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These Minutes were confirmed by City Council on April 12, 2005.

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MINUTES OF THE COUNCIL OF THE CITY OF TORONTO

**TUESDAY, FEBRUARY 1, 2005,
WEDNESDAY, FEBRUARY 2, 2005, AND
THURSDAY, FEBRUARY 3, 2005**

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

CALL TO ORDER - 9:40 a.m.

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

The meeting opened with O Canada.

1.2 CONFIRMATION OF MINUTES

Councillor Altobello, seconded by Councillor Watson, moved that the Minutes of the following meetings of Council be confirmed in the form supplied to the Members, which carried:

- the Special meeting of Council held on November 29, 2004;
- the regular meeting of Council held on November 30, December 1 and 2, 2004; and
- the Special meeting of Council held on December 6, 2004.

1.3 PETITIONS

- (a) Councillor Lindsay Luby submitted a petition containing approximately 99 signatures in support of the installation of all-way stop controls at various intersections on The Kingsway.

The above petition was received and considered with Etobicoke York Community Council Report 1, Clauses 5 and 6, headed “Request for All-Way Stop Controls - The Kingsway at Prince George Drive and The Kingsway at Twyford Road (Ward 4 - Etobicoke Centre)” and “Request for All-Way Stop Controls - The Kingsway at Edenbridge Drive/Wimbledon Road (Ward 4 - Etobicoke Centre)”, respectively.

- (b) Councillor Grimes submitted a petition containing approximately 814 signatures respecting the proposed development at 700 Evans Avenue.

The above petition was received and considered with Etobicoke York Community Council Report 1, Clause 29, headed “Final Report - Official Plan Amendment and Rezoning Applications; Applicant: Sherway Gate Development Corporation; Sol Wassermuhl, Page & Steele Architects, 700 Evans Avenue (Ward 5 – Etobicoke-Lakeshore)”.

PRESENTATION OF REPORTS

- 1.4 Councillor Ashton presented the following Reports for consideration by Council:

Deferred Clause from September 28, 29, 30 and October 1, 2004:

Planning and Transportation Committee Report 6, Clause 4c

Deferred Clauses from October 26, 27 and 28, 2004:

Policy and Finance Committee Report 8, Clause 1c

Administration Committee Report 8, Clause 8c

Board of Health Report 7, Clause 1c

Planning and Transportation Committee Report 7, Clause 3a

Deferred Clauses from November 30, December 1 and 2, 2004:

Works Committee Report 9, Clause 3b

Scarborough Community Council Report 8, Clause 7b

Toronto and East York Community Council Report 9, Clauses 8a, 9a and 58a

Deferred Clauses from December 6, 2004:

Policy and Finance Committee Report 9, Clauses 41b and 42b

Administration Committee Report 9, Clause 1b, 10b, 11b and 22b

Audit Committee Report 6, Clauses 4b and 6b

Community Services Committee Report 8, Clause 7b

Economic Development and Parks Committee Report 8, Clause 12b
Works Committee Report 10, Clause 10b
Etobicoke York Community Council Report 9, Clauses 1b and 2b

New Committee Reports:

Policy and Finance Committee Report 1
Policy and Finance Committee Report 2
Administration Committee Report 1
Administration Committee Report 2
Audit Committee Report 1
Board of Health Report 1
Community Services Committee Report 1
Community Services Committee Report 2
Economic Development and Parks Committee Report 1
Economic Development and Parks Committee Report 2
Planning and Transportation Committee Report 1
Planning and Transportation Committee Report 2
Striking Committee Report 1
Works Committee Report 1
Works Committee Report 2

New Community Council Reports:

Etobicoke York Community Council Report 1
North York Community Council Report 1
Scarborough Community Council Report 1
Toronto and East York Community Council Report 1

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

1.5 **DECLARATIONS OF INTEREST**

Councillor Ashton declared his interest in Administration Committee Report 9, Clause 22b, headed “Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)”, in that he lives near the subject lands.

Councillor Cowbourne declared her interest in Administration Committee Report 9, Clause 22b, headed “Possible Acquisition of Toronto District School Board Property Located on Wanita Road

for Stormwater Management Purposes (Ward 44 - Scarborough East)", in that she lives near the subject lands.

CONSIDERATION OF REPORTS
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Planning and Transportation Committee Report 6, Clause 4c

Policy and Finance Committee Report 8, Clause 1c

Administration Committee Report 8, Clause 8c

Board of Health Report 7, Clause 1c

Planning and Transportation Committee Report 7, Clause 3a

Works Committee Report 9, Clause 3b

Scarborough Community Council Report 8, Clause 7b

Toronto and East York Community Council Report 9, Clauses 8a, 9a and 58a

Policy and Finance Committee Report 9, Clauses 41b and 42b

Administration Committee Report 9, Clause 1b, 10b, 11b and 22b

Audit Committee Report 6, Clauses 4b and 6b

Community Services Committee Report 8, Clause 7b

Economic Development and Parks Committee Report 8, Clause 12b

Works Committee Report 10, Clause 10b

Etobicoke York Community Council Report 9, Clauses 1b and 2b

Policy and Finance Committee Report 1, Clause 1

Policy and Finance Committee Report 2, Clauses 1, 2, 3, 4, 5, 6, 7, 10, 14, 15, 17, 21, 22, 24, 25

and 27

Administration Committee Report 1, Clauses 1, 2, 3, 4, 5, 6 and 9

Administration Committee Report 2, Clauses 3, 4, 5, 6 and 10

Audit Committee Report 1, Clauses 1 and 2

Board of Health Report 1, Clause 1

Community Services Committee Report 1, Clauses 1, 3 and 4

Community Services Committee Report 2, Clause 1

Economic Development and Parks Committee Report 1, Clauses 1, 9 and 10

Economic Development and Parks Committee Report 2, Clauses 1, 2, 4 and 6

Planning and Transportation Committee Report 1, Clauses 1 and 2

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

Works Committee Report 1, Clauses 1, 3, 4, 5 and 10

Works Committee Report 2, Clauses 1, 3 and 6

Etobicoke York Community Council Report 1, Clauses 5, 6, 25 and 29

North York Community Council Report 1, Clauses 10, 30, 35, 39, 42 and 46

Scarborough Community Council Report 1, Clauses 1, 16 and 17

Toronto and East York Community Council Report 1, Clauses 1, 2, 4, 6, 19, 27, 28, 29, 31, 41, 42, 43, 44, 45, 46, 52, 63, 79, 80 and 86

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

Policy and Finance Committee Report 9, Clause 42b

Audit Committee Report 6, Clause 4b

Policy and Finance Committee Report 2, Clauses 5, 7, 17 and 27

Administration Committee Report 1, Clauses 1 and 9

Administration Committee Report 2, Clauses 3 and 5

Audit Committee Report 1, Clause 2

Community Services Committee Report 1, Clause 1

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

Works Committee Report 1, Clause 3

Works Committee Report 2, Clause 1

Scarborough Community Council Report 1, Clause 17

Toronto and East York Community Council Report 1, Clauses 1, 2 and 19

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 Clause was re-opened for further consideration and subsequently amended:

Administration Committee Report 2, Clause 2. (See Minute 1.29, Page 29).

**CONSIDERATION OF REPORTS
CLAUSES WITH MOTIONS, VOTES, ETC.**

1.7 Planning and Transportation Committee Report 7, Clause 3a, headed “Comprehensive By-law Compliance Programme”.

Motion:

Councillor Altobello moved that the Clause be referred back to the Planning and Transportation Committee for further consideration.

Vote on Referral:

The motion by Councillor Altobello carried.

- 1.8 **Toronto and East York Community Council Report 9, Clause 58a, headed “Installation of Speed Humps – Howard Street, Between Parliament Street and Sherbourne Street (Toronto Centre-Rosedale, Ward 28)”**.

Motion:

Councillor Rae moved that consideration of the Clause be deferred to the meeting of City Council on April 12, 2005.

Vote on Deferral:

The motion by Councillor Rae carried.

- 1.9 **Administration Committee Report 1, Clause 4, headed “Phase Two Allocations - 2004 Access and Equity Grant Program”**.

Vote:

The Clause was adopted, without amendment.

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

- 1.10 **Administration Committee Report 2, Clause 4, headed “Sale of Portions of City-owned Land Adjacent to 150 Borough Drive In Exchange for a Strata Land Interest for a Proposed New Public Park and Other Considerations (Ward 38 - Scarborough Centre)”**.

Motion:

Councillor De Baeremaeker moved that the Clause be amended by deleting from staff Recommendation (1) contained in the Recommendations Section of the report dated January 5, 2005, from the Commissioner of Corporate Services, the name “Skygold Developments Limited”, and inserting instead the name “Skygold Investments Ltd.”, so that Recommendation(1) now reads as follows:

- “(1) authority be granted for the City to enter into a Land Exchange Agreement with Skygold Investments Ltd. (hereinafter referred to as ‘Skygold’ or ‘Goldman’), pursuant to which the City will agree to convey its lands north of the City’s deck parking facility, east of the Scarborough Civic Centre and west of Town Centre Court, designated as Parts 8, 9, 10, 11, 12 and 13 on the draft reference plan dated December 9, 2004 (the ‘Draft Reference Plan’), to Skygold in exchange for the

conveyance of a strata land interest in certain lands for a proposed new public park designated as Parts 17, 19, 20, 21, 22, 26 and 28 on the Draft Reference Plan, a cash payment of \$1,800,000.00 and other considerations as outlined in Appendix A this report;”.

Votes:

The motion by Councillor De Baeremaeker carried.

The Clause, as amended, carried.

1.11 Works Committee Report 1, Clause 4, headed “Site Plan Bump Up Report - Site Plan Approval Application Applicant: Peter Smith, Bousfields Inc. Owner: The Great Atlantic and Pacific Company of Canada Ltd. 170 The West Mall (Ward 5 - Etobicoke-Lakeshore)”.

The Clause was submitted without recommendation.

Motion:

Councillor Milczyn moved that Council adopt the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report dated January 24, 2005, from the Acting Commissioner of Works and Emergency Services:

‘It is recommended that:

- (1) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited design and construct, to the satisfaction of the Acting Commissioner of Works and Emergency Services and at no expense to the City of Toronto, a public sidewalk along the full length of the south and west sides of West Mall Crescent;
- (2) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited design and construct, to the satisfaction of the Acting Commissioner of Works and Emergency Services and at no expense to the City of Toronto, a public sidewalk along its frontage on The West Mall, between West Mall Crescent and the property’s north driveway access;
- (3) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited contribute 50 percent, to a maximum of

\$52,500.00, towards the City's cost of constructing public sidewalks on the west side of The West Mall, between the site's north access and Waulron Street, and on the north side of Waulron Street adjoining the subject property;

- (4) the City of Toronto shall refund The Great Atlantic and Pacific Company of Canada Limited's contribution, without interest, if it is unable to construct the sidewalk sections described in Recommendation (3), above, by December 31, 2008; and
- (5) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.' "

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

1.12 Toronto and East York Community Council Report 1, Clause 29, headed "Request for Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening at 5 Oriole Parkway (St. Paul's, Ward 22)".

Vote:

The Clause was adopted, without amendment.

Councillor Fletcher requested that her opposition to this Clause be noted in the minutes of this meeting.

1.13 Toronto and East York Community Council Report 1, Clause 44, headed "Installation of Speed Bumps - Sussex Mews (Public Lane), from Sussex Avenue to Harbord Street, Harbord Street to Willcocks Street and Willcocks Street to Robert Street (Trinity-Spadina, Ward 20)".

Vote:

The Clause was adopted, without amendment.

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

1.14 Toronto and East York Community Council Report 1, Clause 86, headed “Status Report - Site Plan Approval Application - 45 Eastern Avenue (Toronto Centre-Rosedale, Ward 28)”.

Motion:

Councillor McConnell moved that consideration of the Clause be deferred to the next regular meeting of City Council on February 16, 2005.

Vote on Deferral:

The motion by Councillor McConnell carried.

1.15 North York Community Council Report 1, Clause 39, headed “Sale of a Portion of the Unopened Glengarry Avenue Road Allowance located at the rear of 250 Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)”.

Motion:

Councillor Stintz moved that the Clause be amended by deleting from the recommendation of the North York Community Council, the words “subject to site plan approval being required for the construction of any structure or pavement on the property”, so that the recommendation of the North York Community Council now reads as follows:

“The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the following report (December 20, 2004) from the Commissioner of Corporate Services:”.

Votes:

The motion by Councillor Stintz carried.

The Clause, as amended, carried.

1.16 Works Committee Report 9, Clause 3b, headed “Bus-Only Lanes (Bus Rapid Transit) Downsview Subway Station to York University”.

Motion:

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

“That Council adopt the following Recommendations (3) and (4) of the Toronto Transit Commission (TTC) contained in the communication dated December 16, 2004, from the

General Secretary, TTC:

- '(3) that Toronto City Council request York University to approve this concept in principle, conditional on the City of Toronto and the Toronto Transit Commission entering into a binding agreement with York University which would result in the removal of the bus-only roadway within ten years; and
- (4) that Toronto City Council re-affirm that the extension of the Spadina/University subway to Steeles Avenue is the City's top priority for subway expansion and that the Minister of Finance and the Government of Ontario be so advised.' "

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

1.17 **Planning and Transportation Committee Report 6, Clause 4c, headed "Taxicab Driver Safety".**

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by deleting the Recommendations of the Planning and Transportation Committee, and that Council adopt the staff recommendations contained in the Recommendation Section of the report (August 27, 2004) from the Commissioner of Urban Development Services.

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

"That the Commissioner of Urban Development Services be requested to report to the Planning and Transportation Committee for its meeting on March 7, 2005, on safety devices used successfully or unsuccessfully in other jurisdictions, and that the International Association of Transportation Regulators and its members be requested to comment on taxi driver safety devices."

Deputy Mayor Pantalone in the Chair.

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 20	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Giambrone, Hall, Kelly, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Rae
No - 21	
Councillors:	Ashton, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Holyday, Jenkins, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Watson

Lost by a majority of 1.

Motion (b) by Councillor Stintz carried.

The Clause, as amended, carried.

1.18 **Administration Committee Report 9, Clause 22b, headed “Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)”.**

The Clause was submitted without recommendation.

Motions:

(a) Councillor De Baeremaeker moved that Council adopt the following:

“That:

(1) Council adopt the following recommendation of the Works Committee, as contained in the Clause, subject to deleting from the second Operative Paragraph, the date ‘December 2004’, and inserting instead the date ‘March 8, 2005’, so that the recommendation of the Works Committee now reads as follows:

‘BE IT RESOLVED THAT the City of Toronto express an interest in the acquisition of the Toronto District School Board Wanita Road property;

AND BE IT FURTHER RESOLVED THAT staff be directed to negotiate with the Toronto District School Board and report back to the Works Committee on the cost to acquire the Wanita Road site at its March 8, 2005 meeting;

AND BE IT FURTHER RESOLVED THAT City staff be directed to work with Toronto and Region Conservation Authority staff and report back to the Works Committee on how the site could be utilized to meet the goals of the Wet Weather Flow Master Plan, the Centennial Creek Subwatershed Study and the TRCA's Valley and Stream Corridor Policies, including aspects such as storm water management, water quality improvement, habitat restoration and increased tree canopy.'; and

- (2) the Chief Planner be directed to initiate an Official Plan Amendment and Zoning By-law Amendment to designate the Wanita Road lands owned by the Toronto District School Board to 'open space' and bring these amendments forward to the June meeting of the Scarborough Community Council."
- (b) Deputy Mayor Feldman moved that the Clause be referred to the Scarborough Community Council for a public hearing regarding the down zoning of these lands.

Vote on Referral:

Yes - 11
Councillors: Del Grande, Feldman, Ford, Giambrone, Holyday, Kelly, Li Preti, Milczyn, Pitfield, Shiner, Stintz
No - 23
Councillors: Altobello, Bussin, Carroll, Cho, Davis, De Baeremaeker, Filion, Fletcher, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Rae, Saundercook, Thompson, Walker, Watson

Lost by a majority of 12.

Motion:

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

"That the Commissioner of Urban Development Services be requested to continue discussions with the Toronto District School Board about the Wanita Road site, such discussions to also be used as an opportunity to discuss a creative solution to the management of school lands in a way that mutually benefits the School Board and the City."

Votes:

Adoption of Part (2) of motion (a) by Councillor De Baeremaeker:

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

Carried by a majority of 28.

Adoption of Part (1) of motion (a) by Councillor De Baeremaeker:

Yes - 30	
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 8	
Councillors:	Feldman, Ford, Holyday, Kelly, Minnan-Wong, Ootes, Shiner, Soknacki

Carried by a majority of 22.

Adoption of motion (c) by Councillor Moscoe:

Yes - 23	
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, De Baeremaeker, Del Grande, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Rae, Thompson
No - 15	
Councillors:	Davis, Feldman, Ford, Holyday, Kelly, Li Preti, Minnan-Wong, Ootes, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson

Carried by a majority of 8.

The Clause, as amended, carried.

Mayor Miller in the Chair.

1.19 **Works Committee Report 1, Clause 1, headed “Drain Grant Appeal - 167 Westminster Avenue (Ward 14 - Parkdale-High Park)”.**

Motion:

Councillor Watson moved that the Clause be referred back to the Works Committee for reconsideration of the appeal at its meeting on March 8, 2005.

Vote on Referral:

The motion by Councillor Watson carried.

1.20 **Works Committee Report 2, Clause 6, headed “F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario ‘2005, 2006 and 2007 Ride for Heart’ (Various Wards)”.**

Motion:

Councillor Rae moved that the Clause be amended by adding to staff Recommendations (2) and (3) contained in the Recommendations Section of the report dated December 22, 2004, from the Acting Commissioner of Works and Emergency Services, the words “with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada’s Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre”, so that staff Recommendations (2) and (3) now read as follows:

- “(2) no other closures due to events or film permits be authorized on arterial routes bounded by Highway 401, Warden Avenue, the Lake and Humber River, which will be required to accommodate overflow traffic from the expressway closures on the day of the ‘2005 Ride for Heart’, with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada’s Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre;
- (3) authority be given to close the F.G. Gardiner Expressway, from the Humber River to the Don Valley Parkway, including all ramps, and the Don Valley Parkway, from the F.G. Gardiner Expressway to York Mills Road, including all ramps, on Sunday, June 4, 2006 and Sunday, June 3, 2007, from 3:00 a.m. to 2:00 p.m., for the ‘2006 and 2007 Ride for Heart’, and no other closures due to events or film permits be authorized on arterial routes

bounded by Highway 401, Warden Avenue, the Lake and Humber River, which will be required to accommodate overflow traffic from the expressway closures on the day of the '2006 and 2007 Ride for Heart', with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada's Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre;".

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

1.21 Policy and Finance Committee Report 2, Clause 10, headed "Authority to Issue Debentures During 2005".

Motion:

Councillor Shiner moved that the Clause be amended to provide that the Chief Financial Officer and Treasurer be directed not to issue debentures for the Toronto District School Board at this time, and that he be requested to submit a further report to the Policy and Finance Committee on this matter.

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

1.22 Works Committee Report 10, Clause 10b, headed "Contract 04WD-04RD, Tender Call 274-2004 Park Lawn Reverse Ramp (Ward 6 - Etobicoke-Lakeshore)".

Motion:

Councillor Pitfield moved that consideration of the Clause be deferred to the next regular meeting of City Council on February 16, 2005.

Vote on Deferral:

The motion by Councillor Pitfield carried.

1.23 Works Committee Report 1, Clause 10, headed "Ashbridges Bay Treatment Plant Pelletizer Fire - Rebuild Settlement Agreement and Contract Amendment Agreement".

Vote:

The Clause was adopted, without amendment.

Councillors Shiner and Walker requested that their opposition to this Clause be noted in the minutes of this meeting.

1.24 **Administration Committee Report 1, Clause 6, headed ‘2004 Status Update Report - Optimizing Revenue from Development Potential of Toronto Transit Commission Properties (Various Wards)’.**

Motion:

Councillor Rae moved that the Clause be amended by adding to the recommendation of the Administration Committee, the words “so that any further negotiations with the prospective developer of the property will be conducted by TTC staff only”, so that the recommendation of the Administration Committee now reads as follows:

“The Administration Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Commissioner of Corporate Services and the Chief General Manager, Toronto Transit Commission, as amended, to provide that City Council advise the Toronto Transit Commission that 7 Crescent Road (Rosedale Bus and Subway Station) should be removed from the list of potential development sites, so that any further negotiations with the prospective developer of the property will be conducted by TTC staff only.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

Deputy Mayor Pantalone in the Chair.

1.25 **Council considered the following Clauses, contained in Administration Committee Report 9, concurrently:**

Clause 10b - “Extension of Purchase Order 6013270 related to Request for Quotation 1004-03-3394 for the Supply, Delivery and Installation of Artopex Imagine Series Workstations to Various Locations throughout the City of Toronto”.

Clause 11b - “Extension of Purchase Order 6013271 related to Request for Quotation 1004-03-3395 for the Supply, Delivery and Installation of Haworth Premise Series Workstations to Various Locations throughout the City of Toronto”.

Motions:

- (a) Councillor Ford moved that the Clauses be received.
- (b) Councillor Moscoe moved that the Clauses be amended by adding the following:

“That the Commissioner of Corporate Services be requested to review the specifications for workstations that are used by the City, in order to establish a standard workstation that would be durable, useful and available to meet the future needs of the City, and report on this review to the Administration Committee.”

Votes:

Adoption of motion (a) by Councillor Ford:

Yes - 11	
Councillors:	Bussin, Del Grande, Di Giorgio, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mihevc, Moscoe, Nunziata
No - 16	
Councillors:	Carroll, Cowbourne, Davis, De Baeremaeker, Feldman, Giambrone, Grimes, Hall, Jenkins, McConnell, Milczyn, Pantalone, Pitfield, Saundercook, Stintz, Watson

Lost by a majority of 5.

Motion (b) by Councillor Moscoe carried.

Clauses 10b and 11b, as amended, carried.

1.26 **Community Services Committee Report 8, Clause 7b, headed “Allocation of Capital Grant to Woodgreen Red Door Shelter to Meet the Space Standards for Shelters (Ward 31)”.**

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of the motion by Councillor Ford:

Yes - 4 Councillors: Del Grande, Ford, Nunziata, Palacio
No - 22 Mayor: Miller Councillors: Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Di Giorgio, Feldman, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook, Stintz, Watson

Lost by a majority of 18.

The Clause was adopted, without amendment.

1.27 **Economic Development and Parks Committee Report 8, Clause 12b, headed “Humanitas: Feasibility Study for a New Cultural Attraction on Toronto’s Waterfront (Various Wards)”.**

Motions:

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

Mayor Miller in the Chair.

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

“That the Commissioner of Economic Development, Culture and Tourism be requested to report to the Economic Development and Parks Committee, in one year’s time, on the results of the fundraising feasibility study.”

- (c) Councillor Hall moved that the Clause be amended by referring the following staff Recommendation (3) contained in the Recommendations Section of the report dated October 15, 2004, from the Commissioner of Economic Development, Culture and Tourism, to the Economic Development and Parks Committee, for further consideration of the name “Humanitas”:

“(3) the Word Mark ‘Humanitas’ be adopted and used as an official mark of the City of Toronto and the City Solicitor be directed to request the Registrar of

Trade-Marks to give public notice of its adoption and use; and”.

Votes:

Adoption of motion (a) by Councillor Ford:

Yes - 9	
Councillors:	Del Grande, Ford, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong
No - 25	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Grimes, Hall, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae, Saundercook, Stintz, Thompson, Walker, Watson

Lost by a majority of 16.

Adoption of motion (c) by Councillor Hall:

Yes - 17	
Councillors:	Altobello, Ashton, Augimeri, Cowbourne, De Baeremaeker, Del Grande, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Ootes, Stintz, Watson
No - 16	
Mayor:	Miller
Councillors:	Bussin, Carroll, Cho, Davis, Di Giorgio, Ford, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Saundercook, Thompson, Walker

Carried by a majority of 1.

Motion (b) by Councillor Lindsay Luby carried.

The Clause, as amended, carried.

Deputy Mayor Pantalone in the Chair.

1.28 Policy and Finance Committee Report 1, Clause 1, headed “City of Toronto’s Contribution to the Tsunami Disaster Relief”.

Motions:

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

“That:

- (1) the following staff recommendations contained in the Recommendations Section of the report dated January 27, 2005, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be adopted:

‘It is recommended that:

- (1) a program which allows employees to donate cash through payroll deduction to the Tsunami Relief Effort be approved on a one-time basis; and
- (2) Council approve that the donation be directed to two international agencies, the Canadian Red Cross and UNICEF Canada, for the specific purpose of providing aid to the Tsunami Relief Effort.’; and

- (2) the following staff recommendations contained in the Recommendations Section of the report dated January 31, 2005, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, be adopted:

‘It is recommended that:

- (1) an amount of \$100,000.00 be included in the 2005 Community Partnership and Investment Program budget request to support community organizations that assist Tsunami immigrant sponsors and the family reunification process;
- (2) the funding in Recommendation (1), above, be dependent on matching contributions from the provincial and federal governments;
- (3) authority for the allocation of the funding in Recommendation (1), above, be delegated to the Commissioner of Community and Neighbourhood Services, to be determined in conjunction with the other orders of government;
- (4) this report be referred to the Budget Advisory Committee for consideration;
- (5) the Commissioner of Community and Neighbourhood Services provide an

update on Tsunami immigrant settlement planning at the next Community Services Committee meeting; and

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

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

“That:

- (1) City Council approve a contribution of \$1 million dollars on behalf of the citizens of Toronto for direct South Asia relief due to the Tsunamis, and that the Budget Advisory Committee be directed to find a source of funds from within the 2005 Operating Budget;
- (2) this \$1 million dollar donation be distributed through established relief agencies;
- (3) this donation be deemed in the interest of the municipality; and
- (4) a copy of this Motion be distributed to all municipalities with a population greater than 50,000.”

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

“That Council direct that \$5,000.00 from the 2005 office budget of each Councillor and the Mayor be directed to the Canadian Red Cross for the Asia Earthquake and Tsunami Relief Fund.”

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

“That:

- (1) Council encourage City employees and Members of Council to participate in the drive for baby supplies organized by Toronto Emergency Medical Services and the Tamil Tsunami Relief Team and that Corporate Communications staff assist in the publicity of such drive; and
- (2) the City of Toronto assist and partner with the Tamil Non-Governmental Organizations in Toronto to work for the Tsunami long-term rehabilitation projects in the areas of medicine, children and municipal infrastructure.”

- (e) Councillor Mammoliti moved that:

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

“That:

- (a) the Mayor be requested to explore the feasibility of the City of Toronto twinning with a city or town which has been affected by the Tsunami, and submit a report to the Policy and Finance Committee; and
- (b) any surplus money left over from the 2004 Councillor’s Operating Budget be given to the Tsunami Disaster Relief effort.”; and

- (2) motion (b) by Councillor Walker be amended to provide that the \$1 million be allocated to the international relations effort.

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

“That the Chief Administrative Officer be requested to develop a protocol for an assistance plan, in consultation with the Federation of Canadian Municipalities and the federal government, when dealing with major disasters nationally and internationally.”

- (g) Councillor Cho moved that:

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

“That the Chief Administrative Officer be requested to report to Policy and Finance Committee biannually on the support being provided by the municipal, provincial and federal governments to assist the victims of the Tsunami disaster.”; and

- (2) Part (1)(a) of motion (e) by Councillor Mammoliti be amended to provide that the City of Toronto twinning be with a city or town in Sri Lanka.

Mayor Miller in the Chair.

- (h) Councillor Holyday moved that motion (b) by Councillor Walker, motion (c) by Councillor Nunziata and Part (1)(b) of motion (e) by Councillor Mammoliti, be referred to the Chief Administrative Officer for report back to Council through the Policy and Finance Committee on the financial implications.

Permission to Withdraw Motion:

Councillor Mammoliti, with the permission of Council, withdrew Part (2) of his motion (e).

Motions:

- (i) Councillor Saundercook moved that the Clause be amended by adding the following:

“That Council support a fellow Toronto citizen, Dr. Ponnuduray Senphinathan, whose native country is Sri Lanka, and is a medical doctor who would like to return to his country to offer any medical assistance possible.”

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

“That the Medical Officer of Health be requested to facilitate the collection of names of Torontonians who are from areas affected by the Tsunami and who have professional qualifications needed and useful to their homeland, and to pass these names on to the Ontario Government; and the Mayor be requested to consider providing letters of support to Dr. Ponnuduray Senphinathan and other individuals who are interested and qualified in this endeavour, and the federal government be requested to remove any regulatory barriers, such as employment insurance rules, to ensure that these Torontonians are not penalized by their charitable actions.”

- (k) Councillor Augimeri moved that:

- (1) motion (i) by Councillor Saundercook be amended by deleting the word “support” and inserting instead the words “send a letter of support to”, so that the motion now reads as follows:

“That Council send a letter of support to a fellow Toronto citizen, Dr. Ponnuduray Senphinathan, whose native country is Sri Lanka, and is a medical doctor who would like to return to his country to offer any medical assistance possible.”; and

- (2) motion (c) by Councillor Nunziata be amended to provide that Members of Council be authorized to contribute up to \$5,000 from their 2005 office budget to the Canadian Red Cross for the Asia Earthquake and Tsunami Relief Fund.

Votes:

Adoption of motion (h) by Councillor Holyday:

Yes - 19 Councillors:	Augimeri, Bussin, Carroll, Chow, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Giambrone, Holyday, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Saundercook
No - 22 Mayor: Councillors:	Miller Altobello, Ashton, Cho, Cowbourne, Davis, Feldman, Ford, Grimes, Hall, Jenkins, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Soknacki, Stintz, Thompson, Walker, Watson

Lost by a majority of 3.

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

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

Yes - 37 Mayor: Councillors:	Miller Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker
No - 1 Councillor:	Minnan-Wong

Carried by a majority of 36.

Adoption of motion (b) by Councillor Walker:

Yes - 16	
Councillors:	Altobello, Cho, Cowbourne, Feldman, Ford, Jenkins, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Stintz, Thompson, Walker
No - 22	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Di Giorgio, Fletcher, Grimes, Hall, Holyday, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Rae, Saundercook, Soknacki

Lost by a majority of 6.

Ruling by Mayor:

Mayor Miller ruled motion (c) by Councillor Nunziata out of order, as the policy respecting the use of Members of Council's office budgets was not before Council.

Based on the Mayor's ruling, Part (2) of motion (k) by Councillor Augimeri was deemed redundant.

Councillor Nunziata challenged the ruling of the Mayor.

Vote to Uphold Ruling of Mayor:

Yes - 27	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Grimes, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Rae, Saundercook, Soknacki, Stintz, Thompson
No - 10	
Councillors:	Ashton, Ford, Jenkins, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Walker

Carried by a majority of 17.

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

Part (2) of motion (d) by Councillor Chow carried.

Permission to Withdraw Motion:

Councillor Cho, with the permission of Council, withdrew Part (2) of his motion (g).

Councillor Mammoliti, with the permission of Council, withdrew Part (1)(b) of his motion (e).

Part (1)(a) of motion (e) by Councillor Mammoliti carried.

Adoption of motion (f) by Councillor Hall:

Yes - 33	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Soknacki, Thompson, Walker
No - 4	
Councillors:	Feldman, Milczyn, Minnan-Wong, Stintz

Carried by a majority of 29.

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

Motion (j) by Councillor McConnell carried.

Due to the above decision of Council, motion (i) by Councillor Saundercook and Part (1) of motion (k) by Councillor Augimeri were not put to a vote.

Adoption of Clause, as amended:

Yes - 36	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker
No - 1	

Councillor: Minnan-Wong

Carried by a majority of 35.

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

“That:

- (1) the Mayor be requested to explore the feasibility of the City of Toronto twinning with a city or town which has been affected by the Tsunami, and submit a report to the Policy and Finance Committee;
- (2) the Medical Officer of Health be requested to facilitate the collection of names of Torontonians who are from areas affected by the Tsunami and who have professional qualifications needed and useful to their homeland, and to pass these names on to the Ontario Government; and the Mayor be requested to consider providing letters of support to Dr. Ponnuduray Senphinathan and other individuals who are interested and qualified in this endeavour, and the federal government be requested to remove any regulatory barriers, such as employment insurance rules, to ensure that these Torontonians are not penalized by their charitable actions;
- (3) the City of Toronto assist and partner with the Tamil Non-Governmental Organizations in Toronto to work for the Tsunami long-term rehabilitation projects in the areas of medicine, children and municipal infrastructure;
- (4) Council encourage City employees and Members of Council to participate in the drive for baby supplies organized by Toronto Emergency Medical Services and the Tamil Tsunami Relief Team and that Corporate Communications staff assist in the publicity of such drive;
- (5) the Chief Administrative Officer be requested to:
 - (a) develop a protocol for an assistance plan, in consultation with the Federation of Canadian Municipalities and the federal government, when dealing with major disasters nationally and internationally; and
 - (b) report to Policy and Finance Committee biannually on the support being provided by the municipal, provincial and federal governments to assist the victims of the Tsunami disaster;
- (6) the following staff recommendations contained in the Recommendations Section of the report dated January 27, 2005, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be adopted:

‘It is recommended that:

- (1) a program which allows employees to donate cash through payroll deduction to the Tsunami Relief Effort be approved on a one-time basis; and
 - (2) Council approve that the donation be directed to two international agencies, the Canadian Red Cross and UNICEF Canada, for the specific purpose of providing aid to the Tsunami Relief Effort.’; and
- (7) the following staff recommendations contained in the Recommendations Section of the report dated January 31, 2005, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, be adopted:

‘It is recommended that:

- (1) an amount of \$100,000.00 be included in the 2005 Community Partnership and Investment Program budget request to support community organizations that assist Tsunami immigrant sponsors and the family reunification process;
- (2) the funding in Recommendation (1), above, be dependent on matching contributions from the provincial and federal governments;
- (3) authority for the allocation of the funding in Recommendation (1), above, be delegated to the Commissioner of Community and Neighbourhood Services, to be determined in conjunction with the other orders of government;
- (4) this report be referred to the Budget Advisory Committee for consideration;
- (5) the Commissioner of Community and Neighbourhood Services provide an update on Tsunami immigrant settlement planning at the next Community Services Committee meeting; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

1.29 Administration Committee Report 2, Clause 2, headed “Court Application by Toronto District School Board With Respect to Yvonne Public School (Ward 7 - York West)”.

Motion to Re-Open:

Councillor Mammoliti, 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 Mammoliti moved that the Clause be amended by deleting confidential Recommendations (1) and (2) of the Administration Committee and issuing confidential instructions to staff, that are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to litigation or potential litigation.

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Watson, 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 again re-opened for further consideration, the vote upon which was taken as follows:

Yes - 16	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Chow, Davis, Ford, Holyday, Jenkins, McConnell, Milczyn, Moscoe, Rae, Soknacki, Walker, Watson
No - 17	
Councillors:	Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Grimes, Hall, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Shiner, Thompson

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

- 1.30 **Toronto and East York Community Council Report 1, Clause 63, headed “Temporary Road Occupation to Accommodate Construction Staging Area – 42 Camden Street (Trinity-Spadina, Ward 20)”.**

The Clause was submitted without recommendation.

