rail service between Lester B. Pearson International Airport and Union Station; and

**WHEREAS** during the consultation process, the proponents of the Class Environmental Assessment have stated that one possible option could be the closure of streets within communities to accommodate the increased railway traffic along the corridor; and

**WHEREAS** there has been an overwhelming and resounding concern by residents of communities that the closure of any street or roadway could separate and divide communities, and thus be catastrophic to their continued viability;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto adopt the official position concerning the Class Environmental Assessment for expansion of commuter rail service in the GO Georgetown/Weston Sub-Division Corridor that no streets be closed;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk be requested to convey this position to the Federal and Provincial Ministers of the Environment and Transportation;

**AND BE IT FURTHER RESOLVED THAT** staff be requested to provide quarterly reports to the Planning and Transportation Committee concerning the status of this initiative.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to adding the following Operative Paragraph:*

*“AND BE IT FURTHER RESOLVED THAT the Acting General Manager, Transportation Services, be requested to report to the Planning and Transportation Committee on any safety measures that may be required because of the increase in train speed and the volume of traffic along this corridor.”*

**J(4) Introduction of Overnight On-Street Permit Parking on Floyd Avenue, between Burley Avenue and Logan Avenue**

*Moved by Councillor Ootes, seconded by Councillor Rae*

**“WHEREAS** on May 18, 19 and 20, 2004, City Council adopted Notice of Motion J(25), headed Introduction of Overnight On-Street Permit Parking on Floyd Avenue, between Burley Avenue and Logan Avenue”, and in so doing adopted the following recommendations:

- '(1) the City Clerk conduct a formal poll of the residents of Floyd Avenue between Burley Avenue and Logan Avenue to determine support for the implementation of overnight on-street permit parking and report the results of the poll to the Toronto South Community Council;
- (2) subject to the results of the poll being favourable, the existing no parking anytime restriction on the north side of Floyd Avenue, between Burley Avenue and Bater Avenue be rescinded; and
- (3) permit parking be introduced on both sides of the street to operate on an alternate side basis between the hours of 11:00 a.m. and 5:00 a.m. 7 days a week, and be included in permit parking area 7K'; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills."

**WHEREAS** the City Clerk subsequently conducted a poll on all residents of Floyd Avenue between Burley Avenue and Logan Avenue to determine their support for the implementation of overnight on-street parking and reported the results of this poll to the Toronto and East York Community Council on October 12, 2004;

**WHEREAS**, City Council, on October 26, 27 and 28, 2004 adopted the following Recommendations (1) and (2) of the City Clerk contained in Clause 63 of Report 8 of the Toronto and East York Community Council, titled 'Implementation of Overnight On-Street Permit Parking – Floyd Avenue, between Burley Avenue and Logan Avenue (Toronto-Danforth, Ward 29)':

'It is recommended that City Council:

- (1) implement overnight on-street permit parking on Floyd Avenue, between Burley Avenue and Logan Avenue on a street name basis, to operate during the hours of 11:00 p.m. and 5:00 a.m., 7 days a week; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.'; and

**WHEREAS** it has now been discovered that there is a difference in the recommendations adopted by City Council on at its May 18, 19 and 20, 2004 meeting and those subsequently adopted at its later meeting on October 26, 27 and 28, 2004 which resulted in overnight permit parking being implemented on Floyd Avenue, between Burley Avenue and Logan Avenue, on a street name basis, where it should have been implemented on an area and alternate side basis, and the existing no parking anytime restriction on the north side of Floyd Avenue, between Burley and Avenue and Bater Avenue, was not rescinded;



**WHEREAS** in order to introduce the required Bills, it is necessary to clarify the action taken by Council in October, to reflect the intent of its original action taken in May 18, 19 and 20, 2004;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 8, Clause 63, headed 'Implementation of Overnight On-Street Permit Parking – Floyd Avenue, between Burley Avenue and Logan Avenue (Toronto-Danforth, Ward 29)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council:

- (1) implement overnight on-street permit parking on Floyd Avenue, between Burley Avenue and Logan Avenue, on an area basis, to operate on an alternate side basis between the hours of 11:00 p.m. and 5:00 a.m., 7 days a week, and be included in permit parking area 7K;
- (2) rescind the existing no parking anytime restriction on the north side of Floyd Avenue, between Burley Avenue and Bater Avenue; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Toronto and East York Community Council Report 8, Clause 63, headed “Implementation of Overnight On-Street Permit Parking – Floyd Avenue, between Burley Avenue and Logan Avenue (Toronto-Danforth, Ward 29)”, for further consideration, and adopted the balance of this Motion, without amendment.***

**J(5) Proclamation of Falun Dafa Week: May 9 – 15, 2005**

*Moved by Councillor Walker, seconded by Councillor Balkissoon*

**“WHEREAS** former Mayor Mel Lastman wrote a congratulatory letter to the Falun Dafa conference in May 1999; and

**WHEREAS** since 1994 Falun Dafa the peaceful exercise and philosophical practice based on the principles of Truthfulness, Compassion and Tolerance has become part of the community with over 30 practice sites across the GTA, in English, Chinese, Polish, Albanian, Korean, and Spanish etc, and bringing many health and social benefits as affirmed by the Governor General of Canada and by the Minister of Canadian Heritage; and

**WHEREAS** for the last five years, Falun Gong practitioners have hosted the beautiful Truth Compassion Tolerance Day in the month of May for the Toronto community at Nathan Phillips Square, and have been invited to join Christmas, Canada Day and Victoria Day Parades throughout the City; and

**WHEREAS** more than 800 Mayors in North America including over 100 in Canada, including the Mayor of Ottawa, Bob Chiarelli, have awarded Falun Dafa proclamations to celebrate Falun Dafa Day/week; and

**WHEREAS** approximately 100,000 Torontonians have signed petitions to support Falun Gong practitioners right to practice their beliefs without discrimination or persecution in China; and

**WHEREAS** Mayor David Miller proclaimed May 2004 as ‘Asian Heritage Month’ in the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council proclaims the week of May 9 to May 15, 2005, ‘Falun Dafa Week’ or ‘Truth-Compassion-Tolerance Week’ in celebration of the 13th anniversary of the public practice and its benefit to Toronto;

**AND BE IT FURTHER RESOLVED THAT** the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of this Notice of Motion at the meeting of Council to be held on April 12, 2005.”

***Disposition:***

***At City Council on April 12, 13 and 14, 2005, this Motion was ruled out of order.***

Council also considered the following:

Communication:

- (April 13, 2005) from John Zhang, Secretary General, Falun Dafa Association of Canada, forwarding approximately 22 form letters from individuals and organizations in support of Motion J(5) [Communication 35(a)].

**J(6) Appointment of Deputy City Managers (2 positions)**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

“**WHEREAS** Council, at its meeting of November 30, December 1 and 2, 2004, as part of its decision on the Mayor’s report on the new Administrative structure, directed that recommendations on the outcome of the Deputy City Manager competition be submitted to City Council; and

**WHEREAS** the Mayor and the Chief Administrative Officer have submitted a confidential report dated April 8, 2005, with respect to a personnel matter pertaining to the appointment of two (2) Deputy City Managers;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider and adopt the recommendations contained in the Recommendations Section of the confidential report dated April 8, 2005, from the Mayor and the Chief Administrative Officer.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(6), without amendment, Council adopted, without amendment, the following recommendations contained in the Recommendations Section of the confidential report (April 8, 2005) from Mayor Miller and the Chief Administrative Officer. This report is now public, with the exception of the Attachments, which remain confidential in accordance with the provisions of the Municipal Act, 2001, as they contain personal information about identifiable individuals:*

*“It is recommended that:*

- (1) Fareed Amin and Sue Corke be appointed to the positions of Deputy City Manager, Citizen Focused Services for the City of Toronto, with such appointments to be effective following written acceptance by each candidate of terms and conditions of employment offered by the City;*
- (2) the City Manager be authorized to negotiate terms and conditions of employment and Start Date with the approved candidates; and*
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.”*

---

Council also considered the following:

- Confidential report (April 8, 2005) from Mayor Miller and the Chief Administrative Officer which is now public, with the exception of the Attachments, which remain confidential in accordance with the provisions of the *Municipal Act, 2001*, as they contain personal information about identifiable individuals [Confidential Communication C.15(a)]. [See above.]

