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These Minutes were confirmed by City Council on June 14, 2005.

MINUTES OF THE COUNCIL OF THE CITY OF TORONTO

**TUESDAY, MAY 17, 2005,
WEDNESDAY, MAY 18, 2005 AND
THURSDAY, MAY 19, 2005**

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

CALL TO ORDER - 9:40 a.m.

- 6.1 Mayor Miller took the Chair and called the Members to order.

The meeting opened with O Canada.

6.2 CONFIRMATION OF MINUTES

Councillor Chow, seconded by Councillor Mihevc, moved that the Minutes of Council from its regular meeting on April 12, 13 and 14, 2005, and its special meeting on May 4, 2005, be confirmed in the form supplied to the Members, which carried.

PRESENTATION OF REPORTS

- 6.3 Councillor Cowbourne presented the following Reports for consideration by Council:

Deferred Clause from February 1, 2 and 3, 2005:

Policy and Finance Committee Report 2, Clause 24d

Deferred Clauses from April 12, 13 and 14, 2005:

Administration Committee Report 3, Clause 17a

Planning and Transportation Committee Report 3, Clauses 1a and 2a
Works Committee Report 3, Clause 3a
Joint Planning and Transportation Committee and Works Committee Report 1,
Clause 1a
Toronto and East York Community Council Report 3, Clause 28a

New Committee Reports:

Policy and Finance Committee Report 5
Administration Committee Report 4
Board of Health Report 4
Community Services Committee Report 4
Economic Development and Parks Committee Report 5
Planning and Transportation Committee Report 4
Striking Committee Report 2
Works Committee Report 4
Works Committee Report 5

New Community Council Reports:

Etobicoke York Community Council Report 4
North York Community Council Report 4
Scarborough Community Council Report 4
Toronto and East York Community Council Report 4

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

6.4 **DECLARATIONS OF INTEREST**

Mayor Miller declared his interest in Policy and Finance Committee Report 5, Clause 3, headed "Municipal Property Assessment Corporation Council Requests for Further Information", in that he is a member of a Golf Club which is subject to a City initiated assessment appeal.

Councillor Shiner declared his interest in Policy and Finance Committee Report 5, Clause 3, headed "Municipal Property Assessment Corporation Council Requests for Further Information", in that his son is an employee of the Municipal Property Assessment Corporation (MPAC).

Councillor Shiner further declared his interest in Policy and Finance Committee Report 5, Clause 6, headed "Local 416 Job Evaluation Letters of Intent, Results of the Arbitration Award Dated March 24, 2005", in that his son is a seasonal employee of the City, under CUPE Local 416.

Councillor Jenkins declared his interest in Administration Committee Report 4, Clause 5, headed "2005 Computer Maintenance Contracts", in that he is a retired pensioned employee of IBM Canada Ltd.

Councillor Nunziata declared her interest in the following Clauses contained in Planning and Transportation Committee Report 4, in that her brother is acting on behalf of an applicant:

- Clause 1, headed "Licensing of Livery Vehicles in the City of Toronto";
- Clause 2, headed "Taxicab Driver Safety and Training";
- Clause 3, headed "Regulation of Airport Taxicabs and Licensing of Hotels";
- Clause 4, headed "Identification of Ambassador Taxicabs; Framework for Regulating Advertising on or in Taxicabs; and Advertising of Taxi Rates to Pearson International Airport"; and
- Clause 5, headed "Accessible Taxicab Licences".

Councillor Mammoliti declared his interest in Etobicoke York Community Council Report 4, Clause 2, headed "Final Report - Official Plan Amendment and Rezoning Application - Applicant: Toula Nessinis, Marlston Planning Consultants Architect: Rafael + Bigauskas Architects - South Side of Frith Road and a portion of the lands municipally known as 45 Bartel Drive (Ward 7 - York West)", in that his parents own property in the immediate area.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Policy and Finance Committee Report 2, Clause 24d

Administration Committee Report 3, Clause 17a

Planning and Transportation Committee Report 3, Clauses 1a and 2a

Works Committee Report 3, Clause 3a

Joint Planning and Transportation Committee and Works Committee Report 1, Clause 1a

Toronto and East York Community Council Report 3, Clause 28a

Policy and Finance Committee Report 5, Clauses 1, 3, 4, 5, 14, 16, 17, 18, 19, 22, 26, 33, 34, 35, 36 and 37

Administration Committee Report 4, Clauses 2, 5, 6, 7, 10, 14, 15 and 24

Board of Health Report 4, Clause 1

Community Services Committee Report 4, Clauses 2, 3 and 4

Economic Development and Parks Committee Report 5, Clauses 1, 2 and 3

Planning and Transportation Committee Report 4, Clauses 2, 5, 6, 7 and 8

Striking Committee Report 2, Clause 1 (Included here for reference purposes only. See Minutes 6.24 and 6.25.)

Works Committee Report 4, Clause 1

Works Committee Report 5, Clauses 1, 2, 3, 5, 6, 13, 14, 15 and 16

Etobicoke York Community Council Report 4, Clause 6

North York Community Council Report 4, Clauses 5, 6 and 7

Scarborough Community Council Report 4, Clause 14

Toronto and East York Community Council Report 4, Clauses 4, 6, 7, 18, 22, 23, 38, 45 and 47

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

Toronto and East York Community Council Report 3, Clause 28a

Policy and Finance Committee Report 5, Clause 5

Administration Committee Report 4, Clauses 2 and 5

Community Services Committee Report 4, Clause 4

Economic Development and Parks Committee Report 5, Clause 2

Planning and Transportation Committee Report 4, Clauses 2, 6 and 7

Works Committee Report 5, Clauses 2, 5, 14 and 15

Scarborough Community Council Report 4, Clause 14

Toronto and East York Community Council Report 4, Clause 6

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

The following Clauses were re-opened for further consideration and subsequently amended:

North York Community Council Report 4, Clause 19 (See Minute 6.30, Page 32).

Scarborough Community Council Report 4, Clause 5 (See Minute 6.33, Page 34).

Toronto and East York Community Council Report 4, Clause 37 (See Minute 6.31, Page 32).

Toronto and East York Community Council Report 4, Clause 49. (See Minute 6.41, Page 43).

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

6.6 Policy and Finance Committee Report 5, Clause 26, headed “Approval of a Change of Location for the Alexandra Park Basketball Court”.

The Clause was submitted without recommendation.

Motion:

Councillor Chow moved that Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report (May 9, 2005) from the General Manager, Parks, Forestry and Recreation:

“It is recommended that:

- (1) the General Manager of Parks, Forestry and Recreation be authorized to execute a nominal sum License Agreement with the Toronto Community Housing Corporation (TCHC) and the Atkinson Housing Co-operative for the shared use

of the proposed outdoor basketball court, in accordance with terms acceptable to the City Solicitor;

- (2) City Council approve the construction of the basketball court on property owned by the TCHC located at 71 Augusta Square; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

6.7 Administration Committee Report 4, Clause 10, headed “2005 Insurance Program Renewal”.

Motion:

Councillor Walker moved that the Clause be amended by adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the supplementary confidential report (May 9, 2005) from the Deputy City Manager and Chief Financial Officer. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality.”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

6.8 Toronto and East York Community Council Report 4, Clause 4, headed “Final Report - Rezoning Application - 901-903 Coxwell Avenue (Beaches-East York, Ward 31)”.

Motion:

Councillor Davis moved that the Clause be amended by adding to the recommendation of the Toronto and East York Community Council, the words “and that the City Solicitor be directed to attend at the Ontario Municipal Board opposing the Applicant’s appeal of the 2003 Toronto and

East York Panel of the Committee of Adjustment decision denying variances to allow the expansion of the existing restaurant use of 901-903 Coxwell Avenue, Committee of Adjustment File No. A0423/03TEY, now pending at the Ontario Municipal Board”, so that the recommendation of the Community Council now reads as follows:

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

Votes:

The motion by Councillor Davis carried.

The Clause, as amended, carried.

6.9 **Toronto and East York Community Council Report 4, Clause 7, headed “Final Report - Official Plan Amendment, Rezoning Application and Draft Plan of Condominium Application - 34 Rowanwood Avenue (Toronto Centre-Rosedale, Ward 27)”.**

Vote:

The Clause was adopted, without amendment.

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

6.10 **Toronto and East York Community Council Report 4, Clause 18, headed “Preliminary Report - Application to Amend Zoning By-law - 46 - 62 Spadina Avenue and 378 Wellington Street West (Trinity-Spadina, Ward 20)”.**

The Clause was submitted without recommendation.

Motion:

Councillor Chow moved that Council adopt the staff recommendations contained in the Recommendations Section of the report (April 11, 2005) from the Director, Community Planning, South District, as contained in the Clause.

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

6.11 **Toronto and East York Community Council Report 4, Clause 47, headed “Amendments to Parking Regulations - Carroll Street, between Matilda Street and Dundas Street East (Toronto-Danforth, Ward 30)”.**

Motion:

Councillor Fletcher moved that the Clause be referred to the Director, Transportation Services, South District, with a request that a further report be submitted to a future meeting of the Toronto and East York Community Council.

Vote on Referral:

The motion by Councillor Fletcher carried.

6.12 **Toronto and East York Community Council Report 4, Clause 45, headed “Requests for Endorsement of Events for Liquor Licensing Purposes (Parkdale-High Park, Ward 14, Davenport, Ward 18, Trinity-Spadina, Ward 20, Toronto Centre-Rosedale, Ward 28, Toronto-Danforth, Ward 29, Toronto-Danforth, Ward 30, Beaches-East York, Ward 31)”.**

Motion:

Deputy Mayor Pantalone moved that the Clause be amended by adding the following Parts (l), (m), (n) and (o) to Recommendation (1) of the Toronto and East York Community Council:

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

2005.”

Votes:

The motion by Deputy Mayor Pantalone carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Chow moved that the Clause be further amended by adding the following Part (p) to Recommendation (1) of the Toronto and East York Community Council:

“(p) Sixth Annual ‘Muhtadi International Drumming Festival’, to be held at Queen’s Park North on June 4 and 5, 2005, from 10:00 a.m. to 8:00 p.m.”

Votes:

The motion by Councillor Chow carried.

The Clause, as further amended, carried.

6.13 Policy and Finance Committee Report 5, Clause 16, headed “Metro Hall Cooling System - Legislative Requirements”.

Motion:

Councillor Shiner moved that the Clause be amended by adding the following:

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

connect City Hall to the deep lake water cooling system and report to the June 28, 2005 meeting of the Administration Committee.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

Deputy Mayor Pantalone in the Chair.

6.14 Works Committee Report 3, Clause 3a, headed “Implementation of Source Separated Organic Programs in Multi-Residential Buildings”.

Procedural Motion:

- (a) Councillor Chow moved that consideration of this Clause be deferred until the list outlining the pilot project is circulated by staff and also, that this matter be dealt with in conjunction with Works Committee Report 4, Clause 1.

Vote on Deferral:

Adoption of procedural motion (a) by Councillor Chow:

Yes - 14	
Mayor:	Miller
Councillors:	Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Ford, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Shiner
No - 18	
Councillors:	Carroll, Del Grande, Di Giorgio, Hall, Holyday, Jenkins, Kelly, Li Preti, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker

Lost by a majority of 4.

Motion:

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

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

Vote:

Adoption of the Clause, as amended by motion (b) by Councillor Chow:

Yes - 36	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker
No - 0	

Carried, without dissent.

6.15 Policy and Finance Committee Report 5, Clause 1, headed “West Don Lands Precinct Plan and Environmental Assessment Master Plan”.

Motion:

Councillor McConnell moved that the Clause be amended by adding the following:

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

‘It is recommended that Council:

- (1) support the process developed by the Toronto Waterfront Revitalization Corporation (TWRC), the City of Toronto, Ontario Realty Corporation (ORC) and FoodShare to work collaboratively on the relocation of FoodShare from its current location at 200 Eastern Avenue to another location as follows:

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

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

6.16 Policy and Finance Committee Report 5, Clause 3, headed “Municipal Property Assessment Corporation Council Requests for Further Information”.

Motion:

Councillor Jenkins moved that the Clause be amended by amending Recommendation (2) of the Policy and Finance Committee to now read as follows:

- “(2) MPAC be requested to provide a presentation to the next meeting of the Policy and Finance Committee scheduled to be held on June 1, 2005, on:
 - (a) the issues related to golf course assessment, including changes they have made in current assessment for golf courses; and

- (b) the Resolution adopted by City Council [on January 27, 28 and 29, 2004, by adoption of Policy and Finance Committee Report 1, Clause 10, headed '2004 Current Value Assessment (CVA) Changes and Tax Policy Options (All Wards)'] that the Current Value Assessment system should be changed to introduce:
- (i) more stability in property assessments;
 - (ii) a review for individual properties that have been the subject of successful appeals; and
 - (iii) more objective measures in property assessment.”

Votes:

The motion by Councillor Jenkins carried.

The Clause, as amended, carried.

6.17 Policy and Finance Committee Report 5, Clause 4, headed “City Initiated Assessment Appeals under Section 40 of the *Assessment Act* for 2005 Taxation Year”.

Motion:

- (a) Councillor Del Grande moved that the Clause be amended by adding the following:
- “That the City Manager be requested to write to the Municipal Property Assessment Corporation (MPAC) advising it of the City’s concerns with its inadequate assessment processes which leave the City open to large gaps in tax revenue.”
- (b) Councillor Moscoe moved that motion (a) by Councillor Del Grande be referred to the Policy and Finance Committee for consideration.

Votes:

Adoption of motion (b) by Councillor Moscoe:

Yes - 10 Councillors: Bussin, Cowbourne, Davis, Filion, Fletcher, Lindsay Luby, Mihevc, Moscoe, Rae, Soknacki

No - 19
Councillors: Altobello, Augimeri, Balkissoon, Cho, Del Grande, Feldman, Ford, Hall, Holyday, Jenkins, Kelly, Li Preti, Milczyn, Nunziata, Palacio, Pantalone, Thompson, Walker, Watson

Lost by a majority of 9.

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

Yes - 23	Councillors: Altobello, Balkissoon, Bussin, Cho, Del Grande, Feldman, Filion, Fletcher, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Milczyn, Nunziata, Palacio, Pantalone, Rae, Saundercook, Thompson, Walker, Watson
No - 9	Councillors: Augimeri, Chow, Cowbourne, Davis, Ford, Mammoliti, Mihevc, Moscoe, Soknacki

Carried by a majority of 14.

Adoption of the Clause, as amended:

Yes - 30	Councillors: Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, Del Grande, Feldman, Filion, Fletcher, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Saundercook, Thompson, Walker, Watson
No - 4	Councillors: Ford, Li Preti, Mammoliti, Soknacki

Carried by a majority of 26.

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

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

6.18 Policy and Finance Committee Report 5, Clause 14, headed “Adjustments to the Parks, Forestry and Recreation Division’s FY2005 Capital Budget”.

Motion:

Councillor Davis moved that the Clause be amended by adding the following:

“That:

- (1) the Parks, Forestry and Recreation Capital Budget sub project (CPR 116-35-02) for Stan Wadlow Park skateboard park (Ward 31) be increased by \$0.040 million gross, zero net, to a 2005 cash flow of \$0.340 million; and
- (2) the Parks, Forestry and Recreation Capital Budget sub-project (CPR 117-35-09) for Taylor Creek Park, Stairs at Victoria Park, be reduced by \$0.040 million to a 2005 cash flow of \$0.060 million to offset the cost of the skateboard park in Stan Wadlow Park as indicated in Recommendation (1), above.”

Votes:

The motion by Councillor Davis carried.

The Clause, as amended, carried.

6.19 Policy and Finance Committee Report 5, Clause 18, headed “110 Edward Street - Extension of Emergency Shelter and Referral Centre Programs (Ward 27 - Toronto Centre-Rosedale)”.

Motions:

- (a) Councillor Rae moved that the Clause be amended by amending staff Recommendation (1) contained in the Recommendations Section of the report (April 21, 2005) from the General Manager, Shelter, Support and Housing Administration, to now read as follows:
 - “(1) the General Manager, Shelter, Support and Housing Administration, be directed to continue to operate 110 Edward Street on a month-to-month basis until April 30, 2006, as an emergency shelter and referral program, subject to the terms of the month-to-month agreement between the owners of 110 Edward Street and the City of Toronto;”.
- (b) Councillor Soknacki moved that motion (a) by Councillor Rae be amended by adding the words “and the Deputy City Manager and Chief Financial Officer report to the Budget Advisory Committee, prior to the end of 2005, on the source of 2006 funding.”

Votes:

Adoption of motion (b) by Councillor Soknacki:

Yes - 30	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Filion, Ford, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson
No - 8	
Councillors:	Carroll, Davis, Fletcher, Holyday, McConnell, Minnan-Wong, Pitfield, Rae

Carried by a majority of 22.

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

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Watson
No - 5	
Councillors:	Del Grande, Ford, Holyday, Nunziata, Thompson

Carried by a majority of 27.

Adoption of the Clause, as amended:

Yes - 33	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Watson
No - 5	

Councillors: Del Grande, Ford, Holyday, Nunziata, Thompson
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Carried by a majority of 28.

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

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

6.20 Policy and Finance Committee Report 5, Clause 19, headed “Snow Shovelling and Grass Cutting Supports to Seniors and People with Disabilities”.

Motions:

- (a) Councillor Ford moved that the Clause be amended by deleting Recommendation (3) contained in the report (April 4, 2005) from the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, and inserting instead the following:

“(3) existing staff be utilized to deliver these services to seniors and people with disabilities.”

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

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

- (c) Councillor Hall moved that the Clause be amended by adding to Recommendation (2)(b) contained in the report (April 4, 2005) from the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, the words “and that this be done on a one-time only basis”, so that the recommendation now reads as follows:

“(b) the Social Development and Administration Division Budget in the amount of

\$40,000.00, and that this be done on a one-time only basis;”.

Votes:

Adoption of motion (a) by Councillor Ford:

Yes - 7	
Councillors:	Del Grande, Di Giorgio, Ford, Milczyn, Minnan-Wong, Palacio, Watson
No - 32	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson

Lost by a majority of 25.

Adoption of motion (c) by Councillor Hall:

Yes - 18	
Councillors:	Augimeri, Balkissoon, Carroll, Cowbourne, Davis, Del Grande, Di Giorgio, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Milczyn, Nunziata, Palacio, Saundercook, Soknacki, Watson
No - 21	
Mayor:	Miller
Councillors:	Altobello, Bussin, Cho, Chow, De Baeremaeker, Feldman, Filion, Fletcher, Jenkins, Kelly, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shiner, Stintz, Thompson

Lost by a majority of 3.

Adoption of motion (b) by Councillor Carroll:

Yes - 39	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Hall, Holyday, Jenkins, Kelly,

Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson
No - 0

Carried, without dissent.

Adoption of the Clause, as amended:

Yes - 38
Mayor: Miller
Councillors: Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson
No - 1
Councillor: Ford

Carried by a majority of 37.

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

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

Mayor Miller in the Chair.

6.21 Policy and Finance Committee Report 5, Clause 34, headed “City of Toronto 2006 Budget Process, Directions and Guidelines”.

Motion:

Councillor Shiner moved that the Clause be amended by adding the following:

“That the Deputy City Manager and Chief Financial Officer be requested to report to City

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

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

6.22 **Board of Health Report 4, Clause 1, headed “Pandemic Influenza Planning in the City of Toronto”.**

Motion:

Deputy Mayor Pantalone moved that the Clause be amended by adding the following:

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

Votes:

The motion by Deputy Mayor Pantalone carried.

The Clause, as amended, carried.

6.23 **Planning and Transportation Committee Report 4, Clause 5, headed “Accessible Taxicab Licences”.**

Motion:

Councillor Mihevc moved that the Clause be amended by adding the following:

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

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

6.24 **Striking Committee Report 2, Clause 1, headed “Appointment of Members of Council as Deputy Mayor, to Standing and Other Committees of Council and to City and External Agencies, Boards, Commissions and Corporations for the Second Half of Council’s Term”.**

Vote:

The Clause was adopted, without amendment.

(See Minute 6.25 for election of Committee Chairs.)

6.25 **Election of Committee Chairs**

Procedural Motion:

Mayor Miller, with the permission of Council, moved that Council adopt the following procedures, as contained in the document (undated), headed “Election of Committee Chair and Vice-Chair”:

- “(1) Council shall recess to permit the Committees-elect to meet and elect their Chairs and Vice-Chairs.
- (2) The Committee-elect shall meet at a time and location determined by the City Clerk.
- (3) The City Clerk, or her designate, takes the Chair.
- (4) The City Clerk shall call for nominations. Members may nominate candidates, including themselves. No seconder is required. The Committee-elect may agree that the runner-up for Chair be appointed as Vice-Chair or allow the Vice-Chair to be selected by election, as per the Chair.
- (5) The City Clerk shall call three times for further nominations. If no further nominations are made, the City Clerk declares nominations closed and announces the nominees. Each candidate, in alphabetical order by surname, may speak for 5 minutes.
- (6) If there is more than one candidate, the City Clerk issues a ballot to each Member. Members must vote for one candidate only. Each returned ballot must be signed by the Member or the ballot will be declared a spoiled ballot and not counted.

- (7) The City Clerk announces the result of the ballot. If requested, the City Clerk will announce the individual ballot result and the Member voting.
- (8) The candidate with the most votes and a majority of votes of Members present and voting is elected Chair.
- (9) If the candidate with the most votes does not also receive the votes of more than half the members present and voting, a further ballot is conducted in accordance with Step 5, with the candidate with the fewest votes and those with no votes excluded.
- (10) If two or more candidates are tied with the fewest votes, the City Clerk will select the candidate to remain in the ballot by "lot". Each tied candidate's name will be placed on a sheet of paper of equal size, folded in half and placed in a box. The City Clerk will draw the name of candidate(s) who will remain in the ballot. The candidate's name remaining in the box is excluded from further balloting.
- (11) The City Clerk continues to conduct the ballot in accordance with Steps 6 to 9 until a candidate receives the most votes and a majority of the votes. The City Clerk then declares this candidate elected as Chair.
- (12) If there are two candidates only remaining and the vote is tied, the City Clerk selects the Chair by "lot". Each tied candidate's name will be placed on a sheet of paper of equal size, folded in half and placed in a box. The City Clerk will draw the name of a candidate from the box. The City Clerk declares this candidate as Chair.

Vote:

The motion by Mayor Miller carried.

Council recessed at 2:20 p.m. on May 17, 2005, in order to permit the Standing Committees, the Community Councils, the Audit Committee and the Budget Advisory Committee to meet to elect their respective Chairs and Vice-Chairs.

Council reconvened at 2:58 p.m.

Mayor Miller in the Chair.

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

Administration Committee

S. Watson, Chair

J. Davis, Vice-Chair

Community Services Committee

J. Mihevc, Chair

G. Cowbourne, Vice-Chair

Economic Development and Parks Committee

G. Lindsay Luby, Chair

M. Augimeri, Vice-Chair

Planning and Transportation Committee

J. Fillion, Chair

K. Stintz, Vice-Chair

Works Committee

S. Carroll, Chair

A. Giambrone, Vice-Chair

Audit Committee

D. Holyday, Chair

M. Del Grande, Vice-Chair

Budget Advisory Committee

D. Soknacki, Chair

J. Mihevc and S. Watson, Vice-Chairs

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

Etobicoke York Community Council

F. Nunziata, Chair

S. Hall, Vice-Chair

North York Community Council

M. Augimeri, Chair

K. Stintz, Vice-Chair

Scarborough Community Council

M. Thompson, Chair

M. Del Grande, Vice-Chair

Toronto and East York Community Council

J. Davis, Chair

P. Fletcher, Vice-Chair

Deputy Mayor Pantalone in the Chair.

6.26 Joint Planning and Transportation Committee and Works Committee Report 1, Clause 1a, headed “Don Valley Corridor Transportation Master Plan (Beaches-East York, Don Valley East, Don Valley West, Toronto-Danforth, Willowdale)”.

Motions:

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

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

“(V) opportunities for light rail be reviewed as an alternative to bus rapid transit, including designing the project to later convert to light rail if not presently the preferred option;”.
- (b) Councillor Rae moved that the Clause be referred back to the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services to allow for a determination of how many new riders can be accommodated on the existing transit routes within the study area after the TTC’s “Ridership Growth Strategy” is in place; and further that they report in conjunction with the TTC, on a City wide transportation network as outlined in the report “Building a Transit City.”
- (c) Councillor Fletcher moved that motion (b) by Councillor Rae be amended to provide that the report requested be submitted within six month’s time.

Votes on Referral:

Adoption of motion (c) by Councillor Fletcher:

Yes - 19 Councillors: Altobello, Ashton, Cowbourne, Davis, De Baeremaeker, Filion,

	Fletcher, Giambrone, Hall, Holyday, Kelly, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Saundercook, Soknacki
No - 15	
Councillors:	Balkissoon, Carroll, Del Grande, Di Giorgio, Jenkins, Li Preti, Lindsay Luby, Minnan-Wong, Palacio, Pitfield, Rae, Stintz, Thompson, Walker, Watson

Carried by a majority of 4.

Adoption of motion (b) by Councillor Rae, as amended:

Yes - 12	
Councillors:	Ashton, Cowbourne, Davis, Fletcher, Giambrone, Holyday, McConnell, Minnan-Wong, Ootes, Pantalone, Rae, Saundercook
No - 22	
Councillors:	Altobello, Balkissoon, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Filion, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Moscoe, Nunziata, Palacio, Pitfield, Soknacki, Stintz, Thompson, Walker, Watson

Lost by a majority of 10.

Motions:

(d) Councillor Del Grande moved that the Clause be amended by adding the following:

“That the Chief Planner and Executive Director, City Planning, be requested to convene a meeting of the Toronto Transit Commission, GO Transit, the Provincial Government and all other interested governmental agencies, to review an overall transportation strategy as it relates to the Don Valley Study area, as well as other areas of the City.”

(e) Councillor Mihevc moved that the Clause be amended by adding the following:

“That the Toronto Transit Commission be requested to begin a network study concurrent with this particular Environmental Assessment, as soon as possible.”