Motion:

Councillor Chow moved that Council adopt the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the report dated December 15, 2004, from the Director, Transportation Services, South District, as contained in the Clause.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

1.31 Policy and Finance Committee Report 2, Clause 15, headed “Status Report for the Work of the Council Procedures and Meeting Management Working Group”.

Motion:

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

“That:

- (1) each Member of Council be supplied with a copy of Robert’s Rules of Order Newly Revised (10th Edition); and
- (2) the City Clerk be requested to provide an information session to Members of Council and their staff on the new procedural rules, at the earliest time possible.”

Votes:

The motion by Councillor Hall carried.

The Clause, as amended, carried.

1.32 Administration Committee Report 2, Clause 6, headed “Surplus Land Declaration and Proposed Closing of Six Public Highways Located in Regent Park South (Ward 28 - Toronto Centre-Rosedale)”.

Motion:

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

“That Council adopt Recommendations (2) and (3) contained in the Recommendations Section of the report (December 23, 2004) from the Acting Commissioner of Works and Emergency Services and the Commissioner of Corporate Services [as contained in the Clause] and as recommended by the Toronto and East York Community Council in the communication dated January 24, 2005, subject to amending Recommendation (2)(c) by deleting the words ‘at the sole cost of TCHC’, and inserting instead the words ‘at no cost to the City of Toronto’,

so that Recommendation (2)(c) now reads as follows:

‘(2)(c) following the closure of the Highways, easements be granted as required to the City, Bell Canada, Toronto Hydro, Enbridge, Rogers Cable and any other public utility company as may be required, for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing services, and for the construction of additional or new services, or, with the consent of the City and the affected utility companies, the services be removed from the Highways at no cost to the City of Toronto; and’ .”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

1.33 Policy and Finance Committee Report 2, Clause 25, headed “Line of Credit Guarantee for the Toronto Botanical Garden Revitalization Plan”.

Motion:

Councillor Jenkins moved that the Clause be amended by amending the staff recommendations contained in the Recommendations Section of the report dated January 14, 2005, from the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, by:

- (1) deleting from Recommendation (1) the amount “\$2,000,000.00”, and inserting instead the amount “\$3,000,000.00”, so that the Recommendation now reads as follows:
 - “(1) authority be granted to enter into a tri-party agreement with the Toronto Botanical Garden and its financial institution for a line of credit guarantee in the amount of

\$3,000,000.00 (inclusive of all interest payable by the TBG for a two-year period starting on March 1, 2005 and ending on March 1, 2007;”); and

(2) adding the following new Recommendation (5):

“(5) that the overall limit for the provision of capital loans and line of credit guarantees provided by the City be increased from \$5.0 million to \$10.0 million, amending Policy and Finance Committee Report 2, Clause 3, headed ‘Policy for Capital Loan and Line of Credit Guarantees’, as approved by Council at its meeting on March 6, 7 and 8, 2001.”

Votes:

The motion by Councillor Jenkins carried.

The Clause, as amended, carried.

1.34 **North York Community Council Report 1, Clause 42, headed “Final Report - Application to Amend the Zoning By-law 1916 of the former Borough of East York – 2003 035114 SMI 26 OZ - Sherman Brown Dryer Karol Lebow - 851 Millwood Road (Ward 26 - Don Valley West)”.**

Motion:

Councillor Pitfield moved that the Clause be amended:

(1) by amending Recommendation (2) of the North York Community Council by:

(a) deleting Parts (d) and (e) and inserting instead the following new Parts (d) and (e):

“(d) Unit 1 shall have a front yard set back of 6 metres from the property line;
and

(e) Units 2, 3, 4, 5, and 6 shall have a front yard set back of 4 metres from the property line;”); and

(b) adding the following new Parts (f) and (g):

“(f) there shall be a 1 foot reduction in height for all proposed units; and

(g) there shall be a barrier between the Hydro transformer and the site;”);

so that Recommendation (2) of the North York Community Council now reads as follows:

“(2) adopt the staff recommendations in the Recommendations Section of the supplementary report (November 30, 2004) from the Commissioner of Urban Development Services, subject to the Draft Zoning By-law being amended to include the following:

- (a) no landscape strip requirement at the east property line;
- (b) a 5.5 metre driveway width be permitted;
- (c) a minimum garage length of 5.8 metres be permitted;
- (d) Unit 1 shall have a front yard set back of 6 metres from the property line;
- (e) Units 2, 3, 4, 5, and 6 shall have a front yard set back of 4 metres from the property line;
- (f) there shall be a 1 foot reduction in height for all proposed units; and
- (g) there shall be a barrier between the Hydro transformer and the site;”;

(2) to provide that the Site Plan application shall address the matters about the Unit 2 wall treatment and Unit 1 block glass windows.

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

1.35 **Administration Committee Report 2, Clause 10, headed “Grant of Easement to Owners of 5306 to 5314 and 5318 Yonge Street (the ‘Yonge Street Owners’) over portions of 25 Canterbury Place (Ward 23 - Willowdale)”.**

The Clause was submitted without recommendation.

Vote:

The Clause was received.

Deputy Mayor Feldman in the Chair.

1.36 Policy and Finance Committee Report 2, Clause 1, headed “From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing”.

Motions:

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

“That the Chief Administrative Officer be requested to report to the Community Services Committee on developing a mechanism and process, in order to prepare a proposal, for presentation to the Minister of Health and the Minister of Community and Social Services, which would address the funding and program issues that impact persons in need of mental health and addiction support.”

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

- (1) amending Recommendation (1) of the Policy and Finance Committee by:

- (i) inserting the words “private sector landlords, such as the Greater Toronto Apartment Association”, after the word “government”; and
- (ii) inserting the words “and rent support-based”, after the words “outreach-based”,

so that Recommendation (1) now reads as follows:

“(1) City Council make a commitment to ending street homelessness by working with other orders of government, private sector landlords such as the Greater Toronto Apartment Association, and community partners to implement an outreach-based and rent support-based Homelessness Strategy to assist homeless persons find permanent housing;”;

- (2) amending Recommendation (2) of the Policy and Finance Committee by:

- (i) inserting the words “and placement”, after the word “outreach”; and
- (ii) inserting the words “private sector landlords and”, after the words “work of”,

so that Recommendation (2) now reads as follows:

“(2) the City and its community partners further expand and intensify their

outreach and placement activities and that those activities be co-ordinated with the work of private sector landlords and non-profit housing agencies which are opening new affordable and transitional housing units;”;

- (3) inserting in Recommendation (3) of the Policy and Finance Committee the words “market rent”, before the word “social”, so that Recommendation (3) now reads as follows:

“(3) City staff work with the providers of market rent, social, supportive and alternative housing to ensure better co-ordination between their placement procedures;”;

- (4) referring the following Recommendation (6) of the Policy and Finance Committee to the Commissioner of Community and Neighbourhood Services for a report to the Community Services Committee by no later than April 2005, regarding the number of clients served by the shelter system during the winter of 2004-2005:

“(6) up to \$1,100,000.00 be allocated from the Mayor’s Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;”;

- (5) amending Recommendation (7) of the Policy and Finance Committee by:

- (i) inserting the words “including Toronto EMS”, after the word “divisions”; and
- (ii) inserting the words “a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department”, after the words “Toronto Police Service”,

so that Recommendation (7) now reads as follows:

“(7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, including Toronto EMS, the Toronto Police Service, a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department, and key community partners including mental health, youth and Aboriginal services, shelter

providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;”;

- (6) amending Recommendation (10) of the Policy and Finance Committee by adding the words “such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies”, so that Recommendation (10) now reads as follows:

“(10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Community Services Committee, an appropriate method for determining the number and service needs of homeless persons living on Toronto’s streets and in its public spaces, such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies;”;

- (7) amending Recommendation (11) of the Policy and Finance Committee by:

- (i) inserting the words “and funding”, after the word “assessment”; and
- (ii) deleting the word “reflect”, and inserting instead the words “adhere to”,

so that Recommendation (11) now reads as follows:

“(11) criteria, assessment and funding procedures for grant programs related to housing and homelessness be revised as necessary to adhere to the City’s priority of finding permanent solutions for persons living outside;”;

- (8) referring the following Recommendation (13) of the Policy and Finance Committee to the Commissioner of Community and Neighbourhood Services for a report to the Community Services Committee, as it relates to Recommendation (7):

“(13) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:

- (a) assess the health needs of the homeless to assist them in accessing the most appropriate care;
- (b) improve discharge planning from hospitals and correctional institutions; and
- (c) facilitate the sharing, where permitted by law, of relevant medical

information;

in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.”;

- (9) referring the following Recommendation (14) of the Policy and Finance Committee to the Commissioner of Community and Neighbourhood Services for a report to the Community Services Committee, as it relates to Recommendation (5):

“(14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations (5) and (13);”;

- (10) adding to Recommendation (17) of the Policy and Finance Committee the words “and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard”, so that Recommendation (17) now reads as follows:

“(17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay, and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard;”;
and

- (11) taking no action on Recommendation (18) of the Policy and Finance Committee and referring the Recommendation to the Chief Administrative Officer for consideration with the pending review of the Housing component of the Administrative Review, to be reported in March 2005, and that the report include comments regarding the viability of creating a new, arms-length affordable housing development corporation or a Council Standing Committee.

- (c) Councillor Holyday moved that Council adopt the following Motion:

“**WHEREAS** all citizens have a right to adequate shelter; and

WHEREAS those who choose to remain homeless make this choice voluntarily or through ignorance of existing shelter facilities; and

WHEREAS the homeless often have need for medical assistance, clothing, sleep and food; and

WHEREAS it is manifestly unfair and inhumane to expose the homeless to potential exploitation and harm; and

WHEREAS the City of Toronto expends at least \$150 million annually towards the resolution of this social inequity, but the tragedy of homelessness persists; and

WHEREAS other large jurisdictions throughout North America have successfully enacted measures to shelter the homeless;

NOW THEREFORE BE IT RESOLVED THAT a zero tolerance policy be adopted with respect to sleeping on City property;

AND BE IT FURTHER RESOLVED THAT a voluntary registry be set up and homeless persons be identified, listed and offered choices for regular shelter, if they so request;

AND BE IT FURTHER RESOLVED THAT a tracking system be developed to monitor the whereabouts of those registered, to ascertain the efficiencies of the program;

AND BE IT FURTHER RESOLVED THAT those who do not wish to avail themselves of the opportunity to seek shelter be encouraged to use the City's available shelter facilities."

(d) Councillor Lindsay Luby moved that the Clause be amended by adding the following:

"That:

- (1) the Toronto Police Service be requested by Council to enforce the *Safe Streets Act* and actively discourage squeegeeing and aggressive panhandling; and
- (2) the Toronto Transit Commission be requested to discourage panhandling on TTC platforms, streetcars, trains and buses."

(e) Councillor Walker moved that the following Recommendations of the Policy and Finance Committee be received:

(1) Recommendation (15):

"(15) in conjunction with the implementation of the Homelessness Strategy, City

Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II, as amended) to guide implementation of the amended by-law;"; and

(2) Recommendation (16):

“(16) City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible condition by assisting those who live there to access better alternatives;”.

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

“That:

(1) City Council request the Province to amend the *Provincial Social Housing Reform Act*, to cost share subsidized housing, as is the case in every other provincial jurisdiction, rather than the current practice shared only by the federal government and the City (for a savings of \$226.2 million to the City); and

(2) the Commissioner of Community and Neighbourhood Services be requested to investigate the Wilson Foundation model, in Rochester, New York, involving City-owned housing, and report to the Community Services Committee on the feasibility of implementing such a model in Toronto.”

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

“That City Council call upon the federal and provincial governments to support the ‘One Percent Solution’ and dedicate 1 percent of the budget to housing at the federal and provincial level.”

(h) Councillor Del Grande moved that the Clause be amended by:

(1) referring the following Recommendation (5) of the Policy and Finance Committee to the Commissioner of Community and Neighbourhood Services for a report to the Community Services Committee regarding the total number of outreach workers deployed by the City and all City-funded agencies, as well as the total number of homeless being served by these outreach workers:

- “(5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;”;
- (2) amending Recommendation (16) of the Policy and Finance Committee to provide that up to \$50,000.00 is allocated for Sensitivity Training for all staff responsible for implementing the Interdepartmental Service Protocol, to be funded from the Mayor’s Homeless Initiative Reserve Fund;
- (3) amending Recommendation (19) of the Policy and Finance Committee to provide that necessary funding be allocated to the Urban Development Services Department for the hiring of two permanent positions to deal exclusively with affordable housing proposals and reporting directly to the Chief Planner;
- (4) by amending Recommendation (20) of the Policy and Finance Committee by:
- (i) deleting the words “Commissioner of Community and Neighbourhood Services and/or General Manager, Shelter Housing and Support” and inserting instead the words “Chief Planner”; and
- (ii) deleting the words “issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000”, and inserting instead the words “hire two permanent staff to deal exclusively with affordable housing proposals and reporting directly to the Chief Planner”;

so that the recommendation reads as follows:

- “(20) the Chief Planner be given delegated authority to hire two permanent staff to deal exclusively with affordable housing proposals, and reporting directly to the Chief Planner, as outlined in Recommendation (19), to expedite pre-development work on affordable housing developments;”;
- (5) deleting the following Recommendation (21) of the Policy and Finance Committee:
- “(21) the terms of reference for the Mayor’s Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;”;

- (6) amending Recommendation (22) of the Policy and Finance Committee by deleting the words “the Mayor’s Homeless Initiatives Reserve Fund for use in the development of transitional housing” and inserting instead the words “rent support payments for those currently registered as using the shelter system or living on the streets”, so that the Recommendation now reads as follows:
- “(22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the rent support payments for those currently registered as using the shelter system or living on the streets;”;
- (7) amending Recommendation (23) of the Policy and Finance Committee by adding the words “and issue a request for proposals to the public to solicit property for this purpose”, so that the Recommendation now reads as follows:
- “(23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use, and issue a request for proposals to the public to solicit property for this purpose;”;
- (8) amending Recommendation (24) of the Policy and Finance Committee by adding the words “and the Chief Planner” after the word “Support”, so that the Recommendation now reads as follows:
- “(24) the General Manager, Shelter, Housing and Support and the Chief Planner report to Community Services Committee on a regular basis on the results of outreach activities, access to public space and the development of affordable housing;” and
- (9) taking no action on the following Recommendation (25) of the Policy and Finance Committee, and that it be referred to the Commissioner of Community and Neighbourhood Services pending his report to the Committee on Recommendation (5):
- “(25) the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;”.
- (i) Councillor Cho moved that the Clause be amended by adding the following:

“That:

- (1) the Street Outreach Steering Committee be requested to report at alternate meetings of the Community Services Committee, beginning September 15, 2005, on its activities, issues and findings; and
- (2) the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee meeting on June 29, 2005, on any progress with respect to the negotiations for the possible use of 110 Edward Street for affordable housing, the replacement of the shelter beds and the Assessment Facility located there when the shelter closes, and on any progress in finding a new winter Assessment and Referral Shelter to open in November 2005.”

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

“That the Commissioner of Community and Neighbourhood Services be requested to:

- (1) ensure that two of the six outreach workers prescribed in the Homeless Strategy have specifically proven skills in interacting with youth, to ensure that the delicate skill sets needed to do effective outreach to youth are in fact being employed; and
- (2) consult with existing youth-serving agencies to discuss ways that a peer-to-peer counselling approach, meaning employment of formerly homeless youth for the task, could be utilized in their service delivery and report to the Community Services Committee after the 2005 Community Partnership Initiative Process, on those agencies known to be employing a youth peer-to-peer mentoring approach to building youth access to services.”

- (k) Councillor Cowbourne moved that the Commissioner of Community and Neighbourhood Services, in consultation with other City officials, be requested to increase the efforts being made to rid the shelters of bed bugs and make every possible effort to ensure the health and personal safety of clients, and report back on these issues as part of the Quality Assurance report due to be considered by Council in the first half of 2005.”

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

“That the Commissioner of Community and Neighbourhood Services be requested:

- (1) to present quarterly reports on the development of the 1,000 transitional and affordable housing units to be delivered in 2005 and for the 995 units covered by housing allowances, rent supplements, and new supportive housing rent supplements

and that the first report be submitted to the Community Services Committee in April 2005; and

- (2) as part of the housing plan, to canvass all Councillors to determine what lands or facilities may be available in their Wards towards the development of the 1,000 affordable and transitional housing units and that this be reported to the April 2005 meeting of Community Services Committee.”
- (m) Councillor Hall moved that the Clause be amended by:
- (1) amending Principle (4) contained in Attachment II, entitled “City of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces”, to the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, by deleting the second sentence and inserting instead the sentence “Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space.”, so that Principle (4) now reads as follows:
 - “(4) The City priority is to assist homeless people access safer, sustainable, and healthier alternatives than living outside, not enforcement. Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space. In the event of exceptional circumstances, however, intervention may be required to address immediate public safety concerns.”; and
 - (2) adding the following:

“That:

 - (i) the section of the City of Toronto Municipal Code dealing with Public Squares be amended to prohibit camping on public squares, including civic centres, in a manner similar to the amendment to the Nathan Phillips Square By-law, as set out in Recommendation (15) in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services; and
 - (ii) the Chief Administrative Officer, in conjunction with the General Manager, Shelter, Housing and Support, be requested to report back to Council, through the Community Services Committee, in one year, on the status and results of implementation of the recommendations in the report dated

January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services.”

Mayor Miller in the Chair.

(n) Councillor Chow moved that the Clause be amended by:

(1) adding the following:

“That:

- (i) the Chief Administrative Officer be requested to report to the Community Services Committee, in September 2005, on the gaps in services that are identified by the City’s outreach services to the homeless; and
- (ii) with the support of other orders of government, the City of Toronto reconfirm its overall commitment to the annual target of building 2,000 units of affordable housing and 1,000 units of supportive housing, as identified in Anne Golden’s Report on Homelessness; and, further, that the targets referred to in Recommendation (17) be recognized as the number that the City can realistically achieve with its investment of \$11.2 million in 2005.”; and

(2) deleting from Recommendation (18) of the Policy and Finance Committee the words “and beyond” and inserting instead the words “and further that the City of Toronto confirm a five-year Capital Budget commitment with an annual spending of \$11,200,000.00”, so that the Recommendation now reads as follows:

“(18) in order to meet the housing targets outlined in Recommendation (17), \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005; and further that the City of Toronto confirm a five-year Capital Budget commitment with an annual spending of \$11,200,000.00;”.

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

“That the General Manager, Shelter Housing and Support be requested to negotiate with landlords on leasing apartments to provide immediate housing for homeless persons:

- (1) funding for these units be included in the provincial claim for shelter subsidy (the per diem rate) as is funding for the motel units on Kingston Road;
- (2) the Province be advised of the City's intent to claim subsidy for these apartments as though they were shelter units, and be requested to endorse this approach; and
- (3) the General Manager, Shelter Housing and Support report to the next Community Services Committee meeting on a protocol for assigning this new housing."

Deputy Mayor Feldman in the Chair.

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

"That the Commissioner of Community and Neighbourhood Services:

- (1) be requested to identify, on a ward-by-ward basis, all private sector units that are currently in receipt of rental supplements, and that each Member of Council be provided with a list of these units located in his/her Ward, subject to any privacy limitations; and
- (2) be directed to request the Toronto Community Housing Corporation to review the rental supplement agreement for units at 1765 and 1775 Weston Road, and take all necessary steps to remedy any breach of the contracts and to ensure that rental supplement tenants are provided with units in good condition."

- (q) Councillor Di Giorgio moved that the Clause be amended by adding to Recommendation (14) of the Policy and Finance Committee, the words "and to put in place a mechanism that ensures all successful proposals and agreements are subject to approval by Council", so that Recommendation (14) now reads as follows:

"(14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations (5) and (13), and to put in place a mechanism that ensures all successful proposals and agreements are subject to approval by Council."

(r) Deputy Mayor Bussin moved that the Clause be amended by:

(1) adding the following:

“That the Chief Administrative Officer be requested to report to Council, through the Community Services Committee, on the New York City experience, under Mayor Bloomberg, which indicates that a high number of subsidized housing units have recently been built and that the sources of funding for this housing be included.”; and

(2) adding to Part (c) of Recommendation (26) of the Policy and Finance Committee, the words “and that this be considered the highest priority in ‘seat at the table’ discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements”, so that Part (c) now reads as follows:

“(c) permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing, and that this be considered the highest priority in ‘seat at the table’ discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements;”.

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

“That the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer, be requested to undertake discussions with the appropriate parties, in order to extend the operation of the temporary Edward Street Shelter beyond May 2005, and report to the Policy and Finance Committee for its meeting on February 15, 2005, on options for financing the extended shelter operations in the 2005 Operating Budget, such report to also examine options for developing the site for affordable housing.”

(t) Councillor Thompson moved that the Clause be amended by:

(1) adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee for its meeting scheduled to be held on April 27, 2005, on a training and employment plan to assist homeless persons to find employment.”; and

- (2) adding to Recommendation (7) of the Policy and Finance Committee the words “one (1) member of the Mayor’s Community Safety Panel” so that Recommendation (7) now reads as follows:
- “(7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, the Toronto Police Service, one (1) member of the Mayor’s Community Safety Panel, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;”.
- (u) Councillor Watson moved that the Clause be amended by adding the following:
- “That City Council request the Minister of Community and Social Services to give favourable consideration to the reallocation of hostel per diems into portable rent supplements to facilitate the movement of shelter residents into permanent affordable housing and that she be requested to communicate her response to this Council as soon as possible.”
- (v) Councillor Watson, on behalf of Councillor Balkissoon, moved that the Clause be amended by:
- (1) amending Recommendation (19) of the Policy and Finance Committee to further clarify that funds specified in this Recommendation for the expedition of pre-development work are to be expended specifically to City-owned properties and lands and all other expenditures in excess of \$10,000.00 per property would require City Council approval;
- (2) deleting from Recommendation (20) of the Policy and Finance Committee, the words “as outlined in”, and inserting instead the words “in accordance with the provisions of”, so that Recommendation (20) now reads as follows:
- “(20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 in accordance with the provisions of Recommendation (19) to expedite pre-development work on affordable housing developments;”;
- (3) amending Recommendation (24) of the Policy and Finance Committee by:
- (i) deleting the words “on a regular basis”, and inserting instead the words

“every six months”; and

- (ii) adding the words “the first report being due for the meeting of City Council on July 19, 2005”,

so that Recommendation (24) now reads as follows:

“(24) the General Manager, Shelter Housing and Support report to Community Services Committee, every six months, on the results of outreach activities, access to public space and the development of affordable housing, the first report being due for the meeting of City Council on July 19, 2005;”; and

- (4) amending Recommendation (10) of the Policy and Finance Committee by inserting the words “Council, for its meeting on July 19, 2005, through the”, before the words “Community Services Committee”, so that Recommendation (10) now reads as follows:

“(10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Council, for its meeting on July 19, 2005, through the Community Services Committee an appropriate method for determining the number and service needs of homeless persons living on Toronto’s streets and in its public spaces;”.

- (w) Councillor Palacio moved that the Clause be amended by adding to Recommendation (23) of the Policy and Finance Committee, the words “and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17”, so that Recommendation (23) now reads as follows:

“(23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use, and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17;”.

Mayor Miller in the Chair.

- (x) Councillor Augimeri moved that the Clause be amended by adding the following:
“That City Council strongly urge the Toronto Catholic District School Board to waive its development charges on affordable housing units.”
- (y) Councillor Kelly moved that the Clause be amended by:
- (1) deleting the following Recommendation (7) of the Policy and Finance Committee:
“(7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, the Toronto Police Service, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;”;
 - (2) deleting from Recommendation (9) of the Policy and Finance Committee, the word “pilot”, and inserting instead the word “street”, so that Recommendation (9) now reads as follows:
“(9) the Street Outreach Steering Committee support the development of a street multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons living with personality disorders, mental illness, addictions and developmental challenges;”;
 - (3) amending Recommendation (10) of the Policy and Finance Committee so that it now reads as follows:
“(10) Council Commit to an audit of the street homeless and that the General Manager, Shelter Housing and Support, further report to Community Services Committee an appropriate method for determining the number and service needs of homeless persons living on Toronto’s streets and in its public spaces, and the cost of the project;”;
 - (4) adding to Recommendation (11) of the Policy and Finance Committee, the words “so that the City no longer funds any outreach projects that enable the homeless to live on the streets,” after the word “necessary”, so that Recommendation (11) now reads as follows:
“(11) criteria and assessment procedures for grant programs related to housing and homelessness be revised as necessary so that the City no longer funds any outreach projects that enable the homeless to live on the streets, to

reflect the City's priority of finding permanent solutions for persons living outside;"

- (5) taking no action on the following Recommendation (17) of the Policy and Finance Committee, and that it be referred to the Commissioner of Community and Neighbourhood Services pending the report of the Auditor General on the audit of the Let's Build program:

"(17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay;"

- (6) deleting the following Recommendation (19) of the Policy and Finance Committee:

"(19) up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;"

- (7) deleting the following Recommendation (20) of the Policy and Finance Committee:

"(20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 as outlined in Recommendation 19 to expedite pre-development work on affordable housing developments;"

- (8) deleting the following Recommendation (22) of the Policy and Finance Committee:

"(22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;"

- (9) adding to Recommendation (24) of the Policy and Finance Committee, the words “the use of Toronto Community Housing Corporation (TCHC) housing for the purpose of housing the homeless” after the words “public space” so that Recommendation (24) now reads as follows:

“(24) the General Manager, Shelter Housing and Support report to the Community Services Committee on a regular basis on the results of outreach activities, access to public space, the use of Toronto Community Housing Corporation (TCHC) housing for the purpose of housing the homeless and the development of affordable housing.”;

- (10) adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to report to the next meeting of the Community Services Committee on:

- (a) a deadline by which street homelessness would be ended;
- (b) the potential for transferring the homeless housing issue (responsibility and resources) to the Toronto Community Housing Corporation (TCHC); and
- (c) the cost of the tracking system employed by the City of New York at an apparent cost of \$10,000.00 (US).”;

- (11) adding the following:

“That the funds indicated in Recommendations (5), (6) and (13) of the Policy and Finance Committee and totalling \$6.3 million be immediately allocated to a recent subsidy/support housing program.”; and

- (12) adding the following:

“That the City Solicitor be requested to report to the next meeting of the Community Services Committee on how the *Mental Health Act* has been utilized in the past in the Province of Ontario and the City of Toronto in particular.”

- (z) Councillor Moscoe moved that the following motions be referred to the Chief Administrative Officer for consideration and report to the Policy and Finance Committee for its meeting on September 22, 2005:

- (1) motion (a) by Councillor Ashton;

- (2) Part (4) of motion (b) by Councillor Mammoliti;
- (3) Part (2) of motion (f) by Councillor Pitfield;
- (4) Part (1) of motion (i) by Councillor Cho;
- (5) Part (2) of motion (i) by Councillor Cho;
- (6) motion (k) by Councillor Cowbourne;
- (7) Part (1) of motion (l) by Councillor Fletcher;
- (8) Part (2) of motion (l) by Councillor Fletcher;
- (9) Part (2)(i) of motion (m) by Councillor Hall;
- (10) Part (2)(ii) of motion (m) by Councillor Hall;
- (11) Part (1)(i) of motion (n) by Councillor Chow;
- (12) motion (o) by Councillor Shiner;
- (13) Part (1) of motion (p) by Councillor Nunziata;
- (14) Part (2) of motion (p) by Councillor Nunziata;
- (15) Part (1) of motion (r) by Deputy Mayor Bussin;
- (16) motion (s) by Councillor Davis;
- (17) Part (1) of motion (t) by Councillor Thompson;
- (18) motion (u) by Councillor Watson;
- (19) Part (1) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon;
- (20) Part (3) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon;
- (21) Part (4) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon;
and
- (22) motion (w) by Councillor Palacio.

(aa) Councillor Minnan-Wong moved that the Clause be amended by adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee:

- (1) on an accountability framework and measurement standards to evaluate the effectiveness of funds used to address homelessness in the City of Toronto;
- (2) on a program for conducting a census for counting the number of homeless in the City of Toronto; and
- (3) in six months, on the effectiveness of the measures being used to remove the homeless from Nathan Phillips Square.”

Ruling by Mayor:

Councillor Holyday requested Mayor Miller to rule on whether motion (z) by Councillor Moscoe was in order, as Councillor Moscoe had read aloud the first portion of the motion only, without reading out the list of affected motions.

Mayor Miller advised that motion (z) by Councillor Moscoe was being circulated to all Members, and was in order.

Councillor Holyday challenged the ruling of the Mayor.

Vote to Uphold Ruling of Mayor:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Rae, Saundercook, Soknacki
No - 14	
Councillors:	Del Grande, Feldman, Ford, Holyday, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Stintz, Thompson, Walker, Watson

Carried by a majority of 14.

Votes:

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

Yes - 17
Mayor: Miller
Councillors: Ashton, Augimeri, Chow, De Baeremaeker, Filion, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone
No - 20
Councillors: Bussin, Carroll, Cho, Cowbourne, Davis, Fletcher, Ford, Giambrone, Grimes, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Rae, Stintz, Thompson, Walker, Watson

Lost by a majority of 3.

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

Yes - 11
Mayor: Miller
Councillors: Augimeri, Chow, De Baeremaeker, Filion, Giambrone, Hall, Lindsay Luby, McConnell, Mihevc, Moscoe
No - 26
Councillors: Ashton, Bussin, Carroll, Cho, Cowbourne, Davis, Fletcher, Ford, Grimes, Holyday, Jenkins, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson

Lost by a majority of 15.

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

Yes - 15
Mayor: Miller
Councillors: Ashton, Augimeri, Carroll, Chow, Cowbourne, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, McConnell, Mihevc, Moscoe
No - 22

Councillors:	Bussin, Cho, Davis, Ford, Grimes, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson
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Lost by a majority of 7.

Permission to Withdraw Motion:

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

Votes:

Adoption of Part (1) of motion (b) by Councillor Mammoliti:

Yes - 23	
Mayor:	Miller
Councillors:	Ashton, Bussin, Cowbourne, Fletcher, Ford, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Watson
No - 14	
Councillors:	Augimeri, Carroll, Cho, Chow, Davis, De Baeremaeker, Filion, Giambrone, Jenkins, McConnell, Mihevc, Moscoe, Thompson, Walker

Carried by a majority of 9.

Part (2) of motion (b) by Councillor Mammoliti carried.

Part (3) of motion (b) by Councillor Mammoliti carried.

Adoption of Part (11) of motion (y) by Councillor Kelly:

Yes - 8	
Councillors:	Ford, Holyday, Kelly, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 29	
Mayor:	Miller

Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson
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Lost by a majority of 21.

Adoption of Part (1) of motion (h) by Councillor Del Grande:

Yes - 11	
Councillors:	Ford, Grimes, Holyday, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 26	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 15.

Adoption of Part (4) of motion (b) by Councillor Mammoliti:

Yes - 12	
Councillors:	Ford, Grimes, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 25	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 13.

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

Yes - 4	
Councillors:	Ford, Holyday, Kelly, Ootes
No - 33	
Mayor:	Miller

Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson
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Lost by a majority of 29.

Part (5) of motion (b) by Councillor Mammoliti carried.

Permission to Withdraw Motion:

Councillor Thompson, with the permission of Council, withdrew Part (2) of his motion (t).

Votes:

Part (2) of motion (y) by Councillor Kelly carried.

Part (6) of motion (b) by Councillor Mammoliti carried.

Part (4) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon, carried.

Adoption of Part (3) of motion (y) by Councillor Kelly:

Yes - 12	
Councillors:	Ford, Hall, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 25	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 13.

Part (7) of motion (b) by Councillor Mammoliti carried.

Adoption of Part (4) of motion (y) by Councillor Kelly:

Yes - 8	
Councillors:	Ford, Holyday, Kelly, Milczyn, Nunziata, Ootes, Palacio, Stintz

No - 29
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 21.

Adoption of Part (8) of motion (b) by Councillor Mammoliti:

Yes - 9
Councillors: Ford, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 28
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 19.

Motion (q) by Councillor Di Giorgio lost.

Adoption of Part (9) of motion (b) by Councillor Mammoliti:

Yes - 10
Councillors: Ford, Grimes, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 27
Mayor: Miller
Councillors: Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 17.

Adoption of Part (1) of motion (e) by Councillor Walker:

Yes - 8	
Councillors:	Augimeri, Fletcher, Ford, Hall, Kelly, Mihevc, Thompson, Walker
No - 29	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Fillion, Giambrone, Grimes, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Watson

Lost by a majority of 21.

Adoption of Part (2) of motion (e) by Councillor Walker:

Yes - 4	
Councillors:	Augimeri, Ford, Thompson, Walker
No - 33	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Fillion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Watson

Lost by a majority of 29.

Part (2) of motion (h) by Councillor Del Grande lost.

Part (10) of motion (b) by Councillor Mammoliti carried.

Adoption of Part (5) of motion (y) by Councillor Kelly:

Yes - 7	
Councillors:	Ford, Holyday, Kelly, Minnan-Wong, Nunziata, Ootes, Stintz
No - 29	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 22.

Ruling by Mayor Miller:

Mayor Miller ruled that Part (2) of motion (n) by Councillor Chow was out of order, as it proposes a five-year budget commitment which must be dealt with as part of Council's budget deliberations.

Adoption of Part (11) of motion (b) by Councillor Mammoliti:

Yes - 10	
Councillors:	Ford, Grimes, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambone, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 17.

Part (6) of motion (y) by Councillor Kelly lost.

Adoption of Part (3) of motion (h) by Councillor Del Grande:

Yes - 8	
Councillors:	Ford, Kelly, Li Preti, Mammoliti, Minnan-Wong, Ootes, Palacio, Stintz
No - 29	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 21.

Adoption of Part (1) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon:

Yes - 10	
Councillors:	Ashton, Ford, Hall, Holyday, Lindsay Luby, Nunziata, Ootes, Stintz, Walker, Watson
No - 26	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Thompson

Lost by a majority of 16.

Part (7) of motion (y) by Councillor Kelly lost.

Having regard to the above decisions of Council, Part (4) of motion (h) by Councillor Del Grande was not put to a vote.

Part (2) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon, carried.

Adoption of Part (5) of motion (h) by Councillor Del Grande:

Yes - 6 Councillors:	Ford, Kelly, Minnan-Wong, Nunziata, Ootes, Stintz
No - 31 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 25.

Part (8) of motion (y) by Councillor Kelly lost.

Adoption of Part (6) of motion (h) by Councillor Del Grande:

Yes - 10 Councillors:	Ford, Grimes, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 27 Mayor: Councillors:	Miller Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson

Lost by a majority of 17.

Ruling by Mayor:

Mayor Miller ruled Part (7) of motion (h) by Councillor Del Grande out of order, as such an amendment would be premature at this point.

Motion (w) by Councillor Palacio carried.

Adoption of Part (8) of motion (h) by Councillor Del Grande:

Yes - 15	
Councillors:	Bussin, De Baeremaeker, Ford, Hall, Kelly, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Stintz, Thompson
No - 22	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Carroll, Cho, Chow, Cowbourne, Davis, Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Rae, Walker, Watson

Lost by a majority of 7.