**J(7) Appointment of Deputy City Manager/Chief Financial Officer**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

“**WHEREAS** Council, at its meeting of November 30, December 1 and 2, 2004, as part of its decision on the Mayor’s report on the new Administrative structure, directed that recommendations on the outcome of the Deputy City Manager competition be submitted to City Council; and

**WHEREAS** Council also established the position of Deputy City Manager/Chief Financial Officer; and

**WHEREAS** the Chief Administrative Officer has submitted a confidential report dated April 11, 2005, with respect to a personnel matter pertaining to the appointment of a Deputy City Manager/Chief Financial Officer;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider and adopt the staff recommendations contained in the Recommendations Section of the confidential report dated April 11, 2005, from the Chief Administrative Officer.”

***Disposition:***

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(7), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the confidential report (April 11, 2005) from the Chief Administrative Officer. This report is now public in its entirety:*

***“It is recommended that:***

- (1) ***Joseph P. Pennachetti be appointed to the position of Deputy City Manager and Chief Financial Officer for the City of Toronto and as a treasurer under the Municipal Act, 2001, and that such appointment be effective April 15, 2005 and be made permanent upon the execution of an employment agreement with terms and conditions of employment negotiated by the Chief Administrative Officer consistent with the City’s approved policies for senior staff; and***

- (2) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.”*
- 

Council also considered the following:

- Confidential report (April 11, 2005) from the Chief Administrative Officer, which is now public in its entirety [Communication C.16(a)]. [See above.]

**J(8) 925 Weston Road – Opposition to Application for a Liquor Licence**

*Moved by Councillor Nunziata, seconded by Councillor Li Preti*

**“WHEREAS** the City Councillor has been advised that the Alcohol and Gaming Commission of Ontario (AGCO) will be considering a Notice of Proposal to Review/Refuse a Transfer Corporate Rollover Application by the occupants of 925 Weston Road to allow the occupants to sell alcohol at these premises; and

**WHEREAS** the City Councillor has been advised by the Toronto Police Service of numerous Provincial Offence violations emanating from the numerous licensed establishments already existing in the immediate area of this location; and

**WHEREAS** the Toronto Police Service has further advised that there have been criminal activities and arrests emanating from the immediate area of this location; and

**WHEREAS** the Toronto Police Service has expressed concerns about the generally high crime rate of the area, how the activities in the licensed establishments are contributing to crime in the area, as well as the resulting consequences from the lack of parking to service these establishments; and

**WHEREAS** the City Councillor has also received complaints from residents regarding the misconduct of patrons from licensed establishments located in the immediate vicinity; and

**WHEREAS** the past and present conduct of patrons of this establishment and other nearby licensed establishments affords reasonable grounds to believe that a granting of a liquor licence at 925 Weston Road may result in the behaviour of a certain and significant number of patrons not being in accordance with the law, and combined with the other concerns noted above, demonstrates that any transfer or expansion of the existing liquor licence and/or any new application for a new sales licence for these premises is not in the public interest having regard to the needs and wishes of the municipality in which the premises are located;

**NOW THEREFORE BE IT RESOLVED THAT** Council advise the Alcohol and Gaming Commission of the City of Toronto's opposition to any applications to transfer or expansion of any existing liquor licence or caterer's endorsement and/or any new applications for these premises and/or or adjacent or related addresses;

**AND BE IT FURTHER RESOLVED THAT** Council authorize the City Solicitor to advise the AGCO that it opposes the current Transfer Corporate Rollover Application and any new or subsequent applications for the transfer or expansion of the existing liquor licence or caterer's endorsement for these premises and/or adjacent or related addresses and/or applications for a new liquor sales licence, and further instructs that a copy of this resolution be provided to the AGCO;

**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving these premises to oppose the current Transfer Corporate Rollover Application, and any such applications for new liquor licence or transfer or expansion of the current liquor licence, and that the City Solicitor and necessary staff be authorized to participate in any proceedings before the AGCO which relate to 925 Weston Road."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(9) Amendment to Council Authority for the Transitional Housing Project at the North/West Corner of Wellesley/Sherbourne (Ward 27 – Toronto -Centre Rosedale)**

*Moved by Councillor Rae, seconded by Councillor McConnell*

**“WHEREAS** Wellesley Central Health Corporation was approved by Council at its meeting of March 1, 2 and 3, 2004, for \$2,350,000.00 in funding from the net proceeds of the sale of the Princess Margaret Hospital for a transitional housing project at the north/west corner of Wellesley Street and Sherbourne Street (referred to in previous reports as the north/east corner); and

**WHEREAS** a separate corporation was incorporated on July 30, 2004 named Wellesley Central Residences Inc. to be responsible for the development and long-term management of the housing project; and

**WHEREAS** Wellesley Central Residences Inc. was approved by Council for \$3,972,600.00 Supporting Communities Partnership Initiative (SCPI) funding and \$441,400.00 in funding from the Mayor's Homelessness Initiative Reserve Fund at its meeting held September 28, 29, 30 and October 1, 2004, for the development of a transitional housing project of 112 units at the north/west corner of Wellesley/Sherbourne; and

**WHEREAS** the project is proceeding to construction and has incurred costs that need to be reimbursed and the Princess Margaret Hospital funding is to be expended by March 31, 2006;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) all references in the report and appendices contained in Policy and Finance Committee Report 2, Clause 29, as adopted by City Council at its meeting held on March 1, 2 and 3, 2004, be amended such that the name Wellesley Central Health Corporation be deleted and replaced with the name Wellesley Central Residences Inc.;
- (2) authority be granted to the General Manager of Shelter, Housing and Support to enter into a SCPI Funding Agreement, together with any other agreements deemed appropriate by the General Manager, to give effect to the recommendation cited above, on terms and conditions satisfactory to the General Manager, and in a form acceptable to the City Solicitor, with Wellesley Central Residences Inc. for the development and provision of transitional housing at the north/west corner of Wellesley/Sherbourne; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(10) Recognition of Contribution of Those Involved with Enhancements to the Churchill Statue in Nathan Phillips Square**

*Moved by Councillor Milczyn, seconded by Councillor Rae*

“**WHEREAS** in 2004, a project to further complement the Churchill Statue in Nathan Phillips Square with trees, eight additional park benches and four plaques detailing Churchill’s life and achievements, was undertaken by the two Toronto based Churchill Societies, notably the International Churchill Society-Canada and the Churchill Society for the Advancement of Parliamentary Democracy; and

**WHEREAS** on June 6, 2004, Mayor David Miller re-dedicated the site of the Churchill Statue marking the 60th Anniversary of D-Day; and

**WHEREAS** Toronto organization members, along with generous donations from members in six Provinces, raised \$29,000.00 in order to complete the enhancements to this site in Nathan Phillips Square; and

**WHEREAS** the following individuals and organizations contributed to this project:

- Charles and Anne Anderson;
- J. Gordon Arnold;
- Garnet R. and Solveig Barber;
- Edward and Jocelyn Badovinac;
- Glenn H. Carter;
- The Chataways of Lindsay, Ontario;
- Philip R. Gosling of Guelph, Ontario;
- John R. Hewson;
- Henry N.R. Jackman;
- Peter K. Large;
- John G. and Ruth Plumpton;
- Terry and Frances Reardon;
- Donald B. Rix;
- Sue and Peter Russell;
- Daniel P. Tisch;
- F. Barlett and Lucienne Watt;
- Bernard and Jeanette Webber;
- P. Michael Wilson;
- The Great War Applied History Museum;
- The St. George's Society of Toronto;
- International Churchill Society – Canada;
- Churchill Society for the Advancement of Parliamentary Democracy;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk, on behalf of the Members of Council, recognize the contributions, work and dedication of these individuals and associations and encourage residents and visitors to Toronto to visit this site.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion unanimously.*

#### **J(11) Recorded Vote Participation**

*Moved by Councillor Holyday, seconded by Councillor Ford*

“**WHEREAS** once a person is elected to public office at the municipal level, he or she has in effect made a commitment to be present to cast votes that should represent a combination of their conscience and the wishes of their constituents; and

**WHEREAS** in the democratic process practised in freely elected governments, the vote is the essence of a conscientious participation in the system; and

**WHEREAS** it is a cornerstone of good government that the decisions reached are made in an open and transparent forum; and

**WHEREAS** the pattern of votes cast by any municipal politician becomes the basis of a public record of their positions and achievements; and



**WHEREAS** since the yearly schedule of Council meetings is voted on by Council and is well known in advance, there is very little reason for a Councillor not to be in attendance to vote; and

**WHEREAS** the agenda is made available to Councillors prior to the Council meetings, in order to help prepare them to express opinions and ultimately record their vote; and

**WHEREAS** the Toronto Council Chamber is equipped with electronic technology to record votes so that there can be no reason for confusion as to intent and timing of the vote; and