(f) Councillor McConnell moved that the Clause be amended by adding the following:

“That:

- (1) staff be directed to meet with the West Don Lands Committee to discuss the potential impact of the proposed routing option that would create a ramp at Adelaide Street East and Bayview Avenue; and
- (2) the option of carrying traffic directly from Adelaide Street East to the Don Valley Parkway, without connection to the Bayview extension, be included in the Environmental Assessment for the Downtown Core options.”

Votes:

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

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

Motion (e) by Councillor Mihevc carried.

Motion (f) by Councillor McConnell carried.

Motion (d) by Councillor Del Grande carried.

Adoption of the Clause as amended:

Yes - 29	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Soknacki, Thompson, Walker, Watson
No - 10	
Councillors:	Chow, Davis, Fletcher, Ford, Holyday, McConnell, Minnan-Wong, Ootes, Pantalone, Rae

Carried by a majority of 19.

In summary, Council amended this Clause by:

- (1) amending the joint recommendations of the Planning and Transportation Committee and the Works Committee by:
 - (a) deleting from Recommendation (IV), the words “Council’s preferred alternative for

future study”, and inserting instead the words “reviewed as a possible alternative”, so that Recommendation (IV) now reads as follows:

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

(b) amending Recommendation (V) to now read as follows:

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

(2) adding the following:

“That:

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

6.27 Administration Committee Report 4, Clause 15, headed “Shortage of Justices of the Peace in Toronto”.

Motion:

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

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

Votes:

Adoption of the motion by Councillor Moscoe:

Yes - 19	Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Filion, Giambrone, Hall, Jenkins, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone
No - 14	Councillors: Ashton, Carroll, Davis, Del Grande, Fletcher, Ford, Holyday, Kelly, Lindsay Luby, Rae, Saundercook, Soknacki, Thompson, Watson

Carried by a majority of 5.

Adoption of the Clause, as amended:

Yes - 27	Councillors: Altobello, Ashton, Balkissoon, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Soknacki, Walker, Watson
No - 7	Councillors: Augimeri, Del Grande, Ford, Holyday, Rae, Saundercook, Thompson

Carried by a majority of 20.

6.28 Policy and Finance Committee Report 5, Clause 33, headed ‘2003 Expenditures for Consulting Services, Hummingbird Centre for the Performing Arts’.

Vote:

The Clause was adopted, without amendment.

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

6.29 **Administration Committee Report 4, Clause 6, headed “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”.**

Motion:

- (a) Councillor Del Grande moved that the Clause be amended by adding the following:

“That the e-City Committee be allowed to have access to the Request for Proposals (RFP) that pertains to this computer purchase.”

Extension to Question:

Councillor Kelly asked questions for a period of five minutes. Councillor Del Grande moved that §27-28E, Questioning to Obtain Facts, of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Kelly be permitted to ask one additional question, the vote upon which was taken as follows:

Yes - 22	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Palacio, Soknacki, Stintz, Thompson, Watson
No - 7	
Councillors:	Davis, Filion, Fletcher, Mihevc, Pantalone, Rae, Saundercook

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

Motions:

- (b) Councillor Balkissoon moved that the Clause be amended by amending the recommendation of the Administration Committee by:
- (1) deleting the words “a protocol for access for information”, and inserting instead the words “revisions to the purchasing policies and the purchasing by-law which would allow information to be provided”; and
 - (2) inserting the words “(similar to the Toronto Transit Commission)”, after the words

“procurement process”,

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

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

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

“That all RFP documents contain written advice to proponents that their responses to the RFP will be made available to Members of Council on a confidential basis.”

Votes:

Adoption of motion (b) by Councillor Balkissoon:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cowbourne, Davis, Del Grande, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Watson
No - 0	

Carried, without dissent.

Adoption of motion (a) by Councillor Del Grande:

Yes - 22	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Del Grande, Di Giorgio, Ford, Giambrone, Jenkins, Kelly, Li Preti, McConnell, Milczyn, Minnan-Wong, Nunziata, Palacio, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Watson

No - 14
Mayor: Miller
Councillors: Bussin, Carroll, Cowbourne, Davis, Filion, Fletcher, Hall, Holyday, Lindsay Luby, Mihevc, Moscoe, Pantalone, Rae

Carried by a majority of 8.

Adoption of motion (c) by Councillor Watson:

Yes - 28
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Carroll, Cowbourne, Del Grande, Di Giorgio, Fletcher, Ford, Giambrone, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Watson
No - 8
Mayor: Miller
Councillors: Bussin, Davis, Filion, Hall, Mihevc, Pantalone, Rae

Carried by a majority of 20.

Adoption of Clause as amended:

Yes - 29
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cowbourne, Davis, Del Grande, Di Giorgio, Fletcher, Ford, Giambrone, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Watson
No - 7
Mayor: Miller
Councillors: Filion, Hall, Holyday, Mihevc, Pantalone, Rae

Carried by a majority of 22.

In summary, Council amended this Clause by:

- (1) amending the recommendation of the Administration Committee by:
 - (a) deleting the words “a protocol for access for information”, and inserting instead the

words “revisions to the purchasing policies and the purchasing by-law which would allow information to be provided”; and

- (b) inserting the words “(similar to the Toronto Transit Commission)”, after the words “procurement process”,

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

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

- (2) adding the following:

“That:

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

Mayor Miller in the Chair.

6.30 North York Community Council Report 4, Clause 19, headed ‘Parking Prohibitions - Esandar Drive (Ward 26 - Don Valley West)’.

Motion to Re-Open:

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

Motion:

Councillor Pitfield moved that the Clause be amended by deleting from Recommendation (1)

contained in the report (April 14, 2005) from the Director, Transportation Services, North District, the words “Industrial Road”, and inserting instead the words “Industrial Street”, so that Recommendation (1) now reads as follows:

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

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

6.31 Toronto and East York Community Council Report 4, Clause 37, headed ‘Proposed Construction Staging Area - 43 Hanna Avenue (Trinity-Spadina, Ward 19)’.

Motion to Re-Open:

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

Motion:

Deputy Mayor Pantalone moved that the Clause be amended by amending the staff recommendations contained in the Recommendations Section of the report (April 14, 2005) from the Director, Transportation Services, South District, by:

- (1) deleting from Recommendation (3) the words “pay-and-display parking operation”, and inserting instead the words “parking meter/machine regulations”, so that Recommendation (3) now reads as follows:

“(3) the existing parking meter/machine regulations in effect on the east side of Hanna Avenue be rescinded between the limits noted in Recommendation (2) above, and that the applicant be responsible to pay to the Toronto Parking Authority a fee to cover lost parking revenues for the duration of this project;”; and

- (2) deleting from Recommendation (5), the word “east”, so that Recommendation (5) now reads as follows:

“(5) the existing parking prohibition at any time on the north and west sides of Hanna

Avenue for its entire length be amended to operate from Atlantic Avenue to the north/south section of Hanna Avenue and from Liberty Street to the southerly terminus of Hanna Avenue;”.

Votes:

The motion by Deputy Mayor Pantalone carried.

The Clause, as amended, carried.

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

Motion:

Councillor Saundercook moved that consideration of the Clause be deferred to the next regular meeting of City Council on June 14, 2005.

Vote on Deferral:

The motion by Councillor Saundercook carried.

6.33 **Scarborough Community Council Report 4, Clause 5, headed “Proposed Traffic Controls within the Sullivan Community (Ward 40 - Scarborough Agincourt)”.**

Motion to Re-Open:

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

Motion:

Councillor Kelly moved that the Clause be amended by amending Appendix 1 to the report (March 9, 2005) from the Director, Transportation Services, East District, by deleting from Column 1, headed “Highway Being Entered”, the words “Pharmacy Avenue” and inserting instead the words “Sheppard Avenue East.”

Votes:

The motion by Councillor Kelly carried.

The Clause, as amended, carried.

6.34 **Works Committee Report 5, Clause 3, headed “On-Street Permit and Off-Street Residential Parking Fees”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

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

Vote:

The Clause was adopted, without amendment.

Councillor Nunziata requested that her opposition to this Clause be noted in the Minutes of this meeting.

6.35 **Policy and Finance Committee Report 5, Clause 22, headed “Renewal of the Republic-Wilson Contract”.**

Motions:

(a) Councillor Ford moved that the Clause be received.

Mayor Miller in the Chair.

(b) Councillor Moscoe moved that, in the event motion (a) by Councillor Ford carries, the Clause be amended by adding the following:

“That Toronto’s waste be temporarily stored in Rexdale until staff can find an alternative disposal site.”

Ruling by Mayor:

Mayor Miller ruled motion (b) by Councillor Moscoe was frivolous and therefore out of order.

Vote Be Now Taken:

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

Yes - 27	
Councillors:	Augimeri, Balkissoon, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Stintz, Thompson, Watson
No - 7	
Mayor:	Miller
Councillor:	Altobello, Ashton, Ford, Holyday, Mammoliti, Nunziata

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

Votes:

Adoption of motion (a) by Councillor Ford:

Yes - 4	
Councillors:	Ford, Nunziata, Palacio, Rae
No - 32	
Mayor:	Miller
Councillor:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Shiner, Stintz, Thompson, Watson

Lost by a majority of 28.

Adoption of the Clause, without amendment:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman,

Fletcher, Giambrone, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Shiner, Stintz, Thompson, Watson	
No - 2	
Councillors:	Ford, Nunziata

Carried by a majority of 32.

Deputy Mayor Feldman in the Chair.

6.36 **Policy and Finance Committee Report 5, Clause 35, headed ‘2004 Year-End Capital Variance Report’.**

Motion:

Councillor Pitfield moved that the Clause be amended by adding the following:

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

Votes:

Adoption of motion by Councillor Pitfield:

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 5	
Councillors:	Bussin, Davis, Lindsay Luby, Moscoe, Pantalone

Carried by a majority of 27.

Adoption of the Clause, as amended:

Yes - 37	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Moscoe

Carried by a majority of 36.

6.37 **Policy and Finance Committee Report 5, Clause 37, headed “2004 Year-End Operating Variance Report”.**

Motion:

Councillor Soknacki moved that the Clause be amended in accordance with the following Recommendations:

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

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

6.38 **Administration Committee Report 4, Clause 7, headed “Application of the *Municipal Freedom of Information and Protection of Privacy Act* to Requests for Information and 2004 Compliance Report to the Information and Privacy Commissioner (IPC)”.**

Motions:

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

“That the City Clerk be requested to:

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

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

“That the Chief Building Official and Executive Director of Building be requested to report monthly to each Councillor on the number of building permit applications filed by Ward and the details of each application.”

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 31
Mayor: Miller
Councillors: Augimeri, Balkissoon, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson
No - 0

Carried, without dissent.

Adoption of motion (b) by Councillor Mammoliti:

Yes - 25	
Councillors:	Augimeri, Balkissoon, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Thompson, Walker
No - 10	
Mayor:	Miller
Councillor:	Chow, Filion, Holyday, Kelly, Minnan-Wong, Shiner, Soknacki, Stintz, Watson

Carried by a majority of 15.

Adoption of the Clause, as amended:

Yes - 31	
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Ford, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Thompson, Walker, Watson
No - 5	
Mayor:	Miller
Councillor:	Holyday, Minnan-Wong, Shiner, Stintz

Carried by a majority of 26.

6.39 Community Services Committee Report 4, Clause 3, headed “Status of the Property and Related Tenant Issues at 1765 and 1775 Weston Road (Ward 11 - York South-Weston)”.

Motion:

Councillor Hall moved that the Clause be amended by adding the following:

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

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

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

“It is recommended that:

- (1) the Executive Director of Municipal Licensing and Standards, in consultation with the Fire Chief and the City Solicitor, be directed to report to the Planning and Transportation Committee on an urgent basis on the status of orders at 1765 and 1775 Weston Road, including:
 - (a) the enforcement/litigation strategy and projected timelines currently underway aimed at ensuring compliance with legislated, by-law and Court imposed requirements pertaining to these buildings;
 - (b) information pertaining to the estimated costs of the required repairs, the point at which it is advisable for staff to use the aforementioned authority to hire contractors to make some or all of those repairs, including the ability to recover those costs in the circumstance; and

-
- (c) other options that may be available to ensure that this work is undertaken in an expeditious manner, including the possibility for the work to be undertaken under the specific direction and/or supervision of the Courts;
- (2) City Council authorize the Executive Director of Municipal Licensing and Standards to engage the services of an independent engineer to undertake inspections and testing at 1765 and 1775 Weston Road, as necessary, to ensure that a full and proper engineering assessment of the building systems and structure is available, and to be relied upon for the issuance of orders necessary to direct major repairs, as necessary, and that legal remedies be exercised to recover the costs;
- (3) the General Manager, Shelter, Support and Housing Administration, be requested to report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on:
- (a) the outcome of the Tribunal proceedings, including the full transcript of the decision and final cost paid by the City for this action; and
- (b) recommended changes required to the mandate, process and criteria for allocating Tenant Support Grants in support of tenant actions before the Ontario Rental Housing Tribunal emanating from the City of Toronto's experiences in relation to 1765 and 1775 Weston Road; and
- (4) the City Solicitor report to the Tenant Defence Sub-Committee, the Community Services Committee, and Council, on any concerns or conflicts that may arise from the funding of these actions on behalf of the tenants and our regulatory/enforcement roles, such as Fire Code enforcement, MLS enforcement, etc.' "

Mayor Miller in the Chair.

Votes:

Adoption of the Clause, as amended by the motion by Councillor Hall:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Balkissoon, Bussin, Carroll, Cho, Davis,

De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker, Watson

No - 0

Carried, without dissent.

Deputy Mayor Feldman in the Chair.

6.40 **Community Services Committee Report 4, Clause 2, headed “Proposed Restrictions on Access to Newer Medications under the Ontario Drug Benefit Program”.**

Motion:

- (a) Councillor Mihevc moved that the Clause be amended by amending the recommendation of the Community Services Committee to now read as follows:

“That the Chair of the Community Services Committee and the Mayor, on behalf of City Council, write to the Ministry of Health and Long-Term Care requesting that, during the course of its review of the Ontario Drug Benefit Formulary relating to atypical antipsychotic drug products, the Ministry maintain open access to all currently available medications in the Formulary and include new medications approved by Health Canada to treat mental illnesses without any restrictions or limitations to ensure the best possible health outcomes for all Ontarians suffering from mental illnesses such as schizophrenia, bipolar disorder and major depression.”

Permission to Withdraw Motion:

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

Motion:

- (b) Councillor Shiner moved that the Clause be amended by amending the recommendation of the Community Services Committee to now read as follows:

“The Community Services Committee recommends that the Chair of the Community Services Committee and the Mayor, on behalf of City Council, request the Minister of Health and Long-Term Care, in the review of the Ontario Drug Benefit Formulary, relating to atypical antipsychotic drug products, to maintain access to all current medications and

include new medications being developed and approved by Health Canada; and further, that the Minister be requested to treat all Ontarians and seniors, including those with schizophrenia, bipolar disorder and major depression, in a fair and equitable manner so that there are no greater barriers to good health due to the introduction of new drugs.”

Votes:

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

6.41 Toronto and East York Community Council Report 4, Clause 49, headed “Queen Street West Heritage Conservation District Study Area (Trinity-Spadina, Ward 20)”.

Motion to Re-Open:

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

Motion:

Councillor Chow moved that the Clause be amended by deleting Recommendation (1) contained in the report (April 15, 2005) from the Director, Policy and Research, City Planning Division, and inserting instead the following:

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

6.42 Works Committee Report 5, Clause 16, headed “Other Items Considered by the Committee”.

Procedural Motion:

Councillor Giambrone moved that Council waive the necessary provisions of Chapter 27 of the City

of Toronto Municipal Code, in order to consider Item (f), entitled “2005 Toronto Cycling Committee Budget”, the vote upon which was taken as follows:

Yes - 23
Councillors: Altobello, Davis, De Baeremaeker, Di Giorgio, Feldman, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz
No - 9
Councillors: Augimeri, Del Grande, Ford, Holyday, Kelly, Li Preti, Thompson, Walker, Watson

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

Motion:

Councillor Giambrone moved that moved that Item (f), contained in the Clause, be amended by adding the following:

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

Votes:

Adoption of the motion by Councillor Giambrone:

Yes - 32
Councillors: Altobello, Ashton, Augimeri, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 4
Councillors: Del Grande, Ford, Holyday, Thompson

Carried by a majority of 28.

The balance of this Clause was received for information.

6.43 **Planning and Transportation Committee Report 3, Clause 2a, headed “Harmonization of the Sign By-law Concerning Posters on Utility Poles”.**

Motion:

- (a) Councillor Giambrone moved that the Clause be received.

Ruling by Deputy Mayor:

Councillor Balkissoon requested the opportunity to bring staff to the floor for further questioning. Deputy Mayor Feldman ruled that questions of staff had been completed and no further questions would be permitted.

Councillor Balkissoon challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 17	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Davis, Feldman, Filion, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Saundercook, Soknacki
No - 13	
Councillors:	Balkissoon, Del Grande, Di Giorgio, Fletcher, Ford, Hall, Holyday, Mammoliti, Minnan-Wong, Nunziata, Stintz, Walker, Watson

Carried by a majority of 4.

Motions:

- (b) Councillor Del Grande moved that the Clause be amended by adding the following:

“That:

‘WHEREAS there exists a need to regulate and make accountable those who engage in the commercial activity of affixing posters to poles; and

WHEREAS the *Municipal Act* permits the licensing of a class of business; and

WHEREAS the fees associated with the class include the cost directly related to the administration and enforcement of the licensing by-law with respect to a class; and

WHEREAS the creation of a licence class for businesses associated with posterage would permit the recovery of some costs related to illegal posterage;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Executive Director of Municipal Licensing and Standards, in consultation with the City Solicitor, and the General Managers of Solid Waste and Transportation Services, be directed to report to the Planning and Transportation Committee on the principles and process related to the establishment of a Business Licence for posterage companies; and
 - (2) the required licensing provision and amendment of Municipal Code Chapter 545 include a new licence class and fees for posterage companies.’ ”
- (c) Councillor Filion moved that the Clause be referred to the Mayor’s Office to propose a posterage by-law that will place limits on posterage consistent with the objectives of the “Clean and Beautiful City Initiative” and the principle of “freedom of expression” as outlined in the confidential report (April 4, 2005) from the City Solicitor, and report to Council within five months or as soon as possible.
- (d) Councillor Mammoliti moved that motion (c) by Councillor Filion be amended to provide that the Mayor be requested to report directly to Council in four month’s time on this matter.

Deputy Mayor Bussin in the Chair.

- (e) Councillor Minnan-Wong moved that motion (c) by Councillor Filion be amended by deleting the words “to Council within five months or as soon as possible”, and inserting instead the words “to Planning and Transportation Committee for its meeting on September 12, 2005 and that notice be provided for this statutory public meeting”, so that the motion now reads as follows:

“That the Clause be referred to the Mayor’s Office to propose a posterage by-law that will place limits on posterage consistent with the objectives of the ‘Clean and Beautiful City Initiative’ and the principle of “freedom of expression” as outlined in the confidential report (April 4, 2005) from the City Solicitor, and report to Planning and Transportation Committee for its meeting on September 12, 2005 and that notice be provided for this statutory public meeting.”

Deputy Mayor Feldman in the Chair.

Votes:

Adoption of motion (d) by Councillor Mammoliti:

Yes - 21	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone
No - 17	
Councillors:	Balkissoon, Cho, Del Grande, Ford, Jenkins, Kelly, Milczyn, Minnan-Wong, Nunziata, Palacio, Pitfield, Rae, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 4.

Due to the above decision of Council, Deputy Mayor Feldman declared motion (e) by Councillor Minnan-Wong redundant.

Adoption of motion (c) by Councillor Filion, as amended:

Yes - 22	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone
No - 16	
Councillors:	Balkissoon, Del Grande, Ford, Holyday, Kelly, Milczyn, Minnan-Wong, Nunziata, Palacio, Pitfield, Rae, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 6.

Due to the above decision of Council, motion (a) by Councillor Giambrone and motion (b) by Councillor Del Grande were not put to a vote.

In summary, Council referred this Clause to the Mayor's Office to propose a poster by-law that will place limits on poster consistent with the objectives of the "Clean and Beautiful City Initiative"

and the principle of “freedom of expression” as outlined in the confidential report (April 4, 2005) from the City Solicitor, and requested the Mayor to report directly to Council in four month’s time on this matter.

Mayor Miller in the Chair.

6.44 **Economic Development and Parks Committee Report 5, Clause 3, headed ‘Greater Toronto Hockey League (GTHL) Governance, Financial Accountability and the Potential Impact on Participation Levels in Minor Hockey (All Wards)’.**

Motion:

Councillor Grimes moved that the Clause be amended by adding the following:

“That:

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

Vote:

Adoption of the Clause, as amended by the motion by Councillor Grimes:

Yes - 33	
Mayor:	Miller
Councillors:	Altobello, Balkissoon, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone,

Pitfield, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker, Watson
No - 0

Carried, without dissent.

6.45 Etobicoke York Community Council Report 4, Clause 6, headed “Removal of One Privately Owned Tree - 153 The Kingsway (Ward 5 - Etobicoke-Lakeshore)”.

Motion:

Councillor Hall moved that the Clause be amended by deleting the recommendation of the Etobicoke York Community Council, and that Council adopt the following instead:

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

Votes:

Adoption of the motion by Councillor Hall:

Yes - 24	
Mayor:	Miller
Councillors:	Altobello, Balkissoon, Bussin, Carroll, Cho, Davis, De Baeremaeker, Fletcher, Giambrone, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Soknacki, Thompson, Watson
No - 8	
Councillors:	Di Giorgio, Feldman, Ford, Grimes, Kelly, Nunziata, Palacio, Stintz

Carried by a majority of 16.

The Clause, as amended, carried.

6.46 Works Committee Report 5, Clause 1, headed “Reconstruction of Royal York Road Between Mimico Creek and Usher Avenue - Pavement Width (Ward 5, Etobicoke-Lakeshore)”.

Motions:

- (a) Councillor De Baeremaeker moved that the Clause be amended by adding the following:

“That the Acting General Manager, Transportation Services, be requested to paint a solid white edge line 1.25 metres from the curb face in each lane of the affected portion of Royal York Road.”

Deputy Mayor Bussin in the Chair.

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

“That the Acting General Manager, Transportation Services, be directed to develop a ‘bike-route’ pavement marking design that will complement the bike-route signs to be applied on each side of Royal York Road between Mimico Creek and Usher Avenue, within the recommended 9.1 metre pavement width, that encourages drivers to travel to the left side of their travel lane, and that emphasizes the presence of the bike route on this section of Royal York Road, thereby improving the margin of safety and comfort for cyclists.”

- (c) Councillor Giambrone moved that the Clause be amended by adding the following:

“That:

- (1) the Acting General Manager, Transportation Services, be directed to report to the Works Committee on the feasibility of:
 - (a) using this type of pavement marking on other City of Toronto roads in the future; and
 - (b) retrofitting existing bike paths which currently are marked with signage only; and
- (2) a copy of this Clause be forwarded to the Toronto Cycling Committee with a request that the Committee provide comments on the design of these pavement markings.”

Permission to Withdraw Motion:

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

Procedural Motion:

Councillor Kelly moved that Council stand this matter down in order to allow staff time to address various issues.

Vote Be Now Taken:

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

Yes - 16	Councillors: Augimeri, Balkissoon, Bussin, Chow, De Baeremaeker, Di Giorgio, Fletcher, Giambrone, Hall, Jenkins, Nunziata, Palacio, Pantalone, Pitfield, Soknacki, Thompson
No - 14	Councillors: Ashton, Carroll, Davis, Ford, Grimes, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Milczyn, Saundercook, Walker, Watson

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

Vote:

Adoption of the procedural motion by Councillor Kelly:

Yes - 7	Councillors: Carroll, Davis, Holyday, Kelly, Minnan-Wong, Nunziata, Palacio
No - 26	Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Pantalone, Pitfield, Saundercook, Soknacki, Thompson, Walker, Watson

Lost by a majority of 19.

Motion:

- (d) Councillor Ford moved that consideration of the Clause be deferred to the next regular meeting of City Council on June 14, 2005.

Vote on Deferral:

Adoption motion (d) by Councillor Ford:

Yes - 3 Councillors: Ford, Holyday, Kelly
No - 29 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Thompson, Walker, Watson

Lost by a majority of 26.

Motions:

- (e) Councillor Chow moved that motion (b) by Councillor Thompson be amended by inserting after the words “travel lane”, the words “by painting a solid white edge line 1.25 metres from the curb face”.
- (f) Councillor Watson moved that motion (b) by Councillor Thompson be amended to provide that signage be installed indicating that the bike lane narrows, at the point where the bike lanes narrow from 1.50 metres to 1.25 metres.
- (g) Councillor Pitfield moved that the Clause be amended by adding the following:

“That Council adopt the following staff recommendation contained in the Recommendation Section of the report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District:

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

Votes:

Adoption of motion (e) by Councillor Chow:

Yes - 33	Miller
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Mayor:	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Watson
No - 2	
Councillors:	Holyday, Walker

Carried by a majority of 31.

Adoption of motion (f) by Councillor Watson:

Yes - 28	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Stintz, Thompson, Watson
No - 8	
Councillors:	Davis, Grimes, Li Preti, Pantalone, Pitfield, Rae, Saundercook, Walker

Carried by a majority of 20.

Adoption of motion (b) by Councillor Thompson, as amended:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 0	

Carried, without dissent.

Adoption of motion (c) by Councillor Giambrone:

Yes - 36
Mayor: Miller
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 0

Carried, without dissent.

Motion (g) by Councillor Pitfield carried.

Adoption of the Clause, as amended:

Yes - 37
Mayor: Miller
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 1
Councillor: Holyday

Carried by a majority of 36.