Part (3) of motion (v) by Councillor Watson, on behalf of Councillor Balkissoon, carried.

Adoption of Part (9) of motion (y) by Councillor Kelly:

Yes - 16	
Councillors:	Ashton, Cho, Chow, Ford, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Thompson, Walker
No - 21	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Rae, Watson

Lost by a majority of 5.

Adoption of Part (9) of motion (h) by Councillor Del Grande:

Yes - 9	
Councillors:	Ford, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz
No - 28	
Mayor:	Miller

Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson
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Lost by a majority of 19.

Adoption of Part (1) of motion (m) by Councillor Hall:

Yes - 19	
Councillors:	Cho, De Baeremaeker, Ford, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Walker, Watson
No - 18	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, Filion, Fletcher, Giambrone, Jenkins, McConnell, Mihevc, Moscoe, Pantalone, Rae, Thompson

Carried by a majority of 1.

Motion (a) by Councillor Ashton carried.

Adoption of motion (c) by Councillor Holyday:

Yes - 11	
Councillors:	Ford, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Stintz, Thompson
No - 26	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Walker, Watson

Lost by a majority of 15.

Ruling by Mayor Miller:

Mayor Miller ruled Parts (1) and (2) of motion (d) by Councillor Lindsay Luby out of order, as they do not relate to this Clause.

Votes:

Part (1) of motion (f) by Councillor Pitfield carried unanimously.

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

Adoption of motion (g) by Councillor Giambrone:

Yes - 30	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Thompson, Walker, Watson
No - 7	
Councillors:	Ashton, Ford, Holyday, Kelly, Milczyn, Ootes, Stintz

Carried by a majority of 23.

Adoption of Part (1) of motion (i) by Councillor Cho:

Yes - 12	
Councillors:	Ashton, Cho, Ford, Grimes, Holyday, Kelly, Li Preti, Milczyn, Nunziata, Ootes, Palacio, Walker
No - 25	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Stintz, Thompson, Watson

Lost by a majority of 13.

Part (2) of motion (i) by Councillor Cho carried.

Motion (s) by Councillor Davis carried.

Part (1) of motion (j) by Councillor Carroll carried.

Part (2) of motion (j) by Councillor Carroll carried.

Motion (k) by Councillor Cowbourne carried.

Part (1) of motion (l) by Councillor Fletcher carried.

Adoption of Part (2) of motion (l) by Councillor Fletcher:

Yes - 31	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson
No - 6	
Councillors:	Ashton, Ford, Holyday, Jenkins, Moscoe, Ootes

Carried by a majority of 25.

Adoption of Part (2)(i) of motion (m) by Councillor Hall:

Yes - 25	
Mayor:	Miller
Councillors:	Ashton, Carroll, Cho, Cowbourne, De Baeremaeker, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Rae, Stintz, Watson
No - 12	
Councillors:	Augimeri, Bussin, Chow, Davis, Filion, Fletcher, McConnell, Mihevc, Moscoe, Pantalone, Thompson, Walker

Carried by a majority of 13.

Part (2)(ii) of motion (m) by Councillor Hall carried.

Part (1)(i) of motion (n) by Councillor Chow carried.

Adoption of Part (1)(ii) of motion (n) by Councillor Chow:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, Mammoliti, McConnell, Moscoe, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson
No - 10	
Councillors:	Ford, Holyday, Kelly, Li Preti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio

Carried by a majority of 17.

Adoption of motion (o) by Councillor Shiner:

Yes - 16	
Councillors:	Ashton, Ford, Grimes, Hall, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Watson
No - 21	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Pantalone, Rae, Thompson, Walker

Lost by a majority of 5.

Adoption of Part (1) of motion (p) by Councillor Nunziata:

Yes - 23	
Councillors:	Cho, Cowbourne, Davis, De Baeremaeker, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Thompson, Walker, Watson
No - 14	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Filion, Fletcher, Giambrone, McConnell, Mihevc, Moscoe, Pantalone, Rae

Carried by a majority of 9.

Ruling by Mayor:

Mayor Miller ruled Part (2) of motion (p) by Councillor Nunziata out of order, as it does not relate to this Clause.

Councillor Nunziata challenged the ruling of the Mayor.

Vote to Uphold the Ruling of the Mayor:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Giambrone, Grimes, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Stintz, Thompson
No - 10	
Councillors:	Fletcher, Ford, Hall, Li Preti, Milczyn, Nunziata, Ootes, Palacio, Walker, Watson

Carried by a majority of 17.

Votes:

Part (1) of motion (r) by Deputy Mayor Bussin carried.

Adoption of Part (2) of motion (r) by Deputy Mayor Bussin:

Yes - 31	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Ford, Giambrone, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Stintz, Thompson, Watson
No - 6	
Councillors:	Fletcher, Jenkins, Minnan-Wong, Nunziata, Palacio, Walker

Carried by a majority of 25.

Part (1) of motion (t) by Councillor Thompson carried.

Adoption of motion (u) by Councillor Watson:

Yes - 34	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Watson
No - 3	
Councillors:	Mammoliti, Moscoe, Walker

Carried by a majority of 31.

Adoption of motion (x) by Councillor Augimeri:

Yes - 35	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson
No - 2	
Councillors:	Ford, Grimes

Carried by a majority of 33.

Adoption of Part (10) of motion (y) by Councillor Kelly:

Yes - 11	
Councillors:	Cho, Ford, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Nunziata, Ootes, Palacio, Stintz
No - 26	
Mayor:	Miller

Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Thompson, Walker, Watson
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Lost by a majority of 15.

Adoption of Part (12) of motion (y) by Councillor Kelly:

Yes - 13	
Councillors:	Cho, Ford, Grimes, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio
No - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Pitfield, Rae, Stintz, Thompson, Walker, Watson

Lost by a majority of 11.

Adoption of Part (1) of motion (aa) by Councillor Minnan-Wong:

Yes - 27	
Councillors:	Ashton, Augimeri, Cho, Chow, Cowbourne, De Baeremaeker, Fletcher, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Thompson, Walker, Watson
No - 10	
Mayor:	Miller
Councillors:	Bussin, Carroll, Davis, Filion, Giambrone, McConnell, Moscoe, Pantalone, Rae

Carried by a majority of 17.

Adoption of Part (2) of motion (aa) by Councillor Minnan-Wong:

Yes - 14

Councillors:	Ford, Grimes, Hall, Holyday, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Stintz, Thompson
No - 23	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Walker, Watson

Lost by a majority of 9.

Part (3) of motion (aa) by Councillor Minnan-Wong carried.

Adoption of the Clause, as amended:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Watson
No - 9	
Councillors:	Ford, Holyday, Kelly, Minnan-Wong, Nunziata, Ootes, Stintz, Thompson, Walker

Carried by a majority of 19.

In summary, Council amended this Clause by:

- (1) amending Recommendation (I) of the Policy and Finance Committee by further amending the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, as follows:
 - (a) amending Recommendation (1) by:
 - (i) inserting the words “private sector landlords, such as the Greater Toronto Apartment Association”, after the word “government”; and

- (ii) inserting the words “and rent support-based”, after the word “outreach-based”;
- (b) amending Recommendation (2) by:
 - (i) inserting the words “and placement”, after the word “outreach”; and
 - (ii) inserting the words “private sector landlords and”, after the words “work of”;
- (c) inserting in Recommendation (3) the words “market rent”, before the word “social”;
- (d) amending Recommendation (7) by:
 - (i) inserting the words “including Toronto EMS”, after the word “divisions”; and
 - (ii) inserting the words “a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department”, after the words “Toronto Police Service”;
- (e) deleting from Recommendation (9) the word “pilot”, and inserting instead the word “street”;
- (f) amending Recommendation (10) by:
 - (i) inserting the words “to Council for its meeting on July 19, 2005, through the”, before the words “Community Services Committee”; and
 - (ii) adding the words “such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies”;
- (g) amending Recommendation (11) by:
 - (i) inserting the words “and funding”, after the word “assessment”; and
 - (ii) deleting the word “reflect”, and inserting instead the words “adhere to”;
- (h) adding to Recommendation (17) the words “and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual

basis, as to the progress made in this regard”;

- (i) deleting from Recommendation (20) the words “as outlined in”, and inserting instead the words “in accordance with the provisions of”;
- (j) adding to Recommendation (23) the words “and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17”;
- (k) amending Recommendation (24) by:
 - (i) deleting the words “on a regular basis”, after the words “Community Services Committee”, and inserting instead the words “every six months”; and
 - (ii) adding the words “the first report being due for the meeting of City Council on July 19, 2005”; and
- (l) adding to Part (c) of Recommendation (26) the words “and that this be considered the highest priority in ‘seat at the table’ discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements”;

so that the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, as amended by Council, now read as follows:

“It is recommended that:

- (1) City Council make a commitment to ending street homelessness by working with other orders of government, private sector landlords, such as the Greater Toronto Apartment Association, and community partners to implement an outreach-based and rent support-based Homelessness Strategy to assist homeless persons find permanent housing;

Homeless Outreach Services:

- (2) the City and its community partners further expand and intensify their outreach and

placement activities and that those activities be co-ordinated with the work of private sector landlords and non-profit housing agencies which are opening new affordable and transitional housing units;

- (3) City staff work with the providers of market rent, social, supportive and alternative housing to ensure better co-ordination between their placement procedures;
- (4) outreach services continue to assist homeless persons in making applications for income support and to Housing Connections for social housing;
- (5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;
- (6) up to \$1,100,000.00 be allocated from the Mayor's Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;
- (7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, including Toronto EMS, the Toronto Police Service, a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;
- (8) the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee and that this report be forwarded to the Toronto Police Services Board for its response;
- (9) the Street Outreach Steering Committee support the development of a street multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons living with personality disorders, mental illness, addictions and developmental challenges;
- (10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Council for its meeting on July 19, 2005, through the Community Services Committee, an appropriate method for determining the number

and service needs of homeless persons living on Toronto's streets and in its public spaces, such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies;

- (11) criteria, assessment and funding procedures for grant programs related to housing and homelessness be revised as necessary to adhere to the City's priority of finding permanent solutions for persons living outside;
- (12) the City work with hospitals and correctional facilities to ensure specific housing options are included in discharge plans for those leaving care and custody;
- (13) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:
 - (a) assess the health needs of the homeless to assist them in accessing the most appropriate care;
 - (b) improve discharge planning from hospitals and correctional institutions; and
 - (c) facilitate the sharing, where permitted by law, of relevant medical information;

in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.

- (14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations (5) and (13);

Access to Public Space:

- (15) in conjunction with the implementation of the Homelessness Strategy, City Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II, as amended) to guide implementation of the amended by-law;
- (16) City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible

condition by assisting those who live there to access better alternatives;

Affordable Housing:

- (17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay, and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard;
- (18) in order to meet the housing targets outlined in Recommendation (17), \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005 and beyond;
- (19) up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;
- (20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 in accordance with the provisions of Recommendation (19) to expedite pre-development work on affordable housing developments;
- (21) the terms of reference for the Mayor's Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;
- (22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;
- (23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and

affordable housing use, and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17;

- (24) the General Manager, Shelter Housing and Support report to Community Services Committee, every six months, on the results of outreach activities, access to public space and the development of affordable housing, the first report being due for the meeting of City Council on July 19, 2005;
- (25) the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;

Collaborations with Other Governments:

- (26) City Council urge the provincial government to:
 - (a) support the creation of new supportive housing units in Toronto including new supportive housing rent supplements;
 - (b) provide funding for new rent supplements as well as additional housing allowances;
 - (c) permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing, and that this be considered the highest priority in 'seat at the table' discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements;
 - (d) increase funding to the Supports for Daily Living (SDL) program to help ensure that as new affordable housing units become available the necessary supports are in place to help new residents keep that housing;
 - (e) work with the City to implement and fund a co-ordinated system in Toronto for access to supportive housing;
 - (f) establish an inter-ministerial working group on affordable and supportive

housing to work with City of Toronto staff to improve the delivery of housing and housing support services to the homeless and facilitate co-ordination between the municipal and provincial governments; and

- (g) close service gaps in the diagnosis and treatment system for homeless persons with mental health and addiction issues by increasing the number of mental health, addiction treatment, detox, and infirmary beds and ensuring these services are available to homeless persons; and

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

- (2) amending Principle (4) contained in Attachment II, entitled “City of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces”, to the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, by deleting the second sentence and inserting instead the sentence “Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space.”, so that Principle (4) now reads as follows:

“(4) The City priority is to assist homeless people access safer, sustainable, and healthier alternatives than living outside, not enforcement. Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space. In the event of exceptional circumstances, however, intervention may be required to address immediate public safety concerns.”; and

- (3) adding the following:

“That:

- (a) City Council call upon the federal and provincial governments to support the ‘One Percent Solution’ and dedicate 1 percent of the budget to housing at the federal and provincial level;
- (b) City Council request the Province to amend the *Provincial Social Housing Reform Act*, to cost share subsidized housing, as is the case in every other provincial jurisdiction, rather than the current practice shared only by the federal government and the City (for a savings of \$226.2 million to the City);
- (c) City Council request the Minister of Community and Social Services to give favourable consideration to the reallocation of hostel per diems into portable rent supplements to facilitate the movement of shelter residents into permanent affordable housing and that she be requested to communicate her response to this Council as

soon as possible;

- (d) with the support of other orders of government, the City of Toronto reconfirm its overall commitment to the annual target of building 2,000 units of affordable housing and 1,000 units of supportive housing, as identified in Anne Golden's Report on Homelessness; and, further, that the targets referred to in Recommendation (17) be recognized as the number that the City can realistically achieve with its investment of \$11.2 million in 2005;
- (e) City Council strongly urge the Toronto District Catholic School Board to waive its development charges on affordable housing units;
- (f) the section of the City of Toronto Municipal Code dealing with Public Squares be amended to prohibit camping on public squares, including civic centres, in a manner similar to the amendment to the Nathan Phillips Square By-law, as set out in Recommendation (15) in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services;
- (g) the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer, be requested to undertake discussions with the appropriate parties, in order to extend the operation of the temporary Edward Street Shelter beyond May 2005, and report to the Policy and Finance Committee for its meeting on February 15, 2005, on options for financing the extended shelter operations in the 2005 Operating Budget, such report to also examine options for developing the site for affordable housing;
- (h) the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee meeting on June 29, 2005, on any progress with respect to the negotiations for the possible use of 110 Edward Street for affordable housing, the replacement of the shelter beds and the Assessment Facility located there when the shelter closes, and on any progress in finding a new winter Assessment and Referral Shelter to open in November 2005;
- (i) the Chief Administrative Officer be requested to:
 - (i) report to the Community Services Committee on developing a mechanism and process, in order to prepare a proposal, for presentation to the Minister of Health and the Minister of Community and Social Services, which would address the funding and program issues that impact persons in need of mental health and addiction support;

- (ii) report to the Community Services Committee, in September 2005, on the gaps in services that are identified by the City's outreach services to the homeless; and
- (iii) report to Council, through the Community Services Committee, on the New York City experience, under Mayor Bloomberg, which indicates that a high number of subsidized housing units have recently been built and that the sources of funding for this housing be included;
- (j) the Commissioner of Community and Neighbourhood Services, in consultation with other City officials, be requested to increase the efforts being made to rid the shelters of bed bugs and make every possible effort to ensure the health and personal safety of clients, and report back on these issues as part of the Quality Assurance report due to be considered by Council in the first half of 2005;
- (k) the Commissioner of Community and Neighbourhood Services be requested:
 - (i) to ensure that two of the six outreach workers prescribed in the Homeless Strategy have specifically proven skills in interacting with youth, to ensure that the delicate skill sets needed to do effective outreach to youth are in fact being employed;
 - (ii) to consult with existing youth-serving agencies to discuss ways that a peer-to-peer counselling approach, meaning employment of formerly homeless youth for the task, could be utilized in their service delivery and report to the Community Services Committee after the 2005 Community Partnership Initiative Process, on those agencies known to be employing a youth peer-to-peer mentoring approach to building youth access to services;
 - (iii) to present quarterly reports on the development of the 1,000 transitional and affordable housing units to be delivered in 2005 and for the 995 units covered by housing allowances, rent supplements, and new supportive housing rent supplements and that the first report be submitted to the Community Services Committee in April 2005; and
 - (iv) as part of the housing plan, to canvass all Councillors to determine what lands or facilities may be available in their Wards towards the development of the 1,000 affordable and transitional housing units and that this be reported to the April 2005 meeting of Community Services Committee;

- (v) to identify, on a ward-by-ward basis, all private sector units that are currently in receipt of rental supplements, and that each Member of Council be provided with a list of these units located in his/her Ward, subject to any privacy limitations;
 - (vi) to submit a report to the Community Services Committee for its meeting scheduled to be held on April 27, 2005, on a training and employment plan to assist homeless persons to find employment;
 - (vii) to investigate the Wilson Foundation model, in Rochester, New York, involving City-owned housing, and report to the Community Services Committee on the feasibility of implementing such a model in Toronto;
 - (viii) to report to the Community Services Committee on an accountability framework and measurement standards to evaluate the effectiveness of funds used to address homelessness in the City of Toronto; and
 - (ix) to report to the Community Services Committee, in six months, on the effectiveness of the measures being used to remove the homeless from Nathan Phillips Square; and
- (l) the Chief Administrative Officer, in conjunction with the General Manager, Shelter, Housing and Support, be requested to report back to Council, through the Community Services Committee, in one year, on the status and results of implementation of the recommendations in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services.”

1.37 Toronto and East York Community Council Report 9, Clause 8a, headed “Revised Final Report – Application to Amend the Official Plan and Zoning By-law – 450, 470 and 500 Lake Shore Boulevard West (Trinity-Spadina, Ward 20)”.

Motion:

Councillor Chow moved that the Clause be amended by:

- (1) deleting Recommendation (1) of the Toronto and East York Community Council;
- (2) adopting the following staff recommendations contained in the Recommendations Section of the confidential report dated February 2, 2005, from the Commissioner of Urban Development Services, such recommendations are now public and the balance of the report

remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that City Council:

- (1) (a) as the preferred option, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 3 outlined in this report, including the exemption of Wittington Properties Ltd. from the payment of development charges in connection with its lands in Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6 and 6A in the FYN as well as Blocks 9 and 10 in the FYN; or
- (b) if the public and separate School Boards or Wittington are not prepared to enter into agreements on the basis of settlement Scenario 3, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 2 outlined in this report whereby Wittington is not exempted from development charges and apply the credits as outlined in Scenario 2;
- (2) confirm and support the public benefits as set out in Attachment 3 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 3 is secured;
- (3) confirm and support the public benefits as set out in Attachment 2 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 2 is secured;
- (4) direct the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to continue support for the proposals contemplated in the OMB decision dated November 18, 2003, with respect to Blocks 2, 3, 4, 4A, 6 and 6A in FYN as well as Blocks 33 and 37 in the RLW;
- (5) authorize and direct the City Solicitor to attend at the Ontario Municipal Board to oppose any request by the public and separate School Boards to be added as parties to either the planning matters or the matter of Wittington’s appeal of the Development Charges By-law;
- (6) confirm that, if agreements are finalized pursuant to Scenario 3, that:
 - (a) in accordance with Section 5.2 of the Railway Lands West Part II Plan and Section 6.1 of the Fort York Part II Plan, Council intends to ensure that

certain community services and facilities are secured through appropriate mechanisms, which may include the allocation of development charge funding for the library and community centres and other community facilities in the RLW and FYN and their immediate vicinities as part of Council's annual capital budget setting process; and

- (b) authorize and direct staff to make necessary submissions to the Budget Advisory Committee to ensure that the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City's capital budget process;
- (7) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards to facilitate possible amendments to existing agreements in the Railway Lands West for Blocks 32, 33, 36 and 37 to allow funds collected for schools to be spent either in the Railway Lands West or the Fort York Neighbourhood;
- (8) authorize the Commissioner of Corporate Services, in consultation with the Commissioner of Urban Development Services, to work with the School Boards to identify possible City-owned sites for a joint use School and Community Centre to serve the Fort York Neighbourhood and to determine whether the school portion of the site could be provided at nominal rent as done in the Harbourfront and the Railway Lands West;
- (9) approve the recommendations contained within the Revised Final Report, Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto respecting lands known as 450, 470 and 500 Lake Shore Boulevard West, 00 036089 STE 20 OZ dated November 1, 2004, with the following changes:

Delete Recommendations (2), (3) and (14);

- (a) amend Recommendation (5)(i) an affordable housing contribution of \$200,000 to a contribution of \$375,000 to be paid and distributed as outlined in this report; and
- (b) add a new recommendation (18) to authorize easements for driveway purposes on the City owned triangle of land immediately north of Block 10 and on the City owned parcel of land located adjacent to the north east corner of Block 9 and 10 on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services;

- (10) authorize the City Solicitor, and necessary City staff to attend the OMB to support the Official Plan and Zoning By-law Amendments consistent with the settlement described in this report for Blocks 8, 9 and 10 in the FYN and Block 37 in the RLW;
- (11) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services, to make such stylistic and technical changes to any draft official plan amendment and draft zoning by-law amendments as may be required to implement any Ontario Municipal Board decision and give effect to the foregoing;
- (12) request that as part of the settlement for Wittington lands in the RLW and FYN that Wittington withdraw its appeals of the new Official Plan, the Central Waterfront Plan and the Development Charges By-law; and
- (13) authorize and direct the appropriate City officials to take the necessary steps to give effect thereto.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

1.38 **Council considered the following Clauses, as contained in Toronto and East York Community Council Report 1, concurrently:**

Clause 79 - “Ontario Municipal Board Hearing - 20, 22, 22A and 24 Bathurst Street (Trinity-Spadina, Ward 19)”.

Clause 80 - “Ontario Municipal Board Hearing - 511 Bremner Boulevard and 2 and 20 Housey Street (Trinity-Spadina, Ward 20)”.

These Clauses were submitted without recommendation.

Motion:

Councillor Chow moved that Council adopt the following staff recommendations contained in the Recommendations Section of the confidential report dated February 2, 2005, from the Commissioner of Urban Development Services, such recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that City Council:

- (1)
 - (a) as the preferred option, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 3 outlined in this report, including the exemption of Wittington Properties Ltd. from the payment of development charges in connection with its lands in Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6 and 6A in the FYN as well as Blocks 9 and 10 in the FYN; or
 - (b) if the public and separate School Boards or Wittington are not prepared to enter into agreements on the basis of settlement Scenario 3, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 2 outlined in this report whereby Wittington is not exempted from development charges and apply the credits as outlined in Scenario 2;
- (2) confirm and support the public benefits as set out in Attachment 3 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 3 is secured;
- (3) confirm and support the public benefits as set out in Attachment 2 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 2 is secured;
- (4) direct the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to continue support for the proposals contemplated in the OMB decision dated November 18, 2003, with respect to Blocks 2, 3, 4, 4A, 6 and 6A in FYN as well as Blocks 33 and 37 in the RLW;
- (5) authorize and direct the City Solicitor to attend at the Ontario Municipal Board to oppose any request by the public and separate School Boards to be added as parties to either the planning matters or the matter of Wittington’s appeal of the Development Charges By-law;
- (6) confirm that, if agreements are finalized pursuant to Scenario 3, that:
 - (a) in accordance with Section 5.2 of the Railway Lands West Part II Plan and Section 6.1 of the Fort York Part II Plan, Council intends to ensure that certain community services and facilities are secured through appropriate mechanisms, which may include the allocation of development charge funding for the library and community centres and other community facilities

in the RLW and FYN and their immediate vicinities as part of Council's annual capital budget setting process; and

- (b) authorize and direct staff to make necessary submissions to the Budget Advisory Committee to ensure that the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City's capital budget process;
- (7) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards to facilitate possible amendments to existing agreements in the Railway Lands West for Blocks 32, 33, 36 and 37 to allow funds collected for schools to be spent either in the Railway Lands West or the Fort York Neighbourhood;
 - (8) authorize the Commissioner of Corporate Services, in consultation with the Commissioner of Urban Development Services, to work with the School Boards to identify possible City-owned sites for a joint use School and Community Centre to serve the Fort York Neighbourhood and to determine whether the school portion of the site could be provided at nominal rent as done in the Harbourfront and the Railway Lands West;
 - (9) approve the recommendations contained within the Revised Final Report, Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto respecting lands known as 450, 470 and 500 Lake Shore Boulevard West, 00 036089 STE 20 OZ dated November 1, 2004 [as contained in Toronto and East York Community Council Report 9, Clause 8(a)] with the following changes:
 - Delete Recommendations (2), (3) and (14);
 - (a) amend Recommendation (5)(i) an affordable housing contribution of \$200,000 to a contribution of \$375,000 to be paid and distributed as outlined in this report; and
 - (b) add a new recommendation (18) to authorize easements for driveway purposes on the City owned triangle of land immediately north of Block 10 and on the City owned parcel of land located adjacent to the north east corner of Block 9 and 10 on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services;
 - (10) authorize the City Solicitor, and necessary City staff to attend the OMB to support

the Official Plan and Zoning By-law Amendments consistent with the settlement described in this report for Blocks 8, 9 and 10 in the FYN and Block 37 in the RLW;

- (11) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services, to make such stylistic and technical changes to any draft official plan amendment and draft zoning by-law amendments as may be required to implement any Ontario Municipal Board decision and give effect to the foregoing;
- (12) request that as part of the settlement for Wittington lands in the RLW and FYN that Wittington withdraw its appeals of the new Official Plan, the Central Waterfront Plan and the Development Charges By-law; and
- (13) authorize and direct the appropriate City officials to take the necessary steps to give effect thereto.”

Votes:

The motion by Councillor Chow carried.

The Clauses, as amended, carried.

1.39 **Works Committee Report 1, Clause 5, headed ‘Portlands Energy Centre (Ward 30 - Toronto-Danforth)’.**

Motion:

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

“That, in recognizing Toronto City Council’s previous policy encouraging a sustainable and environmentally friendly co-generation facility on the waterfront:

- (1) TEDCO, prior to entering into any agreements with the Portlands Energy Centre Inc. (PEC Inc.), be requested to pursue opportunities with Enwave and PEC Inc. to facilitate a co-generation facility;
- (2) Council’s representatives on the Enwave Board of Directors be requested to again review all opportunities to enter into an agreement with PEC Inc. to purchase steam from this plant, making this a co-generation facility and advise City Council of this initiative;
- (3) PEC Inc. be advised of City Council’s intent that this facility be co-generation and request that they advise Council on their efforts to make this a co-generation facility; and

- (4) the Minister of Energy be requested to assist the City in this endeavour.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

1.40 North York Community Council Report 1, Clause 46, headed “Final Report - Rezoning Application – 04 121069 NNY 24 OZ - IBI Group – Sedun & Kenerva Architects Inc. – 685 Sheppard Avenue East (Ward 24 - Willowdale)”.

Motion:

Councillor Shiner moved that the Clause be amended by adding the following additional recommendations to the Recommendations Section of the report dated December 20, 2004, from the Director, Community Planning, North District:

- “(4) before introducing the necessary bill to City Council for enactment, the owner shall enter into an agreement with the City, and authorize the appropriate City officials to execute the agreement, to the satisfaction of the City Solicitor, to provide a contribution for public art, such agreement to incorporate the following:
- (a) a contribution of \$50,000.00;
 - (b) the public art shall be provided to the satisfaction of the Director of Community Planning, North District, in consultation with the Chair of the Arts Committee for Public Places and the Ward Councillor;
 - (c) subject to such approval, the public art may be incorporated on the site or used by the City in the general area; and
 - (d) the public art contribution be secured prior to the enactment of the zoning by-law;
- (5) before introducing the necessary bill to City Council for enactment, the owner shall either provide proof of the payment of the \$20,000.00 required in Recommendation (4)(b) of the report of the Commissioner of Urban Development Services (January 8, 2002) as set out in North York Community Council Report 4, Clause 1, as adopted by Council at its meeting of May 21, 22 and 23, 2002, or provide a cheque payable to the City Treasurer in the amount of \$20,000.00 for the purpose of community improvements in Ward 24, to be determined in consultation with the Ward Councillor; and

- (6) the Director of Community Planning, North District, report to the North York Community Council, on the number of places of worship along that portion of Sheppard Avenue East in Ward 24, and any other arterial roads within the ward with a significant number of places of worship.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

1.41 **Policy and Finance Committee Report 2, Clause 22, headed “Toronto Hydro Conversion and Rebuild Program 2003-2005 (All Wards)”.**

Motion:

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

“That a copy of the Clause, which includes the supplementary report (February 1, 2005) from the Chief Financial Officer and Treasurer, entitled ‘Late Toronto Hydro Invoices’, be forwarded to the Toronto Hydro Corporation Board of Directors with the request that the Board consider, in co-operation with appropriate City staff from Finance and Works and Emergency Services, ways to ensure that future invoices are submitted promptly to the City.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

1.42 **Administration Committee Report 9, Clause 1b, headed “Improvement Initiative - Court Services Fine Collection”.**

Motion:

Councillor Moscoe moved that the Clause be amended by:

- (1) amending the staff recommendations contained in the Recommendations Section of the report (October 18, 2004) from the Commissioner of Corporate Services by:
- (i) amending Recommendation (2) so that it now reads as follows:
- “(2) authorize increasing Court Services collections efforts in a fiscally and

socially responsible manner;”; and

(ii) adding the following Recommendation (5):

“(5) the City shall review for approval all collection practices employed by collection agencies utilized by the City.”; and

(2) adding the following:

“That Council:

(1) direct staff to pursue and obtain judgement in the Superior Court where individuals or companies have unpaid fines exceeding \$10,000.00 and, upon obtaining judgement, direct the City Solicitor to initiate collection action, including the seizure and sale of identified assets to effect payment; and

(2) request the Chief Financial Officer and Treasurer to meet with Ontario Ministry of Finance staff and report back to the Administration Committee on what action the Province will take to implement more effective and practical collection measures to improve the level of compliance with court orders.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

Deputy Mayor Bussin in the Chair.

1.43 Toronto and East York Community Council Report 1, Clause 4, headed ‘Final Report - Application to Amend the Official Plan and Zoning By-law - Regent Park Revitalization - Toronto Community Housing Corporation (Toronto Centre-Rosedale, Ward 28)’.

Motions:

(a) Councillor McConnell moved that the Clause be amended:

(1) by deleting from the draft Regent Park Secondary Plan, the following subsection (i) of Section 4.1.4, and renumbering subsection (j) accordingly:

“(i) Provincial consent under the *Social Housing Reform Act* required prior to the lease or sale of land; and”;

- (2) to provide that:
- (i) prior to the issuance of demolition permits for any buildings in Regent Park, that TCHC be required to obtain the Provincial consent for the sale or lease of land as required under the *Social Housing Reform Act*, and that this condition be secured through demolition control; and
 - (ii) replacement housing for Regent Park not be permitted to be located on the West Donlands or the East Bayfront unless they are above Council's target for affordable housing for these neighbourhoods and that no double counting be permitted; and

- (3) by adding the following:

“That Council adopt the following staff recommendation contained in the Recommendation Section of the report dated January 31, 2005, from the Commissioner of Urban Development Services:

‘It is recommended that the funding for new affordable housing to be constructed in conjunction with replacement of Regent Park housing be addressed in the context of a financial strategy for the redevelopment when reported upon through the Policy and Finance Committee, by the Chief Administrative Officer and the Chief Financial Officer and Treasurer in the 2nd quarter of 2005.’ ”

- (b) Deputy Mayor Pantalone moved that the Clause be amended to provide that approval is subject to the condition that none of the required replacement rent geared to income units and/or replacement affordable housing be in the West Don Lands and/or the East Bayfront.
- (c) Councillor Walker moved that the Clause be amended by adding to Recommendation (3) of the Toronto and East York Community Council, the words “as a condition of this planning approval”, so that Recommendation (3) now reads as follows:

“(3) recommend to the Board of Directors, Toronto Community Housing Corporation that, as a minimum, 300 additional home ownership units for Regent Park tenants be developed as a condition of this planning approval;”

Votes:

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

Part (2)(i) of motion (a) by Councillor McConnell carried.

Adoption of Part (2)(ii) of motion (a) by Councillor McConnell:

Yes - 30	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Filion, Fletcher, Ford, Grimes, Hall, Jenkins, Kelly, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Watson
No - 12	
Mayor:	Miller
Councillors:	Cho, Di Giorgio, Giambrone, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Palacio, Pantalone, Walker

Carried by a majority of 18.

Due to the above decision of Council, motion (b) by Deputy Mayor Pantalone was deemed redundant.

Adoption of motion (c) by Councillor Walker:

Yes - 4	
Councillors:	Cho, Ford, Palacio, Walker
No - 40	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Watson

Lost by a majority of 36.

Adoption of Part (3) of motion (a) by Councillor McConnell:

Yes - 40	
Mayor:	Miller

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

Carried by a majority of 36.

Adoption of the Clause, as amended:

Yes - 43	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Pantalone

Carried by a majority of 42.

In summary, Council amended this Clause:

- (1) by deleting from the draft Regent Park Secondary Plan, the following subsection (i) of Section 4.1.4, and renumbering subsection (j) accordingly:
 - “(i) Provincial consent under the *Social Housing Reform Act* required prior to the lease or sale of land; and”;
- (2) to provide that:
 - (i) prior to the issuance of demolition permits for any buildings in Regent Park, that TCHC be required to obtain the Provincial consent for the sale or lease of land as

required under the *Social Housing Reform Act*, and that this condition be secured through demolition control; and

- (ii) replacement housing for Regent Park not be permitted to be located on the West Donlands or the East Bayfront unless they are above Council's target for affordable housing for these neighbourhoods and that no double counting be permitted; and

- (3) by adding the following:

“That Council adopt the following staff recommendation contained in the Recommendation Section of the report dated January 31, 2005, from the Commissioner of Urban Development Services:

‘It is recommended that the funding for new affordable housing to be constructed in conjunction with replacement of Regent Park housing be addressed in the context of a financial strategy for the redevelopment when reported upon through the Policy and Finance Committee, by the Chief Administrative Officer and the Chief Financial Officer and Treasurer in the 2nd quarter of 2005.’ ”

1.44 Economic Development and Parks Committee Report 1, Clause 10, headed “Bringing the Final Assembly of Bombardier’s New C-Series Jet Program to Toronto”.

Motions:

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

“That Council adopt:

- (i) the following staff recommendations contained in the Recommendations Section of the report (February 2, 2005) from the Commissioner of Economic Development, Culture and Tourism:

“It is recommended that:

- (1) City Council endorse in principle, the creation of an investment incentive program that would incorporate Tax Incremental Equivalent Grants plus the waiver of building and development related fees for the Downsview area to encourage the development of an aerospace cluster and new investment;
- (2) this report and recommendations be considered together with the

companion report on the creation of a Community Improvement Plan for the Downsview area; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (ii) the following staff recommendation contained in the Recommendation Section of the report (February 2, 2005) from the Commissioner of Urban Development Services:

‘It is recommended that staff from Urban Development Services prepare a draft Community Improvement Plan for the Downsview area, in consultation with the Chief Financial Officer and Treasurer, the Commissioner of Economic Development, Culture and Tourism, and the Toronto Economic Development Corporation.’ ”

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

“That Bombardier once again be requested to release the covenant it holds on the 75 acres of City-owned land surrounding the Downsview Subway Station, and that the City indicate that it would be prepared to implement a special development levy on this property, and that the funds would be utilized to build an enclosed run up facility for the Bombardier plant.”