**WHEREAS** the involvement of decision-making begins at the Committee level and proceeds to the Council meeting, giving plenty of opportunity for a Councillor to understand the content and effect of a motion; and

**WHEREAS** appropriate City staff are present in the Council Chamber to explain details and the impact of motions on budget and other fiduciary matters; and

**WHEREAS** the proceedings of Council and its determinations that are available on cable television and other media coverage are extensive, which allows Councillors to be informed while seated in their offices; and

**WHEREAS** the Council Chamber is located in close proximity to the offices of the Mayor and Councillors; and

**WHEREAS** snacks and refreshments are provided on Council day to help sustain Councillors while they deliberate; and

**WHEREAS** Robert's Rules of Order and the obligations of the Chair prevent precipitous curtailment of debate, allowing full disclosure of facts on even the most confusing of issues; and

**WHEREAS** given the availability of information on both issues and their route to the Council floor, there is little reason for absenteeism when votes are to be cast; and

**WHEREAS** the financial difficulties currently facing the City call for total attention to spending decisions inherent in motions coming before Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Province of Ontario be requested to amend the *Municipal Elections Act* to require that the proclamation declaring the date and rules of the next and subsequent municipal elections include the number of recorded votes taken over the previous term and the percentage of votes cast by each Councillor;

**AND BE IT FURTHER RESOLVED THAT** the voting attendance records be attached to the annual report that lists the office expenses of the individual Councillors.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, referred this Motion to the Administration Committee.***

**J(12) Statutory Offers of Compensation – Expropriations for North York Centre Plan Service Road**

*Moved by Councillor Filion, seconded by Councillor Walker*

“**WHEREAS** City Council, at its meeting of October 26, 27 and 28, 2004, adopted Administration Committee Report 8, Clause 9, headed ‘Expropriations for the North York Centre Plan Service Road of Six Parcels of Land: 25 and 27 Holmes Avenue; Parts of 21, 26 and 33 Holmes Avenue and Part of 482 Kenneth Avenue’; and

**WHEREAS** title to the said parcels of land was vested in the City on January 25, 2005 by the registration of Expropriation Plans AT715113 and AT715116; and

**WHEREAS** pursuant to the *Expropriations Act*, the City is required to make offers of full compensation to the registered owners of the parcels by April 25, 2005, which is prior to City Council’s next meeting on May 17, 18 and 19, 2005; and

**WHEREAS** the Commissioner of Corporate Services has submitted a confidential report (April 8, 2005) to City Council recommending the amount of compensation to be offered to each owner;

**NOW THEREFORE BE IT RESOLVED THAT** City Council (In Camera) give consideration to the confidential report (April 8, 2005) from the Commissioner of Corporate Services, entitled ‘Statutory Offers of Compensation - Expropriations for North York Centre Plan Service Road (Ward 23 – Willowdale)’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

*In adopting Motion J(12), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report (April 8, 2005) from the Commissioner of Corporate Services. This report remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information related to the security of the property of the Municipality.*

---

Council also considered the following:

- Confidential report (April 8, 2005) from the Commissioner of Corporate Services [Confidential Communication C.17(a)]. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the Municipality.
- Confidential Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(13) Monthly Maintenance of Canadian Flags on Municipal Facilities**

*Moved by Councillor Grimes, seconded by Councillor Stintz*

“**WHEREAS** the Canadian flag was proclaimed as the national flag of our nation on February 15, 1965; and

**WHEREAS** many City-operated and owned facilities proudly fly the Canadian flag; and

**WHEREAS** the Canadian flag shows enormous pride in our Country and is a universal symbol of our respect for our nation; and

**WHEREAS** veterans have fought long and hard to protect the integrity of what our flag stands for;  
and

**WHEREAS** the Canadian flag should be treated with respect to appreciate the history behind the flag; and

**WHEREAS** I have received complaints from many residents regarding the condition of several Canadian flags flying on Municipal buildings and facilities;  
and

**WHEREAS** there have been several flags flying on official City of Toronto buildings and properties having endured visible weathering and deterioration;

**NOW THEREFORE BE IT RESOLVED THAT** all concerned City Departments, Agencies, Boards and Commissions put in place a monthly maintenance schedule to ensure flags are maintained;

**AND BE IT FURTHER RESOLVED THAT** all appropriate City staff, as part of their monthly inspection, ensure that all Canadian flags maintain their visual integrity and are presentable.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

**J(14) Bill 60, an Act to Amend the Ontario Heritage Act**

*Moved by Councillor Rae, seconded by Councillor Pitfield*

“**WHEREAS** the Government of Ontario has introduced Bill 60, an Act to Amend the *Ontario Heritage Act*; and

**WHEREAS** the provisions of this Bill will enable municipalities and the Ontario Municipal Board to deny applications to demolish heritage buildings; and

**WHEREAS** there are several heritage buildings in Toronto that are currently in danger of being demolished if this Bill is not enacted quickly; and

**WHEREAS** City Council has sent a delegation to the Provincial Committee considering Bill 60 to speak in favour of the legislation; and

**WHEREAS** the Government of Ontario has not moved to set a date for third reading of Bill 60;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to write to both the Premier and the Minister of Culture strongly encouraging the Government of Ontario to adopt this Bill before the current sitting of the Legislature ends.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

---

Councillor Shiner declared an interest in Motion J(14), in that his family owns property that is being considered for designation as a heritage property.

**J(15) Mirvish Village Business Improvement Area**

*Moved by Deputy Mayor Pantalone, seconded by Councillor Mihevc*

“**WHEREAS** the owners and business operators have established a Mirvish Village Business Improvement Area Steering Committee who have defined an area, have communicated their intentions to the business owners and operators and have held a formal public meeting; and

**WHEREAS** the Steering Committee, in conjunction with the Business Improvement Area Office, hosted a successful formal information meeting on March 30<sup>th</sup>, 2005, with affected stakeholders who voted unanimously to move to the next step and undertake a poll; and

**WHEREAS** the Steering Committee has written to the Commissioner of Economic Development, Culture and Tourism detailing these events and expressing their desire to form a BIA; and

**WHEREAS** pending a favourable poll, the Steering Committee has expressed their strong desire to have Mirvish Village Business Improvement Area designated before Mr. Ed Mirvish’s 91<sup>st</sup> birthday on July 24, 2005;

**NOW THEREFORE BE IT RESOLVED** that the City Clerk be directed, in accordance with the *Municipal Act, 2001*, to send out a notice (poll) of Council’s intention to pass a by-law designating the area;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk report directly on poll results following the 60-day polling period and that the City Solicitor prepare by-laws for the July 19, 2005 meeting of City Council, subject to favourable poll results, under Section 204 of the *Municipal Act, 2001*, and that the appropriate City officials be authorized and directed to take the necessary action to give effect hereto.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

Council also considered the following:

- 3 maps of the proposed Mirvish Village Business Improvement Area.

**J(16) Enactment of the Development Approvals for OPA and Rezoning Application 04 160357 ESC 38 OZ, The Goldman Group Lands Adjacent to Albert Campbell Square**

*Moved by Councillor De Baeremaeker, seconded by Councillor Thompson*

“**WHEREAS** Toronto City Council on February 1, 2 and 3, 2005, adopted, as amended Scarborough Community Council Report 1, Clause 17, headed ‘Final Report, OPA and Rezoning Application 04 160357 ESC 38 OZ, The Goldman Group (Graziani/Corazza Architects Inc.), Lands Adjacent to Albert Campbell Square, Progress Employment District (Ward 38 – Scarborough Centre)’; and

**WHEREAS** staff Recommendation (7) of the report (January 5, 2005) from the Acting Director, Community Planning, East District, established conditions to be met prior to the introduction of the necessary Bills to Council for enactment; and

**WHEREAS** the Land Exchange Agreement with the City respecting the lands adjacent to the Scarborough Civic Centre, east of Albert Campbell Square and extending to Town Centre Court has been executed and approved by City of Toronto Council; and

**WHEREAS** the City of Toronto and the Owner have entered into an agreement pursuant to Section 37 of the *Planning Act*; and

**WHEREAS** the City of Toronto and the Owner have made significant progress in the finalization of a Site Plan Agreement under Section 41 of the *Planning Act*; and

**WHEREAS** the Land Exchange Agreement and the Section 37 Agreement have made provision for the maintenance of the underground parking structure beneath the City’s park, and associated protection of the City’s park;

**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 1, Clause 17, headed ‘Final Report, OPA and Rezoning Application 04 160357 ESC 38 OZ, The Goldman Group (Graziani/Corazza Architects Inc.), Lands Adjacent to Albert Campbell Square, Progress Employment District (Ward 38 – Scarborough Centre)’, be re-opened for further consideration, only as it relates to the conditions to be met prior to enactment of the necessary Bills, set out in staff Recommendation (7);