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

“That:

- (1) the Acting General Manager, Transportation Services, be directed to:
 - (i) develop a ‘bike-route’ pavement marking design that will complement the bike-route signs to be applied on each side of Royal York Road between Mimico Creek and Usher Avenue, within the recommended 9.1 metre pavement width, that encourages drivers to travel to the left side of their

travel lane, by painting a solid white edge line 1.25 metres from the curb face, and that emphasizes the presence of the bike route on this section of Royal York Road, thereby improving the margin of safety and comfort for cyclists;

- (ii) install signage indicating that the bike lane narrows, at the point where the bike lanes narrow from 1.50 metres to 1.25 metres; and
- (iii) report to the Works Committee on the feasibility of:
 - (a) using this type of pavement marking on other City of Toronto roads in the future; and
 - (b) retrofitting existing bike paths which currently are marked with signage only;
- (2) Council adopt the following staff recommendation contained in the Recommendation Section of the report (May 2, 2005) from the Director, Transportation Services, Etobicoke York District:

‘It is recommended that the Acting General Manager, Transportation Services, report further to the Etobicoke York Community Council on the details of the provision of cycling facilities on Stephen Drive and Norseman Street prior to the 2006 construction season.’; and
- (3) a copy of this Clause be forwarded to the Toronto Cycling Committee with a request that the Committee provide comments on the design of these pavement markings.”

Deputy Mayor Pantalone in the Chair.

6.47 Planning and Transportation Committee Report 3, Clause 1a, headed ‘Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law’.

Motions:

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

“That the A-Frame and Mobile Sign By-law be aggressively marketed and communicated to assist with compliance and acceptance.”
- (b) Councillor Moscoe moved that the Clause be amended by referring Appendix H, entitled

“Charitable and Religious Institutions, Community Organizations and Public or Separate Schools” back to the Planning and Transportation Committee to allow for further consultation and review, and requesting the Executive Director, Municipal Licensing and Standards, to report to the Planning and Transportation Committee, on the outcome of the consultations.

(c) Councillor Altobello moved that the Clause be amended:

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

“It is recommended that City Council:

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

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

(2) amend Appendix A annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by adding ‘(g) a ground-mounted sign’ to the definition of ‘temporary sign’;

(3) adopt the proposed by-law provisions for regulating ground-mounted signs contained in Appendix J, annexed hereto; and

(4) amend Appendix E, entitled ‘New Development Sign By-law Provisions’, annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by deleting ‘The number of signs per new development project will be a ratio of one sign to every ten units to a maximum of ten signs per project’, and inserting ‘The number of new development signs will not exceed ten signs per project.’;

(2) by deleting from Recommendation (II)(2) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:

“(II)(2) no A-Frame sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and, it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with this policy; and”;

- (3) by deleting from Recommendation (III)(1) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:

“(III)(1) no mobile sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt; and it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with the policy; and”;

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

“(IV) with respect to New Development Signs:

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

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

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

- (6) by amending Appendix C, entitled “Portable Sign (including A-Frame Sign) By-law Provisions”, as follows:

- (a) by deleting Part (1) and inserting instead the following:

“(1) Portable signs shall allow for 2.1 metres (seven feet) of

unobstructed sidewalk space or where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk.”;

(b) by deleting Part (7) and inserting instead the following:

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

(c) by adding the following new Part (13):

“(13) No permit shall be issued in relation to a premises with a frontage of less than twenty (20) feet.”;

(7) by amending Appendix F, entitled “Real Estate Sign By-law Provisions - Open House Directional Signs”, by adding the following new Part (9):

“(9) an open house directional sign shall include the address of the property for sale or lease and the date of the open house.”; and

(8) by amending Appendix G, entitled “Garage Sale Signs”, by adding the following new Part (5):

“(5) a garage sale sign shall include the address of the property where the garage sale will be located and the date of the garage sale.”

(d) Councillor Nunziata moved that the Clause be amended by:

(1) adding the following:

“That the Executive Director, Municipal Licensing and Standards, be requested to contact each Member of Council to identify problem areas for the purposes of setting priority for sign by-law enforcement in their wards.”; and

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

“(IX) where an application for a Portable or Mobile Sign is received for a location

within a registered Business Improvement Area (BIA) District, that the BIA Board of Management and the local Councillor be notified and requested to comment on the issuance of such permit and if they object, according to their approved criteria, Municipal Licensing and Standards staff shall refuse the application, which refusal may be appealed to Community Council; and”.

(e) Councillor Kelly, on behalf of Councillor Del Grande, moved that the Clause be amended by amending Recommendation (VII) of the Planning and Transportation Committee to provide that:

- (1) funds from licensing fees be used to authorize the Executive Director, Municipal Licensing and Standards, to hire four Municipal Standards Officers immediately, one for each District, at no net cost to the City; and
- (2) funding be added to the Operating Budget for the salaries and costs associated with hiring the Officers, and that the Executive Director, Municipal Licensing and Standards, be requested to report back, through the 2006 budget process, on additional staffing requirements.

(f) Councillor Ashton moved that:

- (1) the Clause be amended by adding the following:

“That Business Improvement Areas be requested to submit to the City their respective criteria and the review process employed in the approval of applications for a portable or mobile sign received within a registered Business Improvement Area.”; and

- (2) motion (b) by Councillor Moscoe be amended to provide that the report requested of the Executive Director, Municipal Licensing and Standards, be submitted to the July 19, 2005, meeting of City Council.

(g) Councillor Fletcher moved that the Clause be amended by adding the following:

“That:

‘WHEREAS there is a high density of pedestrian traffic in Ward 30; and

WHEREAS the Ward is characterized with narrow sidewalks and nominal building setbacks; and

WHEREAS the presence of such signs in the Ward creates safety concerns for the residents of the Ward; and

WHEREAS the proposed by-law contemplates the establishment of restricted areas within the City where temporary signs may be prohibited;

NOW THEREFORE BE IT RESOLVED THAT local roads and collectors and minor arterials (per the road classification system approved by Council) in Ward 30 be designated, by by-law, as a restricted zone in which mobile signs are not permitted.' ”

Votes:

Part (2) of motion (f) by Councillor Ashton carried.

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

Parts (1) to (6) and Part (8) of motion (c) by Councillor Altobello carried.

Adoption of Part (7) of motion (c) by Councillor Altobello:

Yes - 33 Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 4 Councillors:	Holyday, Kelly, Li Preti, Minnan-Wong

Carried by a majority of 29.

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

Yes - 32 Councillors:	Altobello, Augimeri, Balkissoon, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pitfield, Rae, Saundercook, Shiner, Stintz,
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Walker, Watson	
No - 6	
Councillors:	Ashton, Filion, Grimes, Holyday, Pantalone, Soknacki

Carried by a majority of 26.

Motion (e) by Councillor Kelly, on behalf of Councillor Del Grande, carried.

Motion (a) by Councillor Hall carried.

Part (1) of motion (d) by Councillor Nunziata carried.

Part (1) of motion (f) by Councillor Ashton carried.

Adoption of motion (g) by Councillor Fletcher:

Yes - 18	
Mayor:	Miller
Councillors:	Augimeri, Cho, Chow, De Baeremaeker, Di Giorgio, Filion, Fletcher, Jenkins, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pitfield, Shiner
No - 22	
Councillors:	Altobello, Ashton, Balkissoon, Carroll, Davis, Feldman, Ford, Giambrone, Grimes, Hall, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Palacio, Pantalone, Rae, Saundercook, Soknacki, Stintz, Walker, Watson

Lost by a majority of 4.

Adoption of the Clause, as amended:

Yes - 38	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Carroll, Cho, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Walker, Watson
No - 2	
Councillors:	Li Preti, Shiner

Carried by a majority of 36.

In summary, Council amended this Clause:

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

“It is recommended that City Council:

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

‘ground-mounted sign’ means a sign upheld by one or more supports constructed or driven into the ground for the sign’s exclusive support but excludes a sign that is affixed to the ground by a self-supporting structure that has a permanent foundation below grade or above grade;
- (2) amend Appendix A annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by adding ‘(g) a ground-mounted sign’ to the definition of ‘temporary sign’;
- (3) adopt the proposed by-law provisions for regulating ground-mounted signs contained in Appendix J, annexed hereto; and
- (4) amend Appendix E, entitled ‘New Development Sign By-law Provisions’, annexed to the report of the Commissioner of Urban Development Services dated February 22, 2005, by deleting ‘The number of signs per new development project will be a ratio of one sign to every ten units to a maximum of ten signs per project’, and inserting ‘The number of new development signs will not exceed ten signs per project.’”;

- (2) by deleting from Recommendation (II)(2) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:

“(II)(2) no A-Frame sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt, and, it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with this policy; and”;

- (3) by deleting from Recommendation (III)(1) of the Planning and Transportation Committee, the words “of the business displaying the sign”, and inserting instead the words “of the business being advertised in the sign”, so that the Recommendation now reads as follows:

“(III)(1) no mobile sign shall be located in an area that has tall grass or weeds, litter, trash or is generally unkempt; and it shall be the responsibility of the owner of the business being advertised in the sign to keep the property free of such conditions. Signs in violation of this provision shall be removed forthwith, in accordance with the policy; and”;

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

“(IV) with respect to New Development Signs:

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

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

- (1) funds from licensing fees be used to authorize the Executive Director, Municipal Licensing and Standards, to hire four Municipal Standards Officers immediately, one for each District, at no net cost to the City; and
- (2) funding be added to the Operating Budget for the salaries and costs associated with hiring the Officers, and that the Executive Director, Municipal Licensing and Standards, be requested to report back, through the 2006 budget process, on additional staffing requirements;

- (6) by adding to Recommendation (IX) of the Planning and Transportation Committee, the words “and the local Councillor”, after the words “BIA Board of Management”, so that the Recommendation now reads as follows:
- “(IX) where an application for a Portable or Mobile Sign is received for a location within a registered Business Improvement Area (BIA) District, that the BIA Board of Management and the local Councillor be notified and requested to comment on the issuance of such permit and if they object, according to their approved criteria, Municipal Licensing and Standards staff shall refuse the application, which refusal may be appealed to Community Council; and”;
- (7) by further amending Appendix B, entitled “Proposed General Provisions – Temporary Signs”, by adding the following new Part (23), and re-numbering Parts (23) and (24) accordingly:
- “(23) Temporary signs shall not obstruct or be located in a required parking space.”;
- (8) by amending Appendix C, entitled “Portable Sign (including A-Frame Sign) By-law Provisions”, as follows:
- (a) by deleting Part (1) and inserting instead the following:
- “(1) Portable signs shall allow for 2.1 metres (seven feet) of unobstructed sidewalk space or where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk.”;
- (b) by deleting Part (7) and inserting instead the following:
- “(7) Portable signs shall be located against the front wall of the premises directly adjacent to the business which it is advertising or where City approved installations are located on the sidewalk, shall be located so as not to obstruct the remaining portion of the sidewalk.”; and
- (c) by adding the following new Part (13):
- “(13) No permit shall be issued in relation to a premises with a frontage of less than twenty (20) feet.”;
- (9) by amending Appendix F, entitled “Real Estate Sign By-law Provisions - Open House Directional Signs”, by adding the following new Part (9):

- “(9) an open house directional sign shall include the address of the property for sale or lease and the date of the open house.”;
- (10) by amending Appendix G, entitled “Garage Sale Signs”, by adding the following new Part (5):
- “(5) a garage sale sign shall include the address of the property where the garage sale will be located and the date of the garage sale.”;
- (11) by referring Appendix H, entitled “Charitable and Religious Institutions, Community Organizations and Public or Separate Schools” back to the Planning and Transportation Committee to allow for further consultation and review, and requesting the Executive Director, Municipal Licensing and Standards, to report to the July 19, 2005, meeting of City Council, through the Planning and Transportation Committee, on the outcome of the consultations.
- (12) by adding the following:
- “That:
- (a) the A-Frame and Mobile Sign By-law be aggressively marketed and communicated to assist with compliance and acceptance;
 - (b) the Executive Director, Municipal Licensing and Standards, be requested to contact each Member of Council to identify problem areas for the purposes of setting priority for sign by-law enforcement in their wards; and
 - (c) Business Improvement Areas be requested to submit to the City their respective criteria and the review process employed in the approval of applications for a portable or mobile sign received within a registered Business Improvement Area.”

Mayor Miller in the Chair.

6.48 **Policy and Finance Committee Report 5, Clause 36, headed “2004 Reserves and Reserve Funds Year-End Variance Report”.**

Motion:

Councillor Pitfield moved that the Clause be amended by adding the following:

“That:

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

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

Deputy Mayor Pantalone in the Chair.

6.49 **Planning and Transportation Committee Report 4, Clause 8, headed “Graffiti Transformation Grants Program: 2005 Recommendations”.**

Motions:

- (a) Councillor Ford moved that the Clause be amended to provide that the monies be used exclusively to remove graffiti and not for spray painting murals.

Deputy Mayor Bussin in the Chair.

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

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

Vote Be Now Taken:

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

Yes - 22	
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Soknacki, Stintz
No - 9	
Councillors:	Altobello, Ashton, Balkissoon, Chow, Ford, Holyday, Jenkins, Kelly, Watson

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

Votes:

Adoption of motion (a) by Councillor Ford:

Yes - 1	
Councillor:	Ford
No - 31	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Watson

Lost by a majority of 30.

Motion (b) by Councillor Kelly carried.

Adoption of the Clause, as amended:

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Watson
No - 1	
Councillors:	Ford

Carried by a majority of 30.

6.50 **Toronto and East York Community Council Report 4, Clause 38, headed ‘Request by Concord Adex to amend the Railway Lands Central Daycare Agreement (Trinity-Spadina, Ward 20)’.**

The Clause was submitted without recommendation.

Motion:

Councillor Chow moved that Council adopt the following staff Recommendation (2) contained in the Recommendations Section of the report (May 19, 2005) from the City Solicitor:

- “(2) in the event (given Concord Adex’s concerns about delays to the registration of the Harbourview Estates - Phase 1 condominium) City Council wishes to amend the Agreement for the Railway Lands Central as requested by Concord Adex, it is recommended that authority be granted to amend the provisions of the Railway Lands Central Daycare Agreement for the purpose of allowing the required daycare facilities to be located in a separate parcel of land (rather than provided as part of the common elements of the associated condominium building) subject to Concord Adex entering into an agreement with the City:
- (a) to secure the implementation of its proposal for the joint ownership of the daycare facility by the seven area condominium corporations;
 - (b) binding the owner of Block 22 to be responsible for 100 percent of the landlord’s obligations under the daycare lease;
 - (c) precluding the seven area condominiums from divesting their ownership of the daycare building, without the consent of the City, by means of a restriction registered against title pursuant to Section 118 of the *Lands Titles Act*; and
 - (d) acknowledging that this should not be regarded as a precedent for the Railway Lands West or any other development within the City of Toronto.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

6.51 Administration Committee Report 4, Clause 14, headed “Write-off of Uncollectable Miscellaneous Receivables - Update”.

Motion:

Councillor Ford moved that the Clause be referred back to the Administration Committee for further consideration, together with the following requests:

- (1) if the City cannot get one collection agency, both be used; and
- (2) the Deputy City Manager and Chief Financial Officer be requested to conduct a Request for Proposals (RFP) to sell the receivables.

Vote Be Now Taken:

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

Yes - 18	
Councillors:	Augimeri, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Saundercook
No - 10	
Councillors:	Ashton, Ford, Holyday, Jenkins, Mammoliti, Milczyn, Nunziata, Stintz, Walker, Watson

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

Votes:

Adoption of motion (a) by Councillor Ford, with the exception of Part (2):

Yes - 12	
Councillors:	Altobello, Augimeri, Balkissoon, Ford, Hall, Holyday, Kelly, Mammoliti, Moscoe, Nunziata, Saundercook, Shiner
No - 21	
Councillors:	Ashton, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Grimes, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Pantalone, Pitfield, Rae, Soknacki, Stintz, Walker, Watson

Lost by a majority of 9.

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

Yes - 14 Councillors:	Altobello, Augimeri, Balkissoon, Carroll, Ford, Kelly, Lindsay Luby, Mammoliti, Milczyn, Palacio, Pitfield, Saundercook, Shiner, Stintz
No - 21 Councillors:	Ashton, Bussin, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Soknacki, Walker, Watson

Lost by a majority of 7.

Adoption of the Clause, without amendment:

Yes - 27 Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Soknacki, Walker, Watson
No - 8 Councillors:	Altobello, Balkissoon, Ford, Mammoliti, Nunziata, Saundercook, Shiner, Stintz

Carried by a majority of 19.

6.52 Administration Committee Report 4, Clause 24, headed “Expense Claims - Members of Council”.

Motion:

Councillor Pitfield moved that the Clause be amended by adding the following:

“That the City Clerk be requested to report to the Administration Committee on a policy excluding alcoholic beverages from expense claims submitted by Members of Council and the practices of other Municipal Councils.”

Votes:

Adoption of the motion by Councillor Pitfield:

Yes - 10	
Councillors:	Ashton, Ford, Hall, Holyday, Jenkins, Lindsay Luby, Milczyn, Nunziata, Palacio, Pitfield
No - 25	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Chow, Davis, Di Giorgio, Fillion, Fletcher, Giambrone, Kelly, Li Preti, Mammoliti, Mihevc, Moscoe, Pantalone, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson

Lost by a majority of 15.

Adoption of the Clause, without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Davis, Di Giorgio, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 0	

Carried, without dissent.

6.53 Works Committee Report 4, Clause 1, headed “Solid Waste Management Services Multi-Year Business Plan”.

Motion:

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

“That:

- (1) an Excessive Packaging Review Committee be established consisting of three members of the Works Committee, selected from the Works Committee, and representatives from environmental groups, citizen groups, manufacturers and the retail sector; and
- (2) the Excessive Packaging Review Committee have a mandate to:
 - (a) define excessive packaging;
 - (b) undertake a review of products that are excessively packaged;
 - (c) design a campaign to:
 - (i) encourage companies to reduce packaging; and
 - (ii) educate the public to reject products that are excessively packaged; and
 - (d) explore through the City Solicitor:
 - (i) the possibility of a retail levy against merchants who carry products that are deemed to be excessively packaged;
 - (ii) the feasibility of requiring businesses, through their business licenses, to label products that the City deems to be excessively packaged;
 - (iii) the feasibility of requiring businesses to remove excessive packaging prior to a product that is excessively packaged being sold;
 - (iv) a publicity campaign to encourage the public to remove excessive packaging from a product and leave it with the merchant before they remove it from the store;
 - (v) the feasibility of banning waste from specific products that are excessively packaged from the waste stream; and
 - (vi) the feasibility of prohibiting businesses from offering customers cardboard boxes to carry out groceries.”

Disposition:

As Council did not conclude its consideration of this Clause prior to the end of this meeting,

consideration of this Clause was deferred to the next regular meeting of City Council on June 14, 2005.

6.54 **Economic Development and Parks Committee Report 5, Clause 1, headed “Everybody into the Pool’ - An Outdoor Pool Provision Strategy for City of Toronto and the Development of an Aquatics Program Plan (All Wards)”.**

Motion:

Councillor Davis moved that the Clause be amended by:

- (1) deleting Recommendation (2) contained in the report (April 14, 2005) from the Commissioner of Economic Development, Culture and Tourism, and inserting instead the following:

“(2) that Scenarios ‘A’ and ‘B’ pool provision strategies be examined in the implementation report in Phase II of the study, and further that the models include different options for the number and types of pools;” and

- (2) adding the following:

“That:

- (a) a Toronto Aquatic and Pool Strategy Working Group be established to explore options for a new partnership between the City of Toronto and the Toronto District School Board (TDSB) that would support the City of Toronto Aquatic Service Plan, with membership to include Councillors, Trustees and staff from the City of Toronto and the TDSB; and further, that the General Manager of Parks, Forestry and Recreation, be requested to report to the May 30, 2005 meeting of the Economic Development and Parks Committee on proposed Terms of Reference for the Working Group, and that the Working Group report to the Economic Development and Parks Committee by October 2005; and
- (b) there be no reduction in usage of Toronto District School Board pools until a pool replacement strategy is approved.”

Procedural Motion:

Deputy Mayor Pantalone moved the following procedural motion:

“That:

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

Vote:

Adoption of the procedural motion by Councillor Pantalone:

Yes - 29	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson
No - 1	
Councillor:	Augimeri

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

Disposition:

As Council did not conclude its consideration of this Clause prior to the end of this meeting, consideration of this Clause was deferred to the next regular meeting of City Council on June 14, 2005.

Mayor Miller in the Chair.

6.55 **IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE**

May 17, 2005:

Procedural Motion:

Deputy Mayor Pantalone moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Policy and Finance Committee Report 2, Clause 24d, headed "Status of Labour Negotiations", in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations.

Vote:

The motion by Deputy Mayor Pantalone carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:30 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the *Municipal Act, 2001*.

Committee of the Whole rose, reconvened as Council at 7:30 p.m., and met in public session in the Council Chamber.

Mayor Miller took the Chair and called the Members to order.

6.56 Policy and Finance Committee Report 2, Clause 24d, headed "Status of Labour Negotiations".

Report of the Committee of the Whole:

Mayor Miller, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Vote:

The Clause, was adopted, without amendment.

May 18, 2005:

Deputy Mayor Feldman in the Chair.

Procedural Motion:

Deputy Mayor Feldman moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Policy and Finance Committee Report 5, Clause 17, headed "Acquisition of No. 3326 Bloor Street West (Ward 5 - Etobicoke

Lakeshore)”, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to the security of the property of the municipality.

Vote:

The motion by Deputy Mayor Feldman carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:54 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the *Municipal Act, 2001*.

Committee of the Whole rose, reconvened as Council at 7:25 p.m., and met in public session in the Council Chamber.

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

6.57 Policy and Finance Committee Report 5, Clause 17, headed “Acquisition of No. 3326 Bloor Street West (Ward 5 - Etobicoke Lakeshore)”.

Report of the Committee of the Whole:

Deputy Mayor Feldman, in accordance with the provisions of the *Municipal Act, 2001*, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause.

Vote:

Adoption of the Clause, without amendment:

Yes - 24
Councillors: Ashton, Balkissoon, Bussin, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Walker
No - 0

Carried, without dissent.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

Mayor Miller in the Chair.

6.58 **I(1) Review of Councillor Remuneration**

Mayor Miller called upon the following Motion appearing on the Order Paper:

Moved by: Councillor Mammoliti

Seconded by: Councillor Moscoe

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

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

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

Salary Comparison
Mayors and Councillors

Mayor’s Salaries

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

Councillor’s Salaries

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

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Mayor and City Manager be requested to appoint an arm’s-length review Panel to review Council remuneration;

- (2) this arm's-length Panel include an external Human Resources firm, a Labour Relations expert, members of the Toronto Board of Trade and Labour Council and two City of Toronto Ratepayer Presidents; and
- (3) the Panel report back to Council, through the Administration Committee, no later than July 2005."

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion I(1) to the Administration Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion I(1), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1, Page)

Procedural Vote:

The vote to waive referral of Motion I(1) to the Administration Committee was taken as follows:

Yes - 18	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Balkissoon, De Baeremaeker, Di Giorgio, Hall, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Palacio, Pantalone, Rae, Saundercook
No - 16	
Councillors:	Altobello, Cho, Davis, Fletcher, Ford, Giambrone, Holyday, Jenkins, Kelly, Nunziata, Pitfield, Shiner, Soknacki, Stintz, Walker, Watson

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

Council also had before it, for consideration with Motion I(1), the following communications which are on file in the City Clerk's Office:

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

- (undated) from Councillor Mammoliti, entitled “Comparison of Salaries of Mayors and Councillors” [Communication 11(b)]; and
- (May 16, 2005) from Ms. Pereira.

Disposition:

Due to the above decision of Council, Motion I(1) was referred to the Administration Committee.

6.59 **J(1) Appointment of the Striking Committee**

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Miller

Seconded by: Deputy Mayor Pantalone

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

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

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

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

Councillor Brian Ashton;
Councillor Sandra Bussin;

Councillor Shelley Carroll;
Councillor John Filion;
Councillor Gloria Lindsay Luby; and
Councillor David Soknacki;

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

Deputy Mayor Joe Pantalone;

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(1), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Vote:

Motion J(1) was adopted, without amendment.

6.60 **J(2) Appointment of Two Deputy Mayors by Resolution**

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Miller

Seconded by: Deputy Mayor Pantalone

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

WHEREAS, under City of Toronto Municipal Code Chapter 27, §27-99, Council Procedures, City Council has appointed, on Striking Committee’s recommendation, a

Member of Council as Deputy Mayor to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City, or is absent through illness or the office of Mayor is vacant, and such Member, while so acting, will have all the rights, powers and authority of the Mayor, except the by-right-of-office powers of the Mayor as a member of a community council; and

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

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

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

Councillor Sandra Bussin; and
Councillor Mike Feldman;

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(2) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(2), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(2) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(2) was adopted, without amendment.

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

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

Moved by: Councillor Nunziata

Seconded by: Councillor Palacio

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 3, Clause 12, headed ‘Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11 - York South-Weston)’, be re-opened for further consideration;

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

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(3), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting

from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Votes:

The first Operative Paragraph contained in Motion J(3) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(3) was adopted, without amendment.

Summary:

In summary, City Council re-opened Etobicoke York Community Council Report 3, Clause 12, headed "Request for Exemption from the City of Toronto Municipal Code, Chapter 447, Fences, 185 Lambton Avenue (Ward 11 - York South-Weston)", for further consideration, and adopted the balance of Motion J(3), without amendment.

6.62 **J(4) Issuance of Debentures**

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Miller

Seconded by: Councillor Soknacki

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

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(4) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(4) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(4), a report (May 11, 2005) from the Deputy City Manager and Chief Financial Officer, entitled "Issuance of Debentures". (See Attachment 1, Page 181)

Vote:

Adoption of Motion J(4), without amendment:

Yes - 35	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Soknacki, Thompson, Walker, Watson
No - 4	

Councillors: Feldman, Ford, Minnan-Wong, Shiner

Carried by a majority of 31.