Ruling by Deputy Mayor:

Deputy Mayor Bussin ruled motion (b) by Councillor Moscoe out of order, as it does not relate to this Clause.

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

“That the City call on the Province of Ontario to match the recent offer of the Government of Quebec and come forward with a plan to fund the expansion of the Downsview plant, and further that the Commissioner of Economic Development, Culture and Tourism be requested to report to the February 16, 2005 meeting of Council on what further incentives the City may be able to offer.”

Mayor Miller in the Chair.

Vote:

Adoption of the Clause, as amended by motion (a) by Councillor Augimeri and motion (c) by Councillor Giambrone:

Yes - 39
Mayor: Miller
Councillors: Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fletcher, Ford, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No – 0

Carried unanimously.

Deputy Mayor Bussin in the Chair.

1.45 **Planning and Transportation Committee Report 2, Clause 2, headed “Operation of Construction Equipment on Sundays and Statutory Holidays”.**

Motion:

Councillor Stintz moved that the Clause be referred back to the Planning and Transportation Committee for further consideration.

Vote on Referral:

The motion by Councillor Stintz carried.

1.46 **Administration Committee Report 1, Clause 3, headed “Recipient - 2004-2005 City of Toronto Scholarships in Aboriginal Health at the University of Toronto”.**

Motion:

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

“That the Chief Administrative Officer be requested to report to the Administration Committee on how well the City of Toronto Scholarship in Aboriginal Health is fulfilling its goal of responding to the acute shortage of Aboriginal Health Care Professionals.”

Votes:

The motion by Councillor Kelly carried.

The Clause, as amended, carried.

1.47 Economic Development and Parks Committee Report 2, Clause 4, headed “Lease Agreement - City of Toronto Economic Development Corporation for St. Marys Cement Inc. (Canada): Parts 95 and 100 (Ward 30 - Toronto Danforth)”.

Vote:

Adoption of the Clause, without amendment:

Yes - 26	
Councillors:	Ashton, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Grimes, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Walker, Watson
No - 9	
Councillors:	Augimeri, Bussin, Carroll, Cho, Cowbourne, Davis, Fletcher, Shiner, Thompson

Carried by a majority of 17.

1.48 Toronto and East York Community Council Report 1, Clause 6, headed “Site Plan Approval Application - 595 Commissioners Street (Toronto-Danforth, Ward 30)”.

The Clause was submitted without recommendation.

Motion:

Councillor Fletcher moved that Council adopt the following staff recommendations in the Recommendations Section of the report (February 1, 2005) from the Commissioner of Urban Development Services:

“It is recommended that:

- (1) City Council adopt the report of the Director, Community Planning dated December 6, 2004, as amended by deleting conditions (viii), (ix) and (xii) of that report, and substituting the following:

- (viii) the owner shall submit, prior to the issuance of a below grade building permit, all environmental site assessment reports in accordance with current Ministry of Environment (MOE) Risk Assessment (RA) policies and procedures as prescribed under the new Record of Site Condition Regulation (153/04). This submission will include all environmental site assessment reports describing the current site conditions, the proposed remedial action plans indicating that a RA would be used along with any Health and Safety plans to protect the workers and the public, to the satisfaction of the Commissioner of Works and Emergency Services;
 - (ix) the owner shall submit, prior to the issuance of an above-grade building permit, a copy of the completed RA with confirmation that it has been submitted to the MOE for review. Also, submit an undertaking that states, the applicant will assume any inherent risk if the MOE requests modifications to the RA which results in changes to the building program; and
 - (xii) the owner shall submit, prior to occupancy, the appropriate documentation reflecting the site's condition, in accordance with current MOE Risk Assessment policies and procedures, including a Record of Site Condition which references the RA standards; and
- (2) the following new condition be added to the Recommendations Section of the December 6, 2004 report by the Director, Community Planning South District:
- (xix) the owner shall provide and maintain an irrigation system, for the proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain in good order and operation.' ”

Votes:

Adoption of the motion by Councillor Fletcher:

Yes - 30

Councillors:	Ashton, Augimeri, Carroll, Cho, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Grimes, Holyday, Jenkins, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Stintz, Thompson, Walker, Watson
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No - 6

Councillors:	Bussin, Cowbourne, Davis, Fletcher, Moscoe, Shiner
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Carried by a majority of 24.

The Clause, as amended, carried.

1.49 **Toronto and East York Community Council Report 1, Clause 52, headed ‘Delivery Vehicle Parking Zone, with Time Restricted Parking - East side of Roncesvalles Avenue and Measures to Discourage Heavy Vehicle Infiltration - Galley Avenue and Wright Avenue (Parkdale-High Park, Ward 14)’.**

Motion:

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

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (February 1, 2005) from the Acting Commissioner of Works and Emergency Services:

‘It is recommended that:

- (1) a “Delivery Vehicle Parking Zone” be delineated on the east side of Roncesvalles Avenue, from a point 15 metres north of Galley Avenue to a point 9 metres further north;
- (2) parking be allowed by delivery vehicles and restricted to a maximum duration of 30 minutes, from 6:00 a.m. to 6:00 p.m., Monday to Saturday, on the east side of Roncesvalles Avenue, from a point 15 metres north of Galley Avenue to a point 9 metres further north;
- (3) the parking meter/machine regulations on Roncesvalles Avenue be amended as required based on Recommendations (1) and (2) above;
- (4) approval be given to narrow Wright Avenue, on the north side, from a point 24 metres east of Roncesvalles Avenue to a point 23 metres further east

thereof, from a width of 6.3 metres to a width varying from 4.2 metres to 6.3 metres, by the installation of precast modular islands with integrated planter boxes, generally as shown on the attached print of Drawing No. 421F-7753, dated February, 2005;

- (5) the existing stopping prohibition in effect at all times on the south side of Wright Avenue, between a point 23 metres east of Roncesvalles Avenue and a point 25 metres further east thereof, be amended to be in effect at all times between a point 23 metres east of Roncesvalles Avenue and a point 35 metres further east thereof;
- (6) the existing permit parking regulation on the south side of Wright Avenue, east of Roncesvalles Avenue be amended as required based on Recommendation (5) above; and
- (7) appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.’ ”

Votes:

The motion by Councillor Watson carried.

The Clause, as amended, carried.

1.50 **Etobicoke York Community Council Report 1, Clause 29, headed “Final Report - Official Plan Amendment and Rezoning Applications; Applicant: Sherway Gate Development Corporation; Sol Wassermuhl, Page & Steele Architects, 700 Evans Avenue (Ward 5 – Etobicoke-Lakeshore)”.**

Motions:

- (a) Councillor Milczyn moved that the Clause be amended by:
 - (1) deleting Recommendations (1) to (5) in the Operative Paragraph of the Motion contained in the Recommendation of the Etobicoke York Community Council; and
 - (2) adding the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the report (October 27, 2004) from the Acting Director, Community

Planning, West District (as contained in the Clause), subject to amending Recommendation (4) to provide that the Section 37 Agreement be amended by adding an additional \$200,000.00 for local improvements for the residential area south of Evans Avenue and west of Brown's Line."

- (b) Councillor Moscoe moved that the Clause be amended to provide that:
- (1) the contribution for public art be increased to 1 percent; and
 - (2) each purchaser of a condominium unit be provided with a one-year transit pass free of charge.
- (c) Councillor Nunziata moved that Part (2) of motion (a) by Councillor Milczyn be amended by deleting the amount of "\$200,000.00" and inserting instead the amount of "\$500,000.00".

Votes:

Adoption of motion (c) by Councillor Nunziata:

Yes - 17	
Mayor:	Miller
Councillors:	Augimeri, Carroll, Cowbourne, De Baeremaeker, Del Grande, Fletcher, Grimes, Jenkins, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Thompson
No - 21	
Councillors:	Ashton, Balkissoon, Bussin, Chow, Davis, Di Giorgio, Feldman, Filion, Ford, Holyday, Kelly, Li Preti, Milczyn, Ootes, Pitfield, Rae, Saundercook, Shiner, Stintz, Walker, Watson

Lost by a majority of 4.

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

Yes - 19	
Mayor:	Miller
Councillors:	Ashton, Balkissoon, Bussin, Carroll, Chow, Davis, Feldman, Filion, Fletcher, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Minnan-Wong, Ootes, Rae, Watson
No - 20	

Councillors:	Augimeri, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Ford, Grimes, Holyday, Jenkins, Lindsay Luby, Mihevc, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker
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Lost by a majority of 1.

Due to the above decision of Council, motion (b) by Councillor Moscoe was not put to a vote.

Adoption of the Clause, without amendment:

Yes - 19	Councillors: Augimeri, Balkissoon, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Filion, Grimes, Holyday, Jenkins, Mihevc, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker
No - 20	Mayor: Miller Councillors: Ashton, Bussin, Carroll, Chow, Davis, Feldman, Fletcher, Ford, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moscoe, Ootes, Rae, Watson

Lost by a majority of 1.

Motion to Re-open:

Councillor Lindsay Luby, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for the purpose of voting again on the adoption of the Clause, without amendment, the vote upon which was taken as follows:

Yes - 32	Mayor: Miller Councillors: Ashton, Balkissoon, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Ford, Grimes, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker
No - 7	

Councillors:	Augimeri, Chow, Feldman, Li Preti, Minnan-Wong, Ootes, Watson
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Carried, more than two-thirds of Members present having voted in the affirmative.

Adoption of the Clause, without amendment:

Yes - 22	
Councillors:	Balkissoon, Chow, Cowbourne, De Baeremaeker, Del Grande, Di Giorgio, Filion, Ford, Grimes, Holyday, Jenkins, Lindsay Luby, Mihevc, Moscoe, Nunziata, Palacio, Pitfield, Saundercook, Shiner, Stintz, Thompson, Walker
No - 17	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Davis, Feldman, Fletcher, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Minnan-Wong, Ootes, Rae, Watson

Carried by a majority of 5.

Mayor Miller in the Chair.

1.51 Planning and Transportation Committee Report 2, Clause 3, headed “Amendment to Toronto Municipal Code, Chapter 545, Article II as it relates to Driving School Restricted Areas within the City of Toronto to Coincide with the Relocation of a Driver Examination Centre from 1201 Wilson Avenue to 35 Carl Hall Road”.

Motion:

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

“That Downsview Park be notified of the City of Toronto’s action in the event that the federal government wishes to enact a companion by-law for the Downsview Base.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

1.52 Policy and Finance Committee Report 2, Clause 24, headed “Status of Labour Negotiations”.

Motion:

Councillor Holyday moved that consideration of the Clause be deferred to the next regular meeting of City Council on February 16, 2005.

Vote on Deferral:

The motion by Councillor Holyday carried.

1.53 Audit Committee Report 1, Clause 1, headed “Toronto Emergency Medical Services Operational Support Review - Works and Emergency Services Department”.

Motion:

Councillor Minnan-Wong moved that consideration of the Clause be deferred to the next regular meeting of City Council on February 16, 2005.

Vote on Deferral:

The motion by Councillor Minnan-Wong carried.

1.54 Planning and Transportation Committee Report 2, Clause 1, headed “Harmonization of the Sign By-law Concerning Posters on Utility Poles”.

Motion:

Councillor Altobello moved that the Clause be referred back to the Planning and Transportation Committee for a public hearing under the *Municipal Act, 2001*.

Vote on Referral:

The motion by Councillor Altobello carried.

1.55 Policy and Finance Committee Report 2, Clause 21, headed “New Provincial Strong Communities Housing Allowance Program - Toronto Pilot”.

Motion:

Councillor Chow moved that the Clause be amended by further amending staff Recommendation (2) contained in the Recommendations Section of the report dated January 4, 2005, from the Commissioner of Community and Neighbourhood Services, as amended by the Community Services Committee, so that it now reads as follows:

- “(2) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be authorized to execute an agreement with the Toronto Community Housing Corporation to administer the Strong Communities Housing Allowance Program - Toronto Pilot for the period January 1, 2005 to December 31, 2009, and to allocate each of the instalments of provincial funding as soon as it becomes available;”.

Votes:

Adoption of the motion by Councillor Chow:

Yes - 22	
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Davis, De Baeremaeker, Del Grande, Di Giorgio, Fletcher, Holyday, Jenkins, Li Preti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Stintz, Thompson, Watson
No - 2	
Councillors:	Rae, Walker

Carried by a majority of 20.

The Clause, as amended, carried.

1.56 Council considered the following Clauses, as contained in Policy and Finance Committee Report 2, concurrently:

- Clause 2 - “Update on and Toronto’s Progress on Achieving a ‘Seat at the Table’ and Relationship with the Association of Municipalities of Ontario (AMO)”.**
- Clause 3 - “Institute on Municipal Finance and Governance”.**
- Clause 4 - “Corporate Fund for Hosting Conferences”.**

Motion:

(a) Councillor Shiner moved that:

- (1) consideration of Clause 2 be deferred to the meeting of City Council on April 12, 2005, and further, that the Mayor and the Chief Administrative Officer be requested to enter into discussions with representatives from Association of Municipalities of Ontario to seek better representation for the City of Toronto in the organization; and
- (2) consideration of Clauses 3 and 4 be deferred to the meeting of City Council on April 12, 2005.

Vote on Referral:

Adoption of Parts (1) and (2) of motion (a) by Councillor Shiner:

Yes - 5 Councillors: Holyday, Ootes, Shiner, Stintz, Walker
No - 34 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Rae, Saundercook, Thompson, Watson

Lost by a majority of 29.

Motion:

- (b) Deputy Mayor Bussin, with the permission of Council, moved that Clauses 2 and 3 be amended by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (February 1, 2005) from the Chief Financial Officer and Treasurer:

‘It is recommended that:

- (1) Council establish a discretionary reserve account entitled “Government Relations Reserve” to receive, hold and to be drawn on to advance the City’s provincial agenda and that City Council continue to budget an

amount annually for that purpose;

- (2) Municipal Code Chapter 227 (Reserves and Reserve Funds By-law) be amended by adding the “Government Relations Reserve” to Schedule “1” – Corporate Reserves;
- (3) the annual contribution to the Government Relations Reserve be limited to \$37,000.00 annually; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.’ ”

Vote Be Now Taken:

Councillor Moscoe 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 - 28	
Councillors:	Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Fillion, Fletcher, Ford, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Saundercook, Thompson, Watson
No - 9	
Councillors:	Altobello, Del Grande, Holyday, Nunziata, Ootes, Palacio, Shiner, Stintz, Walker

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

Votes:

Adoption of Clause 2, as amended by motion (b) by Deputy Mayor Bussin:

Yes - 33	
Mayor:	Miller

Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Ford, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Palacio, Pantalone, Rae, Saundercook, Thompson, Watson
No - 6	
Councillors:	Holyday, Milczyn, Ootes, Shiner, Stintz, Walker

Carried by a majority of 27.

Adoption of Clause 3, as amended by motion (b) by Deputy Mayor Bussin:

Yes - 31	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae, Saundercook, Thompson, Walker, Watson
No - 8	
Councillors:	Ashton, Feldman, Ford, Milczyn, Nunziata, Palacio, Shiner, Stintz

Carried by a majority of 23.

Adoption of Clause 4, without amendment:

Yes - 32	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae, Saundercook, Thompson, Walker, Watson
No - 6	
Councillors:	Ford, Holyday, Nunziata, Palacio, Shiner, Stintz

Carried by a majority of 26.

1.57 **Community Services Committee Report 1, Clause 4, headed “Approval of Delegated Authority to Execute and Administer Purchase of Service Contracts for Shelter Services, Personal Needs Allowance, Habitat Services, Motels and the Toronto Hostels Training Centre”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

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

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

Mayor Miller in the Chair.

1.58 **F(1) Strategy to Reduce and Eliminate Unsolicited Junk E-mails**

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

Moved by: Councillor Palacio

Seconded by: Councillor Nunziata

“**WHEREAS** City staff and Councillors’ staff spend hours of productivity every day, going through and deleting unwanted ‘junk’ e-mails; and

WHEREAS my office has repeatedly asked our Information and Technology Division to find ways of blocking or screening unsolicited e-mails, without success; and

WHEREAS our computer systems constantly get affected by incoming viruses, because

of a lack of a SPAM filtering solution; and

WHEREAS this is costing taxpayers hundreds of thousands of dollars in wasted staff time;

NOW THEREFORE BE IT RESOLVED THAT the Executive Director of Corporate Information and Technology report to the e-City Committee on a strategy to reduce and eliminate the volume of unsolicited external e-mails to City staff and Councillors;

AND BE IT FURTHER RESOLVED THAT the Executive Director of Corporate Information and Technology be asked to expedite the implementation of a SPAM filtering solution, which will help address unsolicited emails.”

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 F(1) 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 F(1) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion F(1) was adopted, without amendment.

1.59 **F(2) OMB Appeal – Application for Front Yard Parking at 1501 Islington Avenue**

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

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Grimes

“**WHEREAS** the Etobicoke Committee of Adjustment refused an application to permit a front yard parking pad at 1501 Islington Avenue; and

WHEREAS the applicant has appealed the Committee's decision to the Ontario Municipal Board; and

WHEREAS the front yard parking pad is more than minor in nature, is not appropriate and

does not meet the intent of the zoning by-law;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor send a member of her staff to attend the Ontario Municipal Board to oppose the application, to ask that the City be added as a party to the hearing and to make appropriate arrangements for expert witnesses.”

Council also had before it, during consideration of Motion F(2), a Notice of Decision dated November 3, 2004, from the Manager and Deputy Secretary, Committee of Adjustment, Etobicoke York Panel, which is on file in the City Clerk’s Office.

Vote:

Motion F(2) was adopted, without amendment.

1.60 **I(1) Request for Poll - Speed Hump Plan - Golfdown Drive (Ward 2 - Etobicoke North)**

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

Moved by: Councillor Moscoe

Seconded by: Councillor Jenkins

“**WHEREAS** all residents of Toronto deserve the opportunity to have their views considered wherever they may live; and

WHEREAS some residents of Golfdown Drive in Etobicoke would like the opportunity to be polled to determine if their street can be considered a candidate for speed humps; and

WHEREAS they would like to do so in an atmosphere that is free from bias and intimidation; and

WHEREAS their municipal representative, Councillor Ford, has openly indicated that he is strongly opposed to speed humps; and

WHEREAS consideration of permission to conduct a poll without the blessing of the local Councillor might be somewhat problematic and in that kind of atmosphere get less than a fair hearing; and

WHEREAS Councillor Ford has been an open advocate of a Councillor’s duty to act on behalf of citizens, wherever they might live; and

WHEREAS Councillor Ford himself has come to the rescue of many citizens without regard to their place of residence;

NOW THEREFORE BE IT RESOLVED THAT the attached Resolution (Appendix 1) be considered by the Etobicoke York Community Council.”

Appendix 1
Request for Poll - Speed Hump Plan
Golfdown Drive (Ward 2 - Etobicoke North)

Resolution by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“**WHEREAS** residents of Golfdown Drive have expressed concern with regard to vehicle speeds on the roadway; and

WHEREAS residents of Golfdown Drive have expressed concern with regard to the volume of traffic on the roadway; and

WHEREAS there are two schools fronting onto Golfdown Drive, Elms Jr. Middle School and St. Stephen Elementary School;

NOW THEREFORE BE IT RESOLVED THAT staff conduct an evaluation of the need for speed humps to calm traffic;

AND BE IT FURTHER RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents of Golfdown Drive, between Islington Avenue and Albion Road, for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy, and public notice be given, pursuant to the *Municipal Class Environment Assessment Act*, including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services; and the staff evaluation be distributed to residents with the poll;

AND BE IT FURTHER RESOLVED THAT the results of the poll be reported by staff;

AND BE IT FURTHER RESOLVED THAT the appropriate staff convey the results of the survey to the respondents;

AND BE IT FURTHER RESOLVED THAT, subject to favourable results of the poll:

- (i) a by-law be prepared for the alteration of sections of the affected roadway and the speed limit be reduced to 30 km/hr; and
- (ii) pursuant to the requirements of the *Municipal Class Environmental Assessment Act*, Notice of Completion be issued;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

Advice by 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 Etobicoke York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion I(1) to the Etobicoke York Community Council was taken as follows:

Yes - 17	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Hall, Jenkins, McConnell, Mihevc, Minnan-Wong, Thompson
No - 23	
Councillors:	Ashton, Balkissoon, Cowbourne, Del Grande, Feldman, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Walker, Watson

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

Disposition:

Due to the above decision of Council, Motion I(1) was referred to the Etobicoke York Community Council.

1.61 **I(2) Support for the Efforts of the Undocumented Workers Committee**

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

Moved by: **Councillor Giambrone**

Seconded by: **Mayor Miller**

“**WHEREAS** Toronto City Council recognizes there are thousands of hard working, tax paying immigrants in the City of Toronto who have no government documentation; and

WHEREAS there is a shortage of labour in the construction sector; and

WHEREAS many of these undocumented workers in the City of Toronto who work in the construction sector have no health and safety protection; and

WHEREAS the Canadian Government recognizes that foreign workers make a significant contribution to Canada’s economic development by helping to address skill shortages and teaching Canadians high-demand qualifications; and

WHEREAS it is understood that as a general rule, foreign workers must have an approved job offer and a work permit before arriving in Canada, and that once they have received their approved job offer, they must apply for a work permit; and

WHEREAS every year, millions of people embark on a migratory journey, many of whom leave their country to seek a better future for themselves and for their families; and

WHEREAS international social, economic and political conditions have a direct impact on Canada’s Citizenship and Immigration programs and policies; and

WHEREAS the Department of Citizenship and Immigration is committed to reaping the maximum benefits of international migration and to making Canada a destination of choice for immigrants; and

WHEREAS two of the *Immigration Refugee Protection Act’s* objectives that underscore the immigration program are:

- (1) supporting the settlement, adaptation and integration of newcomers into Canadian society; and
- (2) managing access to Canada with a fair and effective enforcement strategy;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council expresses its

support for the many thousands of undocumented workers currently living and working in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT Toronto City Council expresses support for the efforts of the Undocumented Workers Committee to reach a fair and equitable resolution;

AND BE IT FURTHER RESOLVED THAT Toronto City Council direct the City Clerk to write to the Federal Minister of Citizenship and Immigration expressing its desire to see the cases of undocumented workers be addressed in a timely, fair and equitable manner.”

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(2) 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 I(2) to the Policy and Finance Committee was taken as follows:

Yes - 22	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Bussin, Cho, Davis, De Baeremaeker, Feldman, Fillion, Fletcher, Giambrone, Li Preti, Lindsay Luby, Mammoliti, McConnell, Pantalone, Pitfield, Rae, Soknacki, Thompson, Walker, Watson
No - 16	
Councillors:	Ashton, Del Grande, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Shiner, Stintz

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

Disposition:

Due to the above decision of Council, Motion I(2) was referred to the Policy and Finance Committee.

1.62 I(3) **Preliminary Review of the Let's Build Pilot Project Funding Agreements**

The following Motion was withdrawn:

Moved by: Councillor Del Grande

Seconded by: Councillor Di Giorgio

“**WHEREAS** the City of Toronto administers and distributes funds on behalf of the provincial and federal governments under the Let's Build program; and

WHEREAS as such, the City of Toronto has a fiduciary duty to those other levels of government to administer and distribute the funds under the Let's Build program in such a way as to maximize the benefit for tax dollars spent through the program; and

WHEREAS a number of Councillors have voiced concern about the financial benefits received in exchange for the funding provided to a number of the Pilot Project proponents; and

WHEREAS staff have already attempted to renegotiate the terms under which the funding has already been approved to at least one of the Pilot Project proponents, suggesting that the original terms were not negotiated so as to provide the City of Toronto with the maximum benefit possible; and

WHEREAS Council's goal of providing the maximum number of affordable rental units under the program may be compromised by the failure to negotiate the most advantageous deals possible;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Auditor General to conduct a preliminary review of the terms of the eight (8) Pilot Project Agreements approved by Council;

AND BE IT FURTHER RESOLVED THAT City Council direct the Auditor General to add this review to his audit schedule and to report back in a timely fashion – commensurate with the short-term nature and magnitude of the funds distributed under this program – so that Council can take timely, corrective actions based on his findings;

AND BE IT FURTHER RESOLVED THAT City Council direct the Auditor General to report his preliminary findings, along with his opinion about the need to expand his review, directly to the Audit Committee at the earliest possible date.”

1.63 I(4) Request to Re-open Appointment of Members of Council to Canadian National Exhibition Association, Board of Directors

The following Motion was withdrawn:

Moved by: Councillor Mammoliti

Seconded by: Councillor Palacio

“**WHEREAS** City Council, at its meeting of November 30, December 1 and 2, 2004, adopted, without amendment, the recommendations of the Striking Committee for appointment of Members of Council to the Board of Directors of the Canadian National Exhibition Association;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Striking Committee Report 7, Clause 1, headed ‘Appointment of Members of Council to the Canadian National Exhibition Association Board of Directors and Municipal Section’, be re-opened for further consideration as it pertains to the appointments of Members of Council to the CNEA Board of Directors, for the purpose of asking questions on the process for these appointments.”

1.64 J(1) Regulation of Communication Towers

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

Moved by: Councillor Moscoe

Seconded by: Councillor Mihevc

“**WHEREAS** communication towers are federally regulated by the CRTC; and

WHEREAS the position taken by the City is inconsistent on the processing of applications for communication towers; and

WHEREAS some towers are dealt with by City Planning staff as ‘structures’ and are required to go through a planning or Committee of Adjustment process; and

WHEREAS some applications are routinely issued permits by the Building Division on an ‘as-of-right’ basis; and

WHEREAS residents can suddenly wake up one morning to find a cellular tower in their neighbourhood which is ugly, imposing and intrusive and they appear to have no recourse for any kind of due process;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested report to the Planning and Transportation Committee on amendments to the City's Site Plan Control By-laws that would designate communication towers as structures subject to site plan control."

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(1) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(1), a communication dated January 31, 2005, from Stephen J. D'Agostino, Thomson Rogers, Barristers and Solicitors.

Vote:

Motion J(1) was adopted, without amendment.

Motion to Re-Open:

Councillor Palacio, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(1) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(1) was adopted, without amendment.

1.65 **J(2) Consolidating the Naming of the Community Council Boundaries with the Service Districts of the City of 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 Holyday

“WHEREAS City Council at its special meeting on July 30, 31 and August 1, 2002, adopted, as amended, Administration Committee Report 10, Clause 2, headed ‘Four District Model for City Public Services (All Wards)’; and

WHEREAS Council amended Recommendation (2) contained in the report dated June 17, 2002, from the Chief Administrative Officer and, in so doing, adopted the recommendations of the Administration Committee to implement the four new service district boundaries; and

WHEREAS these service districts were named North, South, East and West Districts; and

WHEREAS City Council at its meeting on May 18, 19 and 20, 2004, adopted Policy and Finance Committee Report 1, Clause 2b, headed ‘Naming of Community Councils’, and renamed the Toronto West Community Council, the ‘Etobicoke York Community Council’; and

WHEREAS the Toronto South Community Council was renamed the ‘Toronto and East York Community Council’; and

WHEREAS the Toronto East Community Council was renamed the ‘Scarborough Community Council’; and

WHEREAS the Toronto North Community Council was renamed the ‘North York Community Council’; and

WHEREAS citizens of Toronto have raised a number of concerns about the confusion that exists by having two different names for identical City boundaries, one political and one bureaucratic; and

WHEREAS further consideration of this matter is warranted in order to simplify and clarify

the City of Toronto's administration to the citizens of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council rename the four service districts to align with the four Community Council boundary names that have been approved by Council, so that the names of the service districts shall be as follows:

Etobicoke York District;
North York District;
Scarborough District; and
Toronto and East York District;

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(2) to the Administration Committee was taken as follows:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, De Baeremaeker, Feldman, Filion, Fletcher, Ford, Hall, Holyday, Lindsay Luby, Mammoliti, McConnell, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Shiner, Soknacki, Stintz, Thompson
No - 13	
Councillors:	Altobello, Augimeri, Balkissoon, Del Grande, Giambrone, Grimes, Jenkins, Kelly, Li Preti, Minnan-Wong, Rae, Walker, Watson

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

Disposition:

As Council did not conclude its consideration of Motion J(2) prior to the end of this meeting, consideration of Motion J(2) was deferred to the next regular meeting of City Council on February 16, 2005.

1.66 **J(3) Request to Renew the Facade Program for the York Eglinton Business Improvement Area**

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

Moved by: Councillor Moscoe

Seconded by: Councillor Palacio

“**WHEREAS** the City of Toronto has, for a considerable period of time, operated a Facade Program to encourage businesses to renovate the fronts of their properties; and

WHEREAS by way of establishing the Clean and Beautiful City Program the City has made a commitment to improving its public face; and

WHEREAS the Facade Program has, in the past, improved the appearance of our retail strips and has proved its value;

NOW THEREFORE BE IT RESOLVED THAT the City renew the Facade Program to apply to the York Eglinton Business Improvement Area.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 1, Page 246)

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(3) 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(3) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

As Council did not conclude its consideration of Motion J(3) prior to the end of this meeting, consideration of Motion J(3) was deferred to the next regular meeting of City Council on February 16, 2005.

Deputy Mayor Pantalone in the Chair.

1.67 **J(4) Ontario Municipal Board Hearing - 133 Wynford Drive**

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 Jenkins

“WHEREAS the Committee of Adjustment for the City of Toronto (Midtown Panel) refused an application by the The De Leuw Cather Group Ltd., the owners of 133 Wynford Drive, to permit the construction of a condominium project containing 430 dwelling units; and

WHEREAS variances were requested to the minimum gross floor area of indoor recreational space, the minimum average unit gross floor area and the number of permitted dwelling units; and

WHEREAS the applicant also submitted an application to amend the Official Plan to permit said development; and

WHEREAS the applicant has appealed the Committee’s decision respecting the minor variance application and its Official Plan Amendment application to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board will be conducting a hearing of both appeals on

February 2, 2005; and

WHEREAS, after consultation with the Community and the local Councillor, the applicant has agreed to amend its proposal by increasing the amount of indoor recreational space proposed from 1 m² per unit to 1.2 m² per unit and to decrease the number of units proposed from 430 to 410;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to attend the Ontario Municipal Board hearing in support of the Minor Variance and Official Plan Amendment appeals, as so amended.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(4), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

Advice by Deputy Mayor:

Deputy Mayor Pantalone 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 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(4) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(4), the following, which are on file in the City Clerk's office:

- (a) Extracts from the Minutes of the Midtown Panel Committee of Adjustment meeting held on July 8, 2004, respecting 133 Wynford Drive;
- (b) Extracts from the Minutes of the Midtown Panel Committee of Adjustment meeting held on June 17, 2004, respecting 133 Wynford Drive; and
- (c) Notice (November 5, 2004) of an Ontario Municipal Board Hearing commencing February 2, 2005, respecting 133 Wynford Drive.

Vote:

Motion J(4) was adopted, without amendment.

Mayor Miller in the Chair.

1.68 **J(5) Funds for Improvements to Design and Construction of Town Hall Square – Yorkville Avenue at Yonge Street**

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

Moved by: Councillor Rae

Seconded by: Councillor McConnell

“WHEREAS, through a Section 37 Agreement, Great Gulf Homes is obligated to spend up to \$750,000.00 on the design and construction of park improvements to a new public park (18 Yorkville Avenue at Yonge Street) and convey this park to the City; and

WHEREAS, as the recent tenders for park construction were high, significant cuts are required that would seriously compromise the landscape quality of this signature park project; and

WHEREAS, as there is a high level of expectation for the design of this park from project stakeholders and the community, there is a strong interest to ‘add back’ some of the park features that would have otherwise been removed from the park design; and

WHEREAS an opportunity has been identified to allocate \$200,000.00 of additional funding toward park improvements and this funding is not currently allocated to any specific Capital project and is being held by the Finance Department; and

WHEREAS this \$200,000.00 comes from a Section 45 (Committee of Adjustment) agreement with the developer of 8-10 Scollard Street, to be used to improve parks in the immediate neighbourhood, and 18 Yorkville is almost immediately adjacent; and

WHEREAS staff of the Economic Development, Culture and Tourism Department have evaluated a proposed scope of work and costing exercise prepared by Great Gulf Homes for the ‘adding back’ of selected landscape elements, and are satisfied that the services provided would represent a fair value to the City for the available funds;

NOW THEREFORE BE IT RESOLVED THAT the funds in the amount of \$200,000.00 be directed towards the improvements to the design and construction of this

park.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(5), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 2, Page 247)

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(5) 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(5) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(5) was adopted, without amendment.

1.69 J(6) Ontario Municipal Board Appeals – 16-18 Golfdale Road

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

Moved by: Councillor Jenkins

Seconded by: Councillor Walker

“**WHEREAS** at its meeting held on September 28, 29, 30 and October 1, 2004, City Council adopted the recommendations of North York Community Council as contained in North York Community Council Report 7, Clause 40, and thereby directed the City Solicitor to oppose, at the Ontario Municipal Board (OMB), the Official Plan and Zoning By-law amendment appeals by the owner of 16 and 18 Golfdale Road; and

WHEREAS the Ontario Municipal Board has scheduled a hearing date for three days, commencing on February 9, 2005; and

WHEREAS on January 19, 2005, the applicant revised its proposed Official Plan and Zoning By-law amendment; and

WHEREAS the Director, Community Planning, North District, wishes to report upon the revised proposal and obtain further directions in respect of the OMB hearing; and

WHEREAS it is appropriate to consider the Request for Direction Report dated January 31, 2005, from the Director, Community Planning, North District, at this meeting, as it is 'time sensitive' and cannot be considered first by the Community Council prior to the OMB hearing date of February 9, 2005;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the attached report dated January 31, 2005, from the Director, Community Planning, North District.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(6), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(6) 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(6) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(6), a report dated January 31, 2005, from the Director, Community Planning, North District, entitled “Request for Direction Report - OPA and Rezoning Application 04 131256 NMI 25 OZ, Proponent: Moses Family Investments, Architect: Climans Green Liang, 16 and 18 Golfdale Road (Ward 25 - Don Valley West)”. (See Attachment 1, Page 217)

Vote:

Adoption of Motion J(6), without amendment:

Yes - 27	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Holyday, Jenkins, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pitfield, Rae, Shiner, Stintz, Walker, Watson
No - 1	
Councillor:	Ford

Carried by a majority of 26.

Summary:

In adopting Motion J(6), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report dated January 31, 2005, from the Director, Community Planning, North District:

“It is recommended that City Council instruct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the revised application.”