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council gives leave to introduce and enact the necessary Bills for enactment of the development approvals in advance of the execution of the Site Plan Agreement.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Scarborough Community Council Report 1, Clause 17, headed “Final Report, OPA and Rezoning Application 04 160357 ESC 38 OZ, The Goldman Group (Graziani/Corazza Architects Inc.), Lands Adjacent to Albert Campbell Square, Progress Employment District (Ward 38 – Scarborough Centre)”, for further consideration, only as it relates to the conditions to be met prior to enactment of the necessary Bills, set out in staff Recommendation (7), and adopted the balance of this Motion, without amendment.***

**J(17) Prevention of Needless Deaths of Thousands of Migratory Birds per Year in the City of Toronto**

*Moved by Councillor De Baeremaeker, seconded by Councillor Mihevc*

**“WHEREAS** it is estimated that more than 10,000 migratory birds are killed in Toronto each year between the hours of 11:00 p.m. and 5:00 a.m. in collisions with brightly lit office towers; and

**WHEREAS** it is estimated that more than 97 million migratory birds are killed in North America each year between the hours of 11:00 p.m. and 5:00 a.m. in collisions with brightly lit office towers; and

**WHEREAS** 64 of the 158 bird species known to hit Toronto buildings are classified as in decline; and

**WHEREAS** the majority of these deaths are preventable and are due to building lights disorienting the birds, causing them to fly into windows and die as a result of the impact; and

**WHEREAS** migratory birds play an important ecological role in eating insects and thereby protecting crops; and

**WHEREAS** migratory birds contribute to a vibrant, healthy, beautiful and liveable city; and

**WHEREAS** one Chicago study found that simply turning off interior lights and closing drapes after office hours resulted in a roughly 85 percent reduction in bird mortality (dropping from 1,297 birds killed to just 192); and

**WHEREAS** a voluntary program to reduce bird kills at Metro Hall also resulted in additional benefits, such as a four-million-kilowatt-hour reduction in energy consumption, a 2,400-ton reduction of carbon dioxide emissions, and a \$200,000.00 savings in utility costs per year; and

**WHEREAS** more than 100 building owners in the City of Toronto have already voluntarily agreed to work towards minimizing nocturnal light emissions during migration seasons;

**NOW THEREFORE BE IT RESOLVED THAT** City staff report back to both the Policy and Finance Committee and the Planning and Transportation Committee on ways the City of Toronto could reduce bird collision deaths by at least 50 percent and thus, save the lives of 5,000 migratory birds per year as they pass through our City;

**AND BE IT FURTHER RESOLVED THAT** the report include a set of bird-friendly policies and/or conditions that could be incorporated into the planning and site plan approvals process for the construction of any new buildings in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the report include a set of bird-friendly policies and/or practices that the City could implement internally to ensure that all City-owned buildings minimize the number of migratory bird kills;

**AND BE IT FURTHER RESOLVED THAT** the report include a set of bird-friendly policies and/or practices that the City could encourage and/or require existing building owners to adopt in order to minimize the number of migratory bird kills;

**AND BE IT FURTHER RESOLVED THAT** staff be directed to work with other agencies and partners (such as Toronto Hydro, the Fatal Light Awareness Program (FLAP), the Better Building Partnership and the cities of Chicago and New York) in order to identify other ways and means of minimizing the number of migratory bird kills (e.g., shielding street lights) in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the report identify how the City of Toronto could assist in the rescue, rehabilitation and release of migratory birds injured in these office tower collisions in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the report identify ways and means the City of Toronto could participate in a public education campaign that will reduce bird collisions and kills within the City of Toronto.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to adding the following Operative Paragraph:***



***“AND BE IT FURTHER RESOLVED THAT City staff be requested to consult with the property managers and owners of the affected properties in the downtown area prior to the implementation of any recommended bird-friendly policies.”***

**J(18) Same-sex Survivor Benefits**

*Moved by Councillor Rae, seconded by Councillor Chow and Councillor Giambrone*

**“WHEREAS** the people of Toronto have been in the forefront of efforts to create a compassionate society which recognizes the inherent dignity of all its members; and

**WHEREAS** Toronto City Council policies and benefits recognize same-sex and opposite-sex spouses as having equal status; and

**WHEREAS** in 2000, the federal government passed Bill C23, extending benefits and obligations under federal jurisdiction to same-sex couples, excluding survivor’s benefits under the Canada Pension Plan for those whose same-sex partners died before January 1, 1998; and

**WHEREAS** in 2003, the Ontario Superior Court ruled that same-sex survivors whose partners died before January 1, 1998 but after April 15, 1985 are entitled to equal Canada Pension Plan survivor’s benefits, including arrears dating back to a month following their partner’s death, interest on those arrears and ongoing payments to all same-sex surviving spouses; and

**WHEREAS** in 2004, the Court of Appeal for Ontario upheld that the exclusion of same-sex survivors whose partners died between April 15, 1985 and January 1, 1998 from Canada Pension Plan is discriminatory and ordered that such surviving spouses be entitled to arrears of one year from the date of the filing of application, interest on those arrears, as well as ongoing payments; and

**WHEREAS** in 2005, the federal government filed an application for leave to appeal to the Supreme Court of Canada requesting to reverse the decisions of the Divisional Court and the Court of Appeal for Ontario and thus to deny any survivor’s benefits to this vulnerable group of Canadians; and

**WHEREAS** in 2005, Mr. Hislop and other Representative Plaintiffs filed an application for leave to appeal to the Supreme Court of Canada requesting to ensure the entitlement to full arrears dating back to a month following death of their partners; and

**WHEREAS** the City of Toronto is home to many gay and lesbian individuals who are affected by this appeal;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council strongly supports Mr. Hislop's application and requests the Prime Minister of Canada to direct the Attorney General's office not to pursue the appeal of the Court of Appeal for Ontario ruling;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council strongly requests the Prime Minister of Canada to take immediate steps to begin payments of survivor's benefits, as well as full arrears to this vulnerable group of Canadians."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(19) Request for Approval for Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code, for Illuminated First Part and Incidental Fascia Signs at 2267 Islington Avenue (Scotiabank)**

*Moved by Councillor Hall, seconded by Councillor Cowbourne*

**"WHEREAS** the applicant applied for a number of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code; and

**WHEREAS** Council at its meeting of February 16, 2005 did not adopt Etobicoke York Community Council Report 2, Clause 11, which recommended refusal of the variances due to the extend of variance from the by-law; and

**WHEREAS** no alternatives to the requested variance were considered in the staff report; and

**WHEREAS** a new report (April 11, 2005) from the Commissioner of Urban Development Services has been prepared recommending the approval of variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code and on the impact of the surrounding neighbourhood by the signs installed at 2267 Islington Avenue;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 2, Clause 11, headed 'Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for Illuminated First Party and Incidental Fascia Signs at 2267 Islington Avenue (Scotiabank) (Ward 2 - Etobicoke North)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council adopt the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Urban Development Services.”

***Disposition:***

*City Council on April 12, 13 and 14, 2005, re-opened Etobicoke York Community Council Report 2, Clause 11, headed “Request for Approval of Variances from Chapter 215, Signs, of the former City of Etobicoke Municipal Code for Illuminated First Party and Incidental Fascia Signs at 2267 Islington Avenue (Scotiabank) (Ward 2 - Etobicoke North)”, for further consideration, and adopted the balance of this Motion, without amendment.*

*In adopting Motion J(19), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Urban Development Services:*

***“It is recommended that:***

- (1) the request for variances be approved for the reasons outlined in this report; and***
- (2) the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits.”***

Council also considered the following:

- Report (April 11, 2005) from the Commissioner of Urban Development Services.

**J(20) Ontario Municipal Board Hearing – 700 Evans Avenue (Ward 5 - Etobicoke-Lakeshore)**

*Moved by Councillor Milczyn, seconded by Councillor Hall*

**“WHEREAS** City Council, at its meeting of February 1, 2 and 3, 2005, adopted without amendment Etobicoke York Community Council Report 1, Clause 29, headed ‘Final Report – Official Plan Amendment and Rezoning Applications, Applicant: Sherway Gate Development Corporation, Sol Wassermuhl, Page & Steele Architects, 700 Evans Avenue (Ward 5 – Etobicoke-Lakeshore)’; and

**WHEREAS** the City Solicitor has prepared a confidential report with further information respecting the Ontario Municipal Board hearing relating to the application for 700 Evans Avenue; and

**WHEREAS** consideration of this matter by Council is required on an urgent basis in relation to the Ontario Municipal Board hearing commencing on May 16, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider and adopt the staff recommendations contained in the Recommendations Section of the confidential report (April 4, 2005) of the City Solicitor.”