Summary:

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

“It is recommended that:

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

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

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

Moved by: Councillor Soknacki

Seconded by: Councillor Mihevc

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

WHEREAS at its meeting of April 12, 13 and 14, 2005, City of Toronto Council adopted Policy and Finance Committee Report 4, Clause 25, headed ‘2005 Education Levy By-law and Other Tax Related Matters’, which established the percentage by which tax decreases

are limited in 2005 for properties in the Commercial, Industrial and Multi-Residential Property Classes, and adopted By-law No. 334-2005 to give effect thereto; and

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

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

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

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

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

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

Votes:

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

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

Summary:

In summary, City Council re-opened Policy and Finance Report 4, Clause 25, headed "2005 Education Levy By-law and Other Tax Related Matters", for further consideration, only as it pertains to the clawback percentage rates specified therein, and adopted the balance of Motion J(5), without amendment.

6.64 **J(6) Licensing of Traditional Medical Establishments and Practitioners**

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

Moved by: Councillor Altobello

Seconded by: Councillor Chow

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

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

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

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

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

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

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

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(6), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2, Page 209)

Vote:

The first Operative Paragraph contained in Motion J(6) carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Chow moved that the balance of Motion J(6) be adopted, subject to adding the following new Operative Paragraph:

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

Votes:

The motion by Councillor Chow carried.

The balance of Motion J(6), as amended, carried.

Summary:

In summary, Council re-opened Policy and Finance Committee Report 5, Clause 11, headed “Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and

Practitioner Licences”, only as it pertains to traditional medical establishments and practitioners, and adopted the balance of this Motion, subject to adding the following new Operative Paragraph:

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

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

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

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

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

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

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

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

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

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

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

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

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(7) to the Administration Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(7), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 3, Page 210)

Procedural Vote:

The vote to waive referral of Motion J(7) to the Administration Committee was taken as follows:

Yes - 9	
Councillors:	Bussin, De Baeremaeker, Di Giorgio, Jenkins, Nunziata, Palacio, Rae, Stintz, Thompson
No - 30	
Mayor:	Miller

Councillor: Altobello, Ashton, Augimeri, Balkissoon, Carroll, Davis, Del Grande, Feldman, Filion, Fletcher, Ford, Giambrone, Hall, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Walker, Watson

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

Disposition:

Due to the above decision of Council, Motion J(7) was referred to the Administration Committee.

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

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

Moved by: Councillor Milczyn

Seconded by: Councillor Watson

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

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

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

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

WHEREAS the Polish Community has expressed the desire to combine two adjoining areas at Roncesvalles Avenue and King Street, one containing the Katyn Monument and the other containing the Siberian monument commemorating the transportation of Polish citizens

to Siberia and their deaths arising from this transportation, so as to create a Commemorative Square for the Polish Community;

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(8) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(8), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 4, Page 211)

Procedural Vote:

The vote to waive referral of Motion J(8) to the Economic Development and Parks Committee was taken as follows:

Yes - 26	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Grimes, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Soknacki, Walker, Watson
No - 16	
Mayor:	Miller
Councillors:	Ashton, Carroll, Chow, Del Grande, Fletcher, Giambrone, Hall,

Holyday, Kelly, Mihevc, Minnan-Wong, Saundercook, Shiner, Stintz, Thompson

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

Disposition:

Due to the above decision of Council, Motion J(8) was referred to the Economic Development and Parks Committee.

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

Deputy Mayor Feldman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Deputy Mayor Feldman

Seconded by: Councillor Shiner

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

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

- (i) obtain site plan approval from the Acting Director, Community Planning, North District;
- (ii) convey a 2.76 metre road widening along the entire Sheppard Avenue West frontage of the site to the City of Toronto; and

- (iii) if necessary, enter into an agreement with Works and Emergency Services to allow for any encroachment of the existing stairs, which may partially encroach on the Sheppard Avenue West road allowance; and

WHEREAS, in proceeding to satisfy these requirements the applicant:

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(9) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(9), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(9) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(9) was adopted, without amendment.

6.68 **J(10) Sole Source Contracts for Processing of Source Separated Organics**

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

Moved by: Councillor Pitfield

Seconded by: Councillor Giambrone

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Works Committee would have to be waived in

order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(10), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 5, Page 212)

Procedural Vote:

The vote to waive referral of Motion J(10) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(10), a report (May 11, 2005) from the General Manager, Solid Waste Management Services, entitled "Source Separated Organic Material Haulage and Processing Services - Ferti-Val Inc. and GSI Environnement Inc." (See Attachment 2, Page 183)

Deputy Mayor Feldman in the Chair.

Vote:

Motion J(10) was adopted, without amendment.

Summary:

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

"It is recommended that:

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

with this report and satisfactory to the General Manager of Solid Waste Management Services, and in a form satisfactory to the City Solicitor;

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

Mayor Miller in the Chair.

6.69 **J(11) Increasing the Composition of the Audit Committee**

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

Moved by: Councillor Soknacki

Seconded by: Deputy Mayor Pantalone

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

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

WHEREAS the *Municipal Act, 2001*, and Municipal Code Chapter 162, Notice, Public, require that notice be given to amend Council Procedures by posting on the notices page

of the City's Web site for at least the minimum notice period, immediately preceding the City committee meeting at which the matter will be considered, and an opportunity is provided for members of the public to speak to the matter, and the minimum notice period starts on the earlier of the publication of the main agenda for the City committee meeting and the fourth working day before the City committee meeting;

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(11) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(11), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(11) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(11) was adopted, without amendment.

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

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

Moved by: Councillor Soknacki

Seconded by: Councillor Rae

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

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(12), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(12) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(12) was adopted, without amendment.

6.71 **J(13) Major Cultural Organizations Grants Program - Funding for Pride Toronto**

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

Moved by: Councillor Rae

Seconded by: Councillor McConnell

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

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

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(13) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(13), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(13) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Feldman in the Chair.

Vote:

Adoption of Motion J(13), without amendment:

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 3	
Councillors:	Del Grande, Ford, Minnan-Wong

Carried by a majority of 29.

Mayor Miller in the Chair.

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

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

Moved by” Councillor Balkissoon

Seconded by: Councillor Del Grande

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(14) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(14), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(14) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(14), a Notice of Decision (March 16, 2005)

from the Manager and Deputy Secretary Treasurer, Committee of Adjustment, Scarborough Panel, which is on file in the City Clerk's Office.

Vote:

Motion J(14) was adopted, without amendment.

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

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

Moved by: Councillor Altobello

Seconded by: Councillor De Baeremaeker

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

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

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

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

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

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

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

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(15), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 6, Page 213)

Procedural Vote:

The vote to waive referral of Motion J(15) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(15), a report (May 16, 2005) from the Executive Director, Municipal Licensing and Standards, and the Deputy City Manager and Chief Financial Officer, entitled “Repair of the Knob Hill Plaza Parking Lot, Nos. 2605 to 2705 Eglinton Avenue East (Ward 35 - Scarborough Southwest)”. (See Attachment 3, Page 192)

Deputy Mayor Bussin in the Chair.

Vote:

Motion J(15) was adopted, without amendment.

Summary:

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

“It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer be given the authority to advance the funds to the 2005 Municipal Licensing and Standard’s Operating Budget, in order to award the contract estimated at \$770,000.00, net of GST, related to the repair of the Knob Hill Plaza parking lot, in accordance with the normal purchasing processes as defined in Chapter 195 of the City of Toronto Municipal Code;
- (2) the authority of the Bid Committee be extended to make an award resulting from the tender call;
- (3) the funds be recovered by way of invoicing the 39 property owners, and any unpaid amounts be added to the tax roll of the properties; and
- (4) the Executive Director, Municipal Licensing and Standards and appropriate City officials be authorized to take the necessary action to give effect thereto.”

Mayor Miller in the Chair.

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

Councillor Jenkins moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Jenkins

Seconded by: Councillor Carroll

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

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

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

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

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

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

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

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

the vote upon which was taken as follows:

Yes - 25	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Walker
No - 17	
Councillors:	Altobello, Augimeri, Balkissoon, Del Grande, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Pantalone, Rae, Soknacki, Stintz, Thompson, Watson

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

Fiscal Impact Statement:

City Council had before it, for consideration of Motion J(16), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Disposition:

As the motion to waive notice did not carry, Notice of this Motion was given to permit consideration at the next regular meeting of City Council on June 14, 2005.

Deputy Mayor Feldman in the Chair.

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

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

Moved by: Councillor Shiner

Seconded by: Councillor Feldman

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT in order to meet the proposed construction schedule, City Council give consideration to the attached report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled ‘Surplus Land Declaration and Proposed Closing – Portion of Leslie Street

Road Allowance’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(17) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(17), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(17) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(17), a report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled “Surplus Land Declaration and Proposed Closing – Portion of Leslie Street Road Allowance (Ward 24 - Willowdale”. (See Attachment 4, Page 196)

Vote:

Motion J(17) was adopted, without amendment.

Summary:

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

“It is recommended that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001, and subject to City Council approving the sale of the Highway, the Highway be permanently closed as a public highway;

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

6.76 **J(18) Designation of 200 Russell Hill Road Under the *Ontario Heritage Act***

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

Moved by: Councillor Walker

Seconded by: Councillor Jenkins

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT following consultation with the Toronto Preservation Board, City Council give notice of its intention to designate the

property at 200 Russell Hill Road (Frederick J. Capon House) under Part IV of the *Ontario Heritage Act*;

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

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(18), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(18) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(18) was adopted, without amendment.

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

Councillor Hall moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion, moved by Councillor Cowbourne, seconded by Councillor Soknacki, and, in the absence of Councillor Cowbourne, moved by Councillor Hall, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Hall

Seconded by: Councillor Soknacki

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted, as amended, Policy and Finance Committee Report 4, Clause 37, headed ‘Participation in

Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives’; and

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

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

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

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(19), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Votes:

The first Operative Paragraph contained in Motion J(19) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(19) was adopted, without amendment.

Summary:

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

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

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

Moved by: Councillor Milczyn

Seconded by: Councillor Lindsay Luby

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

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

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

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

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

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

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

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(20) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(20), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(20) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(20), the following, which are on file in the City Clerk's Office:

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

Motion:

Councillor Milczyn moved that Motion J(20) be adopted, subject to amending the first Recital by adding the words "to be dedicated to the City for road widening purposes", so that the first Recital now reads as follows:

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

Vote:

The motion by Councillor Milczyn carried.

Motion J(20), as amended, carried.

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

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

Moved by: Councillor Mammoliti

Seconded by: Councillor Palacio

“**WHEREAS** William Baidal will be hosting a Latin Fiesta on July 8, 2005, at the Downsview Arena; and

WHEREAS a portion of the proceeds will go towards local community charities; and

WHEREAS this event is considered to be a community event; and

WHEREAS this event will include a Special Occasion Beer Garden; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires that, for events of this nature, approval be granted by City Council;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) permission be granted to hold this Special Occasion Beer Garden Permit event;
- (2) a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario be obtained;
- (3) a \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) proof of liability insurance coverage in the amount of \$2.0 million, naming the City of Toronto as additional insured be provided;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;

- (6) all regulations outlined in all City of Toronto policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

AND BE IT FURTHER RESOLVED THAT City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(21) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(21), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(21) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(21) was adopted, without amendment.

6.80 J(22) Development of Infrastructure Policy and Standards Review

Councillor Altobello, with the permission of Council, withdrew the following Motion:

Moved by: Councillor Altobello

Seconded by: Councillor Milczyn

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted, as amended, Planning and Transportation Committee Report 3, Clause 15, headed ‘Development Infrastructure Policy and Standards Review’; and

WHEREAS City officials are processing planning applications that are at different stages in the planning process and have received varying levels of commitment to proceed, or are close to approval; and

WHEREAS some of the applications do not conform to Council’s recent direction that all streets be designed to permit curbside garbage collection by City vehicles and other City services;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Committee Report 3, Clause 15, headed ‘Development Infrastructure Policy and Standards Review’, adopted, as amended, by City Council on April 12, 13 and 14, 2005, be re-opened for further consideration, only as it pertains to Recommendation (4);

AND BE IT FURTHER RESOLVED THAT the following Recommendation (4) contained in Planning and Transportation Report 3, Clause 15, adopted, as amended, by City Council at its meeting of April 12, 13 and 14, 2005, be referred to the Planning and Transportation Committee for consideration at its meeting on May 25, 2005, and to the Works Committee for consideration at its meeting on May 26, 2005:

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

6.81 J(23) Endorsement of the Pan-Canadian Conference of Youth Cabinets

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

Moved by: Councillor McConnell

Seconded by: Councillor Carroll

“**WHEREAS** the Toronto Youth Cabinet (TYC) is an official body of the City of Toronto that represents Toronto’s young people at City Hall, and encourages youth-led civic engagement and capacity building among the City’s youth; and

WHEREAS the TYC is currently planning the first-ever Pan-Canadian Conference of Youth Cabinets to share best-practice youth engagement models, build capacity among participants to become better advocates and encourage networking amongst youth from all municipalities; and

WHEREAS the World Association of Major Metropolises has established an International Youth Congress to explore Urban Youth issues worldwide and will gather in Toronto in June 2006, along with the Metropolises Annual Board meeting; and

WHEREAS the desired outcome of the Pan-Canadian Conference of Youth Cabinets would be a sustainable council of youth that can effectively advocate to all orders of government on issues that relate to young people;

NOW THEREFORE BE IT RESOLVED THAT the Pan-Canadian Conference of Youth Cabinets be endorsed by Toronto City Council;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Federation of Canadian Municipalities to endorse the Pan-Canadian Conference of Youth Cabinets;

AND BE IT FURTHER RESOLVED THAT the Toronto Youth Cabinet be requested to give consideration to holding the Pan-Canadian Conference of Youth Cabinets prior to June 2006, so that it can lead into the World Association of Major Metropolises International Youth Congress.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(23), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(23) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Motion:

Councillor McConnell moved that Motion J(23) be adopted, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Executive Director, Social Development and Administration, be requested to report on any financial implications to the Budget Advisory Committee for their consideration.”

Deputy Mayor Pantalone in the Chair.

Vote:

The motion by Councillor McConnell carried.

Motion J(23), as amended, carried.

Councillor Minnan-Wong requested that his opposition to Motion J(23) be noted in the Minutes of this meeting.

Deputy Mayor Feldman in the Chair.

6.82 **J(24) Supplementary Report OPA & Rezoning Application 04 165304 WET 05 OZ
Applicant: 1265161 Ontario Ltd. Architect: Fernando Fabiani 515 Royal York Road
– Ward 5 - Etobicoke-Lakeshore**

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

Moved by: Councillor Milczyn

Seconded by: Councillor Grimes

“WHEREAS City Council at its meeting on February 16, 2005 adopted, without amendment, Etobicoke York Community Council Report 2, Clause 2, headed ‘Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 - Etobicoke-Lakeshore’; and

WHEREAS the applicant has requested the Bills be forwarded for enactment at the May 17, 18, and 19, 2005 meeting of City Council; and

WHEREAS staff from City Planning and Works and Emergency Services have reviewed the request and have no objection to forwarding the Bills at this time; and

WHEREAS the local Councillor has also reviewed the request and has no objection to forwarding the Bills at this time;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke York Community Council Report 2, Clause 2, headed 'Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 – Etobicoke-Lakeshore', be re-opened for further consideration, only as it pertains to conditions on the introduction of the Bills;

AND BE IT FURTHER RESOLVED THAT City Council consider the attached report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, and that the staff recommendation contained in the Recommendation Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(24), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Council had before it, during consideration of Motion J(24), a report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled “Supplementary Report, OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road, Ward 5 - Etobicoke-Lakeshore”. (See Attachment 5, Page 199)

Vote:

The first Operative Paragraph contained in Motion J(24) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(24) was adopted, without amendment.

Summary:

In summary, City Council re-opened Etobicoke York Community Council Report 2, Clause 2, headed "Supplementary Report OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road - Ward 5 - Etobicoke Lakeshore", for further consideration, only as it pertains to conditions on the introduction of the Bills, and adopted the balance of Motion J(24), without amendment.

In adopting the balance of Motion J(24), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division:

"It is recommended that, notwithstanding staff recommendations contained within the report (January 20, 2005) from the Acting Director, Community Planning, West District, and adopted by City Council on February 16, 2005, the Bills be forwarded for enactment at the May 17, 18, and 19, 2005 meeting of City Council."

6.83 **J(25) GO Transit Rail-to-Rail Diamond Grade Separation "trench extension" – Report Request**

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

Moved by: Councillor Palacio

Seconded by: Councillor Nunziata

WHEREAS GO Transit has recently completed an environmental assessment on the feasibility of a 'Rail to Rail Diamond Grade Separation' in the St. Clair Avenue West and Old Weston Road area, essentially bringing the existing North-South CN Weston Subdivision rail line below the grade of the existing East-West CP North-Toronto Subdivision rail line, in order to improve the efficiency of GO Transit service; and

WHEREAS at present, the 'trench' is planned to surface a few metres south of St. Clair Avenue West, leaving the existing narrow and aged overpass on St. Clair Avenue West as is, with no significant upgrades or changes of any kind; and

WHEREAS this section of St. Clair Avenue West represents a narrow 'bottleneck' location and continuing the trench a few hundred metres more so that it resurfaces north of St. Clair Avenue West could open up the surrounding area for redevelopment and revitalization; and

WHEREAS the City of Toronto and the Toronto Transit Commission are already planning on reconstructing the street and entire area as part of the St. Clair West Transit Improvement project in 2006;

NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City staff and agencies, be requested to report to the Planning and Transportation Committee on the potential planning, economic, transportation and other benefits and implications, including the impact to the St. Clair West Transit Improvement project, of extending the trench a few hundred metres more north of St. Clair Avenue West in this manner, and other potential co-operation with GO Transit in this endeavour;

AND BE IT FURTHER RESOLVED THAT this report be prepared in a timely matter, in time to influence the ongoing environmental assessments related to this GO transit corridor.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(25), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(25) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Motions:

- (a) Deputy Mayor Pantalone moved that Motion J(25) be adopted, subject to amending the first Operative Paragraph by adding the words “and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing”, so that the first Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City staff and agencies, be requested to report to the Planning and Transportation Committee on the potential planning, economic, transportation and other benefits and implications, including the impact to the St. Clair West Transit Improvement project, of extending the trench a few hundred metres more north of St. Clair Avenue West in this manner, and other potential co-operation with GO Transit in this endeavour and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing;”

Deputy Mayor Pantalone in the Chair.

- (b) Councillor Moscoe moved that Motion J(25) be amended by adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT this motion is in no way intended to interfere with the approved exclusive right-of-way on St. Clair Avenue or interfere with the St. Clair Avenue Environment Assessment.”

Votes:

Motion (a) by Deputy Mayor Pantalone carried.

Motion (b) by Councillor Moscoe carried.

Motion J(25), as amended, carried.

Summary:

In summary, City Council adopted Motion J(25), subject to:

- (1) amending the first Operative Paragraph by adding the words “and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing”, so that the first Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Chief Planner and Executive Director, City Planning, in consultation with other appropriate City staff and agencies, be requested to report to the Planning and Transportation Committee on the potential planning, economic, transportation and other benefits and

implications, including the impact to the St. Clair West Transit Improvement project, of extending the trench a few hundred metres more north of St. Clair Avenue West in this manner, and other potential co-operation with GO Transit in this endeavour and that the Chief Planner and Executive Director, City Planning, in consultation with appropriate City staff and agencies, be requested to submit a similar report on trenching for the Strachan Avenue crossing;” and

- (2) adding the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** this motion is in no way intended to interfere with the approved exclusive right-of-way on St. Clair Avenue or interfere with the St. Clair Avenue Environment Assessment.”

Deputy Mayor Feldman in the Chair.

6.84 **J(26) Rat Elimination Strategy for the City of Toronto – Report Request**

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

Moved by: Councillor Palacio

Seconded by: Councillor Nunziata

“**WHEREAS** rats and mice pose a public health hazard to all citizens of the City of Toronto, particularly in the case of infestations, and City property, including laneways and sewers, are often the largest sources of this problem; and

WHEREAS the burden is often put on private property owners to rid their property of rats and mice, even if they are seniors or low income, or the infestation involves a number of properties; and

WHEREAS the City of Toronto has set up a new ‘Rat Hotline’ to deal with rat complaints and many residents are dismayed when they call to find that the City will do nothing to help a private owner with their own rat problem; and

WHEREAS the former City of Toronto had a rat control program that was in place until the mid-90s and was discontinued because of cost;

NOW THEREFORE BE IT RESOLVED THAT the Medical Officer of Health and the Executive Director, Municipal Licensing and Standards, draft and bring forward a ‘Rat

Elimination Strategy’ for the City of Toronto to an upcoming meeting of the Board of Health, that includes proactive measures for eliminating rats on both public and private property;

AND BE IT FURTHER RESOLVED THAT this report consider providing free advice and information to homeowners, rat eradication on a free and/or cost-recovery basis for homeowners, and a Municipal Licensing and Standards enforcement strategy that prioritizes the elimination of rat living and breeding conditions and any other measures staff deem appropriate;

AND BE IT FURTHER RESOLVED THAT this report highlight the health risks associated with rats, rat infestations and the net health benefit of adopting a ‘Rat Elimination Strategy’.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(26) to the Board of Health would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(26), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(26) to the Board of Health was taken as follows:

Yes - 19	
Councillors:	Augimeri, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Grimes, Hall, Kelly, Mammoliti, Nunziata, Palacio, Pantalone, Pitfield, Rae, Shiner, Walker, Watson
No - 20	
Councillors:	Ashton, Bussin, Carroll, Chow, Davis, Fillion, Giambrone, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Saundercook, Soknacki, Stintz, Thompson

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

Disposition:

Due to the above decision of Council, Motion J(26) was referred to the Board of Health.

6.85 **J(27) The Implication of Bill 164, the *Tobacco Control Statute Law Amendment Act, 2004*, on Charity Bingo**

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Nunziata

Seconded by: Councillor Palacio

“WHEREAS Chapter 709, Smoking, Designated Smoking Room, of the City of Toronto Municipal Code, was amended by By-law 344-2003 to permit smoking in a Class ‘F’ public place where the principal business is the operation of a bingo hall, provided all requirements detailed in Subsection B of Section 709-1 are adhered to; and

WHEREAS Bill 164, the *Tobacco Control Statute Law Amendment Act, 2004*, when enacted, will no longer permit smoking in designated smoking rooms in bingo halls; and

WHEREAS the City of Toronto currently licenses 319 charitable organizations to manage and conduct bingo events in eight commercial bingo halls; and

WHEREAS the charity municipal bingo net profit was approximately \$3.4 million in 2002, and declined to \$2.4 million in 2004; and

WHEREAS municipal bingo licensing fees were approximately \$3.0 million in 2002, and \$2.3 million in 2004, with a further projected decline to \$1.8 million in 2005; and

WHEREAS the Municipalities of Chatham/Kent, Collingwood, Greater Sudbury, Guelph, Kitchener/Waterloo, London, Midland, North Bay, Ottawa and Sault Ste. Marie have experienced bingo hall closures, as a result of adopting a 100 percent smoke-free environment;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council send a Resolution to the Minister of Health and Long-Term Care stating that a total ban on smoking in public places is not appropriate, as it does not speak to the needs of the City of Toronto’s communities, and requesting that the Province develop a fair compromise regarding the smoking issue;

AND BE IT FURTHER RESOLVED THAT the Minister of Health and Long-Term Care be requested to consider the outstanding contribution to community programs and services that charitable bingo provides and, therefore, make specific provisions in the new Legislation to ensure that charitable bingo is given special consideration in regard to the *Tobacco Control Statute Law Amendment Act, 2004.*”

the vote upon which was taken as follows:

Yes - 30 Councillors:	Ashton, Augimeri, Bussin, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Giambrone, Grimes, Hall, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Pantalone, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson
No - 10 Councillors:	Altobello, Carroll, Fletcher, Ford, Holyday, Jenkins, Li Preti, Moscoe, Pitfield, Thompson

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

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(27) to the Board of Health would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(27), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(27) to the Board of Health was taken as follows:

Yes - 26 Councillors:	Ashton, Augimeri, Carroll, Chow, Davis, De Baeremaeker, Del Grande, Fillion, Ford, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Nunziata, Palacio, Pantalone, Pitfield, Rae, Soknacki,
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Thompson, Walker	
No - 14	
Councillors:	Altobello, Bussin, Di Giorgio, Feldman, Fletcher, Holyday, Kelly, LiPreti, Minnan-Wong, Moscoe, Saundercook, Shiner, Stintz, Watson

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

Disposition:

Due to the above decision of Council, Motion J(27) was referred to the Board of Health.

Motion to Re-Open:

Councillor Kelly moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(27) be re-opened for further consideration, in order to permit him to change his vote on waiving referral of the Motion to the Board of Health.

Ruling by Deputy Mayor:

Deputy Mayor Feldman ruled the motion to re-open by Councillor Kelly, out of order, as it would change the result of the vote.

Councillor Kelly challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 29	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook, Shiner, Stintz, Thompson, Watson
No - 12	
Councillors:	Del Grande, Di Giorgio, Ford, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Palacio, Pitfield, Soknacki, Walker

Carried by a majority of 17.