1.70 **J(7) Legislation to Prohibit the Sale of Knives to Minors**

Councillor Thompson 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 Thompson

Seconded by: Mayor Miller

“**WHEREAS** Council has adopted ‘Strengthening our at-risk neighbourhoods’ as one of its priorities for the 2003-2006 term, in order to achieve ‘Improved community safety’, among other matters; and

WHEREAS there have been recent incidents where knives have been used in the commission of a crime, including the use of knives by young people to settle disputes; and

WHEREAS there is evidence of a trend for young people to carry knives not for peaceful purposes (for example, while hunting and fishing) but as a status symbol and as a weapon to threaten and to cause personal injury and death; and

WHEREAS the Province has enacted legislation that supplements the firearms restrictions in the Criminal Code and *Federal Firearms Act* by, among other matters, prohibiting the sale of ammunition, deactivated firearms and imitation firearms to individuals under 18 years of age, under the *Ammunition Regulation Act, 1994* and the *Imitation Firearms Regulation Act, 2000*; and

WHEREAS the enactment of similar legislation, that prohibits the sale of the types of knives that are now being used as weapons to individuals under 18 years of age, will help to improve community safety;

NOW THEREFORE BE IT RESOLVED THAT Council request the Provincial Attorney General, the Provincial Minister of Community Safety and Correctional Services and the Federal Minister of Justice and Attorney General to take the necessary steps to enact new legislation, including any necessary amendments to the Criminal Code, to prohibit the sale of the type of knives that are now being used as weapons instead of their intended lawful purposes (for example, hunting and fishing) to individuals under 18 years of age.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(7), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 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(7) to the Policy and Finance Committee was taken as follows:

Yes - 27	
Mayor:	Miller
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Davis, De Baeremaeker, Del Grande, Feldman, Giambrone, Grimes, Jenkins, Li Preti, Mammoliti, McConnell, Minnan-Wong, Nunziata, Palacio, Pantalone, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 14	
Councillors:	Ashton, Carroll, Cho, Filion, Fletcher, Ford, Hall, Holyday, Kelly, Lindsay Luby, Milczyn, Moscoe, Ootes, Pitfield

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 Policy and Finance Committee.

1.71 **J(8) Provincial Gas Tax Reserve Fund**

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 Mihevc

“**WHEREAS** the ‘Letter of Agreement’ between the Province of Ontario and the City of Toronto, under the ‘Province’s Dedicated Gas Tax Funds for Public Transportation Program’, requires funds received to be deposited to a dedicated gas tax funds reserve account; and

WHEREAS the 2004 budget made provision for these funds as operating revenue, rather than as a Reserve Fund draw; and

WHEREAS the report establishing the required reserve fund contained an incorrect technical amendment, and consequently no bill was introduced by Council to establish the

reserve fund;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated January 28, 2005, from the Chief Financial Officer and Treasurer, entitled 'Establishment of Provincial Gas Tax Reserve Fund', and that the staff recommendations contained in the Recommendations Section of the report be adopted."

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(8), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 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(8) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(8), a report dated January 28, 2005, from the Chief Financial Officer and Treasurer, entitled "Provincial Gas Tax Reserve Fund". (See Attachment 2, Page 219)

Vote:

Motion J(8) was adopted, without amendment.

Summary:

In adopting Motion J(8), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 28, 2005, from the Chief Financial Officer and Treasurer:

"It is recommended that:

- (1) an obligatory reserve fund be established called 'Provincial Gas Tax Revenues for Public Transit' in accordance with Appendix 1, the purpose of which is to provide

funding for public transportation expenditures eligible under the Provincial Dedicated Gas Tax Funds for Public Transportation Program, and Municipal Code {Chapter 227 (Reserves and Reserve Funds)} be amended by adding the ‘Provincial Gas Tax Revenues for Public Transit’ to Schedule ‘14’ – obligatory reserve funds, such funds to be held in trust by the City for the Province pending payment of eligible public transportation expenditures in accordance with the Letter of Agreement;

- (2) approval be given for a technical amendment to the 2004 Operating Budget transferring \$20 million from Non-Program Revenues ‘Provincial Grants’ to the City Budget for TTC identified as a ‘Contribution from Reserve Fund’ and thereby reduce the net operating subsidy from the City of Toronto;
- (3) approval be given for the withdrawal of the entire 2004 instalment received from the Province in the amount of \$20,312,724.00 from City of Toronto Reserve Fund, entitled ‘Provincial Gas Tax Revenues for Public Transit’, to fund the 2004 Operating Budget, in accordance with the agreement; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.”

1.72 J(9) 245 Queens Quay West – Opposition to Application for a Liquor Licence

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

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Rae

“**WHEREAS** the occupants of 245 Queens Quay West have applied to the Alcohol and Gaming Commission of Ontario (AGCO) for a liquor licence to serve alcohol on their patio; and

WHEREAS the City Councillor has been advised that past and present conduct of patrons of this establishment affords reasonable grounds to believe that a granting of a patio liquor licence may result in the behaviour of a certain and significant number of patrons not being in accordance with the law, and, combined with other concerns, such as criminal activities, noise and traffic, demonstrates that a patio licence for these premises is not in the public

interest, having regard to the needs and wishes of the Municipality in which the premises is located;

NOW THEREFORE BE IT RESOLVED THAT the AGCO be requested to provide the City with an opportunity to participate in the proceedings involving 245 Queen's Quay West, and the City Solicitor and necessary staff be authorized to participate in any proceedings before the AGCO which relate to 245 Queen's Quay West."

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(9), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 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(9) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Bussin in the Chair.

Vote:

Motion J(9) was adopted, without amendment.

Mayor Miller in the Chair.

1.73 **J(10) Approval of BIA Operating Budgets and Appointments/Deletions to BIA Boards of Management (Queens Quay Harbourfront, Korea Town and Wychwood Heights BIAs)**

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

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Chow

“**WHEREAS** Council approved the establishment of the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) at its meeting on November 30-December 2, 2004, and each BIA held their first general membership meeting, on January 18 and January 27, 2005, respectively, to appoint a Board of Management and adopt a 2005 Operating Budget; and

WHEREAS Section 204 of the *Municipal Act* requires that Council appoint members to BIA Boards of Management, and approve BIA annual Operating Budgets; and

WHEREAS it is beneficial to facilitate the full operation of the Queens Quay Harbourfront and Korea Town BIAs as soon as possible, so that they may begin developing and implementing their 2005 improvement program; and

WHEREAS the Wychwood Heights BIA Board of Management adopted a motion on January 20, 2005, to accept the resignation of two existing Board members and adjust their quorum figure accordingly, in order to remedy an ongoing situation respecting the lack of quorum at several recent Board of Management meetings, which requires an amendment to Toronto Municipal Code Chapter 19, Business Improvement Areas;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations contained in the Recommendations Section of the attached report dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism, which seeks Council’s approval of the Boards of Management, quorum figures and 2005 Operating Budgets for the Queens Quay Harbourfront and Korea Town BIAs, and of necessary revisions to the Board of Management for the Wychwood Heights BIA.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(10), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from

the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 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(10) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(10), report dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism, entitled "Queens Quay Harbourfront, Korea Town and Wychwood Heights Business Improvement Areas – 2005 Operating Budgets and Board of Management Nominees (Wards 19 and 20 - Trinity-Spadina, Ward 21 - St. Paul's and Ward 28 - Toronto Centre-Rosedale)". (See Attachment 3, Page 223)

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 dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism:

"It is recommended that:

- (1) Council appoint the nominees listed in Attachment No. 1 to this report to the Boards of Management for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) for the remainder of the 2003-2006 term;
- (2) Council amend the City of Toronto Municipal Code, Chapter 19, 'Business Improvement Areas', to add the Board of Management information for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) as set out in Attachment No. 2, and to reduce the number of members on the Wychwood Heights BIA Board of Management from 12 to 9, and reduce quorum from 6 to 5;

- (3) Council approve the expenditure requests and levy requirements of the Queens Quay Harbourfront and Korea Town BIAs as follows:

Business Improvement Area	2005 Expenditure Estimates (\$)	2005 Levy Funds Required (\$)
Queens Quay Harbourfront	\$173,000.00	\$165,000.00
Korea Town	\$153,811.00	\$147,411.00;

- (4) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

1.74 **J(11) Ontario Municipal Board Hearing – 679 Gladstone Avenue (Ward 18, Davenport)**

Councillor Giambrone 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 Giambrone

Seconded by: Councillor Mihevc

“**WHEREAS** at its meeting of December 16, 2004, the Committee of Adjustment refused application A0169/04T requesting relief from Zoning By-law 438-86 to allow a roof deck and stairs to the west side of the existing detached garage, in the rear yard of the property at 679 Gladstone Avenue; and

WHEREAS an appeal of the Committee of Adjustment decision to the Ontario Municipal Board has been filed by the property owner; and

WHEREAS the hearing date for the Ontario Municipal Board has been set for Friday, March 4, 2005; and

WHEREAS neighbours of 679 Gladstone Avenue, local Councillor Adam Giambrone and the City Planning Division of the Urban Development Services Department have expressed concerns with the proposal’s impact on privacy, noise, green space and safety in the neighbourhood; and

WHEREAS City staff concur with the decision of the Committee of Adjustment that the

variances are inappropriate;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council instruct the City Solicitor, and other appropriate City staff, to attend the Ontario Municipal Board hearing in opposition to the variances required in relation to application A0169/04T at 679 Gladstone Avenue.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(11), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 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(11) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(11), a Notice of Decision dated December 17, 2004, from the Manager and Deputy Secretary, Committee of Adjustment, Toronto and East York Panel, which is on file in the City Clerk’s Office.

Vote:

Motion J(11) was adopted, without amendment.

1.75 **J(12) Force Main Sanitary Sewer Connection - 13 Brentwood Avenue (Ward 23 – Willowdale)**

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction 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** staff are seeking authority for the City to enter into an installation and maintenance agreement with the property owner of 13 Brentwood Avenue, to allow the

owner to install and provide long-term maintenance of a force main sanitary sewer connection; and

WHEREAS there is an urgent need for the force main sanitary sewer connection because the construction of the house on the property is at a stage where water and sewer service connections are required; and

WHEREAS the Acting Commissioner of Works and Emergency Services has prepared a report dated January 25, 2005, requesting authority to enter into the proposed agreement on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services seeking authority for an agreement on the installation and maintenance of a sanitary force main connection and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(12), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(12), report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services, entitled “13 Brentwood Avenue - Force Main Sanitary Sewer Connection (Ward 23 - Willowdale)” (See Attachment 4, Page 234)

Vote:

Motion J(12) was adopted, without amendment.

Summary:

In adopting Motion J(12), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services:

“It is recommended that:

- (1) the Acting Commissioner of Works and Emergency Services be authorized to enter into an installation and maintenance agreement with the owner of 13 Brentwood Avenue to permit the installation and maintenance of a sanitary force main connection to the municipal sanitary sewer at the property owner’s expense on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor; and
- (2) staff be authorized to take whatever action is necessary to give effect thereto.”

1.76 **J(13) Receiving Canada Mortgage and Housing Corporation Funding for Rainwater Harvesting Workshop**

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

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Pitfield

“**WHEREAS** Canada Mortgage and Housing Corporation (‘CMHC’) has agreed to provide to the City of Toronto (the ‘City’) \$20,000.00 in funding (the ‘Funds’) to support a rainwater harvesting workshop (the ‘Workshop’); and

WHEREAS Toronto Water agreed, within existing budgets, to host, organize and provide logistical support for the Workshop for City staff and invited: public utility officials, regulatory stakeholders and private sector design and construction representatives; and

WHEREAS the Workshop is one of the City’s many initiatives in promoting sustainable urban living and environmental awareness; and

WHEREAS the Workshop will support the City’s Wet Weather Flow Management

Master Plan implementation and is a follow-up to the successful Tree Symposium and the subsequent Stormwater Management Workshop, held in the fall of 2004; and

WHEREAS the Funds are to be used to pay the expenses for national/international experts in the field to speak and participate at the Workshop; and

WHEREAS CMHC requires that the City enter into a Funding Agreement which sets out the terms and conditions pursuant to which CMHC is prepared to provide the Funds generally addressing such matters as the term and scope of the agreement, the disbursement of the Funds, the ownership of copyright, confidentiality, termination, conflict of interest and indemnification; and

WHEREAS there is urgent need to conclude arrangements with CMHC, in order to meet scheduling deadlines for the Workshop, tentatively scheduled to be held in May 2005; and

WHEREAS staff are seeking Council approval to receive the Funds and authority for the Acting Commissioner of Works and Emergency Services to enter into the Funding Agreement with CMHC on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

NOW THEREFORE BE IT RESOLVED THAT Council consider this matter and grant approval to receive the Funds and that the Acting Commissioner of Works and Emergency Services be authorized to enter into the Funding Agreement on terms and conditions satisfactory to him and in a form satisfactory to the City Solicitor and that staff be authorized to take whatever action is necessary to give effect thereto.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(13), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 3, Page 248)

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 Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote:

Motion J(13) was adopted, without amendment.

1.77 **J(14) Rescind “No Stopping” Prohibition - Gary Drive**

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 Ford

“**WHEREAS** at its meeting of June 22, 2004, Toronto City Council adopted Toronto West Community Council Report 5, Clause 3, to prohibit stopping on the south side of Gary Drive, from the easterly limit of Deerhurst Avenue to a point 45.5 metres further east; and

WHEREAS this ‘No Stopping’ prohibition has caused a great deal of inconvenience and difficulties for the existing retail establishments, to the point where it has threatened their commercial viability;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto West Community Council Report 5, Clause 3, headed ‘Prohibition of Stopping on South Side of Gary Drive between Deerhurst Avenue and Lockerbie Avenue (Ward 11 - York South-Weston)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Schedule IX of By-law No. 31001 of the former City of North York be amended by rescinding the No Stopping Anytime prohibition on the south side of Gary Drive, from the easterly limit of Deerhurst Avenue to a point 45.5 metres further east;

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(14), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

Votes:

The first Operative Paragraph contained in Motion J(14) carried, more than two-thirds of Members

present having voted in the affirmative.

The balance of Motion J(14) was adopted, without amendment.

1.78 **J(15) Municipal Housing Project Facility Agreement with NUC-TUCT Non-Profit Homes Corporation – 45 Cummer Avenue (Ward 24-Willowdale)**

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: Deputy Mayor Feldman

“WHEREAS NUC-TUCT Non-Profit Homes Corporation (‘NUC-TUCT’) has undertaken a project to construct a building at 45 Cummer Avenue which will include 53 units of new affordable housing (the ‘Project’); and

WHEREAS at its meeting of October 3, 4 and 5, 2000, Council approved Community Services Committee Report 8, Clause 18, and thereby authorized the provision of a loan to NUC-TUCT in respect of the Project from the Capital Revolving Fund; and

WHEREAS NUC-TUCT is requesting that, pursuant to the City’s Municipal Housing Facility By-law No. 282-2002, the City enter into a Municipal Housing Project Facility Agreement with NUC-TUCT for fifty-three (53) new affordable housing units in a building to be built by NUC-TUCT at 45 Cummer Avenue, to establish the facility as a municipal capital facility, and to exempt the facility from taxation for municipal and school purposes; and

WHEREAS NUC-TUCT was designated as a pilot project under the Community Rental Housing Program in July 2003, and received confirmation of funding of \$1,431,000.00 from the Provincial Ministry of Municipal Affairs, under the Affordable Housing Program - Community Rental Funding, in February 2004; and

WHEREAS when Council first considered funding for this affordable housing development, exemption from taxation was not within its powers; and

WHEREAS the private mortgage lender that is providing a commercial first mortgage for this development requires the municipal tax exemption by-law to be in force before finalizing its mortgage documents; and

WHEREAS if Council considered the tax exemption at its April 2005 meeting it would delay the signing of the private mortgage documents and thereby delay construction start and potentially further add to construction costs; and

WHEREAS the financial assistance of the City is required to meet construction cost increases since the time project was first considered by Council and to make this affordable rental housing project economically viable on a long-term basis;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) authority be granted for the City to enter into a Municipal Housing Project Facility Agreement with NUC-TUCT Non-Profit Homes Corporation, pursuant to By-law No. 282-2002, establishing the Project as a municipal capital facility;
- (2) authority be granted for exempting the 53 new affordable housing units at the Project from taxation, for municipal and school purposes, for a period of 20 years; and
- (3) 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 Bill necessary to give effect thereto.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(15), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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 Community Services Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote:

Motion J(15) was adopted, without amendment.

1.79 J(16) Peacekeepers' Day

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

Moved by: Councillor Ashton

Seconded by: Councillor Ootes

“WHEREAS Canadian peacekeepers have made, and continue to make, exceptional contributions to peace throughout the world; and

WHEREAS Canadians – following the example of Lester B. Pearson, Nobel Peace Prize recipient – are recognized throughout the world as committed proponents of peacekeeping; and

WHEREAS more than 100,000 Canadians have made a contribution to world peace and many have lost their lives in the service of peace; and

WHEREAS we recognize that their families, colleagues, friends and communities grieve the loss of lives in pursuit of peace, and

WHEREAS August 9, 1974, was a tragic day in the loss of life for Canadian peacekeepers and is, therefore, an appropriate day to recognize Canadian peacekeepers; and

WHEREAS Canada and its military has a proud history of peacekeeping and sets an international standard admired throughout the world;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto, in partnership with the Canadian Association of Veterans in United Nations Peacekeeping (CAVUNP), commemorate the contribution of our peacekeepers by providing an appropriate inscription on City memorial cenotaphs;

AND BE IT FURTHER RESOLVED THAT the City of Toronto, in co-operation with CAVUNP and other appropriate stakeholders and partners, review the feasibility of commemorating a new memorial honouring our Canadian peacekeepers;

AND BE IT FURTHER RESOLVED THAT every August 9th be designated as

‘Peacekeepers’ Day’, to pay tribute to the sacrifices made by those who have died in service, to honour those who have returned from peacekeeping service, and to express our gratitude to those now in peacekeeping services.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(16), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 4, Page 249)

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(16) 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(16) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(16) was adopted, without amendment.

1.80 J(17) Committee of Adjustment Decision Regarding 513 Brunswick Avenue

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, moved by Councillor Chow, seconded by Deputy Mayor Pantalone, and, in the absence of Councillor Chow, moved by Councillor Rae, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Deputy Mayor Pantalone

“**WHEREAS** at the November 10, 2004 hearing of the Committee of Adjustment (Toronto East York Panel), the Committee refused an application for a rear deck at 513 Brunswick Avenue (File Number A0103/04T); and

WHEREAS this decision has been appealed to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board has scheduled a hearing for Friday, February 18, 2005;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing, in order to defend the Committee of Adjustment's decision."

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(17), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(17) 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(17) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(17), a Notice of Decision dated November 15, 2004, from the Manager and Deputy Secretary, Committee of Adjustment, Toronto and East York Panel, which is on file in the City Clerk's Office.

Vote:

Motion J(17) was adopted, without amendment.

1.81 J(18) Ontario Municipal Board Hearing – 295 Lee Avenue

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

Moved by: Deputy Mayor Bussin

Seconded by: Councillor Rae

“**WHEREAS** the Committee of Adjustment, Toronto East York Panel, held a public hearing on November 3, 2004, to consider a request for the granting of a minor variance at 295 Lee Avenue with respect to the replacement of an existing detached garage with a new and larger garage; and

WHEREAS the Committee heard from a number of area residents opposed to the granting of this variance; and

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

WHEREAS the applicant appealed this decision to the Ontario Municipal Board (OMB) and the Ontario Municipal Board has scheduled a hearing date of March 2, 2005; and

WHEREAS it is appropriate to consider this Notice of Motion at this Council meeting due to a legal deadline, namely because it is necessary to properly prepare for the OMB hearing on March 2, 2005;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be directed to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision and to retain such consultants as deemed necessary to support the City’s position.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(18), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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

Council also had before it, during consideration of Motion J(18), a Notice of Decision dated

November 4, 2004, from the Manager and Deputy Secretary, Committee of Adjustment, Toronto and East York Panel, which is on file in the City Clerk's Office.

Vote:

Motion J(18) was adopted, without amendment.

1.82 **J(19) Event of Municipal Significance for Liquor Licensing Purposes - Toronto Fashion Week**

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** the Fashion Design Council of Canada (FDCC), which was formed in 1999, is a non-profit organization dedicated to promoting Canadian fashion design talent; and

WHEREAS the FDCC produces Toronto Fashion Week which is attended by fashion aficionados, buyers and media from around the world; and

WHEREAS the FDCC is requesting an endorsement from Toronto City Council to deem Toronto Fashion Week, which is being held from March 14 to 20, 2005, an event of municipal significance for liquor licensing purposes, as required by the Alcohol and Gaming Commission of Ontario;

NOW THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare Toronto Fashion Week which is scheduled to be held on March 14-20, 2005, to be an event of municipal/community significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place or to the extension of the liquor licence to 4:00 a.m. for the duration of the event for the official hospitality facility, Sassafras, 100 Cumberland Street.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(19), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(19) 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(19) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(19), a communication (undated) from the President, Fashion Design Council of Canada, which is on file in the City Clerk's Office.

Deputy Mayor Bussin in the Chair.

Vote:

Motion J(19) was adopted, without amendment.

Mayor Miller in the Chair.

1.83 **J(20) Opposition to Application for Liquor Licence – Dilan Coffee – 2915 Dufferin Street**

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

Moved by: Councillor Moscoe

Seconded by: Councillor Mihevc

“WHEREAS the operators of Dilan Coffee (formerly known as Sizin Café and JJ's Upper Level) at 2915 Dufferin Street have submitted an application to the Alcohol and Gaming Commission to allow liquor to be served; and

WHEREAS when the establishment operated as JJ's Upper Level, numerous complaints were received from residents in the community regarding this location with respect to noise and misconduct of its patrons; and

WHEREAS on June 4, 2003, a meeting was held with the operators, police and staff of the Alcohol and Gaming Commission to attempt to deal with these concerns; and

WHEREAS, although the operators of JJ's Upper Level vacated the premises, a charge was laid by Toronto Police 13 Division against Sizin Café for serving alcohol without a licence; and

WHEREAS, based on the history at this location, granting a liquor licence would not be in the public interest;

NOW THEREFORE BE IT RESOLVED THAT City Council request the City Solicitor and any appropriate City staff to attend any anticipated Alcohol and Gaming Commission Liquor Licence Application Hearing in opposition to the granting of this application.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(20), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(20) 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(20) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Bussin in the Chair.

Vote:

Motion J(20) was adopted, without amendment.

Mayor Miller in the Chair.

1.84 **J(21) Support for Louise Russo 5K Walk, Roll or Run**

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 Stintz

“WHEREAS on April 21, 2004, Louise Russo was left paralyzed by a stray bullet, becoming a tragic victim of crime; and

WHEREAS many individuals and companies around the Greater Toronto Area have donated their time and specified skills in an attempt to aid the Russo family; and

WHEREAS the City of Toronto should do its part to aid the Russo family; and

WHEREAS the Toronto Catholic District School Board, the H.S. East Wing Management Board and Councillor Mammoliti’s office are organizing the ‘Louise Russo 5K WALK, ROLL OR RUN’ fundraising event; and

WHEREAS, for this event to be successful, the City of Toronto must be become a partner;

NOW THEREFORE BE IT RESOLVED THAT the ‘Louise Russo 5K WALK, ROLL OR RUN’ event be given special event status by the City of Toronto;

AND BE IT FURTHER RESOLVED THAT this Council waive any and all City-related fees;

AND BE IT FURTHER RESOLVED THAT the event receive any and all resources necessary from all City departments, agencies, boards and commissions, including but not limited to, Economic Development, Culture and Tourism, Urban Development Services, Works and Emergency Services, Toronto Police Service, Toronto Fire Services and E.M.S., etc.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(21), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 5, Page 250)

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(21) 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(21) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Soknacki moved that Motion J(21) be adopted, subject to:

- (1) adding to the first Operative Paragraph, the words “and that it be approved in principle”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the ‘Louise Russo 5K WALK, ROLL OR RUN’ event be given special event status by the City of Toronto, and that it be approved in principle;” and

- (2) adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to the Chief Administrative Officer, with a request that she report to the Policy and Finance Committee on the impact of this Motion, and whether it sets a precedent.”

Vote:

The motion by Councillor Soknacki carried.

Motion J(21), as amended, carried.

1.85 **J(22) Request for Authority to Approve a Loan from the City's Capital Revolving Fund (CRF) to The MUC Shelter Corporation for its Housing Development at 101 Ontario Street (Ward 28 - Toronto Centre-Rosedale)**

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 Rae

“WHEREAS City Council approved \$3 million in federal Supporting Communities Partnership Initiative (SCPI) funding to The MUC Shelter Corporation at its meeting of November 26, 27 and 28, 2002, for the development of 52 units of transitional housing and 50 shelter beds for refugees at 101 Ontario Street; and

WHEREAS the project was delayed until August 2004, due to an appeal to the Ontario Municipal Board and a court challenge of the issuance of a building permit; and

WHEREAS the delay resulted in increased costs of approximately \$2.4 million, largely due to the increased costs of construction; and

WHEREAS The MUC Shelter Corporation attempted to renegotiate its first mortgage to accommodate these increases; and

WHEREAS refinancing has resulted in a shortfall of \$482,000.00 necessary to meet all capital costs in order to proceed with the project; and

WHEREAS the construction tender price can be held only until February 11, 2005, after which a penalty will ensue; and

WHEREAS no other second mortgage money is available on short notice; and

WHEREAS the Capital Revolving Fund Advisory Committee has approved a loan of up to \$482,000.00 to The MUC Shelter Corporation;

NOW THEREFORE BE IT RESOLVED THAT the staff recommendations in the Recommendations Section of the attached report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services, be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(22), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 6, Page 251)

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(22) to the Community Services Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(22) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(22), a report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services, entitled "Provision of Capital Revolving Fund loan to The MUC Shelter Corporation for the Development of 52 units of Transitional Housing at 101 Ontario Street (Ward 28)". (See Attachment 5, Page 236)

Vote:

Motion J(22) was adopted, without amendment.

Summary:

In adopting Motion J(22), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services:

"It is recommended that, for the purposes of securing 52 units of transitional housing at 101 Ontario Street (Ward 28):

- (1) Council approve a loan of up to \$482,000.00 from the Capital Revolving Fund to The MUC Shelter Corporation, operating as Sojourn House, or another entity associated and controlled by The MUC Shelter Corporation and acceptable to the Commissioner of Community and Neighbourhood Services for the transitional housing at this site;
- (2) the City enter into an agreement to amend the Supporting Communities Partnership

Initiative Agreement between the City and The MUC Shelter Corporation to implement Recommendation (1), above, which agreement shall include the terms and conditions summarized in Appendix A and any other terms and conditions deemed appropriate by the Commissioner of Community and Neighbourhood Services;

- (3) authority be granted for the Commissioner of Community and Neighbourhood Services to execute the amending agreement as noted in Recommendation (2), above, on behalf of the City;
- (4) the 2005 EMT recommended Operating Budget for Shelter Housing and Support be increased by \$482,000.00 gross and 0 net; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.”

1.86 **J(23) 261 Jarvis Street – RFP for Development and Use of Recreational Property**

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 Ashton

“**WHEREAS** City Council, by the adoption of Administration Committee Report 2, Clause 11 (the ‘Report’), at its meeting on February 4, 5 and 6, 2003, approved the release of the Toronto Community Housing Corporation (‘TCHC’) from its obligation to convey the recreational facility and ancillary facilities located at 261 Jarvis Street (collectively, the ‘Property’) to the City, and authorized a lease agreement and certain ancillary transactions between the City of Toronto and 1433838 Ontario Limited for the lease of the recreational facility; and

WHEREAS the Lease Agreement and ancillary transactions that were authorized by City Council could not be completed on the terms provided for in the Report; and

WHEREAS pending completion of the transaction that will release TCHC from its obligation to convey the Property to the City, it is desirable to invite proposals for the development and use of the Property through the issuance of an RFP; and

WHEREAS on completion of the transaction that will release TCHC from its obligation to

convey the Property to the City, the Property will remain in the hands of TCHC, and it is appropriate for TCHC to initiate and manage the RFP process;

NOW THEREFORE BE IT RESOLVED THAT City Council permit the issuance by TCHC of an RFP in respect of the development and use of the Property, and that City staff be authorized and directed to assist TCHC in the preparation and issuance of the RFP and to report back to the appropriate standing Committee on the results of the RFP process.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(23), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(23) 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(23) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(23) was adopted, without amendment.

1.87 **J(24) Request of the Ontario Ministers of Public Infrastructure Renewal and Education and the Toronto School Boards to Ensure that Appropriate School Capacity is Provided in Support of Planned Urban Intensification**

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 Walker

“**WHEREAS** the City of Toronto supports urban intensification in proximity to transit

stations and in planned urban centres; and

WHEREAS the Province of Ontario's discussion paper, 'Places to Grow', clearly promotes intensification near subway stations and in areas where schools, transit and infrastructure capacity already exist and can accommodate further growth; and

WHEREAS through Bill 136, '*An Act respecting the Establishment of Growth Areas and Growth Plans*', the Government of Ontario recognizes that an integrated and co-ordinated approach to making decisions about growth across all levels of government will contribute to maximizing the values of public investment; and

WHEREAS the stated purposes of Bill 136 (*the Act*) include: 'to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation; to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure'; and

WHEREAS Bill 136 (*the Act*) further states that a proposed growth plan may contain policies, goals and criteria in relation to intensification and density, infrastructure development and the location of infrastructure and institutions, growth-related capital spending and financing, and community design; and

WHEREAS current Provincial funding arrangements and financial tools prevent Toronto's school boards from providing new or expanded school facilities to serve areas of growth and intensification; and

WHEREAS the current financial framework leaves busing to other schools that are remote from developing areas, as the only option; and

WHEREAS the practice of accommodating population growth, through the busing of students is unacceptable as a large scale, long-term practice;

NOW THEREFORE BE IT RESOLVED THAT Council request the Ontario Minister of Public Infrastructure Renewal and the Minister of Education to bring forward appropriate policies, tools, and funding mechanisms to allow the school boards in the City of Toronto to respond to planned urban intensification in Toronto and provide an appropriate level of school facilities to serve students in the neighbourhood where they live;

AND BE IT FURTHER RESOLVED THAT Council request the Toronto District School Board and the Toronto Catholic District School Board to advise the City of Toronto what is needed to be able to respond to planned urban intensification in Toronto, and provide an appropriate level of school facilities to serve students in the neighbourhood where

they live, so that the City of Toronto may assist in encouraging the Province of Ontario in providing appropriate policies, tools, and funding mechanisms.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(24), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(24) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(24) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(24) was adopted, without amendment.

1.88 **J(25) Ontario Municipal Board Appeal Settlement – 4 Garrow Avenue**

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

Moved by: Councillor Nunziata

Seconded by: Councillor Palacio

“**WHEREAS** on September 21, 2004, the Humber York Panel of the Committee of Adjustment approved minor variance Application No. A234/04HY, related to 4 Garrow Avenue, to permit the construction of a two-storey, three unit, residential building at the rear of and connected to an existing two-storey residential building containing three dwelling units; and

WHEREAS City Planning staff recommended refusal of the application; and at its meeting on September 28, 29, 30 and October 1, 2004, Council directed the City Solicitor to

appeal the decision of the Committee of Adjustment; and

WHEREAS the City Solicitor appealed the decision within the required appeal period; and

WHEREAS Council also directed the City Solicitor and applicable City staff to attend at the Ontario Municipal Board in support of the appeal and to oppose minor variance Application No. A234/04HY; and

WHEREAS, at a community meeting that took place on January 27, 2005, the applicant outlined a revised proposal which included reducing the number of proposed units by one, and agreeing not to situate any balconies or windows on the west side of the building; and

WHEREAS the majority of residents in attendance at the meeting advised that the applicant's revised proposal was acceptable;

NOW THEREFORE BE IT RESOLVED that the City Solicitor be directed to attend at the Ontario Municipal Board and request that the Board impose the following conditions:

- (1) prior to the issuance of a building permit, the Owner shall be required to obtain Site Plan Approval to the satisfaction of the Commissioner of Urban Development Services;
- (2) prior to the issuance of a building permit, the following conditions shall be fulfilled, to the satisfaction of the Toronto and Region Conservation Authority;
 - (a) the Owner shall be required to apply for an Ontario Regulation 158 permit;
 - (b) the Owner shall be required to submit a topographical survey indicating spot elevations of the subject property; and
 - (c) the Owner shall be required to submit plans which indicate that all openings of the structures will be flood-proofed to the Regional Storm Elevation;
- (3) prior to the issuance of a building permit, the Owner shall submit a stamped engineering and geotechnical report to the satisfaction of the Commissioner of Urban Development Services;
- (4) the site shall not be used as a rooming house;
- (5) there shall be no new windows or balconies on the west elevation; and
- (6) the site shall be limited to 5 units.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(25), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(25) to the Etobicoke 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(25) to the Etobicoke York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(25) was adopted, without amendment.

1.89 **J(26) Section 37 Agreement – Block Bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue**

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion, 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 on November 30, December 1 and 2, 2004, adopted North York Community Council Report 9, Clause 34, entitled ‘Final Report – OPA and Rezoning Application – 03 193501 NNY 23 OZ – Site Plan Application 03 193513 NNY 23 SA – Michael Draljevic, Deltera Inc. – Rafael & Bigauskas Architects – Block bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue; and North York Centre Secondary Plan’, as amended, and further amended the report to permit an amendment to the North York Centre Secondary Plan and enactment of the necessary bill, and further required that a monetary contribution toward the cost of land acquisition for the North York Centre Service Road and/or toward the cost of constructing and furnishing a Public Recreation Centre serving the North York Centre, in

accordance with the provisions of the proposed general Official Plan Amendment, with the required monies to be paid to the City in a form satisfactory to the Chief Financial Officer and Treasurer, prior to the introduction of the necessary site-specific bills to City Council for enactment; and

WHEREAS the required monies are to be paid to the City, prior to the introduction of the necessary site-specific bills to City Council for enactment; and

WHEREAS the monetary contribution for the proposed density incentive of 14,412 square metres (155,134 square feet) has been established;

NOW THEREFORE BE IT RESOLVED THAT City Council receive the report dated February 1, 2005, from the Commissioner of Corporate Services, for information.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(26), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(26) 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(26) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(26), a report dated February 1, 2005, from the Commissioner of Corporate Services, entitled “Section 37 Agreement - Block bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue (Ward 23 - Willowdale - Development Site) (Wards 23 and 24 - Willowdale - Proposed General Official Plan Amendment)”. (See Attachment 6, Page 240)

Vote:

Motion J(26) was adopted, without amendment, and, in so doing, Council received the report dated February 1, 2005, from the Commissioner of Corporate Services, for information.

1.90 J(27) Support for International Car Free Day

Councillor Giambrone gave Notice of the following Motion to permit consideration at the next regular meeting of City Council on February 16, 2005:

Moved by: Councillor Giambrone

Seconded by: Councillor Fletcher

“WHEREAS International Car Free Day is an annual event celebrated by 100 million people on every continent and supported by the European Union, the United Nations, the Government of Canada and the leaders of 1,500 Cities around the world; and

WHEREAS Car Free Day street events and forums highlight the many problems caused by our dependence on the private automobile, including air pollution, global warming, stress and safety issues; and

WHEREAS it emphasizes the rights of pedestrians and cyclists, the need for more and better public transit, and helps people rediscover their local community, outside the confines of their vehicle; and

WHEREAS Car Free Day began in Canada on September 22, 2001, when Toronto became the first Canadian and North American City to officially host a Car Free Day; and

WHEREAS in July 2004, Dr. Barbara Yaffe, Toronto’s Acting Medical Officer of Health, released a study estimating that five common air pollutants contribute to about 1,700 premature deaths and 6,000 hospital admissions in Toronto each year;

NOW THEREFORE BE IT RESOLVED THAT City Council express its support for International Car Free Day;

AND BE IT FURTHER RESOLVED THAT City Council strongly affirm its support for Car Free Day festivities in Toronto.”