*Disposition:*

*At City Council on April 12, 13 and 14, 2005, this Motion was ruled out of order.*

---

Council also considered the following:

- Confidential report (April 4, 2005) from the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege [Confidential Communication C.18(a)]; and
- Confidential Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(21) Request from the Ontario Fallen Fire Fighters Memorial Foundation for Temporary Street Closings – Queen’s Park Circle East from College Street to Grosvenor Street – June 5, 2005**

*Moved by Councillor Rae, seconded by Councillor Chow*

“**WHEREAS** an application has been received from the Ontario Fallen Fire Fighters Memorial Foundation to close Queen’s Park Circle East (northbound lanes) from College Street to Grosvenor Street and to close the curb lanes on College Street between Elizabeth Street and University Avenue on Sunday, June 5, 2005, from 11:00 a.m. until 5:00 p.m.; and

**WHEREAS** the purpose of this lane closure is to dedicate a memorial to fallen fire fighters; and

**WHEREAS** City Council at its meeting of February 1, 2 and 3, 2005, placed a moratorium on further street closures on June 5, 2005;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Works Committee Report 2, Clause 6, headed ‘F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario “2005, 2006 and 2007 Ride for Heart” (Various Wards)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council waive the provisions of the moratorium on street closures for this event and that the application for a temporary street closing be approved.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Works Committee Report 2, Clause 6, headed “F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario ‘2005, 2006 and 2007 Ride for Heart’ (Various Wards)”, for further consideration, and adopted the balance of this Motion, without amendment.***

**J(22) Water Resolution**

*Moved by Councillor Mihevc, seconded by Councillor Saundercook*

**“WHEREAS** March 22, 2005, was World Water Day; and

**WHEREAS** one in six people in the world do not have access to clean drinking water; and

**WHEREAS** the UN Conference on Water in 1977 in Mar del Plata affirmed the right of all persons to access clean drinking water in order to satisfy their fundamental needs; and

**WHEREAS** current World Bank loans for water services in developing countries frequently require the privatization of those services or an increase in water prices, thereby jeopardizing citizens’ access to safe drinking water; and

**WHEREAS** the Canadian Catholic Organization for Development and Peace has asked Canadian municipalities to assist in its effort to have the federal government recognize water as a common good and access to drinking water as a basic human right; and

**WHEREAS** the regional Council of Halifax and numerous City Councils in Quebec have passed similar resolutions;

**NOW THEREFORE BE IT RESOLVED THAT** this Council recognize and affirm that:

- water is a sacred gift that connects all life;
- access to clean water is a basic human right;
- the value of Earth's fresh water to the common good takes priority over any possible commercial value;
- fresh water is a sacred legacy, a public trust, and a collective responsibility;

**AND BE IT FURTHER RESOLVED THAT** this Council call upon the federal government to urge the World Bank to ensure access to clean, affordable water for the world's poor, and strengthen the role of the public sector and individual communities in setting water policies and delivering and regulating water services.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(23) Banner for Wabash Community Centre Project**

*Moved by Councillor Watson, seconded by Councillor Walker*

“**WHEREAS** the proposed Wabash Community Centre located at 40 Wabash Avenue will be an integral part of the local community and Ward 14 as a whole; and

**WHEREAS** the Roncesvalles-Macdonell Residents' Association and the Build Wabash Now Committee have requested permission to erect a temporary banner at the site of the proposed community centre; and

**WHEREAS** the purpose of the banner is to promote the Wabash Community Centre Project and to invite community participation in the planning and implementation of the proposed new community centre; and

**WHEREAS** City staff have expressed no concerns about the request to erect a banner; and

**WHEREAS** the applicant is a non-profit organization composed of volunteers from the neighbourhood who are devoting their own time and resources to this community effort;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct that all application and processing fees for the placement of the Wabash Community Centre Project banner at 40 Wabash Avenue be waived.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

---

Council also considered the following:

- Sketch of the temporary banner proposed to be erected at 40 Wabash Avenue, which reads “Support the Dream in Sorauren Park, Wabash Community Centre Project”; and
- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(24) Appointment to Yonge-Dundas Square Board of Management**

*Moved by Councillor Rae, seconded by Councillor McConnell*

“**WHEREAS** on December 10, 2003, City Council appointed members to the Board of Management of the Yonge-Dundas Square for the 2003-2006 term; and

**WHEREAS** Section 636-7 of the Municipal Code sets out the structure of the Board, which is to be comprised of 13 members including one representing Ryerson University; and

**WHEREAS** the Ryerson University representative that Council appointed, Ms. Lisa Nassim, has left Ryerson; and

**WHEREAS** Ryerson University has nominated John Corallo, Director of Ancillary Services, as its new representative on the Yonge-Dundas Square Board of Management;

**NOW THEREFORE BE IT RESOLVED** that Toronto City Council appoint Mr. John Corallo to the Yonge-Dundas Square Board of Management as the Ryerson University representative for the remainder of the 2003-2006 term;

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

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(25) Request for City Legal Representation at OMB Appeal for 44 Old Forest Hill Road**

*Moved by Councillor Walker, seconded by Councillor Rae*

“**WHEREAS** the City of Toronto has a responsibility to maintain and protect neighbourhoods and public spaces from the adverse impacts of adjacent development;

**WHEREAS** the Committee of Adjustment refused an application for minor variances at 44 Old Forest Hill Road (attached); and

**WHEREAS** Urban Development Services staff opposed the application due to negative impact on the neighbouring dwelling and the public realm; and

**WHEREAS** the City Solicitor and City Planning staff appeared at the Ontario Municipal Board in support of a Committee of Adjustment refusal of a very similar application last year; and

**WHEREAS** the North Hill Residents' Association also opposed the application;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and Planning staff be requested to appear at the Ontario Municipal Board hearing to support the refusal of the Committee of Adjustment at 44 Old Forest Hill Road.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

---

Council also considered the following:

- Notice of Decision (March 10, 2005) from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Toronto and East York Panel.

**J(26) To Revise the Reasons for Listing for 111 St. Clair Avenue West (Imperial Oil Building)**

*Moved by Councillor Walker, seconded by Councillor Rae*

“**WHEREAS** City Council listed the property at 111 St. Clair Avenue West (Imperial Oil Building) on the City’s Inventory of Heritage Properties at its meeting of February 1, 2 and 3, 2005; and



**WHEREAS** Toronto and East York Community Council Report 1, Clause 21, headed ‘Inclusion on the City of Toronto Inventory of Heritage Properties - 111 St. Clair Avenue West (Imperial Oil Building) (St. Paul’s, Ward 22)’, recommended listing of this property with the Reasons for Listing contained in the Comments section of the report (October 20, 2004) from the Commissioner of Economic Development, Culture and Tourism; and

**WHEREAS** this Clause also contained a communication from the Toronto Preservation Board recommending listing of this property but with different Reasons for Listing than those recommended by the Community Council and adopted by Council; and

**WHEREAS** the Reasons for Listing contained in the Toronto Preservation Board report corrected minor inaccuracies and clarified the Reasons for Listings contained in the Community Council report, at the request of the owner and with the concurrence of staff;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto and East York Community Council Report 1, Clause 21, headed ‘Inclusion on the City of Toronto Inventory of Heritage Properties - 111 St. Clair Avenue West (Imperial Oil Building) (St. Paul’s, Ward 22)’, be re-opened for further consideration, only as it pertains to the Reasons for Listing;

**AND BE IT FURTHER RESOLVED THAT** City Council substitute the Reasons for Listing contained in the Toronto Preservation Board recommendation report for the Reasons for Listing contained in the original report in Toronto and East York Community Council Report 1, Clause 21.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Toronto and East York Community Council Report 1, Clause 21, headed “Inclusion on the City of Toronto Inventory of Heritage Properties - 111 St. Clair Avenue West (Imperial Oil Building) (St. Paul’s, Ward 22)”, for further consideration, only as it pertains to the Reasons for Listing, and adopted the balance of this Motion, without amendment.***

---

Council also considered the following:

- Revised Reasons for Listing (January 13, 2005) as recommended by the Toronto Preservation Board, 111 St. Clair Avenue West.