6.86 J(28) Metal Detectors/Security Measures in Nightclubs

Councillor Mammoliti moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion:

Moved by: Councillor Mammoliti

Seconded by: Councillor Nunziata

“WHEREAS on Sunday, April 22, 2005, gun fire erupted in the Prestige Palace; and

WHEREAS when the shooting stopped, six people had been wounded and Livvette Miller had been gunned down; and

WHEREAS only a short time after Toronto Police responded to a shooting at a North York nightclub, authorities were summoned downtown in response to another shooting; and

WHEREAS a 33 year-old doorman was shot in the stomach outside of the Film Lounge near Dundas and Beverley, at approximately five in the morning, in front of several witnesses; and

WHEREAS there have been over 20 nightclub-related deaths in the last 15 years in the City of Toronto; and

WHEREAS steps need to be taken to minimize, if not end, these pointless acts of violence that take place in our City; and

WHEREAS City Council at its special meeting on May 4, 2005, by its adoption of Motion J(3), entitled ‘Interim Control By-Law - King-Spadina Part II Plan’, directed the Executive Director of Municipal Licensing and Standards to consult with the Chief of Police and report to the October meeting of the Planning and Transportation Committee on immediate amendments to Chapter 545, Licensing, to implement standards to define and regulate such uses, and that notice be given as required by the Municipal Code Chapter 162, Notice, Public; and also requested the Executive Director to include in the 2006 budget process, a business case to undertake a broad review of the licensing requirements of all facilities that provide food and entertainment activities, and make recommendations to deal with problems, including security;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director of Municipal Licensing and Standards be directed to include in her forthcoming report on licensing amendments, a review of the requirement that all new nightclubs install metal detectors or other similar security measures as a condition to these clubs obtaining the necessary licenses

to operate and that all existing clubs upgrade their security to include metal detectors or other similar security measures.”

the vote upon which was taken as follows:

Yes - 29	
Councillors:	Altobello, Augimeri, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Walker, Watson
No - 11	
Councillors:	Ashton, Bussin, Carroll, Chow, Davis, Giambrone, Minnan-Wong, Shiner, Soknacki, Stintz, Thompson

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

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(28), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(28) to the Planning and Transportation Committee was taken as follows:

Yes - 18	
Councillors:	Augimeri, De Baeremaeker, Feldman, Filion, Fletcher, Ford, Grimes, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Nunziata, Palacio, Pitfield, Soknacki, Walker, Watson
No - 22	
Councillors:	Altobello, Ashton, Bussin, Carroll, Chow, Davis, Del Grande, Di Giorgio, Giambrone, Hall, Holyday, Jenkins, Lindsay Luby,

Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Saundercook, Shiner, Stintz, Thompson

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

Disposition:

Due to the above decision of Council, Motion J(28) was referred to the Planning and Transportation Committee.

6.87 **J(29) Budget Variance - Resources in Support of Council Priority Number 8: Improve the Planning Process**

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

Moved by: Councillor Filion

Seconded by: Councillor Altobello

“WHEREAS City Council at its meeting of February 1, 2 and 3, 2005, received Item (d), entitled ‘Council Priority for the 2003-2006 Term: Improve the Planning Process (All Wards)’, as contained in Planning and Transportation Committee Report 1, Clause 4, headed ‘Other Items Considered by the Committee’, for information; and

WHEREAS the report proposed a Listen, Learn, Lead action plan to address Council’s priority to improve the planning process, and reported on activity undertaken in support of this activity; and

WHEREAS the Planning and Transportation Committee referred the report to a Sub-Committee of the Planning and Transportation Committee to develop an improved Planning process; and

WHEREAS the Sub-Committee, composed of Councillors Filion, Jenkins, Milczyn, Palacio and Stintz, has met three times to discuss this issue and has directed City Planning staff to proceed with four District consultation meetings to be held with local ratepayer groups, industry members and such others as suggested by the local Councillors and these meetings are being scheduled for the month of June, in order to prepare a report to the Planning and Transportation Committee in the Fall of 2005; and

WHEREAS, in order to facilitate the four District meetings, resources will need to be dedicated to ensure a community consultation in the four Districts of the City. These

meetings were not anticipated in the course of the 2005 budget preparations and will, of necessity, mean a re-allocation of resources in the City Planning Division. The total cost for these four District consultations is estimated to be up to \$12,000.00 and no new funds are being requested for this initiative;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled 'Budget Variance- Resources in Support of Council Priority Number 8: Improve the Planning Process', and that the report be received for information."

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(29), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 7, Page 214)

Procedural Vote:

The vote to waive referral of Motion J(29) to the Planning and Transportation Committee was taken as follows:

Yes - 25	
Councillors:	Altobello, Ashton, Augimeri, Carroll, Chow, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, Kelly, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Walker
No - 15	
Mayor:	Miller
Councillors:	Bussin, Del Grande, Di Giorgio, Feldman, Ford, Hall, Li Preti, Lindsay Luby, Minnan-Wong, Nunziata, Palacio, Rae, Shiner, Watson

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

Motion to Re-Open:

Mayor Miller, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, the vote to waive referral of Motion J(29) to the Planning and Transportation Committee be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 5	
Councillors:	Del Grande, Ford, Li Preti, Nunziata, Shiner

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

Procedural Vote:

The vote to waive referral of Motion J(29) to the Planning and Transportation Committee was again taken as follows:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
No - 5	
Councillors:	Del Grande, Ford, Li Preti, Rae, Shiner

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

Council had before it, during consideration of Motion J(29), a report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled "Budget Variance- Resources in Support of Council Priority Number 8: Improve the Planning Process, All Wards". (See Attachment

6, Page 201)

Vote:

Motion J(29) was adopted, without amendment.

Summary:

In adopting Motion J(29) without amendment, Council received the report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, for information.

6.88 **J(30) Settlement Report – Ontario Municipal Board Hearing – 263-265 Davenport Road**

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

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“**WHEREAS** City Council at its meeting of February 16, 2005, instructed the City Solicitor to attend at the Ontario Municipal Board in opposition to a Committee of Adjustment decision to permit a restaurant use at 263-265 Davenport Road; and

WHEREAS Legal Services has now appealed the Committee of Adjustment decision and has made the City a party to the upcoming Ontario Municipal Board hearing; and in the process of preparing for the hearing it has become necessary for the City Solicitor to seek further direction from Council; and

WHEREAS this is a time-sensitive matter, since the Board hearing is scheduled to commence on June 1, 2005; and

WHEREAS the City Solicitor has prepared a confidential report seeking direction from City Council regarding this matter;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the City Solicitor, and that staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(30) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(30), a confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to waive referral of Motion J(30) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(30), a confidential report (May 16, 2005) from the City Solicitor.

Vote:

Motion J(30) was adopted, without amendment.

Summary:

In adopting Motion J(30) without amendment, Council adopted, without amendment, the confidential report (May 16, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information that is subject to solicitor-client privilege:

“It is recommended that:

- (1) the City Solicitor be authorized to withdraw from the above-noted Ontario Municipal Board hearing on condition that costs not be awarded against the City; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

6.89 J(31) Legal Action – Harbourfront Fire Station

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

Moved by: **Councillor Chow**

Seconded by: **Councillor Mihevc**

“**WHEREAS** City Council at its meeting of March 2, 3 and 4, 1999, adopted Corporate Services Committee Report 2, Clause 14, headed ‘Construction of Harbourfront Fire Station, 339 Queens Quay West - Project No. 880004FD, Tender No. 148-1998’; and

WHEREAS the City Solicitor has prepared a confidential report seeking instructions with respect to the conduct of the action;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(31) to the Administration Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(31), a confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to waive referral of Motion J(31) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(31), a confidential report (May 16, 2005) from the City Solicitor.

Vote:

Motion J(31) was adopted, without amendment.

Summary:

In adopting Motion J(31) without amendment, Council adopted, without amendment, the confidential

report (May 16, 2005) from the City Solicitor. This report remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

6.90 **J(32) Offers of Additional Compensation - Expropriations for North York Centre Plan Service Road**

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

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“**WHEREAS** City Council at its meeting of April 12, 13 and 14, 2005, adopted Motion J(12) with the attached confidential report from the Commissioner of Corporate Services; and

WHEREAS in adopting Motion J(12), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated April 8, 2005, from the Commissioner of Corporate Services; and

WHEREAS the confidential report requested authorization to make and serve Offers of Compensation on the former owners of the expropriated properties listed therein, in accordance with Section 25 of the *Expropriations Act*; and

WHEREAS in accordance with Section 25 of the *Expropriations Act* and pursuant to the April 12, 13 and 14, 2005 authority, Offers of Compensation were served on the former owners on April 25, 2005; and

WHEREAS staff have now been advised that new information has come to light with respect to the supporting appraisal reports for two of the six properties;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report (May 16, 2005) from the Chief Corporate Officer, entitled ‘Offers of Additional Compensation - Expropriations for North York Centre Plan Service Road’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(32), a confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to waive referral of Motion J(32) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(32), a confidential report (May 16, 2005) from the Chief Corporate Officer.

Mayor Miller in the Chair.

Vote:

Motion J(32) was adopted, without amendment.

Summary:

In adopting Motion J(32) without amendment, Council adopted, without amendment, the confidential report (May 16, 2005) from the Chief Corporate Officer. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) authority be granted to make additional offers of compensation on the former owners of the expropriated properties listed below, together with the supporting materials:
 - (a) \$170,000.00 to 375655 Ontario Limited for total compensation of \$830,000.00 for fee simple title to all of 25 Holmes Avenue, which property is designated as Part 3 on Expropriation Plan AT 715116 registered on January 25, 2005; and

- (b) \$231,000.00 to Gino and Maddelena Gulia for total compensation of \$806,000.00 for fee simple title to all of 27 Holmes Avenue, which property is designated as Part 4 on Expropriation Plan AT 715116 registered on January 25, 2005;
- (2) if requested, the Chief Corporate Officer be authorized to extend, at his discretion, the date for possession of each expropriated property to a mutually agreeable date; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Deputy Mayor Feldman in the Chair.

6.91 **J(33) Liquor Licence Matters – 925 Weston Road**

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

Moved by: Councillor Nunziata

Seconded by: Councillor Kelly

“**WHEREAS** the Alcohol and Gaming Commission of Ontario (AGCO) are reviewing the liquor sales licence of Da Place 2B Inc. operating as Da Place 2B located at 925 Weston Road, Toronto, Ontario, under AGCO licence number 40921; and

WHEREAS local residents, businesses, 12th Division of the Toronto Police Service and the Councillor’s office have significant concerns with respect to the numerous Provincial Offence and Criminal Code violations that have occurred in the past year (a summary of some of these violations is attached as confidential Schedule A) and the negative impact these activities have on the local residents; and

WHEREAS the Toronto Police Service specifically advised that there was an incident that occurred in the licensed establishment on May 14, 2005, in which a firearm was discharged in the premises during business hours, and charges have been laid against individuals for violations of the Criminal Code in connection with this occurrence; and

WHEREAS the Toronto Police Service has further advised the Councillor that there is an escalating and ongoing threat to public safety to patrons, pedestrians, neighbours and police

officers in the area because of the ongoing criminal activities and arrests emanating from this location and the surrounding area; and

WHEREAS the Toronto Police Service has advised that, in its opinion, there is a correlation between these occurrences and the sale and service of alcohol in these premises; and

WHEREAS for all the reasons noted above, the continuation of the liquor sales licence of Da Place 2B Inc. poses an immediate and ongoing risk to public safety and is not in the public interest, having regard to the needs and wishes of the municipality in which the premises are located;

NOW THEREFORE BE IT RESOLVED THAT Council advise the AGCO of the City of Toronto's opposition to continuation of this liquor sale licence, in particular the risk to public safety, and that a copy of this Resolution be forwarded to the AGCO;

AND BE IT FURTHER RESOLVED THAT the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving a review of the liquor sales licence of Da Place 2B Inc. and that the City Solicitor and necessary staff be authorized to participate in any such proceedings.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(33) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(33), a confidential Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer.

Procedural Vote:

The vote to waive referral of Motion J(33) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(33), a confidential Schedule “A”. This schedule remains confidential in its entirety, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation.

Vote:

Motion J(33) was adopted, without amendment.

6.92 **J(34) Request for City Solicitor to Attend the Ontario Municipal Board Hearing to Defend the Decision of the Committee of Adjustment with respect to 89 Kingsway Crescent**

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

Moved by: Councillor Milczyn

Seconded by: Councillor Lindsay Luby

“WHEREAS the applicant applied to the City to demolish the dwelling at 87 Kingsway Crescent and the detached garage at 89 Kingsway Crescent, and then to construct a single two-storey dwelling on both properties, while retaining the historical façade of the dwelling at 89 Kingsway Crescent; and

WHEREAS Toronto City Council at its meeting of February 16, 2005, agreed to revise the existing encroachment agreement for 89 Kingsway Crescent to protect the heritage designation of this property; and

WHEREAS the Etobicoke York Committee of Adjustment at its meeting of March 3, 2005, refused all variances pertaining to gross floor area, front yard setback and parking in the front yard; and

WHEREAS By-law 1993-108(1)(a) permits 150m² plus 25 percent of the lot area which is equal to 696m² and the applicant requested a gross floor area of 925.3m²; and

WHEREAS the applicants filed an appeal of the decision of the Committee of Adjustment to the Ontario Municipal Board (OMB) on March 17, 2005 (case #PL050300); and

WHEREAS the property owner is also appealing the non-issuance of the demolition permit, and is appealing the heritage designation of 89 Kingsway Crescent;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to attend the Ontario Municipal Board to oppose the application, as the variances are not minor in nature and are not in keeping with the spirit and intent of the Zoning By-laws for the area, and to retain outside consultants where needed.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(34) to the Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(34), a Fiscal Impact Statement from the Deputy City Manager and Chief Financial Officer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 204)

Procedural Vote:

The vote to waive referral of Motion J(34) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(34), the following, which are on file in the City Clerk's Office:

- Extract of Minutes (March 3, 2005) from the Committee of Adjustment, Etobicoke York Panel; and
- Notice of Decision (May 13, 2005) from the Manager/Deputy Secretary Treasurer, Committee of Adjustment, Etobicoke York Panel.

Vote:

Motion J(34) was adopted, without amendment.

6.93 **J(35) Cash in lieu for Parkland Dedication – 2701 Keele Street (Ward 9 – York Centre)**

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

Moved by: Councillor Augimeri

Seconded by: Councillor Carroll

“WHEREAS City Council at its meeting on November 30, December 1 and 2, 2004, adopted, as amended, North York Community Council Report 9, Clause 32, headed ‘Final

Report Application to Amend Zoning By-law 7652 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)'; and

WHEREAS there is a deficiency of parkland in Ward 9 and it is desirable to re-direct the required cash-in-lieu for parkland to the community;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report 9, Clause 32, headed 'Final Report - Application to Amend Zoning By-law 7625 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)', be re-opened for further consideration, only as it pertains to cash-in-lieu for parkland dedication;

AND BE IT FURTHER RESOLVED THAT the required cash-in-lieu for parkland dedication for this development be directed towards improvements to parkland within Ward 9, to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Ward Councillor."

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(35), a Fiscal Impact Statement (May 18, 2005) from the Deputy City Manager and Chief Financial Officer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 8, Page 215)

Vote:

The first Operative Paragraph contained in Motion J(35) carried, more than two-thirds of Members present having voted in the affirmative.

Adoption of the balance of Motion J(35) without amendment:

Yes - 27	
Councillors:	Altobello, Augimeri, Balkissoon, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Filion, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Saundercook, Shiner, Stintz, Walker
No - 13	
Mayor:	Miller
Councillors:	Ashton, Del Grande, Feldman, Ford, Holyday, Kelly, Nunziata, Palacio, Rae, Soknacki, Thompson, Watson

Carried by a majority of 14.

Summary:

In summary, City Council re-opened North York Community Council Report 9, Clause 32, headed “Final Report - Application to Amend Zoning By-law 7625 - 04 169386 NNY 09 OZ - Independence Way Inc. - 2701 Keele Street (Ward 9 - York Centre)”, for further consideration, only as it pertains to cash-in-lieu for parkland dedication, and adopted the balance of Motion J(35), without amendment.

6.94 **J(36) Metro International Caravan 2005 – Designation as an Event of Municipal Significance**

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

Moved by: Councillor Augimeri

Seconded by: Councillor Thompson

“**WHEREAS** the Metro International Caravan is an important multicultural festival within the City of Toronto; and

WHEREAS the Metro International Caravan 2005 will be held at Downsview Park, from June 21 to July 4, 2005, from 11:00 a.m. to 1:00 a.m., daily; and

WHEREAS the Metro International Caravan is seeking a designation as an event of municipal significance for liquor licensing purposes and an application for this type of event must be accompanied by a Resolution from the local Council for the Municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare the Metro International Caravan 2005 to be an event of municipal significance; that it has no objection to this event taking place; and that the Alcohol and Gaming Commission of Ontario be so advised.”

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(36) to the North York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(36) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(36), a communication (May 16, 2005) from the President, Metro Toronto International Caravan, which is on file in the City Clerk's Office.

Vote:

Motion J(36) was adopted, without amendment.

6.95 J(37) Declaration of Surplus - Portion of Land at the Rear of 12 Canterbury Place

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

Moved by: Councillor Filion

Seconded by: Councillor Minnan-Wong

“WHEREAS City Council at its meeting of July 20, 21 and 22, 2004, adopted Administration Committee Report 5, Clause 17, headed ‘Declaration of Surplus – Portion of 12 Canterbury Place and Authority to Negotiate the Acquisition of 37 Churchill Avenue for Park Purposes’, thereby declaring a portion of 12 Canterbury Place surplus to City requirements and authorizing staff to commence negotiations for the acquisition of 37 Churchill Avenue, shown as Part 4 on the attached sketch, in exchange for a portion of 12 Canterbury Place, shown as Parts 2 and 3 on the attached sketch; and

WHEREAS City Council, at its meeting of February 1, 2 and 3, 2005, adopted Administration Committee Report 2, Clause 8, headed ‘Exchange of a Portion of 12 Canterbury Place for Lands Located at 37 Churchill Avenue for Park Purposes’, thereby authorizing the Land Exchange Agreement between the City and 1402335 Ontario Ltd. (‘1402335’) for the acquisition of 37 Churchill Avenue, in exchange for a portion of 12 Canterbury Place, shown as Parts 2 and 3 on the attached sketch, plus \$61,000.00; and

WHEREAS the Land Exchange Agreement required that Part 2 be re-conveyed to the City for road purposes; and

WHEREAS the owner/developer, 1402335, requires 193 square metres of additional land area in order to complete its development at the southwest corner of Churchill Avenue and Canterbury Place, as anticipated; and

WHEREAS a strip of land of approximately 6 metres in width and 45 metres in length, owned by the City, along the east side of the proposed future North York Service Road and adjacent to the development and shown as Part 1 on the attached sketch ('Part 1'), is not required for North York Service Road purposes; and

WHEREAS a portion of Part 1 currently forms part of Canterbury Place Park and, if the new Official Plan comes into effect in its current form, the disposal policies related to City-owned lands in Parks and Open Space Areas, would prohibit the disposal of the site and, in the absence of an Official Plan amendment, would provide no discretion to Council to authorize the sale; and

WHEREAS the Official Plan has been appealed in its entirety, meaning that such prohibition is not in effect, and staff have launched a self protective, site-specific appeal and will include the Part 1 lands on the list; and

WHEREAS it is considered fair and reasonable that Part 1 be offered for sale to 1402335, on terms satisfactory to the Chief Corporate Officer, provided that the Official Plan is not adopted before the closing of any sale transaction;

NOW THEREFORE BE IT RESOLVED THAT City Council declare surplus to the City's requirements, a strip of land approximately 6 metres in width and 45 metres in length along the east side of the proposed future North York Service Road and shown as Part 1 on the attached sketch, and invite an offer to purchase from 1402335, the developer at the southwest corner of Churchill Avenue and Canterbury Place, conditional on there being no Official Plan prohibition of disposal of the site in effect at the time of closing, and conditional on the owner agreeing to convey back the strip of land to the City for buffer and/or municipal purposes, and the Chief Corporate Officer be requested to report to the Administration Committee on the results of that process;

AND BE IT FURTHER RESOLVED THAT staff be authorized to renegotiate the terms of the Land Exchange Agreement, if necessary, and report back on the results of such negotiations."

Advice by Deputy Mayor:

Deputy Mayor Feldman advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(37) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(37) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(37), a map of the City-owned land at the rear of No. 12 Canterbury Place, Ward 23, Willowdale, which is on file in the City Clerk's Office.

Motion:

Councillor Watson moved that Motion J(37) be referred to the North York Community Council for consideration at its meeting on May 31, 2005, and the City Solicitor, in conjunction with the Acting Executive Director of Facilities and Real Estate and the Chief Planner and Executive Director, City Planning, be requested to submit a report to the North York Community Council for consideration with this Motion.

Mayor Miller in the Chair.

Vote:

The motion by Councillor Watson carried.

6.96 **J(38) 268 Dundas Street East, Toronto, "Navaron Restaurant" - Report on Oral Decision of Alcohol and Gaming Commission of Ontario of May 6, 2005, and Request for Instructions**

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

Moved by: Councillor Rae

Seconded by: Mayor Miller

"WHEREAS City Council at its meeting on October 26, 27 and 28, 2004, adopted Motion J(8), thereby authorizing the City Solicitor to advise the Alcohol and Gaming Commission of Ontario (the 'AGCO') that the continuation of the liquor licence issued to the McCaul Trading Co. Ltd., operating as Navaron Restaurant at 268 Dundas Street East, was not in the public interest; and

WHEREAS the AGCO subsequently advised City Council that the AGCO Registrar has issued several Notices of Proposal to Revoke the Liquor Licence and that a hearing was scheduled to commence on May 6, 2005; and

WHEREAS the City Solicitor advised the AGCO, in advance of the hearing date, that it would be seeking party status; and

WHEREAS the City Solicitor attended the hearing at the AGCO and made representations to the panel that the City be granted party status at the hearing; and

WHEREAS the AGCO panel denied the City party status; and

WHEREAS the AGCO hearing of this matter is currently adjourned but may be rescheduled prior to the next Council meeting;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report (May 18, 2005) from City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(38) to the Toronto and East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(38) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council had before it, during consideration of Motion J(38), a confidential report (May 18, 2005) from the City Solicitor.

Vote:

Adoption of Motion J(38), without amendment:

Yes - 30	
Mayor:	Miller
Councillors:	Altobello, Balkissoon, Bussin, Carroll, Davis, De Baeremaeker, Di Giorgio, Feldman, Ford, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook,

Shiner, Soknacki, Thompson, Walker, Watson
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No - 0

Carried, without dissent.

Summary:

In adopting Motion J(38) without amendment, Council adopted, without amendment, the confidential report (May 18, 2005) from the City Solicitor. The following staff recommendations contained in the Recommendations Section of the report are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) City Council authorize the City Solicitor to seek judicial review and/or an appeal to the Divisional Court the oral decision of the Alcohol and Gaming Commission of Ontario on May 6, 2005, denying the City party status at the hearing regarding the review of the liquor licence issued to McCaul Trading Co. Ltd. for 268 Dundas Street East, Toronto, Ontario; and
- (2) the City Solicitor take whatever additional steps that may be necessary to protect the City’s interests in this matter.”

Deputy Mayor Bussin in the Chair.

6.97 **J(39) Ashbridges Bay Treatment Plant Pelletizer Fire - Contract Amendment Agreement**

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

Moved by: Councillor Pitfield

Seconded by: Deputy Mayor Bussin

“**WHEREAS** City Council at its meeting on February 1, 2 and 3, 2005, adopted, without amendment, Works Committee Report 1, Clause 10, and in so doing, adopted the staff recommendations contained in the Recommendations Section of the confidential report (December 2, 2004) from the Acting Commissioner of Works and Emergency Services,

entitled 'Ashbridges Bay Treatment Plant Pelletizer Fire-Rebuild Settlement Agreement and Contract Amendment Agreement' (the 'Report'); and

WHEREAS staff Recommendation (1) of the Report granted authority to finalize and execute an agreement between the City of Toronto and Veolia Water North America Operating Services (formerly doing business as USF Canada Inc.) with respect to the matter of the loss of use of the Ashbridges Bay Biosolids Pelletizer Facility due to fire (the 'Contract Amendment Agreement'); and

WHEREAS staff Recommendation (1) of the report, through inadvertence, incorrectly named Veolia Water North America Operating Services as the name of the contracting party and should have referred properly to Veolia Water Canada, Inc. ('Veolia') instead of Veolia Water North America Operating Services; and

WHEREAS the City and Veolia are now in the process of finalizing the Contract Amendment Agreement and, in order for the appropriate City officials to execute the Contract Amendment Agreement, it is necessary to amend the Council authority to correct Veolia's name; and

WHEREAS there is an urgent need to correct this matter so as to permit the City to proceed with the rebuild of the Pelletizer facility;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Works Committee Report 1, Clause 10, headed 'Ashbridges Bay Treatment Plant Pelletizer Fire - Rebuild Settlement Agreement and Contract Amendment Agreement', be re-opened for further consideration, only for the purpose of deleting the reference to Veolia Water North America Operating Services and substituting instead Veolia's proper legal name, Veolia Water Canada, Inc.;

AND BE IT FURTHER RESOLVED THAT the Clause be amended by deleting the reference to 'Veolia Water North America Operating Services', wherever it occurs, and inserting instead Veolia's proper legal name, 'Veolia Water Canada, Inc.'."

Votes:

The first Operative Paragraph contained in Motion J(39), carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(39) was adopted, without amendment.

Summary:

In summary, City Council re-opened Works Committee Report 1, Clause 10, headed 'Ashbridges Bay Treatment Plant Pelletizer Fire - Rebuild Settlement Agreement and Contract Amendment Agreement', for further consideration, only for the purpose of deleting the reference to Veolia Water North America Operating Services and substituting instead Veolia's proper legal name, Veolia Water Canada, Inc., and adopted the balance of Motion J(39), without amendment.

Mayor Miller in the Chair.

6.98 **J(40) World Partnership Walk Day**

Mayor Miller, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Miller

Seconded by: Councillor Pitfield

“WHEREAS the World Partnership Walk is a volunteer initiative of the Aga Khan Foundation which is fully supported by the Canadian International Development Agency; and

WHEREAS the World Partnership Walk raises funds to support sustainable and cost-effective development in the world's poorest countries; and

WHEREAS the World Partnership Walk began in 1985, and has grown into a nation-wide event, raising more than \$27 million in its 21-year history; and

WHEREAS all Councillors have been invited to participate in this year's walk which starts at Metro Hall;

NOW THEREFORE BE IT RESOLVED THAT City Council endorse the aims of the World Partnership Walk and declare Sunday, May 29, 2005, as 'World Partnership Walk Day'.”

Advice by Mayor:

Mayor Miller advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(40) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(40) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(40) was unanimously adopted, without amendment.

- 6.99 Consideration of the following matters was deferred to the next regular meeting of City Council on June 14, 2005, as they remained on the Order Paper at the conclusion of this meeting of Council:

Economic Development and Parks Committee Report 5

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

Works Committee Report 4

- Clause 1 - “Solid Waste Management Services Multi-Year Business Plan”.