1.91 **J(28) Instructions to Execute a Section 37 Agreement, Prepare By-laws and take the Necessary Action to Implement the Decision of the Ontario Municipal Board re 150 Roehampton Avenue**

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 Ontario Municipal Board in a decision issued October 27, 2004, approved the owner’s appeals for an official plan amendment and zoning by-law for a proposed 16 storey condominium tower at 150 Roehampton Avenue; and

WHEREAS Council at its meeting of June 24, 25 and 26, 2003, (Midtown Community Council Report 5, Clause 33) refused the application and directed the City Solicitor to retain outside consultants and oppose the application at the Ontario Municipal Board, notwithstanding the Commissioner of Urban Development Services, in a report dated April 22, 2003, recommended a draft official plan, zoning by-law, Section 37 agreement, site plan approval and the removal of two street trees; and

WHEREAS the decision of Ontario Municipal Board states that the Board’s Order regarding the official plan and zoning by-law amendments will be withheld pending the resolution of a Section 37 agreement and receipt of an executed site plan between the appellant and the City; and

WHEREAS the report dated April 22, 2003, from the Commissioner of Urban Development Services, includes the provisions for the by-laws, Site Plan Undertaking and Section 37 agreement including a contribution of \$287,000.00 (as indexed) for improving neighbourhood community facilities; and

WHEREAS it is appropriate for the City to receive the above Section 37 benefits and authorize the City officials to prepare the by-laws and agreements (Undertaking) and execute such agreements (Undertaking) and authorize removal of two street trees and a by-law permission for a temporary on-site sales office within the existing building for the proposed condominium units; and

WHEREAS there is urgency in this matter in order to receive the Order of the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the appropriate City Officials prepare the by-laws and agreements (Undertaking) substantially as set out in the report dated April 22, 2003, from the Commissioner of Urban Development Services, including a by-law permission for a temporary sales office as set out above;
- (2) authority be granted to remove two street trees as set out in Recommendation (4) of the report dated April 22, 2003, from the Commissioner of Urban Development Services; and
- (3) the appropriate City officials execute such agreements (Undertaking) and take all necessary action to implement the decision of the Ontario Municipal Board as set out above.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(28), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(28) 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(28) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Bussin in the Chair.

Vote:

Motion J(28) was adopted, without amendment.

Mayor Miller in the Chair.

1.92 **J(29) 340 Front Street West – Instructions Respecting a Proposed Revised Settlement**

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, moved by Councillor Chow, seconded by Deputy Mayor Pantalone, and, in the absence of Councillor Chow, moved by Councillor Rae, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Deputy Mayor Pantalone

“**WHEREAS** the City Solicitor has prepared a confidential report dated January 31, 2005, seeking instructions respecting a proposed revised settlement and an upcoming Committee of Adjustment hearing respecting a variance application by the owner of 340 Front Street West; and

WHEREAS consideration of this matter by Council is required on an urgent basis, as the Committee of Adjustment hearing will commence on February 9, 2005; and

WHEREAS the owner of the lands in question has agreed to request the Committee of Adjustment to impose the condition set out below on the variance;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated January 31, 2005, from the City Solicitor, approve the revised terms of settlement and provide instruction as set out in staff Recommendation (1) in the Recommendations Section of the report, subject to requiring, as a condition of granting the variance, that the owner agree to pay to the City an additional sum of \$15,000.00 toward the improvement of local parks in the immediate area of 340 Front Street West, within 30 days of the Committee of Adjustment decision becoming final, such sum to be additionally secured by an agreement pursuant to Section 45 of the *Planning Act*, to the satisfaction of the City Solicitor.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(29), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(29) 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(29) to the Toronto and East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(29), a confidential report dated January 31, 2005, from the City Solicitor.

Vote:

Motion J(29) was adopted, without amendment.

Summary:

In adopting Motion J(29), without amendment, Council adopted staff Recommendation (1) contained in the Recommendations Section of the confidential report dated January 31, 2005, from the City Solicitor, subject to requiring, as a condition of granting the variance, that the owner agree to pay to the City an additional sum of \$15,000.00 toward the improvement of local parks in the immediate area of 340 Front Street West, within 30 days of the Committee of Adjustment decision becoming final, such sum to be additionally secured by an agreement pursuant to Section 45 of the Planning Act, to the satisfaction of the City Solicitor. The following Recommendation (1) is 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 instructed to advise the owner of City Council’s decision to revise the Settlement, which if allowed by the Committee of Adjustment or Ontario Municipal Board appeal would result in the following changes to the development permission for the site:
 - (a) the maximum permitted height of 55.0 metres could be exceeded by up to 1.3 metres;
 - (b) the maximum permitted height of 59.0 metres could be exceeded by up to 1.0 metre and 3.0 metres;
 - (c) the maximum permitted height of 67.0 metres could be exceeded by up to 2.5 metres; and

- (d) the maximum permitted height of 69.0 metres could be exceeded by up to 5.0 metres;

and the City Solicitor and other City staff be instructed to take all other steps and execute such agreements as may be required to implement the settlement as revised.”

1.93 **J(30) Ratification of Legal Action Against James Wilson, Wilson Transportation and Leasing Group (Canada) Inc., and Wilson Logistics Inc.**

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: Deputy Mayor Bussin

“**WHEREAS** the City’s waste is hauled to Michigan under the City’s contract with Wilson Logistics (which hauls the waste) and Republic Services of Canada Inc. (which disposes of the waste); and

WHEREAS late in 2004, Wilson Logistics failed to renew its Performance Bond under the Agreement; and

WHEREAS City staff and Republic Services of Canada Inc. became concerned that Wilson Logistics may default under its contract to transport the City’s waste; and

WHEREAS the City’s outside legal counsel recommended that the City commence an action against Wilson Logistics;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated February 1, 2005, from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(30), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(30) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(30) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(30), a confidential report dated February 1, 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 staff recommendations contained in the Recommendations Section of the confidential report dated February 1, 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.

1.94 **J(31) Litigation Commenced by Harbour Remediation & Transfer Inc. (“HR&T”), Costa Trucking and Contracting Ltd. (“Costa Trucking”) and Related Claim of Mr. Fred Dominelli and 939923 Ontario Limited (“939923”)**

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: Deputy Mayor Bussin

“**WHEREAS** City Council at its meeting of October 26, 27 and 28, 2004, adopted Works Committee Report 8, Clause 9a, entitled ‘Harbour Remediation and Transfer Inc. - Claim and Related Third Party Claim of Fred Dominelli’; and

WHEREAS the City Solicitor has prepared a report on the status of the litigation and to receive instructions with respect to the claim;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated January 25, 2005, from the City Solicitor, and that the staff recommendation in the Recommendation Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(31), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(31) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(31) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(31), a confidential report dated January 25, 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 staff recommendation contained in the Recommendation Section of the confidential report dated January 25, 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.

Councillor Del Grande requested that his opposition to this Motion be noted in the minutes of this meeting.

1.95 **J(32) Amendments to the *Employment Standards Act, 2000 (Bill 63)***

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

Moved by: Mayor Miller

Seconded by: Councillor Walker

“**WHEREAS** amendments to the *Employment Standards Act, 2000* (Bill 63) received Royal Assent on December 9, 2004; and

WHEREAS the amendments to the *Act* take effect March 1, 2005; and

WHEREAS the City Solicitor and the Commissioner of Corporate Services have prepared a report highlighting the implications for the implementation of the *Employment Standards Act, 2000* (Bill 63);

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated January 26, 2005, from the City Solicitor and the Commissioner of Corporate Services, and that the recommendations in the Recommendations Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(32), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(32) 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(32) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(32), a confidential report dated January 26, 2005, from the City Solicitor.

Vote:

Motion J(32) was adopted, without amendment.

Summary:

In adopting Motion J(32), without amendment, Council adopted, without amendment, the staff recommendation contained in the Recommendation Section of the confidential report dated January 26, 2005, from the Commissioner of Corporate Services and the City Solicitor. The following recommendation is now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to labour relations or employee negotiations:

“It is recommended that the Province be requested to extend the time for complying with the Act to June 30, 2005, and that the letter sent by the Chief Administrative Officer to the Cabinet Secretary (January 26, 2005) for this purpose be confirmed.”

1.96 **J(33) 650-672 Sheppard Avenue East – Ontario Municipal Board Decision No. 0150 – Ward 24 (Willowdale)**

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 Stintz

“**WHEREAS** on January 25, 2005, the Ontario Municipal Board issued its Decision/Order No. 0150 whereby it exempted from the calculation of ‘Gross Floor Area’ all below grade areas and all mechanical areas for the proposed development at 650-672 Sheppard Avenue East; and

WHEREAS the City Solicitor wishes to report upon the Board’s Decision and obtain directions from City Council; and

WHEREAS it is appropriate to consider the report of the City Solicitor at this meeting, as it is a time sensitive matter; and

WHEREAS it is appropriate to consider the report of the City Solicitor in camera, as it relates to matters of solicitor-client privilege;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the staff recommendations in the Recommendations Section of the attached confidential report dated January 31, 2005, from the City Solicitor.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(33), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(33) 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(33) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(33), a confidential report dated January 31, 2005, from the City Solicitor.

Vote:

Motion J(33) was adopted, without amendment.

Summary:

In adopting Motion J(33), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated January 31, 2005, from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information which is subject to solicitor-client privilege:

“It is recommended that City Council:

- (1) direct the City Solicitor to seek leave to appeal OMB Decision/Order No. 0150, issued on January 25, 2005, to the Divisional Court, and if leave is granted, to appeal the said Decision/Order to the Court; and
- (2) authorize and direct the appropriate City Officials to take the necessary action to

give effect thereto.”

1.97 **J(34) Liquid Chlorine Contracts – *Competition Act* Charges – Possible Civil Action**

Councillor Holyday 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 Holyday

Seconded by: Councillor Stintz

“**WHEREAS** at its special meeting held on July 30, 31 and August 1, 2002, City Council adopted Audit Committee Report 7, Clause 5, headed ‘Competition Bureau Investigation - Supply of Liquid Chlorine’; and

WHEREAS the City Solicitor has prepared a confidential report dated February 1, 2005, advising Council of the status of criminal proceedings brought against companies and individuals charged with offences under the *Competition Act* with respect to the supply of liquid chlorine to the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated February 1, 2005, from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(34), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer.

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(34) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(34) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(34), a confidential report dated

February 1, 2005, from the City Solicitor.

Vote:

Motion J(34) was adopted, without amendment.

Summary:

In adopting Motion J(34), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 1, 2005, from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information pertaining to litigation or potential litigation:

“It is recommended that:

- (1) the City not continue its civil action against Welland Chemical Ltd., William Rowe, Brenntag Canada Inc., formerly Stanchem Inc., Univar Canada Ltd., formerly Vopak Canada Ltd., formerly Van Waters & Rogers Ltd. and Terry Neal; and
- (2) City staff take all necessary steps to give effect thereto.”

1.98 **J(35) Waiving of Fees for Community Festivals on St. Clair Avenue West**

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

Moved by: Councillor Mihevc

Seconded by: Councillor Moscoe

“**WHEREAS** City Council at its meeting on September 28, 29, 30 and October 1, 2004, approved Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St.Paul’s, Davenport, York South-Weston)’; and

WHEREAS the report resolved that ‘City departments waive fees related to hosting community festivals on St. Clair Avenue West from 2005 to 2007 (the construction period and immediately thereafter)’; and

WHEREAS City staff interpretation of the wording contained in the aforementioned report

limits the waiving of fees and charges to City departments; and

WHEREAS the revitalization of St. Clair Avenue West and the strengthening of the local small business community, including supporting community events and festivals on the street, remain high priorities of the City of Toronto; and

WHEREAS City staff have been consulted in writing this Motion;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 7, Clause 1, headed 'St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul's, Davenport, York South-Weston)', be re-opened for further consideration, only as it pertains to the waiving of fees for Community Festivals on St. Clair Avenue West;

AND BE IT FURTHER RESOLVED THAT City Council clarify the intent of Policy and Finance Committee Report 7, Clause 1, headed 'St. Clair West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul's, Davenport, York South-Weston)', only as it pertains to the waiving of fees and costs for community festivals on St. Clair West from 2005 to 2007, by approving that all necessary barricades, non-departmental permit fees for community festivals on St. Clair Avenue West from 2005 to 2007 are to be paid for by the City;

AND BE IT FURTHER RESOLVED THAT City Council request that the Toronto Transit Commission and the Toronto Police Service waive costs for Community Festivals on St. Clair Avenue West, from 2005 to 2007;

AND BE IT FURTHER RESOLVED THAT this Resolution be forwarded to the Toronto Transit Commission and Toronto Police Services Board for their consideration and endorsement.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(35), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement 7, Page 252)

Vote:

The first Operative Paragraph contained in Motion J(35) carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Soknacki moved that Motion J(35) be adopted, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to the Chief Administrative Officer, with a request that she report to the Policy and Finance Committee on the impact of this Motion, and whether it sets a precedent.”

Disposition:

As Council did not conclude its consideration of Motion J(35) prior to the end of this meeting, consideration of Motion J(35) was deferred to the next regular meeting of City Council on February 16, 2005.

1.99 J(36) Children’s Mental Health Ontario

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

Moved by: Councillor Ashton

Seconded by: Councillor Balkissoon

“WHEREAS Children’s Mental Health Ontario promotes, supports and strengthens a sustainable system of mental health services for children, youth and their families; and

WHEREAS last year, treatment for thousands of children was disrupted and compromised because children’s mental health agencies in Ontario lost 212.6 FTE positions due to funding constraints; and

WHEREAS a one-time injection of 3 percent to base budgets in new support, though appreciated after 12 years of no increases, is simply not adequate to enable agencies to maintain existing staff or services; and

WHEREAS it is important that children in treatment be able to create and sustain trusting relationships with their child and youth workers, social workers, psychologists and other treatment team members, and

WHEREAS any reform efforts will fail unless there is more funding for existing core services;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto request the Province of Ontario to secure further funding for that purpose.”

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(36), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 242)

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(36) to the Community Services Committee 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 Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(36) was adopted, without amendment.

1.100 J(37) Request for Variances from the Former City of North York Sign By-law No. 30788, as amended, for the Erection of One Illuminated Pylon Sign at 1765 Eglinton Avenue East

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

Moved by: Councillor Minnan-Wong

Seconded by: Deputy Mayor Feldman

“**WHEREAS** the building at 1765 Eglinton Avenue East is located in an industrial zone [MC(75)] and is within the Ontario Hydro transmission corridor; and

WHEREAS the site was previously occupied by a Ford dealership and a variance (00-151063) was granted on August 13, 2002, to permit the erection of a 9.34 metres

(30 ft.- 8 in.) high pylon sign, and this sign was erected to serve the Ford dealership; and

WHEREAS Golden Mile Motors has now moved into the building, the existing Ford pylon sign was removed and the new occupant of the building now wishes to erect one, new pylon sign to advertise its new location and business;

NOW THEREFORE BE IT RESOLVED THAT the City allow for the erection of a ground sign at the west boundary of the property (see attached map) at a height not to exceed 8.53 metres (28 feet).”

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(37) 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(37) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(37), a map of the subject property.

Vote:

Motion J(37) was adopted, without amendment.

1.101 J(38) Technical Amendments re: Parking Prohibitions – Yonge Boulevard (Ward 16 - Eglinton-Lawrence)

Councillor Stintz 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 Stintz

Seconded by: Councillor Shiner

“**WHEREAS** City Council at its meeting held on October 26, 27 and 28, 2004, adopted North York Community Council Report 8, Clause 16, headed ‘Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)’; and

WHEREAS staff Recommendations (1) and (2) in the Recommendations Section of the report dated September 21, 2004, from the Director, Transportation Services, North District, Works and Emergency Services, as contained in the Clause, contain technical errors with respect to the times of existing parking regulations on Yonge Boulevard;

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 8, Clause 16, headed 'Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT staff Recommendation (1) be amended by deleting the time '6:00 p.m.', and inserting instead the time '6:30 p.m.', and by inserting the words 'except public holidays' after the words 'Monday to Friday', so that Recommendation (1) shall now read as follows:

- '(1) Schedule XXIII of Chapter 400 of the former City of Toronto Municipal Code be amended by deleting the No Parking 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:30 p.m., Monday to Friday, except public holidays, prohibition on the east side of Yonge Boulevard, from Yonge Street to the north City limit';

AND BE IT FURTHER RESOLVED THAT staff Recommendation (2) be amended by deleting the reference to '9:00 a.m. to 4:00 p.m.', and inserting instead the times '9:30 a.m. to 4:30 p.m.', so that staff Recommendation (2) shall now read as follows:

- '(2) Schedule XXV of Chapter 400 of the former City of Toronto Municipal Code be amended by deleting the 60 Minute Permitted Parking, 9:30 a.m. to 4:30 p.m., Monday to Friday, on the east side of Yonge Boulevard, from Yonge Street to the north City limit'."

Votes:

The first Operative Paragraph contained in Motion J(38) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(38) was adopted, without amendment.

1.102 J(39) Authority to Enter into Agreements with Zurich Insurance Company ("Zurich") to Address Outstanding Lien Claims Arising as a Result of the Default of

961488 Ontario Limited operating as Sanan Construction (“Sanan”) and Other Related Companies on Several Projects with the City of Toronto

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: Deputy Mayor Bussin

“**WHEREAS** the City of Toronto entered into a number of contracts with Sanan with respect to various projects; and

WHEREAS Zurich Insurance Company issued bonds for many of these contracts; and

WHEREAS on November 26, 2004, Sanan went into interim receivership; and

WHEREAS Sanan delivered notices of default on various of its projects to the City; and

WHEREAS the City Solicitor has prepared a confidential report requesting authority to enter into agreements with Zurich to address outstanding lien claims as a result of the default;

NOW THEREFORE BE IT RESOLVED THAT City Council consider and adopt the confidential report dated February 3, 2005, from the City Solicitor, as it is a time-sensitive matter, to avoid incurring unnecessary costs.”

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(39) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(39) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(39), a confidential report dated February 3, 2005, from the City Solicitor.

Vote:

Motion J(39) was adopted, without amendment.

Summary:

In adopting Motion J(39), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 3, 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.

Deputy Mayor Bussin in the Chair.

1.103 **J(40) Appointments to the Film Board**

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, moved by Mayor Miller, seconded by Deputy Mayor Feldman, and, in the absence of Mayor Miller, moved by Deputy Mayor Feldman, seconded by Councillor Shiner, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Deputy Mayor Feldman

Seconded by: Councillor Shiner

“**WHEREAS** City Council on November 30 and December 1 and 2, 2004, by adopting Policy and Finance Committee Report 9 Clause 2, established the Film Board, to be comprised of 18 members selected by the Mayor, and drawn from the wide range of industry representatives, Members of Council (who are appointed) and interested parties; and

WHEREAS industry members are to be selected by the Mayor and appointed by Council;

NOW THEREFORE BE IT RESOLVED THAT Council appoint the following industry members, selected by the Mayor, for a term of office ending November 30, 2006:

Susan Murdoch	Vice-President, Producer, Pebblehut Too, Inc.,
Maxine Bailey	Director, Public Affairs, Toronto International Film Festival,
Christina Buchli	Entertainment Lawyer, Heenan-Blakie,
Jack Blum	Writer, Actor, Filmmaker, Writer’s Guild of Canada,
Don Carmody	Producer, Silent Hill/DCP Inc.,
Sheldon Fainer	Owner, Designer Fabric Outlet,

Ken Ferguson	CEO, Toronto Film Studios,
Ron Haney	ED & CEO, Directors Guild of Canada – Ontario,
Sarha Ker-Hornell	Managing Director, Film Ontario,
Gabriella Martinelli	President, Capri Films,
Brian Topp	Executive Director, Alliance of Canadian Cinema, Television and Radio Artists (ACTRA),
Tonya Lee Williams	President & Founder, Reel World Film Festival & Foundation, and
Mimi Wolch	International VP, Business Agent, IATSE.”

Advice by Deputy Mayor:

Deputy Mayor Bussin 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 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(40) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(40) was adopted, without amendment.

1.104 J(41) City of Toronto Representatives on the Scarborough Hospital Board

Councillor De Baeremaeker 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 De Baeremaeker

Seconded by: Councillor Del Grande

“**WHEREAS** Councillor De Baeremaeker has been the City of Toronto representative on the Scarborough Hospital Board and Councillor Del Grande has been the City of Toronto alternate on the Board; and

WHEREAS the Scarborough Hospital Board constitution does not allow the alternate to vote;

NOW THEREFORE BE IT RESOLVED THAT Council now appoint Councillor Del Grande as the City of Toronto representative on the Scarborough Hospital Board and Councillor De Baeremaeker as the City of Toronto's alternate on the Board."

Advice by Deputy Mayor:

Deputy Mayor Bussin advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(41) to the Striking Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(41) to the Striking Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(41) was adopted, without amendment.

- 1.105 Consideration of the following matters was deferred to the next regular meeting of City Council on February 16, 2005, as they remained on the Order Paper at the conclusion of this meeting of Council:

Policy and Finance Committee Report 8

Clause 1c - "Capital Financing Strategy – 2004".

Administration Committee Report 8

Clause 8c - "Complaint Regarding Actions at Committee Meetings".

Board of Health Report 7

Clause 1c - "Shade Policy and Technical Considerations for the City of Toronto".

Scarborough Community Council Report 8

Clause 7b - "Elimination of Sidewalks on Starry Crescent and Boulderbrook Drive (Ward 42 - Scarborough Rouge River)".

Toronto and East York Community Council Report 9

- Clause 9a - "Final Report - Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade (Toronto Centre-Rosedale, Ward 28)".

Policy and Finance Committee Report 9

- Clause 41b - "Operating Variance Report for the Nine Months Ended September 30, 2004".

Audit Committee Report 6

- Clause 6b - "Hostel Operations Review - Community and Neighbourhood Services".

Etobicoke York Community Council Report 9

- Clause 1b - "Request for Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 22 Nairn Avenue (Ward 17 - Davenport)".

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

Policy and Finance Committee Report 2

- Clause 6 - "Comprehensive Report on the City's Long-Term Fiscal Plan".

- Clause 14 - "Ontario Water Works Association Conference 2005 and 2006".

Administration Committee Report 1

- Clause 2 - "Feasibility of Selling Parking Tag Receivables, or Increasing the Percentage of Remuneration, to the Canadian Bonded Credits Ltd.".

- Clause 5 - "Access to Licence Plate Information City of Toronto Reference: 2004-5-J(2)".

Board of Health Report 1

- Clause 1 - "Further Issues Relating to the Implementation of the Pesticide By-law".

Community Services Committee Report 1

Clause 3 - "Toronto Social Services' Purchase of Employment Services Framework".

Community Services Committee Report 2

Clause 1 - "Toronto EMS Hospital Offload Delays".

Economic Development and Parks Committee Report 1

Clause 1 - "Toronto Pearson International Airport International Air Transport Association (IATA) and Air Transport Association of Canada (ATAC) (All Wards)".

Clause 9 - "Tourism Action Plan: Year One Implementation and Year Two Directions (All Wards)".

Economic Development and Parks Committee Report 2

Clause 6 - "Supplementary Information Re: Toronto Pearson International Airport, International Air Transport Association (IATA) and Air Transport Association of Canada (ATAC) (All Wards)".

Planning and Transportation Committee Report 1

Clause 1 - "Proposed Graffiti Abatement Strategy".

Clause 2 - "Comprehensive Review of Fees in Urban Development Services".

Works Committee Report 2

Clause 3 - "Drain Grant Appeal - 3 Morningside Avenue (Ward 13)".

Etobicoke York Community Council Report 1

Clause 5 - "Request for All-Way Stop Controls - The Kingsway at Prince George Drive and The Kingsway at Twyford Road (Ward 4 - Etobicoke Centre)".

Clause 6 - "Request for All-Way Stop Controls - The Kingsway at Edenbridge Drive/Wimbledon Road (Ward 4 - Etobicoke Centre)".

Clause 25 - "Application for Variance from Sign By-law No. 3369-79 of the former City of York Southwest Quadrant of Canadian Pacific Railway Overpass at Black Creek Drive (Ward 11 - York South-Weston)".

North York Community Council Report 1

- Clause 10 - “Feasibility to Extend the Concrete Median - Keele Street north of Highway 401 (Ward 9 - York Centre)”.
- Clause 30 - “All Way Stop Control - Brentcliffe Road at Fairland Road (Ward 26 - Don Valley West)”.
- Clause 35 - “Request for Poll - Speed Hump Plan - Hillhurst Blvd., west of Bathurst Street (Ward 15 - Eglinton-Lawrence)”.

Scarborough Community Council Report 1

- Clause 1 - “Removal of Seven Privately-owned Trees 5 and 6 Falcon Lane (Ward 44 - Scarborough East)”.
- Clause 16 - “Supplementary Report - Site Plan Control Application 03 035259 ESC 40 SA, 1554177 Ontario Limited – Holt/Architect, 170 Ellesmere Road, Maryvale Community (Ward 40 - Scarborough Agincourt)”.

Toronto and East York Community Council Report 1

- Clause 27 - “Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 533 St. Clarens Avenue (Davenport, Ward 18)”.
- Clause 28 - “Request for Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles – 319 Glenayr Road (St. Paul's, Ward 21)”.
- Clause 31 - “Request for Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening - 26 Tarlton Road (St. Paul's, Ward 22)”.
- Clause 41 - “Installation of Speed Humps - Bank Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)”.
- Clause 42 - “Installation of Speed Humps - Waterloo Avenue, between Dufferin Street and Gladstone Avenue (Davenport, Ward 18)”.

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- Clause 43 - "Installation of Speed Humps - Gordon Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)".
- Clause 45 - "Installation of Speed Humps - Poplar Plains Road, between Cottingham Street and Poplar Plains Crescent and Russell Hill Road, between Clarendon Avenue and Boulton Drive (St. Paul's, Ward 22)".
- Clause 46 - "Speed Hump Poll Results - Laing Street, between Queen Street East and Eastern Avenue (Beaches-East York, Ward 32)".

NOTICES OF MOTION

- J(2) Moved by Councillor Milczyn, seconded by Councillor Holyday, regarding consolidating the naming of the Community Council boundaries with the Service Districts of the City of Toronto.
- J(3) Moved by Councillor Moscoe, seconded by Councillor Palacio, regarding a request to renew the facade program for York Eglinton Business Improvement Area.
- J(35) Moved by Councillor Mihevc, seconded by Councillor Moscoe, regarding the waiving of fees for Community Festivals on St. Clair Avenue West.

BILLS AND BY-LAWS

- 1.106 On February 1, 2005, at 7:27 p.m., Councillor Grimes, seconded by Councillor Jenkins, 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. 108	By-law No. 10-2005	To confirm the proceedings of the Council at its meeting held on the 1 st day of February, 2005,
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the vote upon which was taken as follows:

Yes - 30
Mayor: Miller

Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Davis, Di Giorgio, Feldman, Ford, Grimes, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Ootes, Pitfield, Saundercook, Soknacki, Stintz, Thompson, Walker
No – 0	

Carried unanimously.

- 1.107 On February 2, 2005, at 9:05 p.m., Councillor Augimeri, seconded by Councillor Minnan-Wong, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 109	By-law No. 11-2005	To confirm the proceedings of the Council at its meeting held on the 1st and 2nd days of February, 2005,
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the vote upon which was taken as follows:

Yes - 32	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Palacio, Pantalone, Pitfield, Rae, Stintz, Watson
No – 5	
Councillors:	Ford, Nunziata, Ootes, Thompson, Walker

Carried by a majority of 27.

- 1.108 On February 3, 2005, at 5:51 p.m., Councillor Filion, seconded by Councillor Mihevc, 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. 1	By-law No. 12-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Pittsboro Drive.
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Bill No. 2	By-law No. 13-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Donalbert Road.
Bill No. 3	By-law No. 14-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II, regarding Gordon Park Drive.
Bill No. 4	By-law No. 15-2005	To amend By-law No. 31878, as amended, of the former City of North York, regarding Wallasey Avenue.
Bill No. 9	By-law No. 16-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Renault Crescent.
Bill No. 10	By-law No. 17-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Renault Crescent.
Bill No. 11	By-law No. 18-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Renault Crescent.
Bill No. 12	By-law No. 19-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Forestview Road.
Bill No. 13	By-law No. 20-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Forestview Road.
Bill No. 14	By-law No. 21-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic

		- Chapter 240, Article I, regarding Swan Avenue.
Bill No. 15	By-law No. 22-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Swan Avenue.
Bill No. 16	By-law No. 23-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Tandridge Crescent.
Bill No. 17	By-law No. 24-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Tandridge Crescent.
Bill No. 18	By-law No. 25-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Widdicome Hill Boulevard.
Bill No. 19	By-law No. 26-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Swan Avenue.
Bill No. 20	By-law No. 27-2005	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding Swan Avenue.
Bill No. 21	By-law No. 28-2005	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
Bill No. 22	By-law No. 29-2005	To adopt Amendment No. 557 to the Official Plan for the former City of North York in respect of the lands within the North York Centre Secondary Plan.

Bill No. 23	By-law No. 30-2005	To designate the property at 105 Elmhurst Drive (Garbutt-Gardhouse House) as being of cultural heritage value or interest.
Bill No. 24	By-law No. 31-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Canarctic Drive.
Bill No. 25	By-law No. 32-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Blacksmith Crescent.
Bill No. 26	By-law No. 33-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Petrolia Road.
Bill No. 27	By-law No. 34-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Limestone Crescent.
Bill No. 28	By-law No. 35-2005	To amend By-law No. 31878, as amended, of the former City of North York, regarding Spenvalley Drive.
Bill No. 29	By-law No. 36-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Yorkdale Road.
Bill No. 30	By-law No. 37-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Yorkdale Mall north parking lot access.
Bill No. 31	By-law No. 38-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Burndale Avenue.
Bill No. 32	By-law No. 39-2005	To amend By-law No. 31878, as amended, of the former City of North York, regarding Ambrose Road.

Bill No. 33	By-law No. 40-2005	To amend By-law No. 31878, as amended, of the former City of North York, regarding Donwoods Drive and Old Yonge Street.
Bill No. 34	By-law No. 41-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Magnetic Drive.
Bill No. 35	By-law No. 42-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Alness Street.
Bill No. 36	By-law No. 43-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Alness Street.
Bill No. 37	By-law No. 44-2005	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 38	By-law No. 45-2005	To exempt certain lands found on Staines Road and Seasons Drive from Part Lot Control.
Bill No. 40	By-law No. 46-2005	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting driving school restricted areas in the City of Toronto.
Bill No. 41	By-law No. 47-2005	To permanently close the public lane known as Roy's Square, extending easterly from Yonge Street, then northerly to Bloor Street East.
Bill No. 43	By-law No. 48-2005	To amend further Metropolitan By-law No. 108-86 designating certain locations on former Metropolitan Roads as Pedestrian Crossovers, regarding Eglinton Avenue East South Service Road.

Bill No. 44	By-law No. 49-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Eglinton Avenue East South Service Road and Transway Crescent.
Bill No. 45	By-law No. 50-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Eglinton Avenue West.
Bill No. 46	By-law No. 51-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Culford Road.
Bill No. 47	By-law No. 52-2005	To amend By-law No. 31001 of the former City of North York, as amended, regarding Culford Road.
Bill No. 49	By-law No. 53-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Don Valley Parkway Southbound Off-Ramp at York Mills Road, Finch Avenue West, Keele Street, Lawrence Avenue West, Steeles Avenue West and Wilson Avenue.
Bill No. 50	By-law No. 54-2005	To designate the property at 150 Balmoral Avenue (Balmoral Apartments) as being of cultural heritage value or interest.
Bill No. 51	By-law No. 55-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Alberta Avenue and Glendonwyne Road.
Bill No. 52	By-law No. 56-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosewell Avenue.

Bill No. 53	By-law No. 57-2005	To layout and dedicate certain land on the south side of Manse Road, east of Old Kingston Road, for public highway purposes to form part of the public highway Manse Road.
Bill No. 54	By-law No. 58-2005	To designate a Site Plan Control Area (216 and 220 Scarborough Golf Club Road - Scarborough Village Community).
Bill No. 55	By-law No. 59-2005	To amend further By-law No. 20-96, a by-law "To provide for the overnight parking on Borough streets", being a by-law of the former Borough of East York.
Bill No. 56	By-law No. 50-2005	To amend further By-law No. 271, a by-law "To prohibit parking on certain sides of certain highways", being a by-law of the former Borough of East York.
Bill No. 57	By-law No. 51-2005	To layout and dedicate certain land at premises 140 Borough Drive for public highway purposes to form the new public highway Brian Harrison Way.
Bill No. 58	By-law No. 52-2005	To authorize the alteration of Strathmore Boulevard, between Coxwell Avenue and Woodbine Avenue, by the installation of speed humps.
Bill No. 59	By-law No. 53-2005	To authorize the alteration of Acores Avenue, between Ossington Avenue and Shaw Street, by the installation of speed humps.
Bill No. 60	By-law No. 54-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Acores Avenue.

Bill No. 61	By-law No. 55-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Acores Avenue.
Bill No. 62	By-law No. 56-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Beaconsfield Avenue, Brock Avenue, Cavell Avenue, Cowan Avenue, Earnbridge Street, Emerson Avenue, Gainsborough Road, Hanson Street Lansdowne Avenue and Merrick Street.
Bill No. 63	By-law No. 57-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bremner Boulevard, Brunswick Avenue, Dufferin Park Avenue, Indian Road, Mayfair Avenue, Poplar Plains Road, Soho Street and Wallace Avenue.
Bill No. 64	By-law No. 58-2005	To establish a HFA Stabilization Cost Centre within the Community Initiatives Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this cost centre.
Bill No. 65	By-law No. 59-2005	To authorize agreements respecting the issue and sale of debentures for the year 2005. <i>*amended*</i>
Bill No. 66	By-law No. 70-2005	To authorize temporary borrowing to meet expenditures made in connection with work to be financed by the issue of debentures or bank loan agreements for the year 2005.
Bill No. 67	By-law No. 71-2005	To authorize the temporary borrowing of monies to meet the current expenditures of the City of Toronto for the year 2005.

Bill No. 68	By-law No. 72-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Lombard Street.
Bill No. 69	By-law No. 73-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Lombard Street.
Bill No. 70	By-law No. 74-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Bloor Street.
Bill No. 71	By-law No. 75-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bloor Street.
Bill No. 72	By-law No. 76-2005	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, respecting bicycle lanes on Bay Street.
Bill No. 73	By-law No. 77-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Albany Avenue, Langford Avenue and Lindsey Avenue.
Bill No. 74	By-law No. 78-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glen Stewart Crescent and Lane first south of Kingston Road.
Bill No. 75	By-law No. 79-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Oxtown Avenue.
Bill No. 76	By-law No. 80-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Camden Street.