**J(27) Purchase of Property to Replace Tapscott Garage – Status Report and Approval for Initial Negotiations**

*Moved by Councillor Ashton, seconded by Councillor Balkissoon*

**“WHEREAS** at its meeting of April 6, 2005, the Toronto Transit Commission Committee of the Whole approved a staff report on the purchase of property to replace Tapscott Garage; and

**WHEREAS** the preferred property to replace the Tapscott Garage property is currently being offered on the open market for sale; and

**WHEREAS** the potential sale of the Tapscott Garage property to the Tapscott Landowners Group as a storm water retention pond/road extension would facilitate development of the Tapscott Industrial District; and

**WHEREAS** consideration of this matter by Council is required on an urgent basis to provide instructions to staff;

**NOW THEREFORE BE IT RESOLVED THAT** the staff recommendations contained in the Recommendations Section of the attached confidential report (April 6, 2005) from the Chief General Manager, Toronto Transit Commission, entitled ‘Purchase of Property to Replace Tapscott Garage Property – Status Report and Approval for Initial Negotiations’, be adopted;

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

***Disposition:***

*City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to:*

- (1) *adding to the first Operative Paragraph, the words “and that this expenditure be included within the approved TTC 2005 Capital Plan”, so that the Operative Paragraph now reads as follows:*

***“NOW THEREFORE BE IT RESOLVED THAT the staff recommendations contained in the Recommendations Section of the attached confidential report (April 6, 2005) from the Chief General Manager, Toronto Transit Commission, entitled ‘Purchase of Property to Replace Tapscott Garage Property – Status Report and Approval for Initial Negotiations’, be adopted, and that this expenditure be included within the approved TTC 2005 Capital Plan;”***; and

- (2) *adding the following Operative Paragraph:*

***“AND BE IT FURTHER RESOLVED THAT the Toronto Transit Commission be requested, in the design of a bus garage on the Kennedy Road/McNicoll Avenue property, to use the entire 19-acre site, in order to buffer the potential impacts of the bus garage on the long-term care facility to the west of the property.”***

***In adopting Motion J(27), as amended, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the confidential report (April 6, 2005) from the Chief General Manager, Toronto Transit Commission. These recommendations are now public, and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information related to the proposed or pending acquisition of land for Municipal or local board purposes:***

***“It is recommended that the Commission, recognizing that the 2005-2009 TTC Capital Budget provides for the purchase of property in 2008 for the post-Mount Dennis garage scheduled to open in 2012, considering the lead time and complexity of obtaining suitable property and noting that the TTC has been approached by developers about the possible sale of the Tapscott Garage property:***

- (1) request City Real Estate staff to expedite a formal search through a Commercial Real Estate Broker for an alternative garage property to the Tapscott Garage site by April 15, 2005;***
- (2) note that City of Toronto Real Estate staff submitted a non-binding letter of interest with respect to a 19-acre parcel of land at Kennedy Road and McNicoll Avenue, owned by R.G. Dibble Company Ltd., prior to the March 1, 2005 deadline for initial offer, that as a result of the letter of interest, the TTC/City is on the short list of organizations to submit a second submission by March 25, 2005 and that, due to the cancellation of the March 16, 2005 Commission Meeting, a second submission (i.e., an offer to purchase) could not be submitted by the March 25, 2005 deadline;***
- (3) authorize staff to initiate further negotiations with the owner of the Kennedy Road/McNicoll Avenue property for the possible acquisition of the 19-acre property in 2005;***
- (4) request staff to submit a report to the May 11, 2005, meeting of the COTW on the estimated final costs to acquire the Kennedy Road/McNicoll Avenue property, including confirmation of potential funding sources for such an acquisition in 2005 and the results of property appraisals;***

- (5) *request that in accordance with the City's policy governing the proceeds from sale of surplus property, the net proceeds from the sale of the Tapscott site be utilized to offset the anticipated cost to acquire a replacement garage property; and*
- (6) *forward this report directly to City Council for consideration at the April 12, 13 and 14, 2005 meeting of Council."*

Council also considered:

- Confidential communication (April 7, 2005) from the General Secretary, Toronto Transit Commission, forwarding the recommendations contained in the confidential report (April 6, 2005) from the Chief General Manager, Toronto Transit Commission. The recommendations contained in the communication are now public, and the balance of the communication remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending acquisition of land for Municipal or local board purposes [Confidential Communication C.19(a)].
- Confidential report (April 6, 2005) from the Chief General Manager, Toronto Transit Commission. The recommendations contained in the report are now public, and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the proposed or pending acquisition of land for Municipal or local board purposes [See above].
- Confidential Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(28) Accessible Taxicab Plates**

*Moved by Councillor Mihevc, seconded by Councillor Moscoe*

**“WHEREAS** existing accessible taxicab services have been contracted to the Toronto Transit Commission, which has the effect of making immediate taxi service virtually impossible; and

**WHEREAS** persons with disabilities are limited, due to the lack of immediate taxi services, in their transportation options to using Wheel Trans, which they must secure a day in advance; and

**WHEREAS** persons with disabilities are discriminated against by the practice of charging a flat rate rather than a meter rate, which is often a higher amount; and

**WHEREAS** persons with disabilities have little or no ability to hail a taxi from the street; and

**WHEREAS** Toronto taxicabs often charge extra for ‘tie-down’ costs, unlike in the USA where such practices are deemed illegal;

**NOW THEREFORE BE IT RESOLVED THAT** the Executive Director, Municipal Licensing and Standards, be requested to report to the Planning and Transportation Committee on the feasibility of increasing the number of accessible taxicab plates issued;

**AND BE IT FURTHER RESOLVED THAT** the City give notice that it intends to consider enacting new regulations that prevent discriminatory fees and practices, and the matter be referred to the Planning and Transportation for a public hearing under the *Municipal Act, 2001*;

**AND BE IT FURTHER RESOLVED THAT** City staff seek input from the disabled community on these issues.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, referred this Motion to the Planning and Transportation Committee.*

**J(29) Use and Form of Employment Contracts for Senior Staff**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

“**WHEREAS** Council, at its meeting of November 30, December 1 and 2, 2004, directed the Mayor to retain an external legal firm to provide advice on the form and use of employment contracts used for senior staff and report back to Council on any recommended changes; and

**WHEREAS** the Mayor submitted his report to the Employee and Labour Relations Committee as the appropriate venue for discussion of employment related matters; and

**WHEREAS** the recommendations in the report are time sensitive and are required to be resolved at the same Council meeting as other matters related to the implementation of the new administrative model;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider and adopt the recommendations of the Employee and Labour Relations Committee contained in the confidential communication dated April 7, 2005, from the Committee.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, subject to adding the following Operative Paragraph:***

***“AND BE IT FURTHER RESOLVED THAT the City Manager be requested to use the results of the review of the compensation and benefit policies for senior staff in informing potential changes to future salary and benefit packages for City Councillors.”***

***In adopting Motion J(29), as amended, Council adopted, without amendment, the recommendations contained in the Recommendations Section of the confidential communication (April 7, 2005) from the Employee and Labour Relations Committee. This communication remains confidential in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information related to labour relations or employee negotiations.***

---

Council also considered the following:

- Confidential communication (April 7, 2005) from the Employee and Labour Relations Committee. This communication remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations [Communication C.20(a)];
- Confidential report (March 29, 2005) from Mayor Miller. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations; and
- Confidential Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(30) To state an Intention to Designate the Property at 49 Highland Crescent (Jacobine Jones House) under Part IV of the Ontario Heritage Act**  
*Moved by Councillor Jenkins, seconded by Councillor Pitfield*

**“WHEREAS** 49 Highland Crescent is listed on the City’s Inventory of Heritage Properties; and

**WHEREAS** the property at 49 Highland Crescent contains a building completed in 1935 as the combined residence and studio of Jacobine Jones, the renowned Canadian sculptor and is architecturally significant as a well-executed example of the Colonial Revival style that was designed by the notable Toronto architectural firm of Marani, Lawson and Morris; and

**WHEREAS** the property at 49 Highland contributes contextually to the York Mills neighbourhood that attracted a community of prominent Canadian artisans during the early part of the 20th century, including artist C. W. Jefferys; and

**WHEREAS** the City of Toronto received residential demolition application No 05-114927 for the property at 49 Highland Crescent; and

**WHEREAS** the City has been required to issue a demolition permit for the building because the former City of North York demolition control by-law 29695 exempts single detached residential buildings; and

**WHEREAS** the property owner must apply for permission to demolition under Section 34 of the *Ontario Heritage Act* should City Council state its intention to designate the property; and

**WHEREAS** stating an intention to designate the property can delay the demolition of the residence and allow time for staff to continue to negotiate with the property owner to preserve the character-defining elements of the building; and

**WHEREAS** at its meeting of April 7, 2005, the Toronto Preservation Board recommended that City Council state its intention to designate the property at 49 Highland Crescent (Jacobine Jones House);

**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the recommendation of the Toronto Preservation Board contained in the attached communication from the Board (April 8, 2005).”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(30), without amendment, Council adopted, without amendment, the following recommendation of the Toronto Preservation Board:***

*“The Toronto Preservation Board recommended to the North York Community Council that City Council adopt the following staff recommendations in the Recommendations Section of the report (March 29, 2005) from the Commissioner of Economic Development, Culture and Tourism:*

*‘It is recommended that:*

- (1) Council state its intention to designate the property at 49 Highland Crescent (Jacobine Jones House) under Part IV of the Ontario Heritage Act;*
- (2) if there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, the solicitor be authorized to introduce the Bills in Council designating the property under Part IV of the Ontario Heritage Act;*
- (3) if there are any objections in accordance with Section 29(7) of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Conservation Review Board; and*
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”*

---

Council also considered the following:

Communication:

- (April 8, 2005) from the Toronto Preservation Board; and

Report (March 29, 2005) from the Commissioner of Economic Development, Culture and Tourism.