Works Committee Report 5

- Clause 6 - “Modifications to the Parking Regulations and Set Fines Associated With the ‘On-Street Parking and Loading Spaces for Use by Motor Coaches’ Initiative - Various Streets in South District”.
- Clause 13 - “Establishment of a Wet Weather Flow Management Master Plan Implementation Advisory Committee”.

North York Community Council Report 4

- Clause 5 - “Traffic Calming Measures (speed humps) - Lauder Avenue, Vaughan Road to Amherst Avenue (Ward 15 - Eglinton-Lawrence)”.
- Clause 6 - “Traffic Calming Measures (speed humps) - Roselawn Avenue, Dufferin Street to Miranda Avenue (Ward 15 - Eglinton-Lawrence)”.
- Clause 7 - “Traffic Calming Measures (speed humps) - Times Road, Stayner Avenue to Lilywood Road (Ward 15 - Eglinton-Lawrence)”.

Toronto and East York Community Council Report 4

- Clause 22 - "Speed Hump Poll Results - Kenwood Avenue, between St. Clair Avenue West and Vaughan Road (St. Paul's, Ward 21)".
- Clause 23 - "Installation of Speed Humps - Riverdale Avenue between Broadview Avenue and Carlaw Avenue (Toronto-Danforth, Ward 30)".

BILLS AND BY-LAWS

Mayor Miller in the Chair.

- 6.100 On May 17, 2005, at 10:13 a.m., Councillor Soknacki, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 387	By-law No. 346-2005	To authorize the borrowing upon instalment debentures in the principal amount of \$40,000,000.00 for purposes of the City of Toronto.
Bill No. 388	By-law No. 347-2005	To authorize the borrowing upon sinking fund debentures in the principal amount of \$200,000,000.00 for purposes of the City of Toronto.
Bill No. 389	By-law No. 348-2005	To authorize the borrowing upon sinking fund debentures in the principal amount of \$60,000,000.00 for purposes of the City of Toronto.
Bill No. 390	By-law No. 349-2005	To amend By-law No. 69-2005, being a by-law "To authorize agreements respecting the issue and sale of debentures for the year 2005."
Bill No. 391	By-law No. 350-2005	To amend By-law No. 334-2005, being a by-law "To establish a percentage by which tax decreases are limited in 2005 to properties in the Commercial, Industrial and Multi-Residential Property Classes",

the vote upon which was taken as follows:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Soknacki, Thompson, Walker, Watson
No - 4	
Councillors:	Ford, Minnan-Wong, Shiner, Stintz

Carried by a majority of 30.

- 6.101 On May 17, 2005, at 7:31 p.m., Councillor Di Giorgio, seconded by Deputy Mayor Bussin, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 455	By-law No. 351-2005	To confirm the proceedings of the Council at its meeting held on the 17th day of May, 2005,
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the vote upon which was taken as follows:

Yes - 30	
Mayor:	Miller
Councillors:	Altobello, Balkissoon, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pitfield, Rae, Soknacki, Stintz, Thompson, Watson
No - 1	
Councillor:	Minnan-Wong

Carried by a majority of 29.

Deputy Mayor Feldman in the Chair.

6.102 On May 18, 2005, at 7:28 p.m., Councillor Nunziata, seconded by Councillor Palacio, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 456	By-law No. 352-2005	To confirm the proceedings of the Council at its meeting held on the 17th and 18th days of May, 2005,
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the vote upon which was taken as follows:

Yes - 20 Councillors: Ashton, Bussin, Carroll, Cho, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Watson
No - 5 Councillors: Balkissoon, Del Grande, Nunziata, Palacio, Walker

Carried by a majority of 15.

Deputy Mayor Bussin in the Chair.

6.103 On May 19, 2005, at 5:57 p.m., Councillor Hall, seconded by Councillor Nunziata, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 343	By-law No. 353-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Campbell Crescent.
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Bill No. 344	By-law No. 354-2005	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
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Bill No. 345	By-law No. 355-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Church Avenue.
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Bill No. 346	By-law No. 356-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Old Sheppard Avenue.
Bill No. 347	By-law No. 357-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Old Sheppard Avenue.
Bill No. 348	By-law No. 358-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Old Sheppard Avenue.
Bill No. 349	By-law No. 359-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Banbury Road.
Bill No. 350	By-law No. 360-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Kilgour Road.
Bill No. 351	By-law No. 361-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Van Horne Avenue, Clipper Road and Taverly Road.
Bill No. 352	By-law No. 362-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Van Horne Avenue.
Bill No. 353	By-law No. 363-2005	To amend By-law No. 28674, as amended, of the former City of North York, regarding Wilson Heights Boulevard.
Bill No. 354	By-law No. 364-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Wilson Heights Boulevard and Clanton Park Road.
Bill No. 355	By-law No. 365-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Benner Avenue.

Bill No. 356	By-law No. 366-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Campbell Crescent.
Bill No. 357	By-law No. 367-2005	To correct a typographical error in By-law No. 203-2005 being a by-law to repeal By-law No. 319-87, a by-law “To designate the property at No. 76 Charles Street West of architectural value.”
Bill No. 358	By-law No. 368-2005	To correct a typographical error in By-law No. 204-2005 being a by-law to repeal By-law No. 318-87, a by law “To designate the property at No. 78 Charles Street West of architectural value.”
Bill No. 359	By-law No. 369-2005	To amend By-law No. 136-2005 being a by-law “To designate the property at 1204 Queen Street West (The Gladstone Hotel) as being of cultural heritage value or interest”.
Bill No. 360	By-law No. 370-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Sun Row Drive.
Bill No. 361	By-law No. 371-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding The Kingsway.
Bill No. 362	By-law No. 372-2005	To amend City of Toronto Municipal Code Chapter 441, Fees, and Chapter 545, Licensing, respecting licensing fees.
Bill No. 363	By-law No. 373-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting Accessible Taxicab Licences.
Bill No. 364	By-law No. 374-2005	To amend City of Toronto Municipal Code Chapter 441, Fees, and Chapter 545,

		Licensing, respecting advertisements on taxicabs.
Bill No. 365	By-law No. 375-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting taxicab driver safety.
Bill No. 366	By-law No. 376-2005	To rename the public highways Heathbridge Park Road and Heathbridge Park Drive "Heathbridge Park".
Bill No. 367	By-law No. 377-2005	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Davenport Road extending westerly from Bartlett Avenue North.
Bill No. 368	By-law No. 378-2005	To layout and dedicate certain land on the east side of Abbotsford Road on the south side of Hounslow Avenue, for public highway purposes to form part of the public highway Abbotsford Road.
Bill No. 369	By-law No. 379-2005	To layout and dedicate certain land on the south side of Milner Avenue on the west side of Neilson Road, for public highway purposes to form part of the public highway Milner Avenue.
Bill No. 370	By-law No. 380-2005	To layout and dedicate certain land on the south side of Portland Street, east side of Royal York Road, for public highway purposes to form part of the public highway Portland Street.
Bill No. 371	By-law No. 381-2005	To layout and dedicate certain land on the south side of Sheppard Avenue East, east of Yonge Street, for public highway purposes to form part of the public highway Sheppard Avenue East.

Bill No. 372	By-law No. 382-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, to replace parking meters with parking machines on certain streets within the City of Toronto.
Bill No. 373	By-law No. 383-2005	To layout and dedicate certain land on the north side of Dundas Street West, west of Scarlett Road, for public highway purposes to form part of the public highway Dundas Street West.
Bill No. 374	By-law No. 384-2005	To layout and dedicate certain land on the west side of Attwell Drive, south of Reading Court, for public highway purposes to form part of the public highway Attwell Drive.
Bill No. 375	By-law No. 385-2005	To layout and dedicate certain land on the east side of Royal York Road, south side of Portland Street, for public highway purposes to form part of the public highway Royal York Road.
Bill No. 376	By-law No. 386-2005	To layout and dedicate certain land for public highway purposes to form part of the public highway Reading Court.
Bill No. 377	By-law No. 387-2005	To adopt Amendment No. 1134 to the Official Plan for the former City of Scarborough with respect to lands known municipally as 2150 McNicoll Avenue.
Bill No. 378	By-law No. 388-2005	To amend former City of Scarborough Employment Districts Zoning By-law No. 24982, as amended, with respect to the lands known municipally as 2150 McNicoll Avenue.
Bill No. 379	By-law No. 389-2005	To amend former City of Scarborough Employment Districts Zoning By-law No. 24982, as amended, with respect to the

		lands known municipally as 45 Munham Gate.
Bill No. 380	By-law No. 390-2005	To layout and dedicate certain land on the south side of Supertest Road, west of Alness Street, for public highway purposes to form part of the public highway Supertest Road.
Bill No. 381	By-law No. 391-2005	To layout and dedicate certain land on the south side of Wynford Drive, east of Don Mills Road, for public highway purposes to form part of the public highway Wynford Drive.
Bill No. 382	By-law No. 392-2005	To layout and dedicate certain land on the west side of Gervais Drive, south of Wynford Drive, for public highway purposes to form part of the public highway Gervais Drive.
Bill No. 383	By-law No. 393-2005	To layout and dedicate certain land on the north side of Finch Avenue East, west of Maxome Avenue, for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 384	By-law No. 394-2005	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Gerrard Street East extending between Hiawatha Road and Woodfield Road.
Bill No. 385	By-law No. 395-2005	To layout and dedicate certain land on the east side of Twenty-Fourth Street, south side of Whitlam Avenue, for public highway purposes to form part of the public highway Twenty-Fourth Street.
Bill No. 386	By-law No. 396-2005	To layout and dedicate certain land for public lane purposes to form part of the public lane east of Ossington Avenue

		extending between Dundas Street West and Halton Street.
Bill No. 392	By-law No. 397-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Millwood Road.
Bill No. 393	By-law No. 398-2005	To amend City of Toronto Municipal Code Chapter 937, Temporary Closing of Highways, to delegate the ability to temporarily close the public highways required for the purposes of the Molson Indy race in 2005, 2006 and 2007.
Bill No. 394	By-law No. 399-2005	To exempt lands known municipally as 255 Dalesford Road from Part Lot Control.
Bill No. 395	By-law No. 400-2005	To amend By-law No. 376-2004 to extend the expiration of a Part Lot Control exemption for lands known municipally as 108 – 122 Neptune Drive.
Bill No. 396	By-law No. 401-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glenlake Avenue.
Bill No. 397	By-law No. 402-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Millwood Road.
Bill No. 398	By-law No. 403-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bayview Avenue.
Bill No. 399	By-law No. 404-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Avenue Road, Danforth Avenue and Davenport Road.

Bill No. 400	By-law No. 405-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Curzon Street, Dufferin Street and Melbourne Avenue.
Bill No. 402	By-law No. 406-2005	To exempt lands known municipally as 2209 Weston Road from Part Lot Control.
Bill No. 404	By-law No. 407-2005	To amend By-law No. 2958-94 of the former City of York, being a By law "To regulate traffic on City of York Roads", regarding Willard Avenue.
Bill No. 405	By-law No. 408-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bellefair Avenue, Elizabeth Street, Glen Manor Drive, Market Street and St. Helen's Avenue.
Bill No. 406	By-law No. 409-2005	To amend further By-law No. 20-96, a by-law "To provide for overnight permit parking on Borough streets", being a by-law of the former Borough of East York, regarding Queensdale Avenue.
Bill No. 407	By-law No. 410-2005	To amend further By-law No. 92-93, a by-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York, regarding Queensdale Avenue.
Bill No. 410	By-law No. 411-2005	To adopt Amendment No. 338 to the Official Plan for the former City of Toronto with respect to lands known municipally as 34 Rowanwood Avenue.
Bill No. 411	By-law No. 412-2005	To amend the General Zoning By law No. 438-86 of the former City of Toronto with respect to lands known municipally as 34 Rowanwood Avenue.

Bill No. 412	By-law No. 413-2005	To amend the former City of York Zoning By-law No. 1-83 with respect to lands known municipally as 1071-1073 Weston Road.
Bill No. 413	By-law No. 414-2005	To amend By-law No. 262-2005 of the City of Toronto with respect to lands known municipally as 26 Lansdowne Avenue.
Bill No. 414	By-law No. 415-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue West.
Bill No. 415	By-law No. 416-2005	To adopt Amendment No. 165-2004 to the Official Plan of the former City of York in order to implement a site specific amendment affecting the lands located on the northwest corner of Trethewey Drive and Clearview Heights, known municipally as 66 Trethewey Drive.
Bill No. 416	By-law No. 417-2005	To amend the former City of York Zoning By-law No. 1-83, as amended, with respect to lands known municipally a 66 Trethewey Drive.
Bill No. 417	By-law No. 418-2005	To adopt Amendment No. 343 to the Official Plan for the former City of Toronto with respect to lands known municipally as 76 Wychwood Avenue.
Bill No. 418	By-law No. 419-2005	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known municipally a 76 Wychwood Avenue.
Bill No. 419	By-law No. 420-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, regarding Roslin Avenue.

Bill No. 420	By-law No. 421-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Doris Avenue and Jane Street.
Bill No. 421	By-law No. 422-2005	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads", regarding Willard Avenue.
Bill No. 422	By-law No. 423-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding Hanna Avenue.
Bill No. 423	By-law No. 424-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hanna Avenue.
Bill No. 424	By-law No. 425-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, regarding Davenport Road and Windermere Avenue.
Bill No. 425	By-law No. 426-2005	To amend By-law No. 92-93, a by law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York, regarding Beth Neilson Drive and Wicksteed Avenue.
Bill No. 426	By-law No. 427-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Sheppard Avenue East.
Bill No. 427	By-law No. 428-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Brimley Road.
Bill No. 428	By-law No. 429-2005	To amend By-law No. 92-93, a by law "To regulate traffic on roads in the Borough of East York", being a by-law of the former

		Borough of East York, regarding Esandar Drive.
Bill No. 429	By-law No. 430-2005	To amend By-law No. 2958-94 of the former City of York, being a By law “To regulate traffic on City of York Roads”, regarding Woodcroft Crescent.
Bill No. 430	By-law No. 431-2005	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”, regarding Woodcroft Crescent.
Bill No. 431	By-law No. 432-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hocken Avenue.
Bill No. 432	By-law No. 433-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting various streets within the City of Toronto.
Bill No. 433	By-law No. 434-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Oriole Road and Pleasant Boulevard.
Bill No. 434	By-law No. 435-2005	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding St. Clair Avenue and Yonge Street.
Bill No. 435	By-law No. 436-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting various streets within the City of Toronto.
Bill No. 436	By-law No. 437-2005	To amend further By-law No. 196, a By-law entitled “To restrict the speed of motor vehicles”, being a by law of the former Borough of East York.

Bill No. 437	By-law No. 438-2005	To amend City of Toronto Municipal Code Chapter 441, Fees, by adding a new § 441-20, Parking Fees.
Bill No. 438	By-law No. 439-2005	To adopt Amendment No. 126-2004 to the Official Plan for the former City of Etobicoke with respect to lands known municipally as 515 Royal York Road, to permit the development of four townhouse dwelling units and six semi-detached dwelling units.
Bill No. 439	By-law No. 440-2005	To amend Chapters 320 and 324 of the former City of Etobicoke Zoning Code with respect to certain lands located on the east side of Royal York Road, south of Dalesford Road, known municipally as 515 Royal York Road, to permit the development of four townhouse dwelling units and six semi detached dwelling units.
Bill No. 440	By-law No. 441-2005	To amend City of Toronto Municipal Code Chapters 59, 103, 150, 162, 179, 195, 213 and 223 and By-law No. 337-2005 to reflect the reorganization of the City's administrative structure and to make technical amendments.
Bill No. 444	By-law No. 442-2005	To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands known municipally as 631 Sheppard Avenue East.
Bill No. 445	By-law No. 443-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 446	By-law No. 444-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding College Street.

Bill No. 447	By-law No. 445-2005	To authorize the alteration of Mayfair Avenue and Shallmar Boulevard, from Eglinton Avenue West to Bathurst Street, by the installation of speed humps.
Bill No. 448	By-law No. 446-2005	To layout and dedicate certain land for public highway purposes to form part of the public highway Cherry Street north of Eastern Avenue.
Bill No. 449	By-law No. 447-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to permit the construction of a wooden closed board pool fence on the property known municipally as 6 Sidford Court.
Bill No. 450	By-law No. 448-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property known municipally as 304 Old Weston Road from the maximum height requirements.
Bill No. 451	By-law No. 449-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property known municipally as 266 Arlington Avenue from the maximum height requirements.
Bill No. 452	By-law No. 450-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property known municipally as 185 Lambton Avenue from the maximum height requirements.
Bill No. 453	By-law No. 451-2005	To amend City of Toronto Municipal Code Chapter 441, Fees, by adding a new § 441-20B, Off-street residential parking application processing and transfer fees, and a new § 441-20C, Off-street residential parking permit or licence fees.

Bill No. 454 By-law No. 452-2005 To amend By-law No. 30518, as amended,
of the former City of North York,
regarding Caledonia Road,

the vote upon which was taken as follows:

Yes - 27
Councillors: Altobello, Ashton, Augimeri, Bussin, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Watson
No - 0

Carried, without dissent.

6.104 On May 19, 2005, at 5:59 p.m., Councillor Rae, seconded by Councillor Li Preti, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 457 By-law No. 453-2005 To confirm the proceedings of the Council
at its meeting held on the 17th, 18th and
19th days of May, 2005,

the vote upon which was taken as follows:

Yes - 28
Councillors: Altobello, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson
No - 0

Carried, without dissent.

The following Bills were withdrawn:

Bill No. 401 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and
Parking, respecting Millwood Road.

- Bill No. 403 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carroll Street.
- Bill No. 408 To amend By-law No. 32-92 of the former Municipality of Metropolitan Toronto to create new stopping, standing, and parking offences in relation to a bus.
- Bill No. 409 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, to create new stopping, standing, and parking offences in relation to a bus.
- Bill No. 441 To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Asquith Avenue, Bay Street, Cherry Street, Commissioners Street, Front Street East, Front Street West, Mill Street, Overend Street, Victoria Street and Villiers Street.
- Bill No. 442 To amend further Metropolitan By law No. 107-86, respecting parking meters on former Metropolitan Roads, regarding Adelaide Street West and Richmond Street West.
- Bill No. 443 To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Adelaide Street West, Dundas Street West and Richmond Street West.

OFFICIAL RECOGNITIONS:

6.105 Condolence Motions

Mayor Miller in the Chair.

May 17, 2005:

Deputy Mayor Pantalone, seconded by Mayor Miller and Deputy Mayor Bussin, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Ms. Dorothy Thomas on Monday, May 9, 2005, in her 67th year; and

WHEREAS Dorothy Thomas, as a proud Torontonians, served the City of Toronto well as a Toronto Alderman from 1973 to 1976 and 1981 to 1985; and

WHEREAS Dorothy Thomas further served the people of Toronto as a member of the Rent Review Tribunal and Social Assistance Review Board, as well as the Chair of the Metropolitan Toronto Licensing Commission and the Toronto Licensing Tribunal; and

WHEREAS Dorothy Thomas was not only a strong advocate for women, but also one who followed through on her commitment to become one of the founders of the City of Toronto's Person's Day Award and Mayor's Task Force on the Status of Women; and

WHEREAS Dorothy Thomas was an avid lover of reading, jazz, gardening, cooking and film and volunteered with and enriched numerous groups within the City of Toronto; and

WHEREAS Dorothy Thomas, while volunteering for her community and working for our City, touched the hearts and minds of countless people and will be truly missed by neighbours, Toronto residents, Toronto City Hall colleagues, and her numerous friends;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to her son Nye Thomas, her daughter-in-law, Karen Mann and her granddaughter Mei Leigh."

Councillor McConnell, seconded by Mayor Miller, moved that:

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. Terry Michelin on April 26, 2005, in his 78th year; and

WHEREAS Terry Michelin was born in Northern Italy and immigrated to Canada to join his father in Timmons, Ontario when he was only 9 years old, and came to Toronto as a young man to manage the meat department of a local Dominion store in Sherway Gardens; and

WHEREAS Terry Michelin became a highly valued and deeply loved member of the Cabbagetown neighbourhood for 35 years, who was actively involved in all community fundraisers and events; and

WHEREAS Terry Michelin was a dedicated and hard-working business owner, whose St. James Town Steak and Chops on Parliament Street was the central meeting place, especially during the Thanksgiving and Christmas holidays, where he made everyone feel welcome; and

WHEREAS Terry Michelin was a longstanding and active member of the Old Cabbagetown Business Improvement Area, who traditionally commenced festivities at the annual Cabbagetown Festival by overseeing the cutting of the official cabbage; and

WHEREAS Terry Michelin, after losing his son to an act of violence in 1992, set up the Santo Michelin Fund, through the Cabbagetown Youth Centre, to provide sports scholarships for local youth through an annual fundraising event; and

WHEREAS Terry Michelin was a joyful, generous, and dedicated father and grandfather to his sons and their families, as well as a devoted husband to his late wife Doris;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to his son Mark Michelin and his wife Silvia, his son Lorne Michelin and his wife Donna, his grandchildren Leane, Travis, Jesse, Noah and Alexander, his sister Odelia Mezzavilla, his companion Jean McNutt, and the entire Michelin family for their loss.”

Leave to introduce the Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Dorothy Thomas and Terry Michelin.

May 18, 2005:

Councillor Rae, seconded by Councillor Walker, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are saddened to learn of the sudden passing of Mr. John Sydney Woods on May 11, 2005; and

WHEREAS John Woods had a long and distinguished career with the City of Toronto from 1976 to 1998 in the Finance Department; and

WHEREAS John Woods was the Acting Commissioner of Finance and the City Treasurer in 1993, before being appointed City Auditor in 1994, where he worked until his retirement in 1998; and

WHEREAS John Woods was a passionate cricket fan and was the Captain and Chief Organizer of the City Hall Cricket Club;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to John’s widow Pirkko, his sons, Thomas and John and daughter Anneli, and all his friends and family.”

Leave to introduce the Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late John Sydney Woods.

May 19, 2005:

Councillor Hall, seconded by Councillor Nunziata, moved that:

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of a City staff member, Edward (Ted) Hodgson on Friday, May 6, 2005; and

WHEREAS Ted Hodgson began employment with the City of Toronto (Etobicoke) on March 26, 1990, where he worked in the Economic Development, Culture and Tourism Department as Recreation Staff in the Parks and Recreation Division; and

WHEREAS he was known to his co-workers and the numerous permit groups that he dealt with in the arenas of Etobicoke, the Etobicoke Olympium and, most recently, the Thistletown Multi Service Centre, as a generous, fun loving and caring man, always willing to lend a hand; and

WHEREAS Ted Hodgson was an invaluable asset to the City of Toronto and his colleagues, an avid curler, hunter and outdoorsman, and will be greatly missed by his friends and business associates;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to his wife Jean, his daughter Lisa, son-in-law Edward Tubaro, sons, Teddy and Ken, daughter-in-law Robin, his grandchildren Emma and Owen and the entire Hodgson family.”

Leave to introduce the Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Edward (Ted) Hodgson.

6.106 Presentations/Introductions/Announcements:

May 17, 2005:

Mayor Miller, during the morning session of the meeting, introduced Sue Corke and Fareed Amin, the City’s new Deputy City Managers, and, on behalf of Council, welcomed them to the City of Toronto.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced the students of Wexford Collegiate Institute, present at the meeting.

Mayor Miller, during the morning session of the meeting, announced that it was Emergency Medical Services Week in Toronto and read out a Proclamation in that regard. Mayor Miller presented the Proclamation to EMS Chief Bruce Farr and expressed appreciation for the dedication and hard work of all the EMS professionals. Chief Farr thanked the Mayor and Members of Council for their support, and commended all EMS staff for the tremendous job they do.

May 18, 2005:

Mayor Miller, during the morning session of the meeting, introduced a delegation from the Committee of Interior Policy of the German Federal Parliament, present at the meeting.

Deputy Mayor Feldman, during the morning session of the meeting, introduced the Grade 10 students of Willowood School, present at the meeting.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced i Canterini di Ortigia, a group of folk entertainers visiting from Siracusa, Italy, present at the meeting.

Deputy Mayor Feldman, during the morning session of the meeting, introduced the students from St. Basil the Great Catholic School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, introduced the students of Humbercrest Public School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, addressed Council with respect to the recent hurricanes in Grenada, Haiti and Jamaica. He recognized and commended the efforts of Toronto Fire Services personnel who are assisting Grenada Fire Services with the restoration of the Fire Station and Headquarters in St. George's, Grenada, as well as the corporate sponsors who are providing supplies and donations for this effort. He invited Councillor Thompson to the podium to provide details about the effects of Hurricanes Ivan and Gene and the relief work being undertaken in response. Councillor Thompson introduced Mr. Conrad Gibb, the honorary Consul General of Grenada, Dr. Eric Pierre, Honorary Consul General of Haiti, and Miss Vivia Betton, Consul General of Jamaica. Mr. Gibb thanked the Mayor and Members of Council for their leadership, and Toronto Fire Services personnel for their assistance. He presented a plaque to Mayor Miller and the people of Toronto in appreciation for their 'Call to Action' in response to the hurricanes.

May 19, 2005:

Deputy Mayor Bussin, during the morning session of the meeting, introduced the students of St. Basil the Great Catholic School, present at the meeting.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced a delegation visiting from Milan, Italy, present at the meeting.

Mayor Miller, during the morning session of the meeting, called upon Councillor Li Preti to introduce Cary Kaplan, Commissioner of the Canadian Professional Soccer League, who was present at the meeting along with many other members of the League. Mr. Kaplan addressed Council with respect to the Soccer League and presented Mayor Miller with a soccer jersey. Commemorative soccer balls were distributed to Members of Council. All Members were invited to attend the League's media launch in the Members' Lounge.

Deputy Mayor Pantalone, during the afternoon session of the meeting, introduced the Grade 8 students of St. Domenic School in Lindsay, Ontario, present at the meeting.