Bill No. 77	By-law No. 81-2005	To amend further By-law No. 34-93, a by-law “To provide for disabled person parking permit holders”, being a by-law of the former Borough of East York, regarding Chisholm Avenue.
Bill No. 78	By-law No. 82-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Yonge Street.
Bill No. 79	By-law No. 83-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Essex Street.
Bill No. 80	By-law No. 84-2005	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. 81	By-law No. 85-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Bathurst Street, Kingston Road, Oxtown Avenue, Queen Street West and St. Clair Avenue West.
Bill No. 82	By-law No. 86-2005	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, regarding Avenue Road.
Bill No. 83	By-law No. 87-2005	To amend By-law No. 1055-2001 authorizing the alteration of Wade Avenue between Paton Road and Lansdowne Avenue by the installation of speed humps to permit the removal of two speed humps on the north-south section of Wade Avenue, south from Paton Road.

Bill No. 84	By-law No. 88-2005	To amend the Rouge Community Zoning By-law No. 15907, as amended, of the former City of Scarborough, with respect to the lands municipally known as 8800 Sheppard Avenue East.
Bill No. 86	By-law No. 89-2005	To establish an obligatory reserve fund call the Provincial Gas Tax Revenues for Public Transit Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 87	By-law No. 90-2005	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to make changes to the size and quorum of the Wychwood Heights Business Improvement Area Board of Management.
Bill No. 88	By-law No. 91-2005	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Korea Town Business Improvement Area and to establish a Board of Management for the Korea Town Business Improvement Area.
Bill No. 89	By-law No. 92-2005	To amend By-law No. 223-2004 to extend the expiration of a Part Lot Control exemption for certain lands west of Morningside Avenue, south of Highway 401 from Part Lot Control.
Bill No. 90	By-law No. 93-2005	To exempt certain lands on Beachell Street and Conn Smythe Drive from Part Lot Control.
Bill No. 91	By-law No. 94-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Roncesvalles Avenue and Wright Avenue.

Bill No. 92	By-law No. 95-2005	To amend City of Toronto Municipal Code Chapter 910, Parking Machines, regarding parking machines on Roncesvalles Avenue.
Bill No. 93	By-law No. 96-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the rear yard fence on the property municipally known as 85 Montessor Drive from the maximum height requirements.
Bill No. 94	By-law No. 97-2005	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to include the new Queens Quay Harbourfront Business Improvement Area and to establish a Board of Management for the Queens Quay Harbourfront Business Improvement Area.
Bill No. 95	By-law No. 98-2005	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. 96	By-law No. 99-2005	To amend former City of Toronto Municipal Code Chapter 237, Nathan Phillips Square.
Bill No. 97	By-law No. 100-2005	To authorize the exemption from taxation for municipal and school purposes for the municipal capital facility for affordable housing located on land known municipally as 45 Cummer Avenue.
Bill No. 98	By-law No. 101-2005	To authorize the entering into of an agreement for the provision of a municipal capital facility by NUC-TUCT Non-Profit Homes Corporation.
Bill No. 99	By-law No. 102-2005	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 the installation of an on-street parking space for persons with disabilities on Fairbank Avenue.
Bill No. 100	By-law No. 103-2005	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 the installation of an on-street parking space for persons with disabilities on Fairbank Avenue.
Bill No. 101	By-law No. 104-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 102	By-law No. 105-2005	To amend City of Toronto Municipal Code Chapter 447, Fences, to permit the retention of a portion of a wooden pool fence on the property municipally known as 161 Brentcliffe Road.
Bill No. 103	By-law No. 106-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dundas Square.
Bill No. 104	By-law No. 107-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carlaw Avenue.
Bill No. 105	By-law No. 108-2005	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Yonge Boulevard.
Bill No. 106	By-law No. 109-2005	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 Little Boulevard and Roselawn Avenue.
Bill No. 107	By-law No. 110-2005	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 Little Boulevard and Roselawn
Avenue,

the vote upon which was taken as follows:

Yes - 37 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Ford, Giambrone, Grimes, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No – 0

Carried unanimously.

- 1.109 On February 3, 2005, at 5:52 p.m., Councillor Lindsay Luby, seconded by Councillor De Baeremaeker, 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. 110	By-law No. 111-2005	To confirm the proceedings of the Council at its meeting held on the 1st, 2nd and 3rd days of February, 2005,
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the vote upon which was taken as follows:

Yes - 33 Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Ford, Giambrone, Grimes, Holyday, Jenkins, Kelly, Lindsay Luby, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Stintz, Thompson, Walker
No – 0

Carried unanimously.

- 1.110 On February 3, 2005, at 5:59 p.m., Councillor Kelly, seconded by Councillor Del Grande, 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. 111	By-law No. 112-2005	To confirm the proceedings of the Council at its meeting held on the 1st, 2nd and 3rd days of February, 2005,
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the vote upon which was taken as follows:

Yes – 25	
Councillors:	Ashton, Augimeri, Bussin, Carroll, Chow, Cowbourne, De Baeremaeker, Di Giorgio, Feldman, Filion, Ford, Grimes, Holyday, Jenkins, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Palacio, Rae, Saundercook, Shiner, Walker
No – 1	
Councillors:	Pantalone

Carried by a majority of 24.

The following Bills were withdrawn:

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| Bill No. 5 | To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway and Twyford Road. |
| Bill No. 6 | To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway and Twyford Road. |
| Bill No. 7 | To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway at Edenbridge Drive. |
| Bill No. 8 | To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I, regarding The Kingsway at Edenbridge Drive. |
| Bill No. 39 | To amend City of Toronto Municipal Code Chapter 612, Pesticides, Use Of, to clarify § 612-1B(2)(d). |

- Bill No. 42 To adopt a new City of Toronto Municipal Code Chapter 485, Graffiti.
- Bill No. 48 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 Brentcliffe Road.
- Bill No. 85 To amend City of Toronto Municipal Code Chapter 441, Fees, by amending Section 441-11, entitled Planning Application Fees.

OFFICIAL RECOGNITIONS:

1.111 Condolence Motions

February 1, 2005:

Mayor Miller in the Chair.

Mayor Miller, seconded by Deputy Mayor Pantalone, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Joyce Winnifred Mitchell, beloved mother of Councillor Suzan Hall, on January 22, 2005, in her 85th year;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to Councillor Hall and her family.”

Mayor Miller, seconded by Deputy Mayor Pantalone, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Helen Mary Walker, beloved mother of Councillor Michael Walker, on December 9, 2004, in her 101st year;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to Councillor Walker and his family.”

Councillor Shiner, seconded by Councillor Rae, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Margaret (Dixie) Jewison, college sweetheart and devoted wife of 52 years to Mr. Norman

Jewison; and

WHEREAS Margaret (Dixie) Jewison was a woman of extraordinary talents, working beside her husband Norman as they set up the Norman and Margaret Jewison Charitable Foundation to benefit such causes as AIDS research, the culture of the people of the First Nations of Canada, as well as the arts; and

WHEREAS Margaret (Dixie) Jewison was extremely dedicated to her work with the Spinal Research Foundation and a strong supporter of the Canadian Film Centre; and

WHEREAS Margaret (Dixie) Jewison was a caring and loving mother to her children, Kevin, Michael and Jenny and was adored by her many grandchildren; and

WHEREAS Margaret (Dixie) Jewison had a most wonderful sense of humor, which, coupled with her deep commitment to her family and her friends, will leave a void in the lives of many people; and

WHEREAS Margaret (Dixie) Jewison's gracious, compassionate and friendly manner touched the hearts of all who knew her; and

WHEREAS it is often said that behind every successful man there stands a good woman, Margaret (Dixie) Jewison surely stood behind hers, even though she was, according to Norman, still the only person that he could never direct;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be asked to convey, on behalf of Members of City Council, our sincere sympathy to her husband, Norman, her children, Kevin, Michael and Jenny and their families."

Councillor Jenkins, seconded by Councillor Walker, moved that:

“WHEREAS on Sunday, December 12, 2004, citizens of Toronto awoke to the horrible news of the tragic death of 18-year old Wesley Tanner Telford McElheron Hopkins who was stabbed to death in the driveway of his home while trying to prevent a group of young people from entering; and

WHEREAS Tanner was a well-loved young man with great academic potential, dreams and goals; and

WHEREAS Tanner's actions to protect his family the night of December 11th reflected his deep-rooted moral values for family and community; and

WHEREAS the community at-large is mourning the loss of this young man; and

WHEREAS it is of grave concern to Members of City Council and the citizens of our City that violent youth crime is on the increase and all efforts to reduce these senseless acts should be encouraged and supported;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to the family of Tanner Hopkins, his parents, Robert and Charryn, sister Caitlin, brother Cameron, grandparents Jacqui and Peter McElheron and Betty Hopkins and Bob Ballantyne and his soul mate Sarah Gierusz.”

Councillor Pitfield, seconded by Councillor Ootes, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Eugene Wazny on January 1, 2005, at the age of 78; and

WHEREAS Gene, a long time resident of East York and Sergeant Major of Branch 10’s Colour Guard, was known for his dedication to his community and to his fellow veterans; and

WHEREAS Gene was born in 1926 in Doliny, Poland and escaped to Canada with his family to start a new life; and

WHEREAS, as a member of the Hamilton Light Infantry during the Second World War, he saw front line action in Italy, France and Holland; and joined the 2nd Battalion of the Royal Canadian Regiment during the Korean War and was in the reserve forces that defended Kapyong; and

WHEREAS he worked tirelessly and selflessly to ensure that the lives of all veterans were the best they could possibly be by founding and participating in the Sunnybrook Hospital’s K-Wing Veterans transportation program and a monthly visitor program for those veterans residing in the K-Wing; and

WHEREAS he was determined to ensure that no one was forgotten – be it delivering lilies at Easter, poinsettias at Christmas and chocolates ‘just because’; and

WHEREAS he took his efforts into the local schools to speak on the value of the contributions made by all veterans and the importance of remembering them; and

WHEREAS he never missed a CNE Parade, even this past year when he received leave from the hospital to attend; and

WHEREAS he achieved the top volume of sales during his last three poppy campaigns; and

WHEREAS as a member of the United Electrical Union for the former Canada Wire Company in Leaside, having served as the Chief Steward and Safety Steward, he introduced one of the first drug/alcohol programs with the assistance of the Renaissance Centre; and

WHEREAS he will always be remembered as a charismatic East York Hero;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sympathy to his loving wife of 51 years, Norma, his daughters Sara Wazny and Maureen Gibson, his grandchildren Tara, Lisa, Krista, Michelle, Jacob and Cheryl and one great-grandson Bryden.”

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 Joyce Winnifred Mitchell, Helen Mary Walker, Margaret (Dixie) Jewison, Wesley Tanner Telford McElheron Hopkins and Eugene Wazny.

February 2, 2005:

Deputy Mayor Bussin, seconded by Mayor Miller, moved that:

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Margaret R. (Peg) Lush, peacefully at her home in the Beaches in the care and presence of her family; and

WHEREAS the Beaches community lost one its local heroes on Sunday, January 30 with the passing of Peg Lush - a personal friend and ally in many community improvement initiatives over the years; and

WHEREAS Peggy was a tireless advocate for social and environmental causes in Toronto and the Beaches; and

WHEREAS Peg was in many ways typical of local activists who worked quietly and conscientiously over many years to enhance the quality of our community life; and

WHEREAS Peg neither sought recognition or reward for attending and contributing to hundreds of community and City Hall committee meetings on issues as far ranging as homelessness, economic injustice, world peace, the environment and public health; and

WHEREAS Peg was motivated by her deep regard for her neighbours and City, satisfied in the knowledge that her activism did make a difference; and

WHEREAS Peggy worked with me on many local environmental issues including the successful ending of incineration of sewage sludge at Ashbridges Bay Sewage Treatment Plant over two years ago, and at the time of her death, Peggy was a current member of the Toronto Safe Sewage Committee and the Toronto Pedestrian Committee;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be asked to convey, on behalf of Members of City Council, our sincere sympathy to her daughter Susan Surette and husband Richard of Brigham, Quebec, son James and wife Rev. Elaine of Toronto, son Stuart and wife Kathleen Cooper of Lindsay, Ontario, brother (Hon.) Thomas R. Wheler, Wing Commander (Retd.) of West Hill, Ontario, and grandchildren Soleil (Patrick Griffiths), Amun, Akycha, Sarah, Kate, Jocelyn and Merryn.”

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 Margaret R. (Peg) Lush.

February 3, 2005:

Councillor Nunziata, seconded by Councillor Saundercook, moved that:

“**WHEREAS** the Members of City Council are saddened to learn of the sudden passing of Aileen Coughtry, a former City of York employee with a dedicated record of public service of more than 25 years, most recently with firefighter testing of Toronto’s Emergency Medical Services;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to the family of Aileen Coughtry.”

Councillor McConnell, seconded by Councillor Rae, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mary Graham; and

WHEREAS Mary Graham was a longstanding employee of the City of Toronto, working in many different divisions beginning in 1987 as a Training and Development consultant moving to Parks and Recreation in 1996 and finally becoming Director of Support Services in Toronto Public Health; and

WHEREAS, in Training and Development, Mary contributed her rich background in adult education, community development and a strong commitment to equity issues in the workplace and quickly rose to become Manager of Training and Development where she provided energetic leadership to develop a well respected consulting team; and

WHEREAS under Mary's guidance, the City's first dedicated training centre was established and many innovative management and employee development programs were launched, as a result of her work; and

WHEREAS in Parks and Recreation, Mary brought her humanitarian spirit and strong initiative skills to tackle a range of community and operational challenges. Her courage and astute decision-making provided a model of sound leadership that inspired her staff and fellow managers; and

WHEREAS Mary went to Toronto Public Health as Director of Support Services, at a time of great upheaval, uncertainty and overwhelming change, where she had a large presence, a strength of purpose and a work ethic that promoted positive change; and

WHEREAS Mary always brought a fresh approach to handling intricate problems and challenges. She put service to the public first and always ensured that her staff were well supported; and

WHEREAS Mary was most loved and respected for her ability to 'think outside the box' - to always be innovative in solving the numerous problems that came across her desk every day. Her extraordinary sense of humour and intelligence kept her colleagues and staff on their toes; reminding everyone to never forget to laugh, to be bold and to care about their work and each other;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey on behalf of Members of City Council, our sincere sympathy to her partner George Tsapoitas, her parents June and Ed Graham and family members Bob and Patti Graham, Amy and Taylor."

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 Aileen Coughtry and Mary Graham.

1.112 **Presentations/Introductions/Announcements:**

February 1, 2005:

Mayor Miller, during the morning session of the meeting, introduced the Grade 5 students of St. Benedict Catholic School, present at the meeting.

Deputy Mayor Pantalone, during the morning session of the meeting, introduced the Grade 5 students of St. Benedict Catholic School, present at the meeting.

Mayor Miller, during the afternoon session of the meeting, introduced Deputy Mayor Ida Seidlmanova and Kveta Belanova, members of a delegation from the Czech Republic, visiting Toronto to participate in the 5th Annual DiscoverAbility Children's Art Festival.

February 2, 2005:

Councillor Cho, during the morning session of the meeting, with the permission of Council, announced that on November 12, 2004, he had attended The Toronto Mayor's Cup Bowling Tournament, sponsored by Can-Kor Seniors Bowling & Health. The proceeds of the tournament were being contributed to the City of Toronto to assist in the effort to eliminate homelessness. Councillor Cho presented a cheque for \$1,000.00 in this regard.

Deputy Mayor Feldman, during the morning session of the meeting, introduced the Grade 6 and 7 students of St. Clements Catholic School, present at the meeting.

Deputy Mayor Feldman, during the morning session of the meeting, introduced students from the York School, present at the meeting.

Deputy Mayor Feldman, during the morning session of the meeting, introduced the Grade 7/8 students from St. Raphael School, present at the meeting.

February 3, 2005:

Deputy Mayor Bussin, during the morning session of the meeting, introduced a group of journalists visiting from 9 different European countries, invited by Foreign Affairs Canada to visit Toronto, Ottawa, Montreal and Vancouver.

Deputy Mayor Bussin, during the morning session of the meeting, introduced the Grade 5 students from William Tredway Junior Public School, present at the meeting.

Mayor Miller, during the morning session of the meeting, addressed Council with respect to the Toronto Youth Cabinet. The Mayor introduced the following Executive Members of the Cabinet for 2004/2005, and invited Members of Council to meet in the Members Lounge for a presentation on the Cabinet's current initiatives:

- Shahmeer Ansari, Director of Finances;
- Shaun Alphonso, Community Services Advocate;
- Donald Blair, Director of Special Events;
- Adam Chaleff-Freudenthaler, CYE Roundtable Representative;
- Ryan Hayes, Director of Media Relations;
- Keegan Henry-Mathieu, Director of Outreach;
- Sarah Hutcheon, Director of Membership;
- Hassan Jama, Street-Level Services Advocate;
- Paul Lewkowicz, Director of Council Relations;
- Palwashe Mohammed, Beautiful City Roundtable Representative;
- Austin Reiscen, Access and Equity Roundtable Representative; and
- Tiffanie Chattergoon, Youth Safety Advocate.

1.113 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

February 1, 2005:

Councillor Milczyn, at 10:14 a.m., moved that Council vary the order of its proceedings to consider Etobicoke York Community Council Report 1, Clause 29, headed “Final Report - Official Plan Amendment and Rezoning Applications; Applicant: Sherway Gate Development Corporation; Sol Wassermuhl, Page & Steele Architects, 700 Evans Avenue (Ward 5 – Etobicoke-Lakeshore)”, on February 2, 2005, at 4:00 p.m., or upon completion of Policy and Finance Committee Report 2, Clause 1, headed “From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing”, which carried.

Councillor McConnell, at 10:20 a.m., moved that Council vary the order of its proceedings to consider Toronto and East York Community Council Report 1, Clause 4, headed “Final Report - Application to Amend the Official Plan and Zoning By-law - Regent Park Revitalization - Toronto Community Housing Corporation (Toronto Centre-Rosedale, Ward 28)”, on February 3, 2005, at 9:30 a.m., which carried.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

February 1, 2005:

Mayor Miller, at 2:15 p.m., due to a disturbance in the Council Chamber, recessed the meeting until 2:45 p.m.

February 2, 2005:

Mayor Miller, at 5:21 p.m., with the permission of Council, moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, and that Council remain in session until 8:00 p.m. in order to complete consideration of Policy and Finance Committee Report 2, Clause 1, headed “From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing”, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Grimes, at 7:59 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 its previous decision to recess at 8:00 p.m., and that Council remain in session in order to complete its remaining votes with respect to Policy and Finance Committee Report 2, Clause 1, headed “From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing”, the vote upon which was taken as follows:

Yes - 29	
Mayor:	Miller
Councillors:	Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Rae, Thompson
No - 12	
Councillors:	Ashton, Del Grande, Di Giorgio, Feldman, Ford, Mammoliti, Minnan-Wong, Ootes, Shiner, Stintz, Walker, Watson

In accordance with § 27-51 of Chapter 27 of the City of Toronto Municipal Code, headed “Members Not Voting”, Councillor Del Grande was deemed to have voted in the negative.

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

1.114 ATTENDANCE

February 1, 2005	9:43 a.m. to 12:30 p.m.*	2:10 p.m. to 2:15 p.m.*	2:45 p.m. to 7:30 p.m.*
Miller	x	x	x
Altobello	x	-	x
Ashton	x	-	x
Augimeri	x	x	x

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2005

February 1, 2005	9:43 a.m. to 12:30 p.m.*	2:10 p.m. to 2:15 p.m.*	2:45 p.m. to 7:30 p.m.*
Balkissoon	-	-	-
Bussin	x	x	x
Carroll	x	x	x
Cho	x	x	x
Chow	x	-	x
Cowbourne	x	-	x
Davis	x	x	x
De Baeremaeker	x	x	x
Del Grande	x	x	x
Di Giorgio	x	-	x
Feldman	x	x	x
Filion	x	-	x
Fletcher	x	-	x
Ford	x	x	x
Giambrone	x	-	x
Grimes	x	x	x
Hall	x	x	x
Holyday	x	x	x
Jenkins	x	x	x
Kelly	x	x	x
Li Preti	x	-	x
Lindsay Luby	x	x	x
Mammoliti	x	x	x
McConnell	x	x	x
Mihevc	x	-	x
Milczyn	x	-	x
Minnan-Wong	x	x	x
Moscoe	x	-	x
Nunziata	x	x	x
Ootes	x	x	x
Palacio	x	-	x
Pantalone	x	x	x

Minutes of the Council of the City of Toronto
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February 1, 2005	9:43 a.m. to 12:30 p.m.*	2:10 p.m. to 2:15 p.m.*	2:45 p.m. to 7:30 p.m.*
Pitfield	x	x	x
Rae	x	x	x
Saunderscook	x	x	x
Shiner	x	x	x
Soknacki	x	-	x
Stintz	x	x	x
Thompson	x	-	x
Walker	x	-	x
Watson	x	x	x
Total	44	27	44

* Members were present for some or all of the time period indicated.

February 2, 2005	9:44 a.m. to 12:30 p.m.*	2:10 p.m. to 9:05 p.m.*	Roll Call 4:30 p.m.
Miller	x	x	-
Altobello	x	x	x
Ashton	x	x	-
Augimeri	x	x	x
Balkissoon	x	x	x
Bussin	x	x	x
Carroll	x	x	-
Cho	x	x	-
Chow	x	x	-
Cowbourne	x	x	-
Davis	x	x	x
De Baeremaeker	x	x	-
Del Grande	x	x	x
Di Giorgio	x	x	x
Feldman	x	x	-
Filion	x	x	-
Fletcher	x	x	-
Ford	x	x	x
Giambrone	x	x	x

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2005

February 2, 2005	9:44 a.m. to 12:30 p.m.*	2:10 p.m. to 9:05 p.m.*	Roll Call 4:30 p.m.
Grimes	x	x	x
Hall	x	x	x
Holyday	x	x	x
Jenkins	x	x	-
Kelly	x	x	-
Li Preti	x	x	x
Lindsay Luby	x	x	x
Mammoliti	x	x	x
McConnell	x	x	-
Mihevc	x	x	x
Milczyn	x	x	x
Minnan-Wong	x	x	x
Moscoe	x	x	-
Nunziata	x	x	x
Ootes	x	x	-
Palacio	x	x	x
Pantalone	x	x	-
Pitfield	x	x	x
Rae	x	x	x
Saundercook	x	x	x
Shiner	x	x	-
Soknacki	x	x	-
Stintz	x	x	x
Thompson	x	x	x
Walker	x	x	-
Watson	x	x	x
Total	45	45	26

* Members were present for some or all of the time period indicated.

February 3, 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

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2005

February 3, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:00 p.m.*
Ashton	x	x
Augimeri	x	x
Balkissoon	x	x
Bussin	x	x
Carroll	x	x
Cho	x	x
Chow	x	x
Cowbourne	x	x
Davis	x	x
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	x
Giambrone	x	x
Grimes	x	x
Hall	x	-
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	x	x
Palacio	x	x

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2005

February 3, 2005	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 6:00 p.m.*
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Soknacki	x	x
Stintz	x	x
Thompson	x	x
Walker	x	x
Watson	x	x
Total	45	44

* Members were present for some or all of the time period indicated.

Council adjourned on February 3, 2005, at 6:00 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT 1 - Motion J(6)

Report dated January 31, 2005, from the Director, Community Planning, North District, entitled "Request for Direction Report - OPA and Rezoning Application 04 131256 NMI 25 OZ, Proponent: Moses Family Investments, Architect: Climans Green Liang, 16 and 18 Golfdale Road (Ward 25 - Don Valley West)". (See Minute 1.69, Page 126)

Purpose:

This report reviews and recommends direction on a proposal to amend the City of Toronto Official Plan and Zoning By-law to permit two additional units within an existing residential building.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that City Council instruct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the revised application.

Background:

Applications for re-zoning and Official Plan amendments to permit three additional units within an existing residential building were submitted to the City on May 5, 2004. On August 9, 2004, the applicant sent a Notice of Appeal to the Ontario Municipal Board, on the basis that the City had not acted in a timely fashion.

At its meeting of September 28, 29, 30 and October 1, 2004, City Council adopted recommendations contained in a Staff Report (see attached), to refuse the applications and authorize staff to defend this refusal at the Ontario Municipal Board.

Proposal

On January 20, 2005, the City received a revised proposal to permit two additional units, instead of the previous three, in the basement of the building. The building currently has four units on the first and second floors in the form of a semi-detached duplex on one lot. The current use is considered legal non-conforming within the existing R1 ZO.35 zone which permits only single detached houses and two units within a converted house.

The applicant is not proposing any change in the configuration of three separate units in the basement, each with individual entrances, kitchens, bathrooms, bedroom and living room/dining room. Instead, one of the units has been identified as "space related to existing unit above". The only other change from the previous proposal is the re-alignment of the below-grade entrance and stairs from facing the street to facing the west property line.

Two off-site parking spaces are proposed at 3381 and 3383 Yonge Street.

Comment:

Staff have reviewed the amended proposal and are of the opinion that the same considerations apply to this proposal as the previous one. An Official Plan amendment to permit this proposal still represents an increased intensification of a non-conforming use on an already over-developed site.

The R1 zone in which this building is located has a maximum density of .35 fsi. and permits only single detached houses. The resulting density with the additional basement units is 1.5 fsi and the City of Toronto Zoning By-law 438-86 defines the building as proposed as an apartment building.

The in-force Official Plan for the City of Toronto designates this area as Low Density Residence with a maximum density of 1.0 fsi. The Official Plan states that appropriate regard must be had for the impact of buildings upon the stability and general residential amenity and physical character of the area.

The new Official Plan for the City of Toronto designates this site as Neighbourhood. New uses permitted in this designation are to be based on the prevailing uses permitted by the zoning – in this case, single detached houses.

Conclusions:

Notwithstanding the apparent reduction from three additional units to two, the same fundamental planning and policy considerations continue to apply and make the proposal inappropriate for the subject property. The proposal also fails to meet many of the development standards required by the Zoning By-law. The proposal represents an increased intensification of a non-conforming use on an already over-developed site and does not represent good planning. This report recommends refusal of the applications for official plan and zoning amendments.

Contact:

Naomi Faulkner, Senior Planner
Ph: (416) 395-7137
Fax: (416) 395-7155
Email:nfaulkn@toronto.ca

Attachment:

Staff Report (August 20, 2004)

(The attachment is on file in the City Clerk's office.)

ATTACHMENT 2 - Motion J(8)

Report dated January 28, 2005, from the Chief Financial Officer and Treasurer, entitled "Provincial Gas Tax Reserve Fund". (See Minute 1.71, Page 130):

Purpose:

To establish a dedicated Reserve Fund for Provincial Gas Tax Revenues in accordance with Provincial Guidelines for the Ontario Dedicated Gas Tax Funds for Public Transportation Program.

To authorize a technical amendment to the 2004 Operating Budget, and transfer \$20,312,724.00 (the 2004 instalment) from the reserve fund, once established, to fund the Operating Budget.

Financial Implications and Impact Statement:

Under the Province's Guidelines for the Ontario Dedicated Gas Tax Funds for Public Transportation Program, gas tax funds received must be deposited to a dedicated reserve fund. Failure to do so could cause the Province to require the repayment of the funds, or withhold or adjust future funds to be paid to the City.

The City has received \$20.3 million in gas tax funds for 2004 and expects to receive \$92 million in 2005.

Recommendations:

It is recommended that:

- (1) an obligatory reserve fund be established called "Provincial Gas Tax Revenues for Public Transit" in accordance with Appendix 1, the purpose of which is to provide funding for public transportation expenditures eligible under the Provincial Dedicated Gas Tax Funds for Public Transportation Program, and Municipal code {Chapter 227 (Reserves and Reserve Funds)} be amended by adding the "Provincial Gas Tax Revenues for Public Transit" to Schedule '14' – obligatory reserve funds, such funds to be held in trust by the City for the Province pending payment of eligible public transportation expenditures in accordance with the Letter of Agreement;
- (2) approval be given for a technical amendment to the 2004 Operating Budget transferring \$20 million from Non-Program Revenues "Provincial Grants" to the City Budget for TTC identified as a "Contribution from Reserve Fund" and thereby reduce the net operating subsidy from the City of Toronto;

- (3) approval be given for the withdrawal of the entire 2004 instalment received from the Province in the amount of \$20,312,724.00 from City of Toronto Reserve Fund entitled "Provincial Gas Tax Revenues for Public Transit" to fund the 2004 Operating Budget in accordance with the agreement; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

Background:

At its meeting of November 30, December 1 and 2, 2004, Council adopted, without amendment, Policy and Finance Committee Report 9, Clause 5, headed "Toronto Transit Commission Funding Agreements".

The report authorized execution of a standard Letter of Agreement between the City and the Province under the Dedicated Gas Tax Funds for Public Transportation Program. The Agreement requires each benefiting municipality to place all funds received into a dedicated interest earning reserve fund, effectively to be held in trust as a property of the Province until spent.

Comments:

(I) Establishing a Reserve Fund for Gas Tax Revenues

Recommendation (3) of the above-mentioned Council adopted report ("Toronto Transit Commission Funding Agreements") contained wording to establish a dedicated reserve fund for gas tax, however it incorrectly referred to a non-existent schedule, identified as "Schedule B" when the correct reference should have been "Schedule 14". Consequently, no bill was introduced by Council to establish the Reserve Fund.

Approval of Recommendation (1) to this report corrects the error and establishes City general ledger account "Provincial Gas Tax Revenues for Public Transit" as an obligatory Reserve Fund in accordance with the agreement and City of Toronto Municipal code {Chapter 227 (Reserves and Reserve Funds)}.

(II) 2004 Gas Tax Instalment

The 2004 Operating Budget included in Non-Program Revenues an estimate of \$20 million for gas tax revenues identified within as "Provincial Grants". This estimate did not anticipate Provincial guidelines requiring funds to flow through a reserve fund.

Approval of Recommendation (2) to this report provides authority for a technical amendment within the 2004 Operating Budget, transferring the \$20 million budget from the Non-Program Budget identified as “Provincial Grants” to the City budget for TTC as a “Contribution from Reserve Fund” and thereby reduce the net operating subsidy from the City of Toronto.

Approval of Recommendation (3) to this report provides authority to withdraw the full amount of the 2004 gas tax in the amount of \$20,312,724.00, which exceeded the budget estimate by \$312,724.00.

Conclusions:

At its meeting of November 30, December 1 and 2, 2004, City Council adopted the report entitled “Toronto Transit Commission Funding Agreements”. The recommendations to that report authorized execution of the “Letter of Agreement” between the Province and the City under the Province’s Dedicated Gas Tax Funds for Public Transportation Program.

Approval of the recommendations to this report will establish the “Provincial Gas Tax Revenues for Public Transit Reserve Fund” in accordance with the agreement and City of Toronto Municipal code {Chapter 227 (Reserves and Reserve Funds)}, authorize a technical amendment to the 2004 Operating Budget to establish this funding within the City budget for TTC as a “Contribution from Reserve Fund” and authorize the withdrawal of the entire 2004 gas tax instalment from the reserve fund.

Contacts:

Len Brittain, Director
Corporate Finance
Tel: (416) 392-5380

Josie LaVita, Director
Financial Planning
Tel: (416) 397-4229

Appendix 1
Establishing the Provincial Gas Tax Revenues for
Public Transit Reserve Fund

It is recommended that a new Provincial Gas Tax Revenues for Public Transit Reserve Fund be established by Council with the following properties:

- (a) Statement of Purpose – to deposit and expend gas tax revenues to finance eligible expenditures under the Dedicated Gas Tax Funds for Public Transportation Program;
- (b) designation of the service area ‘owner’ or beneficiary program – the beneficial owner of this account is the City of Toronto;
- (c) appropriate level (target) to be maintained in the account – n/a {or zero};
- (d) initial contribution – the initial contribution for 2004 of \$20.3 million has been received from the Province of Ontario;
- (e) contribution policy – funds would be contributed quarterly by the Province of Ontario according to the guidelines and requirements of the Dedicated Gas Tax Funds For Public Transportation Program;
- (f) withdrawal policy - funds would be withdrawn to fund eligible expenditures according to the guidelines and requirements of the Dedicated Gas Tax Funds For Public Transportation Program; and
- (g) Review cycle – n/a.

ATTACHMENT 3 - Motion J(10)

Report dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism, entitled “Queens Quay Harbourfront, Korea Town and Wychwood Heights Business Improvement Areas – 2005 Operating Budgets and Board of Management Nominees (Wards 19 and 20 - Trinity-Spadina, Ward 21 - St. Paul’s and Ward 28 - Toronto Centre-Rosedale)”. (See Minute 1.73, Page 134):

Purpose:

To establish Boards of Management for and appoint directors to the recently-established Queens Quay Harbourfront and Korea Town Business Improvement Areas, and to approve their 2005 Operating Budgets. The report also recommends revisions to the Board of Management for the Wychwood Heights Business Improvement Area to remedy an on-going problem of failing to achieve quorum.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report as Business Improvement Area Operating Budgets are raised by a special levy on members.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with this financial impact statement.

Recommendations:

It is recommended that:

- (1) Council appoint the nominees listed in Attachment No. 1 to this report to the Boards of Management for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) for the remainder of the 2003-2006 term;
- (2) Council amend the City of Toronto Municipal Code, Chapter 19, “Business Improvement Areas,” to add the Board of Management information for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) as set out in Attachment No. 2, and to reduce the number of members on the Wychwood Heights BIA Board of Management from 12 to 9, and reduce quorum from 6 to 5;
- (3) Council approve the expenditure requests and levy requirements of the Queens Quay Harbourfront and Korea Town BIAs as follows:

Business Improvement Area	2005 Expenditure Estimates (\$)	2005 Levy Funds Required (\$)
Queens Quay Harbourfront	\$173,000	\$165,000
Korea Town	\$153,811	\$147,411

- (4) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Section 204 of the *Municipal Act* requires that Council appoint members to the Board of Management of each BIA for a term expiring at the end of the term of Council making the appointments. This Section also requires that Council approve annual BIA Operating Budgets.

Persons qualified to sit on a Board of Management include commercial and industrial property owners, business tenants within the BIA, other persons nominated by an owner or business tenant, or persons appointed directly by the City. Each of the nominees set out in Attachment No. 1 meets the requirements for membership set out in Section 204 of the *Municipal Act*. Chapter 19 of the City's Municipal Code sets out the number of members to sit on each Board and the number of members required for quorum.

Comment:

The Queens Quay Harbourfront and Korea Town BIAs were established by Council at its meeting on November 30, December 1 and December 2, 2004. The Board of Management nominees and 2005 BIA Operating Budgets were approved by the general memberships of each BIA at their first general meetings held on January 18 and 27, 2005, respectively. The Queens Quay Harbourfront BIA membership appointed a Board of 16 members, including both area Councillors, and adopted a quorum figure of seven. The Korea Town BIA membership adopted a Board of 11 members, including both area Councillors, with a quorum figure of five.

The Queens Quay Harbourfront BIA proposes a balanced budget consisting of \$173,000.00 in expenditures and the same amount in revenues. The BIA's 2005 revenue includes a BIA levy of \$165,000.00, and a projected \$8,000.00 grant from the City's Commercial Research Grant Program for the development of a strategic plan for the BIA, towards which the BIA has allocated \$40,000.00. Other budget expenditures include \$60,000.00 towards capital streetscaping projects, to be cost-shared with the City, and \$25,000.00 towards promotion and marketing initiatives.