**J(31) Appointments to Wexford Heights Business Improvement Area Board of Management**

*Moved by Councillor Thompson, seconded by Councillor De Baeremaeker*

**“WHEREAS** Council approved the establishment of the Wexford Heights Business Improvement Area at its meeting on March 1, 2 and 3, 2004; and

**WHEREAS** Section 204 of the *Municipal Act, 2001*, requires that Council appoint members to BIA Boards of Management; and



**WHEREAS** the Wexford Heights BIA Board of Management adopted a motion on February 4, 2005 to add three new Board members to the BIA Board of Management (Mr. Paul O'Connor, Mr. Hussein Ayoub, and Mr. Everett Barrow), which requires an amendment to Toronto Municipal Code Chapter 19, Business Improvement Areas;

**NOW THEREFORE BE IT RESOLVED THAT** Council appoint the three persons noted above to the Wexford Heights Business Improvement Area Board of Management and amend the City of Toronto Municipal Code Chapter 19, 'Business Improvement Areas' accordingly, to increase the number of members of the Board from 11 to 14."

*Disposition:*

*City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.*

**J(32) New Toronto Industrial Zoning Area**

*Moved by Councillor Grimes, seconded by Councillor Jenkins*

"**WHEREAS** there has been significant community concerns identified in the New Toronto Industrial area; and

**WHEREAS** the present zoning categories allow for heavy industrial uses in close proximity to residential areas; and

**WHEREAS** there is an application for a concrete batching facility which is permitted immediately adjacent to a residential area; and

**WHEREAS** there has been significant community consultation regarding the appropriate industrial uses in relation to being adjacent to a residential area;

**NOW THEREFORE BE IT RESOLVED THAT** the appropriate City staff review the applicability of the industrial zoning category in New Toronto in consultation with the local community and Industrial Association;

**AND BE IT FURTHER RESOLVED THAT**, as the City of Toronto is currently undertaking a review of the zoning code, including industrial categories on a City-wide basis, the Commissioner of Urban Development Services be requested to ensure that the New Toronto Industrial area be included in this review."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(33) Toronto City Centre Airport Community Advisory Committee**

*Moved by Councillor McConnell, seconded by Councillor Chow*

**“WHEREAS** Council, by adopting Notice of Motion J(6), as amended, on October 26, 27 and 28, 2004, re-established the Toronto City Centre Airport Community Advisory Committee with a composition to include representatives from key community stakeholder groups and area Councillors, and an ideal size of 15 members; and

**WHEREAS** Councillors Chow, Kelly and Mammoliti, Councillor Del Grande as an alternate, and 11 citizen members were appointed to the Toronto City Centre Airport Community Advisory Committee for a term of office ending May 31, 2005; and

**WHEREAS** the Toronto Islands are in Councillor McConnell’s Ward;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(6) moved by Councillor Chow, seconded by Deputy Mayor Bussin, respecting the Reconstitution of the Toronto City Centre Airport Advisory Committee, be re-opened for further consideration, only as it relates to the appointment of Councillor members;

**AND BE IT FURTHER RESOLVED THAT** Councillor McConnell be appointed to the Toronto City Centre Airport Community Advisory Committee for a term of office ending May 31, 2005 and until a successor is appointed, and that the relevant sections of Chapter 27 of the City of Toronto Municipal Code, Council Procedures, be waived, in order to permit this appointment.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Motion J(6) moved by Councillor Chow, seconded by Deputy Mayor Bussin, respecting the Reconstitution of the Toronto City Centre Airport Advisory Committee, adopted, as amended, by City Council on October 26, 27 and 28, 2004, for further consideration, only as it relates to the appointment of Councillor members, and adopted the balance of this Motion, without amendment.***

**J(34) Interim Report of the Integrity Commissioner**

*Moved by Mayor Miller, seconded by Deputy Mayor Bussin*

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

**WHEREAS**, in accordance with the duties established by Council, the Integrity Commissioner has submitted a report dated April 11, 2005, providing Council with an account of his activities since his appointment;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated April 11, 2005, from the Integrity Commissioner, and that the report be received for information.”

*Disposition:*

*City Council on April 12, 13 and 14, 2005, referred this Motion to the City Manager for report to City Council, through the Policy and Finance Committee, on the recommendations of the Integrity Commissioner.*

---

Council also considered the following:

- Report (April 11, 2005) from the Integrity Commissioner.

**J(35) Report of Integrity Commissioner on Complaint of Violation of Councillor’s Code of Conduct (Complaint 1)**

*Moved by Mayor Miller, seconded by Deputy Mayor Bussin*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated April 5, 2005, forwarding a confidential attachment in response to a complaint of Violation of the Councillor’s Code of Conduct;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated April 5, 2005, from the Integrity Commissioner, and that the report be received for information.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(35), without amendment, Council received the public report (April 5, 2005) from the Integrity Commissioner, which contained the following recommendation:***

***“It is recommended that Council receive this report (including the confidential attachment).”***

---

Council also considered the following:

- Public report (April 5, 2005) from the Integrity Commissioner;
- Confidential communication (March 15, 2005) from the Integrity Commissioner. This communication remains confidential, in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains personal information about identifiable individuals [Confidential Communication C.21(a)]; and
- Confidential Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(36) Report of Integrity Commissioner on Complaint of Violation of Councillor’s Code of Conduct (Complaint 2)**

*Moved by Mayor Miller, seconded by Deputy Mayor Bussin*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated April 6, 2005, in response to a complaint of Violation of the Councillor’s Code of Conduct;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated April 6, 2005, from the Integrity Commissioner, and that the recommendations contained in the recommendations section of the report be adopted.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(36) without amendment, Council adopted, without amendment, the following recommendations contained in the Recommendations Section of the report (April 6, 2005) from the Integrity Commissioner:***

***“It is recommended that:***

- (1) Council receive this report (including the attachment); and***
- (2) in the current review of the City’s procedural by-law, consideration be given to including a protocol under which members of the public and staff have the right to complain to Council that the behaviour of Councillors in Council or Committee has violated the Code of Conduct, and providing that Council, either of its own initiative or on the complaint of a citizen or a staff member, may refer to the Integrity Commissioner issues of Code of Conduct violations in Council or in Committee.”***

---

Council also considered the following:

- Report (April 6, 2005) from the Integrity Commissioner.

**J(37) Report of Integrity Commissioner on Alleged Leak of Name of Nominee to City Position on Toronto Police Services Board**

*Moved by Mayor Miller, seconded by Deputy Mayor Feldman*

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

**WHEREAS** the Integrity Commissioner has submitted a report dated April 12, 2005, forwarding a report on his investigation into the alleged leak of the name of the nominee for a position on the Toronto Police Services Board;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated April 12, 2005, from the Integrity Commissioner, and that the recommendations contained in the recommendations section of the report be adopted.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, referred this Motion to the City Manager for report to Council, through the Policy and Finance Committee, on the recommendations of the Integrity Commissioner.***

---

Council also considered the following:

- Report (April 12, 2005) from the Integrity Commissioner.