6.107 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

May 17, 2005:

Councillor Minnan-Wong, at 10:05 a.m., moved that Council vary the order of its proceedings to consider:

- (1) Planning and Transportation Committee Report 3, Clause 1a, headed "Principles and Proposed By-law Provisions for a City-Wide A-Frame and Mobile Signs By-law", immediately following Council's consideration of Joint Planning and Transportation Committee and Works Committee Report 1, Clause 1a, headed "Don Valley Corridor Transportation Master Plan (Beaches-East York, Don Valley East, Don Valley West, Toronto-Danforth, Willowdale)", which was scheduled to be considered at 2:00 p.m. today, which carried; and
- (2) Planning and Transportation Committee Report 2, Clause 2a, headed "Harmonization of the Sign By-law Concerning Posters on Utility Poles", on Wednesday, May 18, 2005, immediately following Council's consideration of the Notices of Motion, which carried.

Councillor Mammoliti, at 10:07 a.m., moved that Council vary the order of its proceedings to consider Motion I(1), respecting a Review of Councillor Remuneration, on Wednesday, May 18, 2005, at 2:00 p.m., which carried.

Mayor Miller, at 10:12 a.m., with the permission of Council, moved that Council vary the order of its proceedings to now consider Notices of Motion J(4) respecting the Issuance of Debentures, and J(5) respecting the Percentage by Which Tax Decreases are Limited in 2005 for Properties in the Commercial, Industrial and Multi-Residential Property Classes, which carried.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

May 17, 2005:

Mayor Miller, with the permission of Council, at 7:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to complete the passage of Bills, which carried, more than two-thirds of Members present having voted in the affirmative.

May 18, 2005:

Councillor Pitfield, at 5:47 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, and that Council remain in session until 7:00 p.m., the vote upon which was taken as follows:

Yes - 18 Councillors:	Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Fletcher, Ford, Hall, Holyday, Lindsay Luby, Mihevc, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Watson
No - 14 Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Grimes, Jenkins, Kelly, Li Preti, Mammoliti, Palacio, Saundercook, Shiner, Stintz, Walker

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

Councillor Chow, at 5:49 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, in order to complete consideration of Economic Development and Parks Committee Report 5, Clause 1, headed “‘Everybody into the Pool’ - An Outdoor Pool Provision Strategy for City of Toronto and the Development of an Aquatics Program Plan (All Wards)”, the vote upon which was taken as follows:

Yes - 16 Councillors:	Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Fletcher, Ford, Giambrone, Holyday, Lindsay Luby, Mihevc, Moscoe, Pantalone, Pitfield, Rae
No - 17 Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Grimes, Hall, Jenkins, Kelly, Li Preti, Mammoliti, Nunziata, Palacio,

Saundercook, Shiner, Stintz, Walker, Watson

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

6.108 ATTENDANCE

May 17, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 2:20 p.m.*	3:00 p.m. to 6:30 p.m.*	Roll Call 4:15 p.m.	Ctte. of the whole in-Camera 6:35 p.m.	7:30 p.m. to 7:33 p.m.*
Miller	x	x	x	-	x	x
Altobello	x	x	x	-	x	-
Ashton	-	-	x	-	-	-
Augimeri	x	x	x	x	x	-
Balkissoon	x	x	x	x	x	x
Bussin	x	x	x	-	x	x
Carroll	x	x	x	x	x	x
Cho	x	-	x	x	-	-
Chow	x	x	x	-	-	-
Cowbourne	x	x	x	x	x	x
Davis	x	x	x	x	x	x
De Baeremaeker	x	x	x	-	-	x
Del Grande	x	x	x	x	x	x
Di Giorgio	x	x	x	x	x	x
Feldman	x	-	x	-	x	x
Filion	x	x	x	-	x	-
Fletcher	x	x	x	x	x	x
Ford	x	-	x	-	x	x
Giambrone	-	x	x	x	x	x
Grimes	x	-	-	-	-	-
Hall	x	x	x	x	x	x
Holyday	x	x	x	x	x	x
Jenkins	x	x	x	x	x	x
Kelly	x	-	x	x	x	x
Li Preti	x	x	x	-	x	x
Lindsay Luby	x	x	x	x	x	x

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May 17, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 2:20 p.m.*	3:00 p.m. to 6:30 p.m.*	Roll Call 4:15 p.m.	Ctte. of the whole in-Camera 6:35 p.m.	7:30 p.m. to 7:33 p.m.*
Mammoliti	x	-	x	-	-	-
McConnell	x	x	x	-	x	x
Mihevc	x	-	x	-	x	x
Milczyn	x	x	x	-	-	-
Minnan-Wong	x	x	x	x	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x
Ootes	-	x	x	-	-	-
Palacio	x	x	x	x	-	x
Pantalone	x	x	x	x	x	-
Pitfield	x	x	x	x	x	x
Rae	x	x	x	x	x	x
Saundercook	x	x	x	x	-	-
Shiner	x	x	x	-	-	-
Soknacki	x	x	x	x	x	x
Stintz	x	x	x	-	x	x
Thompson	x	x	x	x	x	x
Walker	x	x	x	x	-	-
Watson	x	x	x	x	x	x
Total	42	37	44	27	33	31

* Members were present for some or all of the time period indicated.

May 18, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:54 p.m.*	Roll Call 3:34 p.m.	Ctte. of the whole in-Camera 7:00 p.m.	7:25 p.m. to 7:30 p.m.*
Miller	x	x	x	x	-
Altobello	x	x	-	-	-
Ashton	x	x	x	x	x
Augimeri	x	x	x	x	-
Balkissoon	x	x	x	x	x
Bussin	x	x	-	x	x
Carroll	x	x	x	x	x
Cho	x	x	-	x	x

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May 18, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:54 p.m.*	Roll Call 3:34 p.m.	Ctte. of the whole in-Camera 7:00 p.m.	7:25 p.m. to 7:30 p.m.*
Chow	x	x	x	x	-
Cowbourne	x	x	-	-	-
Davis	x	x	-	-	-
De Baeremaeker	x	x	x	x	x
Del Grande	x	x	x	x	x
Di Giorgio	x	x	-	x	x
Feldman	x	x	x	x	x
Filion	x	x	-	-	-
Fletcher	x	x	-	x	x
Ford	x	x	x	x	x
Giambrone	x	x	x	-	-
Grimes	x	x	-	-	-
Hall	x	x	-	-	-
Holyday	x	x	x	x	x
Jenkins	x	x	-	x	x
Kelly	x	x	-	x	-
Li Preti	x	x	-	-	-
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	-	-
McConnell	x	x	-	x	x
Mihevc	x	x	-	x	x
Milczyn	x	x	x	x	x
Minnan-Wong	x	x	x	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	-	-	-	-	-
Palacio	x	x	x	x	x
Pantalone	x	x	-	x	x
Pitfield	x	x	x	x	x
Rae	x	x	x	x	x
Saundercook	x	x	x	-	-
Shiner	x	x	-	x	-

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May 17, 18 and 19, 2005

May 18, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:54 p.m.*	Roll Call 3:34 p.m.	Ctte. of the whole in-Camera 7:00 p.m.	7:25 p.m. to 7:30 p.m.*
Soknacki	x	x	-	-	-
Stintz	x	x	x	-	-
Thompson	x	x	-	-	-
Walker	x	x	-	x	x
Watson	x	x	x	x	x
Total	44	44	24	30	25

* Members were present for some or all of the time period indicated.

May 19, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:00 p.m.*
Miller	x	x
Altobello	x	x
Ashton	x	x
Augimeri	x	x
Balkissoon	x	x
Bussin	x	x
Carroll	x	x
Cho	x	x
Chow	x	x
Cowbourne	-	-
Davis	x	x
De Baeremaeker	x	x
Del Grande	-	-
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	x
Giambrone	x	x
Grimes	x	x
Hall	x	x

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May 19, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:00 p.m.*
Holyday	x	x
Jenkins	x	x
Kelly	x	x
Li Preti	x	x
Lindsay Luby	x	x
Mammoliti	x	x
McConnell	x	x
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	x	x
Moscoe	x	x
Nunziata	x	x
Ootes	-	-
Palacio	x	x
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Soknacki	x	x
Stintz	x	x
Thompson	x	-
Walker	x	x
Watson	x	x
Total	42	41

* Members were present for some or all of the time period indicated.

Council adjourned on May 19, 2005, at 6:00 p.m.

DAVID R. MILLER,

ULLI S. WATKISS,

Mayor

City Clerk

ATTACHMENT 1 [Notice of Motion J(4)]

Report (May 11, 2005) from the Deputy City Manager and Chief Financial Officer, entitled "Issuance of Debentures". (See Minute 6.62, Page 83):

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on May 17, 2005 to give effect to the issuance of debentures of \$300 million that were syndicated in the capital markets on May 5, 2005.

Financial Implications and Impact Statement:

The level of debt issuance undertaken, \$300 million on May 5, 2005, in the Canadian domestic market, is required to finance previously approved capital expenditures. The debt charges associated with this issue have been included in the City's 2005 Operating Budget in non-program and will be included in the 2006 budget on an annualized basis.

Recommendations:

It is recommended that:

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

Background:

By-law No. 69-2005, as adopted by Council on February 3, 2005, authorized the Mayor and Treasurer to enter into agreements for the issuance and sale of debentures, during the year 2005, to provide an aggregate amount not exceeding \$500,000,000.00 for purposes of the City of Toronto.

Any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments:

Acting in accordance with the aforementioned authorities and the unanimous advice of our investment syndicate lead managers (RBC Capital Markets Inc., CIBC World Markets Inc. and Scotia Capital Inc.), negotiations were completed on May 5, 2005, for a public issue of debentures in the Canadian

domestic market.

This transaction is the City's first debenture issued in 2005 and received an excellent reception in an attractive and stable bond market. The instalment debentures were issued with a par value of \$40 million ranging from 1 to 4 years term-to-maturity with interest rates between 2.90 percent to 3.65 percent per annum. Sinking fund debentures in the amount of \$60 million were issued with a five-year maturity at an interest rate of 3.75 percent per annum and \$200 million was issued at 4.55 percent for a ten-year term.

The overall net cost of financing the \$300 million issue is 4.54 percent which is the lowest cost of funding incurred over the last thirty years. The issue's maturity structure blends current capital market conditions with the matching of the economic life of various capital expenditures to their financing terms. The structure and pricing of the transaction achieved the lowest cost of funds available relative to other potential structures, markets and currencies as permitted by provincial legislation.

Delivery of the debentures and the receipt of proceeds will occur on May 20, 2005. The issue will be book-based with no physical certificates as were previous debenture issues. This process continues to generate savings for the City related to the printing, registration and distribution of the securities since the Canadian Depository for Securities (CDS) administers the interest and principal payments to the debenture holders at no cost to the City.

Conclusion:

The City issued \$300 million in debentures for settlement on May 20, 2005, as authorized under by-law No. 69-2005 as adopted by Council on February 3, 2005. As the capital projects to be financed with the proceeds of this issue were previously approved and are either completed or in the process of being completed, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings, given current favourable capital market conditions.

Contact Names and Telephone Numbers:

Len Brittain, Director, Corporate Finance
Tel: 416-392-5380, Fax: 416-397-4555, E-mail: lbrittai@toronto.ca

Martin Willschick, Manager, Treasury Services
Tel: 416-392-8072, Fax: 416-397-4555, E-mail: mwillsch@toronto.ca

ATTACHMENT 2 [Notice of Motion J(10)]

Report (May 11, 2005) from the General Manager, Solid Waste Management Services, entitled "Source Separated Organic Material Haulage and Processing Services - Ferti-Val Inc. and GSI Environnement Inc.". (See Minute 6.68, Page 102):

Purpose:

To obtain authority to negotiate and enter into agreements on a sole source basis with Ferti-Val Inc. and GSI Environnement Inc. for source separated organic material (SSO) haulage and processing services as described in this report.

Financial Implications and Impact Statement:

Approval of the recommendations made in this report will result in approximate operating expenditures of up to \$3,120,000.00 (net of the full GST rebate) in 2005. The 2005 approved Operating Budget for the haulage and processing of source separated organic material was \$10,183,467.58 (Processing Service - SW470). The expenditure recommended in this report can be accommodated within the approved 2005 operating budget.

The table below reflects the minimum and maximum financial commitments as a result of the approval of this report for the period 2005 - 2008. These costs will be contained in the annual operating budget request for the Solid Waste Management Services Division. The cost per tonne fee is \$130.00 plus GST that will be inflated annually by the change to the "Automobile and Truck Operation Index CANSIM No. D484362". For illustration purposes the table below has used an inflation factor of 3 percent.

Funding for 2006, 2007 and 2008, respectively, indexed to account for inflation, will be included in the 2006 to 2008 Operating Budget submissions for Solid Waste Management Services Division for this expenditure as identified in the 2006 and 2007 outlook and the 2005 operating budget submission.

The Chief Financial Officer and Treasurer has reviewed and concurs with the financial implications section contained in this report.

Recommendations:

It is recommended that:

- (1) the General Manager of Solid Waste Management Services be authorized to negotiate and enter into an agreement on a sole source basis with Ferti-Val Inc. to provide source separated organic material processing services, including haulage, in accordance with their

proposal dated May 2, 2005, for a term of two years commencing as early as June 1, 2005, plus up to two additional one-year extensions, to haul and process up to a maximum of 20,000 tonnes per year of source separated organic material at their facility located at 800 chemin du Parc Industriel, Bromptonville, Quebec at a per tonne fee of \$130.00 plus GST, indexed for inflation as described in this report, such agreement to be on the terms and conditions described in this report and otherwise on terms and conditions consistent with this report and satisfactory to the General Manager of Solid Waste Management Services, and in a form satisfactory to the City Solicitor;

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

Background:

At its meeting held on April 14, 15 and 16, 2003, City Council adopted Clause No. 7 of Report No. 3 of the Works Committee and in so doing authorized staff to enter into an agreement with the City of Guelph to provide SSO processing services for up to 20,000 tonnes of SSO per year for a term of two years beginning in 2003 plus up to three possible one year extensions.

At its meeting held on June 24, 25 and 26, 2003, City Council adopted Clause No. 8 of Report No. 5 of the Works Committee and in so doing, authorized staff to negotiate and enter into an agreement with Halton Recycling Ltd. (the purchaser of CCI Newmarket Ltd.) to provide SSO processing services for up to 70,000 tonnes of SSO per year for a term of two years beginning in 2004 plus up to three possible one year extensions.

At its meeting held on October 26, 27 and 28, 2004, City Council adopted Clause No. 23 of Report No. 8 of the Policy and Finance Committee and in so doing, authorized staff to negotiate and enter into agreements with Courtice Auto Wreckers Limited, All Treat Farms Limited, KC Environmental Group Ltd. and Halton Recycling Ltd. and Halton Recycling (2003) Ltd. to provide SSO processing services for a cumulative total of up to 70,000 tonnes of SSO per year for a term

of ten years beginning between September 2005 and January 2007.

At its meeting held on March 1, 2 and 3, 2004, City Council adopted Clause No. 32 of Report No. 2 of the Policy and Finance Committee and in so doing, authorized staff to issue a sole source purchase order to Groupe Conporec Inc. to provide SSO processing services for up to 12,000 tonnes of SSO per year for a term of one year beginning in March 2004. (Purchase order was issued on April 15, 2004 and expired on April 15, 2005.)

At its meeting held on February 16, 2005, City Council adopted Motion J(9), and in so doing, authorized staff to issue a sole source purchase order to Groupe Conporec Inc. to provide SSO processing services for up to a maximum of 35,000 tonnes of SSO per year for a term of three years commencing on April 15, 2005, plus up to two additional one-year extensions if required.

Comments:

The City is currently collecting source separated organic material (SSO) at an annualized rate of approximately 93,000 tonnes per year through the Yellow Bag and Green Bin Programs. Staff expects that number to increase to approximately 115,000 tonnes per year when the Green Bin Program is implemented in the former municipality of North York.

The processing of SSO is new to Ontario and processors are finding that there is a long start-up curve for their facilities. As an example, it took approximately one and a half years to get the City's Dufferin facility to process at capacity.

An estimated 24,000 to 25,000 tonnes per year of this SSO can be processed at the City-owned Dufferin Organics Processing Facility. Although the facility is designed and approved to process 25,000 tonnes per year, it experiences periodic downtime, resulting in the slightly lower throughput.

An estimated 7,000 tonnes per year is currently being processed at the City of Guelph's wet/dry facility. Although our contract with Guelph is for up to 20,000 tonnes per year, they have not been able to process at a rate of more than 9,000 tonnes per year. Guelph may be able to increase their processing to 10,000 tonnes per year beginning in mid-2005.

An estimated 20,000 tonnes per year is currently being processed at Halton Recycling Limited's Newmarket plant. Although our contract with Halton Recycling is for up to 70,000 tonnes per year, they have not been able to process at a rate of more than 20,000 tonnes per year due to start up problems. It is expected that Halton Recycling will be able to process 40,000 tonnes in 2005 and 50,000 tonnes in 2006 if they resolve their processing issues.

An estimated 25,000 tonnes per year will be processed at Conporec's facility in Sorel-Tracey, Quebec under a three year agreement commencing April 15, 2005 and approved by City Council on February 16, 2005 (City Council adopted Motion J(9)).

Staff are currently negotiating the agreements for the four long-term SSO processing contracts awarded by Council through RFP No. 9155-03-5280. These contracts are not expected to add any processing capacity in the short term.

Staff continues to monitor the situation with Guelph and Halton Recycling and are working with them to improve their throughput to the contracted tonnage rates. Staff have dealt with excess SSO to-date through a combination of processing trials at various compost sites and temporary storage in the City's transfer stations. However, the nature of SSO is such that it must be processed soon after it is collected and can not be stored for long periods of time.

Council has established a sub-committee of Works Committee to lead the process to plan for and procure capacity to satisfy the City's outstanding SSO processing requirements, i.e. SSO tonnage not committed through the four long-term private contracts. Design and construction of new facilities is expected to take a minimum of three to five years depending on the siting requirements and procurement process. Additional processing capacity is therefore needed for three to five years to supplement the existing interim and long-term processing contracts.

Ferti-Val Inc. is a compost producer in Quebec. Staff issued a sole-source purchase order to Ferti-Val Inc. in March 2005, under our delegated authority, for a trial of up to 3,000 tonnes. Based on positive results from the initial trial of 1,000 tonnes of the City's SSO, Ferti-Val Inc. is now interested in a larger tonnage commitment.

On May 2, 2005 Ferti-Val Inc. submitted a proposal to process between 10,000 and 20,000 tonnes of SSO per year at their licensed facility in Bromptonville, Quebec. In order to ensure continuity for the City's SSO programs, and after canvassing processors in Ontario and finding no appreciable additional capacity, staff is recommending the award of a sole source contract to Ferti-Val Inc. based on its May 2, 2005 proposal as follows:

- The City may supply SSO at a rate of up to a maximum of 20,000 tonnes per year, for each 12 month period. The City would provide a "batch" processing amount every 5 weeks of approximately 2,000 tonnes.
- The City must supply, on a put-or-pay basis, a minimum of 10,000 tonnes per year, for each 12 month period. The City would provide a "batch" processing amount every 5 weeks of approximately 1,000 tonnes.
- The term will be two years following the issuance of the purchase order plus two optional one year extensions at the General Manager – Solid Waste Management Services sole discretion.
- Ferti-Val Inc. will arrange and pay for haulage of SSO by a properly licensed carrier from the City's transfer stations to their processing facility in Bromptonville, Quebec.

- Ferti-Val will process the SSO at their processing facility in Bromptonville, Quebec and will be responsible for all process outputs including residue.
- The per-tonne fee for the first year of the term will be \$130.00 plus GST (FOB Toronto).
- The per-tonne fee is subject to an annual inflation adjustment based on the change in the “Automobile and Truck Operation Index CANSIM No. D484362” commencing on the first anniversary of the start date.

GSI Environnement Inc., is the largest compost producer in Quebec. Staff issued a sole-source purchase order to GSI Environnement Inc. in March 2005, under our delegated authority, for a trial of up to 3,000 tonnes. Based on positive results of the initial trial of 2,000 tonnes of the City’s SSO material, GSI Environnement Inc. is now interested in a larger tonnage commitment.

On May 3, 2005 GSI Environnement Inc. submitted a proposal to process between 14,000 and 20,000 tonnes of SSO per year at their various licensed composting facilities located in Quebec.

In order to ensure continuity for the City’s SSO programs, and after canvassing processors in Ontario and finding no appreciable additional capacity, staff is recommending the award of a sole source purchase order to GSI Environnement Inc. based on its May 3, 2005 proposal as follows:

- The City may supply SSO at a rate of up to a maximum of 20,000 tonnes per year, for the 12 month period commencing as early as June 1, 2005.
- The City must supply, on a put-or-pay basis, a minimum of 14,000 tonnes per year, for each 12 month period.
- The term will be three years following the issuance of the purchase order plus two optional one year extensions at the General Manager – Solid Waste Management Services sole discretion.
- GSI Environnement Inc. will arrange and pay for haulage of SSO by a properly licensed carrier from the City’s transfer stations to their various licensed organics processing facilities located in Quebec.
- GSI Environnement Inc. will process the SSO at their various licensed organics processing facilities located in Quebec and will be responsible for all process outputs including residue.
- The per-tonne fee for the first year of the term will be \$130.00 plus GST (FOB Toronto).
- The per-tonne fee is subject to an annual inflation adjustment based on the change in the “Automobile and Truck Operation Index CANSIM No. D484362” commencing on the first anniversary of the start date.

Tables 1, 2 and 3, attached to this report, summarize the City's current and awarded processing contracts and show:

- The City's current contracted processing capacity of 150,000 tonnes per year exceeds the current generation rate of 93,000 tonnes per year and matches the expected generation rate of 115,000 tonnes per year once the Green Bin Program is implemented in North York. However, the current processing facilities have not been able to consistently process at their awarded tonnages and are only expected to process a combined tonnage of approximately 83,500 tonnes in 2005, approximately 99,000 tonnes in 2006 and approximately 119,000 tonnes in 2007.
- The recommended award to Ferti-Val Inc. and GSI Environnement Inc. will provide the capacity required to process the City's Green Bin material during the next 3 to 5 years.
- The combined put-or-pay commitments, including the recommended award to Ferti-Val Inc. and GSI Environnement Inc., do not exceed the expected SSO generation rate.
- The \$130 per tonne haulage and processing fee offered by both Ferti-Val Inc. and GSI Environnement Inc. is consistent with the City's current average haulage and processing cost of approximately \$125 per tonne and is lower than average long-term haulage and processing cost of approximately \$135 per tonne approved by Council.

The sole source awards to Ferti-Val Inc. and GSI Environnement Inc. will add a much needed safety factor to our current and short-term processing capacity and provide additional SSO processing capacity for the addition of the North York Green Bin program.

Conclusions:

The City's contracted processing facilities, like others in the GTA, have experienced start up problems and as a result have been unable to receive and process Green Bin material at their contracted rates. This has created a shortage of organic processing capacity in Ontario.

Ferti-Val Inc. and GSI Environnement Inc. have both offered to process SSO at their facilities located in Quebec at a price (inclusive of transportation) that is comparable to the City's cost of processing at our other facilities.

Staff recommends that the General Manager, Solid Waste Management Services be authorized to negotiate and execute agreements on a sole source basis with Ferti-Val Inc. and GSI Environnement Inc. to provide SSO haulage and processing services as outlined in this report.

Contact:

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Table 1 - Summary of Current and Awarded Processing Contracts

Facility or Contractor	Awarded Tonnage (tonnes)	Current Actual Tonnage (tonnes)	Expected Future Tonnage (tonnes)	Put-or-Pay Commitment (tonnes)
Dufferin	25,000	24,000	24,000	70%
Guelph	20,000	7,000	10,000	70%
Halton Recycling (interim)	70,000	20,000	40-50,000	None
Conporec*	Up to 35,000	10,000	25-35,000	70%
Long Term Contracts**	Up to 70,000		60-70,000	70%

* Conporec award ramps up over 12 months.

** Total combined tonnage of long-term contracts awarded to Courtice Auto Wreckers, All Treat Farms, KC Environmental Group and Halton Recycling is not to exceed 70,000 tonnes per year.

Table 2 – Summary of Expected Processing Capacity for the Next Five Years

	2005	2006	2007	2008	2009
Generation*	93,000	115,000	115,000	115,000	115,000
Processing					
Dufferin **	24,000	24,000	24,000	24,000	24,000
Guelph***	10,000	10,000	10,000	10,000	0
Halton Recycling (interim) ****	30,000	40,000			
Long Term Contracts *****			60,000	70,000	70,000
Conporec	19,500	25,000	25,000	15,500	
Sub-total	83,500	99,000	119,000	119,500	94,000
Ferti-Val Inc.	12,000	20,000	8,000		
GSI Environnement Inc.	12,000	20,000	20,000	8,000	
Total	107,500	139,000	147,000	127,500	94,000

* Generation includes Yellow Bag and Green Bin, excludes Multi-Family and A, B, C & Ds.

** Assumes facility continues to operate after Contract expires April 30, 2007.

*** Assumes Guelph agreement is extended for 3 optional years to 2008.

**** Assumes Halton interim agreement is replaced by long term agreement in January 2007.

Table 3 – Summary of City's Put-or-Pay Commitments for the Next Five Years

	2005	2006	2007	2008	2009
Generation*	93,000	115,000	115,000	115,000	115,000
Processing					
Dufferin**	17,500	17,500	17,500	17,500	17,500
Guelph***	7,000	7,000	3,500	0	0
Halton Recycling ****	30,000	40,000			
Long-Term Contracts			49,000	49,000	49,000
Conporec	19,500	25,000	25,000	5,500	0
Ferti-Val Inc.	6,000	10,000	4,000		
GSI Environnement Inc.	8,200	14,000	14,000	5,800	
Total Put-or-Pay	88,200	113,500	113,000	77,800	66,500

* Generation includes Yellow Bag and Green Bin only. When Multi-Family and A,B,C&D's are fully implemented, the total generation will be approximately 165,000 tonnes per year.

** Assumes Dufferin put-or-pay extends beyond current contract ending of April 2007.

*** Guelph put-or-pay is 70% of 20,000 tonnes but they have been unable to process at that rate. Assumes that Guelph contract not extended beyond June 2007.

**** Halton's current contract states the City's intent to deliver a tonnage equivalent to the tonnage of SSO collected in District 1. Halton has been unable to process that amount so Halton's expected processing capacity is used in this Table.