The Korea Town BIA membership adopted a balanced budget made up of \$153,811.00 in expenditures and matched by an equal amount of revenues. Revenues for 2005 includes the BIA levy of \$147,411.00 with the remaining amount of \$6,400.00 projected to come from sponsorships (\$5,000.00) and deposit interest (\$1,400.00). Budget expenditures include \$70,000.00 for capital streetscaping projects to be cost-shared with the City, \$33,600.00 for festival and promotion

initiatives, \$26,910.00 for administration and \$9,000.00 for maintenance consisting of floral care and snow clearing.

Attachment No. 3 includes a summary of the proposed 2005 budgets for the Queens Quay Harbourfront and Korea Town BIAs.

At their meeting on January 20, 2005, the Board of Management for the Wychwood Heights BIA adopted a motion to remove two resigning members from their existing Board positions and eliminate a currently vacant position, thereby reducing the total number of members on the Board from 12 to 9. The names of the two members resigning from the Board are listed in Attachment No. 4. In addition, the Board revised their quorum figure from 6 to 5.

Conclusions:

In accordance with the *Municipal Act*, Council must establish Boards of Management for each BIA and appoint directors to the Board. The names put forward in this report were duly nominated at the annual general meeting of their respective BIA. Therefore, it is recommended that Council appoint the nominees to the Boards of Management as set out in Attachment No. 1 and amend the City of Toronto Municipal Code, Chapter 19, "Business Improvement Areas," to add the Board of Management information for the Queens Quay Harbourfront and Korea Town BIAs as set out in Attachment No. 2.

The 2005 budgets adopted by the Queens Quay Harbourfront and Korea Town BIAs at their recent annual general meetings have been reviewed by staff. It is recommended that Council approve the expenditure requests and levy requirements of the Queens Quay Harbourfront and Korea Town BIAs.

It is also recommended that Council reduce the number of members on the Wychwood Height BIA Board of Management from 12 to 9, and reduce quorum from 6 to 5.

Contact:

Ms. Karen Thorne-Stone
Executive Director, Economic Development Division
Tel: 416-395-6152
Fax: 416-397-5314
e-mail: kthorne@toronto.ca

List of Attachments:

Attachment No. 1 – BIA Board of Management Nominees
Attachment No. 2 – BIA Board of Management Table (Municipal Code, Chapter 19)

Attachment No. 3 – BIA Budget Summaries

Attachment No. 4 – Board Members to be Removed (Wychwood Heights BIA)

Board of Management Nominees: Queens Quay Harbourfront BIA

Ms. Kimberly Szucs
Tilley Endurables
900 Don Mills Road
Toronto, Ontario
M4E 3H8

Mr. Steven Orrett
Couture Parfums
207 Queens Quay Terminal
Toronto, Ontario
M5J 1A7

Mr. Lawrence Tam
Lawrence Tam.org
208 Queens Quay West, Suite 2407
Toronto, Ontario
M5J 2Y5

Mr. Mano Kahlon
Azua Spas
39 Robson Avenue
Cambridge, Ontario
N1T 1L2

Ms. Roslyn Ralston
Arctic Nunavut – Nunavut Development Corp. Briarlane
207 Queens Quay Terminal, Box 96
Toronto, Ontario
M5J 1A7

Ms. Rosie Middleton
Briarlane Rental Property Mgmt.
50 McIntosh Drive, Suite 239
Markham, Ontario
L3R 9T3

Ms. Brandi McIlvenny
Maple Leaf Quay Project Ltd. Partnership
370 Queens Quay West, Suite 200
Toronto, Ontario
M5V 3J3

Ms. Shey Clark
Great Lakes Schooner Company Ltd.
249 Queens Quay West, Unit 111
Toronto, Ontario
M5J 2N5

Mr. Damian Ivers
Great Lakes Schooner Company Ltd.
249 Queens Quay West, Unit 111
Toronto, Ontario
M5J 2N5

Ms. Ane Christensen
Harbourfront Community Assoc.
28 Stadium Road
Toronto, Ontario
M5V 3P4

Mr. Ken Bowman
The Bank of Nova Scotia
41 Harbour Square
Toronto, Ontario
M5J 2G4

Mr. Helder Melo
Harbourfront Corporation (1990)
235 Queens Quay West
Toronto, Ontario
M5J 2G8

Mr. Matthew Hallett
Chocolates & Creams
207 Queens Quay West, Unit 30
Toronto, Ontario

Mr. Kevin Currie
Wheel Excitement. Inc.
347 Sorauren Avenue, Suite 212
Toronto, Ontario

M5J 1A7

M6R 2G5

BIA Board of Management Nominees: Korea Town BIA

Mr. Gregory Chang
66 Avenue Road
Toronto, Ontario
M5R 3N8

Ms. Yoon Jin Chang
Vivien Lingerie House
681 Bloor Street West
Toronto, Ontario
M6G 1L3

Ms. Mary Mal Hwa Kim
Korean (Toronto) Credit Union
703 Bloor Street West
Toronto, Ontario
M6G 1L5

Mr. Young Kim
Clinton Hotel
38 Craigmont Drive
Toronto, Ontario
M2H 1C5

Mr. Minbok Lee
P. A. T. Central Market
675 Bloor Street West
Toronto, Ontario
M6G 1L3

Mr. Byung Kap Lee
Dae Han Electronics
608 Bloor Street West
Toronto, Ontario
M6G 1K4

Ms. Sun Hee Oh
Sunny Hair Deco
712 Bloor Street West
Toronto, Ontario
M6G 1L4

Mr. Steve Yu
Sebong Trevel
721 Bloor Street West
Toronto, Ontario
M6G 1L5

Mr. Nicholas Ashfield
TorontoHealing Arts Centre
715 Bloor Street West
Toronto, Ontario
M6G 1L5

**Business Improvement Areas
Boards of Management**
Changes to number of Directors and quorum required for by-law are highlighted
(January 28, 2005)

Business Improvement Area	Designating By-law (Former Municipality)	Total Number of Members (Including Councillors)		Number of Councillors		Ward in which Business Improvement Area is Located	Members Required for Quorum	
		From	To	From	To		From	To
Beaches	582-2004		17		1	Ward 32 – Beaches-East York		8
Bloor-Annex (formerly Bloor-Bathurst-Madison)	1995-0688 as amended by 899-2001 (Toronto)		9		1	Ward 20 Trinity-Spadina		5
Bloor By The Park	117-87 (Toronto)		7		1	Ward 14 Parkdale-High Park Ward 13 Parkdale-High Park		4
Bloorcourt Village	495-79 (Toronto)		9		2	Ward 19 Trinity-Spadina Ward 18 Davenport		4
Bloordale Village	150-76 (Toronto)		9		1	Ward 18 Davenport		5
Bloor West Village	30-86 (Toronto)		12		1	Ward 13 Parkdale-High Park		6
Bloor-Yorkville	302-87 (Toronto)		13		1	Ward 27- Toronto Center-Rosedale		6
Church-Wellesley	954-2002		15		1	Ward 27 – Toronto Centre-Rosedale		6
Corso Italia	807-83 (Toronto)		16		1	Ward 17-Davenport		5
The Danforth	611-86 (Toronto)		10		2	Ward 30 Toronto-Danforth Ward 29 Toronto-Danforth		5

Business Improvement Area	Designating By-law (Former Municipality)	Total Number of Members (Including Councillors)		Number of Councillors		Ward in which Business Improvement Area is Located	Members Required for Quorum	
		From	To	From	To		From	To
Dovercourt Village	549-84 (Toronto)		7		2	Ward 19 Trinity – Spadina, Ward 18 Davenport		3
Downtown Yonge	27-2001 (Toronto)		14		2	Ward 27 Toronto Center-Rosedale		7
Eglinton Hill	3652-97 (York)		9		1	Ward 12 York South-Weston		5
Eglinton Way	662-86 (Toronto)		7		2	Ward 16 Eglinton-Lawrence, Ward 22 St. Paul's		4
Emery Village	265-2003		11		1	Ward 7, York West		6
Forest Hill Village	8-79 (Toronto)		9		2	Ward 21 St. Paul's Ward 22 St. Paul's		4
Gerrard India Bazaar	590-81 (Toronto)		16		2	Ward 32 Beaches-East York Ward 30 Toronto-Danforth		7
Greektown on the Danforth	319-86 (Toronto)		12		2	Ward 30 Toronto-Danforth Ward 29 Toronto-Danforth		5
Harbord Street	555-85 (Toronto)		9		1	Ward 20 Trinity-Spadina		4
Hillcrest Village	808-83 (Toronto)		9		1	Ward 17, Davenport Ward 21 St. Paul's		4
Junction Gardens	8-73 (Toronto)		11		2	Ward 13 Parkdale-High Park Ward 14 Parkdale-High Park		5

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Business Improvement Area	Designating By-law (Former Municipality)	Total Number of Members (Including Councillors)		Number of Councillors		Ward in which Business Improvement Area is Located	Members Required for Quorum	
		From	To	From	To		From	To
Kennedy Road	18758 (Scarb.)		14		2	Ward 37, Scarborough Rouge River Ward 40, Scarborough-Agincourt		6
Knob Hill Plaza	46-2003 (Scarborough)		10		1	Ward 35 Scarborough – Southwest		5
Korea Town	1091-2004		11		2	Ward 19 Trinity-Spadina Ward 20 Trinity-Spadina		5
Lakeshore Village	2702 (Etobicoke)		9		1	Ward 6 Etobicoke-Lakeshore		5
Liberty Village	34-2001 (Toronto)		19		1	Ward 14 Parkdale-High Park Ward 19 Trinity-Spadina		10
Little Italy	497-85 (Toronto)		6		1	Ward 19 Trinity Spadina		3
Long Branch	1987-20 (Etobicoke)		7		1	Ward 6 Etobicoke-Lakeshore		4
Mimico by the Lake	1985-286 (Etobicoke)		7		1	Ward 6 Etobicoke-Lakeshore		4
Mimico Village	1997-210 (Etobicoke)		5		1	Ward 6 Etobicoke-Lakeshore		3
Mount Dennis	2012-74 (York)		5		1	Ward 11 York South-Weston		3
Old Cabbagetown	1-82 (Toronto)		13		1	Ward 28 Toronto Centre-Rosedale		6
Pape Village	25-86 as amended by 77-87 (East York)		7		1	Ward 29 Toronto-Danforth		4
Parkdale Village	497-78 (Toronto)		14		1	Ward 14 Parkdale-High Park		7

Business Improvement Area	Designating By-law (Former Municipality)	Total Number of Members (Including Councillors)		Number of Councillors		Ward in which Business Improvement Area is Located	Members Required for Quorum	
		From	To	From	To		From	To
Queens Quay Harbourfront			16		2	Ward 20 – Trinity-Spadina Ward 28 – Toronto Centre-Rosedale		7
Riverside (formerly Queen/Broadview Village)	263-80 (Toronto)		11		1	Ward 30 Broadview-Greenwood		5
Roncesvalles Village	169-90 (Toronto)		13		1	Ward 14 Parkdale-High Park		5
Rosedale-Summerhill	553-2000 (Toronto)		12		1	Ward 22 St. Paul's Ward 27 Toronto Centre-Rosedale		5
St. Clair Avenue West	552-2000 (Toronto)		7		1	Ward 17 Davenport		3
St. Clair Gardens	59-85 (Toronto)		9		1	Ward 17 Davenport		5
St. Lawrence Market Neighbourhood (formerly St. Lawrence Neighbourhood)	1994-0572 (Toronto)		13		1	Ward 28 Toronto Centre-Rosedale		6
The Kingsway	2968 (Etobicoke)		11		1	Ward 5 Etobicoke-Lakeshore		6
Upper Village (Toronto)	810-83 (Toronto)		12		1	Ward 21 St. Paul's		5
Upper Village (York)	3298-96 as amended by 3370-96 (York)		10		1	Ward 21 St. Paul's		4
Village of Islington	1986-130 (Etobicoke)		9		1	Ward 5 Etobicoke-Lakeshore		5

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Business Improvement Area	Designating By-law (Former Municipality)	Total Number of Members (Including Councillors)		Number of Councillors		Ward in which Business Improvement Area is Located	Members Required for Quorum	
		From	To	From	To		From	To
Weston	2245-75 (York)		12		1	Ward 11 York South-Weston		7
Wexford Heights	199-2004		11		1	Ward 37 Scarborough Centre		6
Wychwood Heights (formerly St. Clair-Bathurst)	953-2002 (Toronto)	12	9	1	1	Ward 21 St. Paul's	6	5
Yonge-Lawrence Village	554-2000 (Toronto)		11		2	Ward 16 Eglinton-Lawrence Ward 25 Don Valley West		5
York-Eglinton	3964-81 (York)		16		2	Ward 15 Eglinton-Lawrence Ward 17 Davenport		5

Attachment No. 3

Queens Quay Harbourfront BIA 2005 Budget Summary			
	2004 Approved Budget	2004 Projected Actual	2005 Budget Request (\$)
Revenue:			
- Levy Funds Required (incl. 10% provision)	N/A	N/A	\$165,000
- Other Revenue	N/A	N/A	\$8,000
Total Revenues	N/A	N/A	\$173,000
Expenditures:			
- Administration	N/A	N/A	\$25,000
- Capital	N/A	N/A	\$108,000
- Maintenance	N/A	N/A	
- Promotion & Advertising	N/A	N/A	\$25,000
- 10% Provision for Assessment Appeal Reductions and Write-offs	N/A	N/A	\$15,000
Total Expenditures	N/A	N/A	\$173,000
Surplus/(Deficit)	N/A	N/A	0

Korea Town BIA 2005 Budget Summary			
	2004 Approved Budget	2004 Projected Actual	2005 Budget Request (\$)
Revenue:			
- Levy Funds Required (incl. 10% provision)	N/A	N/A	147,411
- Other Revenue	N/A	N/A	6,400
Total Revenues	N/A	N/A	153,811
Expenditures:			
- Administration	N/A	N/A	26,910
- Capital	N/A	N/A	70,900
- Maintenance	N/A	N/A	9,000
- Promotion & Advertising	N/A	N/A	33,600
- 10% Provision for Assessment Appeal Reductions and Write-offs	N/A	N/A	13,401
Total Expenditures	N/A	N/A	153,811
Surplus/(Deficit)	N/A	N/A	0

Attachment No. 4

Wychwood Heights BIA – Resigning Board Members

Ms. Deby Goldsmith

Mr. Phil Goldsmith

Folly
649 St. Clair Avenue West

Folly
649 St. Clair Avenue West

ATTACHMENT 4 - Motion J(12)

Report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services, entitled "13 Brentwood Avenue - Force Main Sanitary Sewer Connection (Ward 23 - Willowdale)" (See Minute 1.75, Page 137)

Purpose:

The purpose of this report is to seek authority for the City of Toronto to enter into an installation and maintenance agreement with the property owner of 13 Brentwood Avenue to allow the owner to install and provide long-term maintenance of a force main sanitary sewer connection.

Financial Implications and Impact Statement:

All expenditures to cover the cost of installation and maintenance of the force main sanitary sewer connection will be the responsibility of the property owner. There are no financial impacts on the operating or capital budget.

Recommendations:

It is recommended that:

- (1) the Acting Commissioner of Works and Emergency Services be authorized to enter into an installation and maintenance agreement with the owner of 13 Brentwood Avenue to permit the installation and maintenance of a sanitary force main connection to the municipal sanitary sewer at the property owner's expense on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor; and
- (2) staff be authorized to take whatever action is necessary to give effect thereto.

Background:

On January 9, 2002, the owner, through Land Division Application B03/01U, created the property at 13 Brentwood Avenue from a severance of a property originally known as 15 Brentwood Avenue. The Works Department, Technical Services Division, Development Services, provided comments to the Committee of Adjustment, indicating that sanitary and water services were available to the property. Staff, at the time, did identify, however, that a force main (sump pump) connection may be required in servicing the subject lands, subject to approval of the City's Water and Wastewater Division, since the property in question is lower than the road elevation. Works imposed no other comments, conditions or requirements for installation and maintenance agreements at that time.

The property owner Mr. Sam Zarlenga has indicated that he purchased the property with the understanding and belief that a sump pump force main sanitary connection would most likely be required to provide sanitary sewer service. Building permits were issued in July 2004 and the property owner subsequently applied for water and sewer servicing in September 2004.

Mr. Zarlenga has indicated, in writing, that he will agree to all requests made by the City of Toronto. Mr Zarlenga has offered to pay for all connection costs, including costs on City property, and be responsible for any future maintenance costs of the entire sanitary force main connection from the property to the existing City sewer located at the intersection of Brentwood and Roycrest Avenues.

There is urgency to this matter because the construction of the house on the property is at a stage where water and sewer service connections are required.

Comments:

Toronto Water staff have investigated the sewer connection application for 13 Brentwood Avenue, and confirm that the basement elevation of the dwelling at this property is at a lower elevation than the nearest City sewer.

In view of the above, staff have no objections to entering into the installation and maintenance agreement with the property owner to permit the force main sanitary sewer connection. The agreement will provide for the obligation of the property owner to pay for all connection costs, including costs on City property, for any future inspection and maintenance costs, any road reinstatement expenses and to provide an indemnity to the City, any requisite insurance and letter of credit.

Conclusions:

Toronto Water staff have concluded that, for 13 Brentwood Avenue, a gravity sewer connection is not possible. A force main is the only alternative for a sanitary connection. Also, an Installation and Maintenance Agreement between the City of Toronto and the owner of 13 Brentwood Avenue is necessary, because this force main will extend across both private and City property in order to connect to City sewers. Toronto Water staff will work with the City Solicitor in drafting the terms and conditions of the subject agreement.

Contact:

Mario Crognale, P.Eng.
Director, District Operations
Toronto Water
416-395-6219

ATTACHMENT 5 - Motion J(22)

Report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services, entitled "Provision of Capital Revolving Fund loan to The MUC Shelter Corporation for the Development of 52 units of Transitional Housing at 101 Ontario Street (Ward 28)". (See Minute 1.85, Page 153)

Purpose:

To seek authority to provide a loan from the Capital Revolving Fund to the MUC Shelter Corporation for the development of 52 units of transitional housing at 101 Ontario Street.

Financial Implications and Impact Statement:

Approval of the recommendations in this report will authorize the provision of a loan of \$482,000.00 to The MUC Shelter Corporation, operating as Sojourn House, to assist in the implementation of the development of 52 units of transitional housing at 101 Ontario Street from the City's Capital Revolving Fund (CRF).

Sojourn House was approved for \$1,000,000.00 of SCPI transitional housing funding and \$2,000,000.00 of SCPI shelter funding pursuant to authority contained in Community Services Committee Report 10, Clause 10, adopted by Council on November 26, 27, and 28, 2002, under the first SCPI program. As they were unable to expend all of the funds by March 31, 2004, due to legal delays, Council approved \$900,000.00 of the \$3,000,000.00 to be expended under the second phase of SCPI as part of the Community Plan adopted by Council on September 22, 23, 24 and 25, 2003, pursuant to Community Services Committee Report 7, Clause 19. \$500,000.00 in SCPI transitional housing contingency funds were approved in January 2005 by the Commissioner of Community and Neighbourhood Services, in keeping with authority granted to him by Council by its adoption of Policy and Finance Committee Report 6, Clause 15, at its meeting on July 20, 21 and 22, 2004. In total, the City's contribution to this project is \$3,500,000.00 in SCPI funding and \$482,000.00 in loan funds (including the proposed loan requested in this report).

The funds are available from the Capital Revolving Fund to cover the loan of \$482,000.00 to Sojourn House. This \$482,000.00 loan will be made in the form of a second mortgage to be repaid over 25 years with the interest rate of the loan being prime less one percent as detailed in Appendix A.

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

For the purposes of securing 52 units of transitional housing at 101 Ontario Street (Ward 28):

- (1) Council approve a loan of up to \$482,000.00 from the Capital Revolving Fund to The MUC Shelter Corporation, operating as Sojourn House, or another entity associated and controlled by The MUC Shelter Corporation and acceptable to the Commissioner of Community and Neighbourhood Services for the transitional housing at this site;
- (2) the City enter into an agreement to amend the Supporting Communities Partnership Initiative Agreement between the City and The MUC Shelter Corporation to implement Recommendation (1), which agreement shall include the terms and conditions summarized in Appendix A and any other terms and conditions deemed appropriate by the Commissioner of Community and Neighbourhood Services;
- (3) authority be granted for the Commissioner of Community and Neighbourhood Services to execute the amending agreement as noted in Recommendation (2), on behalf of the City;
- (4) the 2005 EMT recommended Operating Budget for Shelter Housing and Support be increased by \$482,000.00 gross and 0 net; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.

Background:

Sojourn House was approved for \$1,000,000.00 of SCPI funds to construct 52 transitional housing units and \$2,000,000.00 to construct 50 shelter beds for refugees in November 2002 for a project at 101 Ontario St. Sojourn House has been operating a 50-bed shelter for refugees for fourteen years with City funding. It was given notice to move by the church it rents from in 2001, pending its readiness to start redevelopment of its site.

The Board of Sojourn House decided to build a new shelter and to add transitional housing to it for people leaving the shelter that need supports to deal with post traumatic stress and to develop appropriate job and language skills to be able to live independently. The project was expected to start construction in the summer of 2003 as it was as-of-right, complying with all Zoning requirements. The project, however, has been delayed since February 2003 when it was appealed to the Ontario Municipal Board as part of the appeal of the City's Municipal Shelter By-law.

In August 2003, the City issued a building permit, as the project conformed to both the existing Zoning and the new Municipal Shelter By-law, as it was stated as an exemption in the by-law. However, a neighbour to the site appealed the City's decision to issue a permit to Divisional Court. The City won the case but the neighbour appealed the decision. Again the City won and again the neighbour appealed the court's decision. It was not until August 2004, when the second appeal was

dropped due to lack of submission by the neighbour, that Sojourn has been able to proceed with the project.

Comments:

The response to the construction tender issued in October 2004 resulted in a low bid of \$7,669,300.00, \$1.7 million more than was projected two years earlier. The delay also resulted in other cost increases, especially in the area of legal costs. \$500,000.00 was approved in SCPI transitional housing contingency funds, in January 2005, by the Commissioner of Community and Neighbourhood Services towards the unavoidable cost increases. Sojourn also completed refinancing negotiations in January with its mortgage lender and Canada Mortgage and Housing Corporation, the loan insurer, to increase its first mortgage to cover increased costs. The refinancing has resulted in a shortfall of \$482,000.00 necessary to meet all capital costs, in order proceed with the project. Sojourn House is seeking this amount as a second mortgage loan from the CRF.

The total project costs for both the transitional and shelter components are \$12,392,350.00. SCPI will be providing \$3,500,000.00, while Sojourn will be providing \$8,892,350.00, through \$150,000.00 fundraising, \$7,626,325.00 first mortgage, \$634,025.00 in tax rebates and the requested loan from the CRF of \$482,000.00.

Conclusions:

Adoption of the recommendations set out in the report will ensure The MUC Shelter Corporation is able to proceed to construction and project completion of 52 units of transitional housing and 50 shelter beds for refugees, through the lending of \$482,000.00 in funds from the City's Capital Revolving Fund. The project has been in the development stage since 2002 but has been delayed by court challenges which have resulted in increased costs and the need for additional financing beyond a first mortgage.

Contacts:

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Let's Build, SHS
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List of Attachments: Appendix A – Loan Terms and Conditions

Appendix A
Loan Terms and Conditions

101 Ontario Street – The MUC Shelter Corporation, operating as Sojourn House (Ward 28):

Project: 52 units of transitional housing and 50 shelter beds to be constructed at 101 Ontario Street.

Loan: Capital Revolving Fund loan of \$482,000.00 at an interest rate of prime less one percent with an amortization period of 25 years and a 5-year term.

Security: Proponent to provide a mortgage on the project to secure the Capital Revolving Fund loan and the SCPI funding for a 25 year period.

ATTACHMENT 6 - Motion J(26)

Report dated February 1, 2005, from the Commissioner of Corporate Services, entitled "Section 37 Agreement - Block bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue (Ward 23 - Willowdale - Development Site) (Wards 23 and 24 - Willowdale - Proposed General Official Plan Amendment)" (See Minute 1.89, Page 160)

Purpose:

This report is submitted for the information of Council respecting a monetary contribution toward the cost of land acquisition for the North York Centre Service Road and/or toward the cost of constructing and furnishing a Public Recreation Centre serving the North York Centre, for the density incentive of 14,412 square metre (155,134 square foot) related to this development.

Financial Implications and Impact Statement:

There are no financial implications resulting from a receipt of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting of November 30, December 1 and 2, 2004, City Council adopted North York Community Council Report 9, Clause 34, as amended, which reviewed and recommended approval of an application to amend the Official Plan and the Zoning By-law for two residential buildings (31 storeys and 26 storeys) at Finch Avenue West and Duplex Avenue, with commercial uses along the Finch Avenue West frontage, and recommended approval of a general amendment to the Official Plan with respect to funding mechanisms for density incentives in the North York Centre Secondary Plan area.

City Council amended this Clause by amending staff recommendations to:

- (1) amend the North York Service Plan substantially in accordance with the draft Official Plan Amendment and enact the necessary Bill;
- (2) remove 35 Hendon Avenue from the site-specific Official Plan Amendment and Zoning By-Law;
- (3) revise the bicycle storage space requirements; and

- (4) require payment of the monies toward the cost of land acquisition for the North York Centre Service Road and/or toward the cost of constructing and furnishing a Public Recreation Centre serving North York Centre prior to the introduction of necessary site specific Bills to City Council.

Comments:

The project revisions directed by City Council result in a total density incentive of 14,402 square metres (155,134 square feet). Urban Development Services requested the Real Estate Division to provide an estimate of an appropriate monetary amount for the proposed 14,402 square metre (155,134 square foot) density incentive. In this case, a rate of \$322.92 per square metre (\$30.00 per square foot) of gross floor area obtained is considered to be fair and reasonable and reflective of market value and results in a contribution of \$4,654,020.00 toward the cost of land acquisition for the North York Centre Service Road and/or toward the cost of constructing and furnishing a Public Recreation Centre serving North York Centre.

It is proposed that a joint report from the Commissioner of Corporate Services and Urban Development Services be submitted to a future meeting of the Administration Committee and the Planning and Transportation Committee for the purpose of establishing a protocol to deal with future density incentives, in accordance with the provisions of the general Official Plan Amendment discussed in this report. The protocol to include Urban Development Services identifying the property to benefit from the density incentive, Facilities and Real Estate being requested to provide an estimate of the appropriate monetary amount for the density incentive, Urban Development Services and Facilities and Real Estate to negotiate with the developer and Urban Development Services reporting to Community Council on the Planning components of the initiative and Facilities and Real Estate reporting to Administration Committee on an appropriate monetary amount for the density incentive.

Conclusion:

This report should be received for information of Council.

Contact:

Name: Sheryl A. Badin
Position: Acting Manager, Acquisitions and Expropriations
Telephone: (416) 392-8142
Fax: (416) 392-1880
E-Mail: sbadin@toronto.ca
Report No.: cc05-30

(The location map attached to the above report is on file in the City Clerk's Office.)

**Fiscal Impact Statement Summary
Notices of Motion
Council Meeting – February 1, 2005
Submitted by the Chief Financial Officer and Treasurer**

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(1)	Regulation of Communication Towers	\$0	\$0	Consider.
J(2)	Consolidating the Naming of the Community Council boundaries with the Service Districts of the City of Toronto	\$0	\$0	Consider.
J(3)	Request to Renew the Façade Program for the York Eglinton Business Improvement Area	\$0	\$55,000	See FIS. Refer to Standing Committee.
J(4)	Ontario Municipal Board Hearing – 133 Wynford Drive	\$0	\$0	Consider.
J(5)	Funds for Improvements to Design and Construction of Town Hall Square – Yorkville Avenue at Yonge Street	\$0	\$0	See FIS. Consider.
J(6)	Ontario Municipal Board Appeals – 16-18 Golfdale Road	\$0	\$0	See Report Attached to Motion.
J(7)	Legislation to Prohibit the Sale of Knives to Minors	\$0	\$0	Consider.
J(8)	Provincial Gas Tax Reserve Fund	\$0	\$0	See Report Attached to Motion.
J(9)	245 Queens Quay West – Opposition to Application for a Liquor Licence	\$0	\$0	Consider.
J(10)	Approval of BIA Operating Budgets and Appointments/ Deletions to BIA Boards of Management (Queens Quay Harbourfront, Korea Town and Wychwood Heights BIAs)	\$0	\$0	See Report Attached to Motion.

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Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(11)	Ontario Municipal Board Hearing – 679 Gladstone Avenue (Ward 18, Davenport)	\$0	\$0	See Report Attached to Motion.
J(12)	Force Main Sanitary Sewer Connection - 13 Brentwood Avenue (Ward 23 – Willowdale)	\$0	\$0	See Report Attached to Motion.
J(13)	Receiving Canada Mortgage and Housing Corporation Funding for Rainwater Harvesting Workshop	\$0	\$0	See FIS. Consider.
J(14)	Rescind “No Stopping” Prohibition - Gary Drive	\$0	\$0	Consider.
J(15)	Municipal Housing Project Facility Agreement with NUC-TUCT Non-Profit Homes Corporation – 45 Cummer Avenue (Ward 24-Willowdale)	\$0	\$0	Consider.
J(16)	Peacekeepers’ Day	\$30,000	\$0	See FIS. Consider.
J(17)	Committee of Adjustment Decision Regarding 513 Brunswick Avenue	\$0	\$0	See Report Attached to Motion.
J(18)	Ontario Municipal Board Hearing – 295 Lee Avenue	\$0	\$0	See Report Attached to Motion.
J(19)	Event of Municipal Significance for Liquor Licensing Purposes - Toronto Fashion Week	\$0	\$0	See Report Attached to Motion.
J(20)	Opposition to Application for Liquor Licence – Dilan Coffee – 2915 Dufferin Street	\$0	\$0	Consider.
J(21)	Support for Louise Russo 5K Walk, Roll or Run	TBD	\$0	See FIS. Consider.

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(22)	Request for Authority to Approve a Loan from the City's Capital Revolving Fund (CRF) to The MUC Shelter Corporation for its Housing Development at 101 Ontario Street (Ward 28 - Toronto Centre-Rosedale)	\$0	\$0	See Report Attached to Motion.
J(23)	261 Jarvis Street – RFP for Development and Use of Recreational Property	\$0	\$0	Consider.
J(24)	Request of the Ontario Ministers of Public Infrastructure Renewal and Education and the Toronto School Boards to Ensure that Appropriate School Capacity is Provided in Support of Planned Urban Intensification	\$0	\$0	Consider.
J(25)	Ontario Municipal Board Appeal Settlement – 4 Garrow Avenue	\$0	\$0	Consider.
J(26)	Section 37 Agreement – Block Bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue	\$0	\$0	See Report Attached to Motion.
J(27)	Support for International Car Free Day	\$0	\$0	Consider.
J(28)	Instructions to Execute a Section 37 Agreement, Prepare By-laws and take the Necessary Action to Implement the Decision of the Ontario Municipal Board re 150 Roehampton Avenue	\$0	\$0	Consider.
J(29)	340 Front Street West – Instructions Respecting a Proposed Revised Settlement			<i>Confidential. See FIS.</i>

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
J(30)	Ratification of Legal Action Against James Wilson, Wilson Transportation and Leasing Group (Canada) Inc., and Wilson Logistics Inc.			<i>Confidential. See FIS.</i>
J(31)	Litigation Commenced by Harbour Remediation & Transfer Inc. ("HR&T"), Costa Trucking and Contracting Ltd. ("Costa Trucking") and Related Claim of Mr. Fred Dominelli and 939923 Ontario Limited ("939923")			<i>Confidential. See FIS.</i>
J(32)	Amendments to the <i>Employment Standards Act, 2000</i> (Bill 63)			<i>Confidential. See FIS.</i>
J(33)	650-672 Sheppard Avenue East – Ontario Municipal Board Decision No. 0150 – Ward 24 (Willowdale)			<i>Confidential. See FIS.</i>
J(34)	Liquid Chlorine Contracts – <i>Competition Act</i> Charges – Possible Civil Action			<i>Confidential. See FIS.</i>
J(35)	Waiving of fees for Community Festivals on St. Clair Avenue West	TBD	TBD	See FIS. Consider.
J(36)	Children's Mental Health Ontario	\$0	\$0	Consider.

FISCAL IMPACT STATEMENT 1 [Notice of Motion J(3)]
(See Minute 1.66, Page 122, and Minute 1.105, Page 183)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input checked="" type="checkbox"/> Current year impacts: \$55,000 _____ (net)
<input type="checkbox"/> Future year impacts: \$ TBD _____ (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(3) – Contrary to Policy on Façade program, refer to The Commissioner of Economic Development, Culture and Tourism for a report to Standing Committee on the policy and financing implications.

- Consider
- Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

FISCAL IMPACT STATEMENT 2 [Notice of Motion J(5)]
(See Minute 1.68, Page 125)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input checked="" type="checkbox"/> Current year impacts: \$ <u>0</u> _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input checked="" type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Budget adjustments: \$ <u>200,000 (gross), \$0 (net)</u>
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(5) – Capital Budget to be adjusted by \$200,000 gross and \$0 net, subject to confirmation of available funds.

- Consider
- Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

**FISCAL IMPACT STATEMENT 3 [Notice of Motion J(13)]
(See Minute 1.76, Page 139)**

Financial Implications:

Operating

Current year impacts: \$ 0 _____ Future year impacts: \$0 _____ (net)

Following year
 Future years

Funding sources (specify):

<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input checked="" type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$0 _____ (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(13) – The 2005 Toronto for Water Budget makes provision for \$20,000 for expenditure and recovery. No budget adjustment required.

- Consider
- Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

FISCAL IMPACT STATEMENT 4 [Notice of Motion J(16)]
(See Minute 1.79, Page 144)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>30,000</u> (net)	<input checked="" type="checkbox"/> Future year impacts: \$ <u>30,000</u> (net)
	<input type="checkbox"/> Following year
	<input checked="" type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(16) – No funding allocated for this purpose. Culture staff advised that fundraising may be a potential source.

Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

FISCAL IMPACT STATEMENT 5 [Notice of Motion J(21)]
(See Minute 1.84, Page 151)

Financial Implications:

<input type="checkbox"/> Operating
<input type="checkbox"/> Current year impacts: \$ <u>TBD</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (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(21) – The Chief Financial Officer and Treasurer, in consultation should report to the Budget Advisory Committee and Policy and Finance Committee on any financial implications associated with this Notice of Motion.

- Consider
- Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

FISCAL IMPACT STATEMENT 6 [Notice of Motion J(22)]
(See Minute 1.85, Page 153)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ <u>0</u> (net)
	<input type="checkbox"/> Following year –To be determined
	<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding -Feds
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input checked="" type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Budget adjustments: \$ <u>482,000</u> (gross), \$0 (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ <u>0</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

Notice of Motion – J(22) – Increase in 2005 Gross Operating Budget of \$482,000 funded from Capital Revolving Fund. (see report entitled “Provision of Capital Revolving Fund loan to the MUC Shelter Corporation for the Development of 52 units of Transitional Housing at 101 Ontario Street)

Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

Date: February 2, 2005

Date: February 2, 2005