**J(38) Instructions to Staff on Rezoning Application - 5949 Yonge Street**

*Moved by Councillor Shiner, seconded by Councillor Ootes*

“**WHEREAS** in 1964, a building permit was issued for the erection of a 15-storey apartment hotel and 158 parking spaces on the subject lands; and

**WHEREAS** in 1975, O’Shanter Development Company applied for a zoning by-law amendment on the subject lands requesting a change in zoning from R4 to C1 in order to permit parking associated with the commercial operations of Dodge Ontario; and

**WHEREAS** the aforementioned application was refused and parking associated with the car dealership was deemed an illegal use; and

**WHEREAS** Municipal Licensing Services has received several complaints from adjacent neighbours complaining about the negative impacts associated with the parking of commercial vehicles on the subject lands; and

**WHEREAS** in 2002, the owner of the lands again submitted an application to permit the parking of cars associated with the Willowdale Dodge Chrysler car dealership on the subject lands; and

**WHEREAS** the applicant refuses to remove all cars associated with the dealership from the subject lands;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the owner that the rezoning application will not be processed further until the illegally parked cars are removed from the northern portion of the site.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**J(39) Request to Receive Voluntary Contribution from Shoppers Drug Mart for Streetscape Improvements**

*Moved by Councillor McConnell, seconded by Councillor Rae*

“**WHEREAS** during the review of a site plan application at 351 Queen Street East, representatives of Shoppers Drug Mart expressed an interest in providing a contribution for streetscape improvements; and

**WHEREAS** we are now in receipt of a voluntary donation in the amount of \$16,391.27 from Shoppers Drug Mart for streetscape improvements in the area of Queen Street East and Parliament Street;

**NOW THEREFORE BE IT RESOLVED THAT** the funds be received and placed in a capital project account for the purposes of a streetscape improvement project in the area near Queen Street East and Parliament Street;

**AND BE IT FURTHER RESOLVED THAT** the Ward Councillor work with the local residents through the Corktown Residents and Business Association and the Queen East Business and Residents Association to identify suitable streetscaping and civic improvement projects in the area.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

---

Council also considered the following:

- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(40) Update on Acquisition of Toronto District School Board’s Wanita Road Site**

*Moved by Councillor De Baeremaeker, seconded by Councillor Mihevc*

**“WHEREAS** City Council, at its meeting of February 1, 2 and 3, 2005, adopted Administration Committee Report 9 (2004), Clause 22b, headed ‘Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)’, thereby directing that staff negotiate with the Toronto District School Board (the ‘TDSB’) and report back to the Works Committee with regard to the Wanita Road site; and

**WHEREAS** the Works Committee, at its meeting of March 8, 2005, had before it a confidential report (March 7, 2005) from the Commissioner of Corporate Services; and

**WHEREAS** the Commissioner of Corporate Services has submitted a report (April 11, 2005) to City Council; and

**WHEREAS** this Notice of Motion requires that this matter be re-opened for reconsideration due to ongoing negotiations;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report 9 (2004), Clause 22b, headed ‘Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)’ be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council adopt the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Corporate Services, entitled ‘Update on Acquisition of Toronto District School Board’s Wanita Road Site’.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, re-opened Administration Committee Report 9 (2004), Clause 22b, headed “Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)”, for further consideration, and adopted the balance of this Motion, without amendment.***

***In adopting Motion J(40), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Commissioner of Corporate Services:***

***“It is recommended that:***



- (1) *staff be directed to communicate to the Toronto District School Board the City's continued interest in the property for open space purposes and that the City is not interested in a competitive bidding process against developers;*
- (2) *the Commissioner of Urban Development Services be requested to delay any Official Plan Amendment and Zoning By-law Amendment to redesignate the Wanita Road lands to 'open space' until the TDSB has agreed to sell the subject property to the City; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."*

---

Council also considered the following:

- Report (April 11, 2005) from the Commissioner of Corporate Services.

---

Councillor Ashton declared an interest in Motion J(40), in that his principal residence is in the vicinity of the subject lands.

Councillor Cowbourne declared an interest in Motion J(40), in that her principal residence is in the vicinity of the subject lands.

**J(41) Request for Direction Report, Site Plan Appeal by Portlands Energy Centre L.P. ("PEC") to the Ontario Municipal Board**

*Moved by Councillor Fletcher, seconded by Mayor Miller*

**"WHEREAS** in August, 2003, the Portlands Energy Centre L.P. (PEC) submitted a Site Plan Application to the City which has been revised by the PEC on four separate occasions; and

**WHEREAS** on January 14, 2005, the PEC appealed its last revised site plan drawings dated December 24, 2004 to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** City Council instruct the City Solicitor to attend the Ontario Municipal Board hearing to achieve the imposition of appropriate conditions as determined by City staff."

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

Council also considered the following:

- Fiscal Impact Statement (April 13, 2005) from the Chief Financial Officer and Treasurer.

**J(42) Liquor Licence Request – Royal Canadian Legion Branch 258 – Annual Canada Day Event**

*Moved by Councillor Cowbourne, seconded by Councillor Balkissoon*

“**WHEREAS** the Royal Canadian Legion, Branch 258, 45 Lawson Road, will be holding its Annual Canada Day event on July 1, 2005, from 11:00 a.m. to 9:00 p.m.; and

**WHEREAS** this is an event of municipal and/or community significance;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to advise the Alcohol and Gaming Commission of Ontario that the City has no objection to the extension of their existing licence to allow for an outside beer garden.”

***Disposition:***

***City Council on April 12, 13 and 14, 2005, adopted this Motion, without amendment.***

**Condolence Motions:**

**(1) Moved by: Mayor Miller**

**Seconded by: Councillor Milczyn**

“**WHEREAS** the Members of City Council are deeply saddened on the passing of His Holiness Pope John Paul II, who died on April 2, 2005; and

**WHEREAS**, His Holiness, during the past 26 years, as the spiritual leader of one billion Roman Catholics worldwide, was renowned for his compassion and respect for the poor; and

**WHEREAS** His Holiness first visited the City of Toronto in 1984 and dedicated the Peace Garden in Nathan Phillips Square, blessing it with water from the Peace Garden in Hiroshima, Japan and recognizing Canada's everlasting commitment to world peace; and

**WHEREAS** His Holiness made the journey to our City a second time in 2002 to celebrate World Youth Day, displaying his love for the young people of the world; and

**WHEREAS** His Holiness inspired people around the world with his love of humanity and took every opportunity to promote international reconciliation and respect for democratic values and human rights;

**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 Archdiocese of Toronto."

*Disposition:*

*Council on April 12, 13 and 14, 2005, adopted this Motion unanimously.*

(2) **Moved by:** Deputy Mayor Pantalone

**Seconded by:** Mayor Miller

**“WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. William (Bill) Lorne Cameron on March 12, 2005; and

**WHEREAS** Bill was an internationally renowned and outstanding broadcaster, journalist, writer, novelist, educator, actor and playwright; and

**WHEREAS** Bill was an integral and active member of the media, education and arts communities and will be greatly missed by countless colleagues, co-workers and friends for his intelligence, skill and humour; and

**WHEREAS** Bill was a journalist and anchor at Canadian Broadcasting Corporation (CBC) Radio, Global TV, City TV, and CBC's The Journal, Sunday Report and Newsworld, CBLT, as well as being an editorial writer and columnist of the Toronto Star and associate editor; and

**WHEREAS** Bill gave to the people of the City of Toronto a dedicated life marked by an important sense of commitment, a spirit of equality and fairness, and will be sadly missed by all those he knew;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Mayor and Members of Toronto City Council, our sincere sympathy to his wife Cheryl Hawkes, and three children, Patrick, Rachel and Nicholas Cameron and son Sean Patenaude; and his parents William Cameron and Ruth Hoyt Cameron of West Vancouver, British Columbia.”

***Disposition:***

***Council on April 12, 13 and 14, 2005, adopted this Motion unanimously.***

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

**Seconded by: Mayor Miller**

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mr. William (Bill) Archer on March 6, 2005, in his 86<sup>th</sup> year; and

**WHEREAS** Bill was a member of the City of Toronto and Metropolitan Toronto Councils from 1958 until 1974, as both an Alderman and Controller; and

**WHEREAS**, during his term on Council, Bill was the co-ordinator of the Yonge Street Pedestrian Mall and instrumental in securing the William Lyon Mackenzie fireboat; and

**WHEREAS** Bill was a member of the Planning Board and the Library Board at the time of the approvals for the Reference Library; and

**WHEREAS** upon his retirement from City Council, Bill was appointed the Commissioner for the Provincial Review of the Regional Municipality of Niagara; and

**WHEREAS** Bill was an active member of the Toronto Historical Board; and

**WHEREAS** Bill received the Toronto Award of Merit in 1997; and

**WHEREAS** Bill was a passionate supporter of the City of Toronto, who truly believed in giving back to his community;

**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 Bill's wife Gwen, daughter Janet and his entire family.”

*Disposition:*

*Council on April 12, 13 and 14, 2005, adopted this Motion unanimously.*

**Issued:           April 20, 2005**