ATTACHMENT 3 [Notice of Motion J(15)]

Report (May 16, 2005) from the Executive Director, Municipal Licensing and Standards, and the Deputy City Manager and Chief Financial Officer, entitled "Repair of the Knob Hill Plaza Parking Lot, Nos. 2605 to 2705 Eglinton Avenue East (Ward 35 - Scarborough Southwest)". (See Minute 6.73, Page 102):

Purpose:

To authorize the Deputy City Manager and Chief Financial Officer to advance the funds in order to authorize a contract, to obtain authority to issue a tender call for the repair of the Knob Hill Plaza parking lot in accordance with the normal purchasing processes defined in Chapter 195 of the Toronto Municipal Code, and to extend the authority of Bid Committee to make an award resulting from the tender call.

Financial Implications and Impact Statement:

There is no net financial impact resulting from the adoption of this report since works undertaken through the *Building Code Act* are fully recoverable. However, given that the work exceeds \$500,000, the Deputy City Manager and Chief Financial Officer is requesting authority to advance the funds and adjust Municipal Licensing and Standard's 2005 budget in order to award a contract which will be recovered by the City through invoicing the 39 Property Owners. In the event that invoices are not paid at a certain time, the amount outstanding will be placed on the tax roll of the properties per the authority of the *Building Code Act*. The cost estimate for this project is \$770,000.00 net of GST (about \$20,000 per owner).

Recommendations:

It is recommended that:

- (1) the Deputy City Manager and Chief Financial Officer be given the authority to advance the funds to the 2005 Municipal Licensing and Standard's operating budget in order to award the contract estimated at \$770,000 net of GST related to the repair of the Knob Hill Plaza parking lot in accordance with the normal purchasing processes as defined in Chapter 195 of the Toronto Municipal Code;
- (2) the authority of the Bid Committee be extended to make an award resulting from the tender call;
- (3) the funds be recovered by way of invoicing the 39 property owners, and any unpaid amounts be added to the tax roll of the properties; and
- (4) the Executive Director, Municipal Licensing and Standards and appropriate City officials be

authorized to take the necessary action to give effect thereto.

Background:

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

- “(1) the Commissioner of Urban Development Services be directed to obtain quotations from three(3) companies approved by the City to undertake paving, grading and drainage work. These quotations should include the provision for the preparation of detailed specifications of the paving, grading and drainage work to be undertaken, including but not limited to paving materials to be used, disposal of the existing paving materials, municipal sewer hook-ups, required permits, and all related technical drawings required to design and undertake the project; and
- (2) upon receiving these quotations, that existing City Purchasing procedures be followed to select the successful bidder and enter into a contract to undertake the repairs at the expense of the adjacent property owners and billed through their property taxes, per the authority of the *Building Code Act* (noting the issuance and outstanding compliance of orders pursuant to the *Act*).”

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

Meetings have been held with staff of the Legal Services, Purchasing and Materials Management and Revenue Services Divisions in order to establish a process for proceeding with the parking lot repair. Due to the specific wording of Council’s direction and the estimated dollar value of the repair, the following issues have been identified which require Council approval.

Comments:

1. Procurement Process

The intent of the direction to staff provided in Motion J(15) as adopted by Council was to allow staff to carry out the parking lot repairs in a timely manner. However, the motion requires staff to obtain quotations from three companies who are approved by the City to undertake paving, grading and drainage work. As the City does not have a list of pre-qualified companies who are approved in this category of work, staff would be required to undertake a pre-qualification process prior to obtaining quotations which would unnecessarily lengthen the procurement process.

Proceeding with an open tender call is the City's standard procurement method for this type of work and would allow staff to proceed in a timely manner. Therefore, staff are recommending that a tender call for the repair of the Knob Hill Plaza parking lot be issued in accordance with the normal purchasing processes defined in Chapter 195 of the Toronto Municipal Code.

2. Extension of Authority to Bid Committee

The estimated dollar value of the contract resulting from a tender call for the repair of the Knob Hill Plaza parking lot is greater than \$500,000.00. Section 195-13 of the Toronto Municipal Code states that the Bid Committee is authorized to make an award greater than \$500,000.00 in respect of a bid call, if several conditions are met. It is expected that all of these conditions will be met with the exception of condition A.(3) which requires the award and resulting commitment to have funding approval through a Council authorized budget expenditure amount.

As a result, Standing Committee and Council authority would be required to make an award. Since Standing Committee and Council meetings are held monthly and Bid Committee meetings are held weekly, the requirement for Standing Committee and Council to make an award will further delay the start of the repair work. In order to avoid further delay, staff are recommending that the authority of Bid Committee be extended to make an award resulting from the tender call.

3. Funding

Typically, work of this nature under the *Building Code Act* is \$15,000 or less. Given that the work in this instance is significant in magnitude (\$770,000), the Deputy City Manager and Chief Financial Officer is requesting authority to advance the funds through a 2005 budget adjustment in order to award a contract which will be recovered by the City through invoicing the 39 Property Owners.

In the event that invoices are not paid at a certain time, the amount outstanding will be placed on the tax roll of the properties per authority of the *Building Code Act*.

4. Schedule

If the recommendations contained in this report are adopted, parking lot repairs would start as early as mid-July. Otherwise, delays associated with the pre-qualification process as well as a contract award by Standing Committee and Council would result in the start of repairs in late-October.

Conclusions:

In order to carry out the repair of the Knob Hill Plaza parking lot in a timely manner, staff are recommending that the Deputy City Manager and Chief Financial Officer be given the authority to advance the funds and adjust the Municipal Licensing and Standards' 2005 Budget to provide spending authority. In order to authorize a contract, a tender call be issued in accordance with the normal purchasing processes defined in Chapter 195 of the Toronto Municipal Code, and that the authority of Bid Committee be extended to make an award resulting from the tender call.

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ATTACHMENT 4 [Notice of Motion J(17)]

Report (May 13, 2005) from the Acting General Manager, Transportation Services, and the Chief Corporate Officer, entitled "Surplus Land Declaration and Proposed Closing – Portion of Leslie Street Road Allowance (Ward 24 - Willowdale)". (See Minute 6.75, Page 106):

Purpose:

To recommend that a portion of the public highway, shown as Part 1 on the attached Sketch No. PS-2005-035 (the "Highway"), be permanently closed and declared surplus to the City's requirements.

Financial Implications and Impact Statement:

Land of comparable value may be acquired by the City in exchange for the Highway if a land exchange transaction is subsequently approved and completed.

Recommendations:

It is recommended that:

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

Comments:

Leslie Street, between Sheppard Avenue East and Old Leslie Street presently comprises three through-lanes in the north and south directions. A proposal has been submitted to widen Leslie Street to a four lane cross section with the completion of a fourth through lane on the west side. To accommodate the road widening, the existing bridge connecting the North York General Hospital (“NYGH”) on the east and the Canadian College of Naturopathic Medicine (“CCNM”) on the west will be demolished and replaced with a new single or two-span structure immediately south of the existing bridge. As a result, a new abutment will be required on lands owned by NYGH and the lands encumbered by the existing abutment (the Highway) will be made available for exchange with NYGH. It is estimated that the size of these two parcels is relatively equal. Transportation Services staff has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and made available for the purpose of this exchange.

Details of the Highway to be declared surplus are as follows:

Subject Property:	Part of the Leslie Street road allowance, shown as Part 1 on Sketch No. PS-2005-035
Legal Description:	Part of PIN 10089-0541 (LT) being part of Lot 15, Concession 2 EYS, being part of Leslie Street and also shown as Part 1 on Sketch No. PS-2005-035
Approximate Site Dimensions:	North/South Measurement: 15 m (49.21 ft) East/West Measurement (north limit): 10 m (32.81 ft)
Approximate Site Area:	180 m ² (1,937.57 ft ²)
Current Status:	Public Highway
Zoning:	R3
Existing Official Plan:	G-INS – General Institutional
New Official Plan:	Institutional Areas

In order to proceed with the disposal of the Highway, the City must comply with the procedures governing disposal of property. Section 268 of the *Municipal Act, 2001* requires that, before selling any property, City Council must declare the property to be surplus by by-law or resolution, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted from doing so.

The closing process requires three separate approvals from City Council. The first approval authorizes the closing of the highway, the second approval authorizes the terms and conditions of the sale of the subject lands and the third and final City Council approval authorizes the closing By-law. In addition, the public has the opportunity to speak to the matter if they wish to do so at Community Council during consideration of the draft by-law.

Conclusion:

As the Highway is not required for municipal purposes other than for the existing bridge, in the event the land exchange transaction is subsequently approved and completed, the Highway should be permanently closed and declared surplus, and the Chief Corporate Officer should be authorized to invite an offer to purchase from NYGH in exchange for lands owned by them.

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Nycc05-77

List of Attachments:

Site Map & Sketch No. PS-2005-035 dated March 10, 2005

(The attachments to the above report are on file in the City Clerk's Office)

ATTACHMENT 5 [Notice of Motion J(24)]

Report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled "Supplementary Report, OPA and Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani, 515 Royal York Road, Ward 5 - Etobicoke-Lakeshore". (See Minute 6.82, Page 118):

Purpose:

This report reviews and recommends changes to the recommendations adopted by City Council on February 16, 2005 (Clause 2 Report No. 2 of Etobicoke York Community Council) for an application to amend the Official Plan and Zoning Code to permit four townhouse dwellings, incorporating a listed heritage building, and six semi-detached dwellings at 515 Royal York Road.

Financial Implications and Impact Statement:

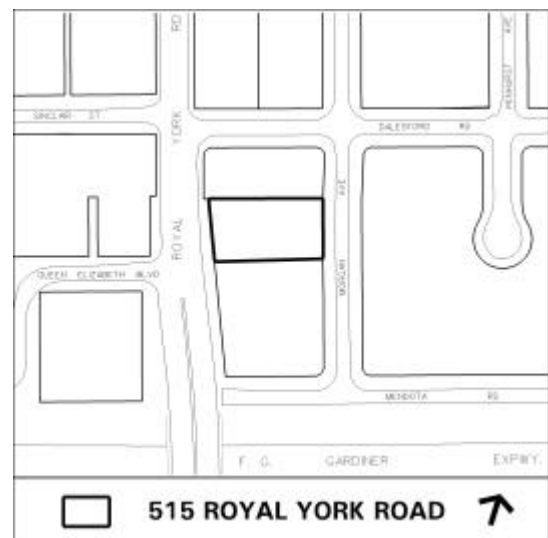
There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that notwithstanding staff recommendations contained within the report (January 20, 2005) from the Acting Director, Community Planning, West District, and adopted by City Council on February 16, 2005, the Bills be forwarded for enactment at the May 17, 18 and 19, 2005 meeting of City Council.

Background:

The applicant proposes to construct ten residential units, consisting of four townhouses, which incorporate a listed heritage building, and six semi-detached dwellings. The Acting Director, Community Planning, West District, reported to the February 8, 2005 meeting of Etobicoke York Community Council recommending approval of the Official Plan amendment and rezoning application. However, in the report, staff recommended that before the necessary Bills be introduced to City Council for enactment, that the owner be required to obtain Site Plan Approval pursuant to Section 41 of the Planning Act. These recommendations were adopted without amendment by City Council on February 16, 2005 (Clause 2 Report No. 2 of Etobicoke York Community Council).



Comments:

Staff have been requested by the applicant and local Councillor to amend the recommendation related to obtaining Site Plan Approval prior to forwarding the Bills for enactment. The requirement was added chiefly to ensure the execution of a Heritage Easement Agreement for the Royal Canadian Legion building and its appropriate integration with the site plan. City Legal staff advise that the applicant has completed the necessary requirements for the preparation of the agreement. The applicant has signed a Letter of Undertaking agreeing to enter into and register the Heritage Easement Agreement prior to Site Plan Approval. Staff anticipate the agreement will be executed forthwith.

Review of the application for Site Plan Control is ongoing. The applicant has resolved the concerns of all agencies and departments with the exception of Works and Emergency Services. Revised plans have been submitted for review and comments from Works and Emergency Services are expected by early June. As Site Plan Approval is delegated to the Director, Community Planning, West District, the introduction and passing of the Bills at the May meeting of City Council should enable the applicant to proceed with the development during the summer months.

Conclusions:

Staff recommend that the Bills be forwarded for enactment at the May 17, 18, and 19, 2005 meeting of City Council to allow the development to proceed in a timely manner.

Contact:

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ATTACHMENT 6 [Notice of Motion J(29)]

Report (May 17, 2005) from the Chief Planner and Executive Director, City Planning Division, entitled "Budget Variance- Resources in Support of Council Priority Number 8: Improve the Planning Process, All Wards". (See Minute 6.87, Page 130):

Purpose:

To advise Council of an unanticipated expenditure in the 2005 City Planning Division Operating Budget, in order to implement the recommendations of the Planning and Transportation Sub-Committee on Improving the Planning Process.

Financial Implications and Impact Statement:

There are no financial implications arising from adoption of this report. The total estimated cost for the four District consultations is \$12,000.00. These meetings were not anticipated during the 2005 Budget Process. No new funds are being requested for this initiative as the unanticipated expenditures will be offset by reducing other expenditures so that the Division will remain within its approved 2005 Operating Budget.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting of February 1, 2 and 3, 2005, City Council considered Report 1, Clause 4 (d) of the Planning and Transportation Committee, as amended. The report was titled, "Council Priority for the 2003-2006 Term: Improve the Planning Process" and proposed a Listen, Learn, Lead action plan to address Council's priority to improve the planning process; and reported on activity undertaken in support of this activity. The amended report set up a Sub-Committee to Develop an improved Planning Process with a request that the Sub-Committee:

- (1) work with staff to develop a process for meaningful community involvement in the planning process;
- (2) contact ratepayer groups and other identifiable interested parties to seek their input;
- (3) give consideration to the following:
 - (a) enforcement of site plan conditions and zoning compliance; and

- (b) co-ordination of building permit and zoning provisions;
- (4) consider a mandatory training program for Members of Council and their staff on the *Planning Act* and proper procedures on conducting community consultation; and
- (5) submit a report respecting the foregoing matter to the Planning and Transportation Committee as soon as possible.

The Sub-Committee, composed of Councillors Filion, Jenkins, Milczyn, Palacio and Stintz, has met three times to discuss this issue and has directed City Planning staff to proceed with four District consultation meetings to be held with local ratepayer groups, industry members and such others as suggested by the local Councillors. These meetings are being scheduled for the month of June in order to prepare a report to the Planning and Transportation Committee in the Fall, 2005.

Comments:

In order to facilitate the four District meetings, resources will need to be dedicated to ensure a community consultation in the four Districts of the City. These meetings were not anticipated in the course of the 2005 budget preparations and will, of necessity, mean a re-allocation of resources in the City Planning Division. It is estimated that in order to facilitate the four District community meetings, the following resources will be required:

<u>Resources</u>	<u>Estimated Cost</u>
• 1 announcement in a major daily newspaper	\$5,000.00 - \$6,000.00
• Mailed invitations to ratepayers, industry groups, other interested parties	\$1,000.00
• Staff overtime for meeting preparation and consultation	\$5,000.00

The total estimated cost for these four District consultations is estimated up to \$12,000.00. No new funds are being requested for this initiative.

Conclusions:

This report advises of a re-allocation of funds in the 2005 City Planning Division budget, in order to provide the necessary resources for four District community consultations, to be held at the direction of the Sub-Committee to Develop an Improved Planning Process.

These actions were not anticipated as part of the budget approved by City Council.

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FISCAL IMPACT STATEMENT SUMMARY

Notices of Motion

**Submitted by the Deputy City Manager and Chief Financial Officer
 Council Meeting – May 17, 18 and 19, 2005**

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
I(1)	Review of Councillor Remuneration	Up to \$10,000	\$0	Consider. See FIS.
J(1)	Appointment of the Striking Committee	\$0	\$0	Consider.
J(2)	Appointment of Two Deputy Mayors by Resolution	\$0	\$0	Consider.
J(3)	Request for Exemption from the City of Toronto Municipal Code Chapter 447, Fences - 185 Lambton Avenue	\$0	\$0	Consider.
J(4)	Issuance of Debentures			Already dealt with by City Council.
J(5)	Percentage by Which Tax Decreases are Limited in 2005 for Properties in the Commercial, Industrial and Multi-Residential Property Classes			Already dealt with by City Council.
J(6)	Licensing of Traditional Medical Establishments and Practitioners	\$63,600	\$0	Consider. See FIS.
J(7)	Request of Toronto Police Services Board to Decentralize Police Parking Enforcement	\$0	\$0	Consider. See FIS.
J(8)	Ongoing Care, Maintenance and Enhancement of the Katyn Monument, Toronto	\$0	\$60,000	Consider. See FIS.
J(9)	Amendment to Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2002 0013 – Nikolai Shtepa (M-Arch Design Group Inc.) – 631 Sheppard Avenue West (Ward 10 – York Centre)	\$0	\$0	Consider.
J(10)	Sole Source Contracts for Processing of Source Separated Organics	\$0	\$0	See Report Attached to Motion.

Minutes of the Council of the City of Toronto
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Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(11)	Increasing the Composition of the Audit Committee	\$0	\$0	Consider.
J(12)	Tax Receipts for Funds Donated for Monument to George Faludy	\$0	\$0	Consider.
J(13)	Major Cultural Organizations Grants Program - Funding for Pride Toronto	\$0	\$0	Consider.
J(14)	Request for City Legal and Planning Staff Representation at OMB Appeal for 39 Marydon Crescent (File A020/05SC)	\$0	\$0	See Report Attached to Motion.
J(15)	Repair of the Knob Hill Plaza Parking Lot	\$0	\$0	See Report Attached to Motion.
J(16)	Designation of a Graffiti Art Area in the City of Toronto	\$0	\$0	Consider.
J(17)	Surplus Land Declaration and Proposed Road Closing - Portion of Leslie Street Road Allowance	\$0	\$0	See Report Attached to Motion.
J(18)	Designation of 200 Russell Hill Road Under the <i>Ontario Heritage Act</i>	\$0	\$0	Consider.
J(19)	Participation in Ontario Ministry of Energy Renewable Energy, Clean Generation and Demand-Side Initiatives	\$0	\$0	Consider.
J(20)	Committee of Adjustment Decision – 4135 Dundas Street West	\$0	\$0	See Report Attached to Motion.
J(21)	Special Occasion Permit and Endorsement of Event for Liquor Licensing Purposes – Latin Fiesta	\$0	\$0	Consider.
J(22)	Development of Infrastructure Policy and Standards Review	\$0	\$0	Consider.
J(23)	Endorsement of the Pan-Canadian Conference of Youth Cabinets	\$0	\$0	Consider.

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(24)	Supplementary Report OPA & Rezoning Application 04 165304 WET 05 OZ, Applicant: 1265161 Ontario Ltd., Architect: Fernando Fabiani 515 Royal York Road - Ward 5 - Etobicoke-Lakeshore	\$0	\$0	See Report Attached to Motion.
J(25)	GO Transit Rail-to-Rail Diamond Grade Separation "trench extension" – Report Request	\$0	\$0	Consider.
J(26)	Rat Elimination Strategy for the City of Toronto – Report Request	\$0	\$0	Consider.
J(27)	The Implication of Bill 164, the <i>Tobacco Control Statute Law Amendment Act, 2004</i> , on Charity Bingo	\$0	\$0	Consider.
J(28)	Metal Detectors/Security Measures in Nightclubs	\$0	\$0	Consider.
J(29)	Budget Variance - Resources in Support of Council Priority Number 8: Improve the Planning Process	\$12,000	\$0	See Report Attached to Motion.
J(30)	Settlement Report – Ontario Municipal Board Hearing – 263-265 Davenport Road			<i>Confidential. See FIS.</i>
J(31)	Legal Action – Harbourfront Fire Station			<i>Confidential. See FIS.</i>
J(32)	Offers of Additional Compensation - Expropriations for North York Centre Plan Service Road			<i>Confidential. See FIS.</i>
J(33)	Liquor Licence Matters – 925 Weston Road			<i>Confidential. See FIS.</i>
J(34)	Request for City Solicitor to Attend the Ontario Municipal Board Hearing to Defend the Decision of the Committee of Adjustment with respect to 89 Kingsway Crescent	\$0	\$0	See Report Attached to Motion.
J(35)	Cash in lieu for Parkland Dedication – 2701 Keele Street (Ward 9 – York	\$0	\$0	Refer to Standing Committee. See FIS.

Minutes of the Council of the City of Toronto
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Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
	Centre)			
J(36)	Metro International Caravan 2005 – Designation as an Event of Municipal Significance	\$0	\$0	See Report Attached to Motion.
J(37)	Declaration of Surplus - Portion of Land at the Rear of 12 Canterbury Place	\$0	\$0	Consider.

FISCAL IMPACT STATEMENT 1 [Notice of Motion I(1)]
(See Minute 6.58, Page 76)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: Up to \$10,000 (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion – (J2) – Estimated funding of up to \$10,000 can be absorbed within the General Council Administration Budget

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

**FISCAL IMPACT STATEMENT 2 [Notice of Motion J(6)]
(See Minute 6.64, Page 86)**

Financial Implications:

Operating

- Current year impacts: \$63,600 Future year impacts: \$63,600
- Following year Future years
- Funding sources (specify):
- Accommodation within approved operating budget Third party funding
- New revenues Tax rate impact
- Reserve/Reserve Fund contributions Other
- Budget adjustments: \$ _____
- Impact on staffing levels: _____ (positions)

Capital

- Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)
- Following year
- Future years
- Funding sources (specify):
- Accommodation within approved capital budget Third party funding
- New revenues Debt
- Reserve/Reserve Fund contributions Other
- Budget adjustments: \$ _____ (net)
- Operating Impact:
- Program costs: \$ _____ (net)
- Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion – (J6) –The City is currently licensing Traditional Chinese Medical Practitioners. Should the City of Toronto return the mandate of licensing Traditional Chinese Medical Practitioners to the Provincial Ministry of Health, there would be a loss of revenue in the amount of \$63,600 to the Municipal Licensing and Standards budget.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

FISCAL IMPACT STATEMENT 3 [Notice of Motion J(7)]
(See Minute 6.65, Page 88)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$ <u>0.00</u> _____
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input checked="" type="checkbox"/> Current year impacts: \$ <u>0.00</u> _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(7) – Toronto Police Services Board report back on its decision regarding the Notice of Motion. In the event the Board adopts this motion, the Board should report back to the Budget Advisory Committee on any financial impacts.

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

**FISCAL IMPACT STATEMENT 4 [Notice of Motion J(8)]
(See Minute 6.66, Page 91)**

Financial Implications:

<input type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input checked="" type="checkbox"/> Capital	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>60,000</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input checked="" type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion –(J8) – Maintenance is included in Culture base operating budget and Parks base operating budget, including Clean & Beautiful, is providing lighting, sprinkler system and horticulture display renewal this year. \$60,000 in 2005 Culture Capital Budget will replace the patio stones surrounding the monument. Cost of future redesign and rebuilding is unknown.

Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

FISCAL IMPACT STATEMENT 5 [Notice of Motion J(10)]
(See Minute 6.68, Page 212)

Financial Implications:

Operating

Current year impacts: \$ 0 Future year impacts: \$ see below (net)

Following year
 Future years

Funding sources (specify):

<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

Service Level Impact:(Specify)

Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(10) – The funding in the amount of up to \$3.2 million is provided in the 2005 budget. Future year commitments for 2006 to 2008 are indexed increases from 2005 expenditures. For details, please refer to the financial implication section of the attached staff report.

Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

**FISCAL IMPACT STATEMENT 6 [Notice of Motion J(15)]
(See Minute 6.73, Page 102)**

Financial Implications:

Operating

- Current year impacts: \$0
 - Following year
- Future year impacts: \$0
 - Future years
- Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input checked="" type="checkbox"/> Other
- Budget adjustments: \$770,000 net of GST
- Impact on staffing levels: _____ (positions)

Capital

- Current year impacts: \$_____ (net)
 - Following year
- Future year impacts: \$_____ (net)
 - Future years
- Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
- Budget adjustments: \$_____ (net)
- Operating Impact:
 - Program costs: \$_____ (net)
 - Debt service costs: \$_____ (net)

Impacts/Other Comments:

Service Level Impact:(Specify)

Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion – (J15) –There is no net financial impact resulting from the adoption of the report since work undertaken through the Building Code Act is fully recoverable. However, given that the work exceeds \$500,000, the Deputy City Manager and Chief Financial Officer is requesting authority to advance the funds through a 2005 budget adjustment to the Municipal Licensing and Standard's 2005 budget in order to award the contract which will be recovered by the City through invoicing the 39 property owners. In the event that invoices are not paid at a certain time, the amount outstanding will be placed on the tax roll of the properties per authority of the Building Code Act. The total gross estimated cost is \$770,000.00 net of GST (approximately \$20,000 per owner).

Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

FISCAL IMPACT STATEMENT 7 [Notice of Motion J(29)]
(See Minute 6.87, Page 130)

Financial Implications:

Operating

Current year impacts: \$ 12,000 Future year impacts: \$ 0
 Following year Future years

Funding sources (specify):

<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)
 Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)
 Following year Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)
 Operating Impact:

<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion – (J29) –The total gross cost is \$12,000. Staff have advised that they will be reallocating existing resources within the 2005 City Planning budget towards this initiative. City Planning Division staff be requested to prepare a report back to the Financial Planning Division addressing exactly how these expenditures will be accommodated. There will be no net impact to the 2005 budget.

- Consider Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005

**FISCAL IMPACT STATEMENT 8 [Notice of Motion J(35)]
(See Minute 6.93, Page 215)**

Financial Implications:

Operating

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

- Program costs: \$_____ (net)
- Debt service costs: \$_____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion –(J35) – Not consistent with current Council policy to allocate cash-in-lieu 4 ways to local and City-wide parkland acquisition and improvements. Could set precedent whereby there would be no parkland cash-in-lieu funding for City Wide projects or those in Wards with no development projects.

- Consider
- Refer to Standing Committee

Submitted by: _____
Deputy City Manager and Chief Financial Officer

Date: May 18, 2005