

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Report No. 11 of The Administration Committee,  
Report No. 12 of The Administration Committee,  
Report No. 7 of The Community Services Committee,  
Report No. 8 of The Community Services Committee,  
Report No. 7 of The Economic Development and Parks Committee,  
Report No. 7 of The Planning and Transportation Committee,  
Report No. 8 of The Planning and Transportation Committee,  
Report No. 10 of The Policy and Finance Committee,  
Report No. 11 of The Policy and Finance Committee,  
Report No. 11 of The Works Committee,  
Report No. 12 of The Works Committee,  
Report No. 6 of The Etobicoke Community Council,  
Report No. 7 of The Etobicoke Community Council,  
Report No. 6 of The Toronto East York Community Council,  
Report No. 8 of The Scarborough Community Council,  
Report No. 6 of The Midtown Community Council,  
Report No. 6 of The North York Community Council,  
Report No. 7 of The Humber York Community Council,  
Report No. 7 of The Audit Committee,  
Report No. 5 of The Board of Health, and  
Report No. 4 of The Nominating Committee,

and Notices of Motions, Enquiries and Answers, and an additional matter, as adopted by the Council of the City of Toronto at its regular meeting held on July 24, 25 and 26, 2001.

### **REPORT NO. 11 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1 - "Policy for the Selection and Hiring of Professional and Consulting Services; Use of Consultants and Expenditure Reduction Strategies; and Hiring of Professional and Consulting Services Review".**

The Clause, together with the communication dated July 20, 2001, from the President, Canadian Union of Public Employees, Local 79, and the report dated July 24, 2001, from the Acting Chief Administrative Officer, was struck out and referred back to the Administration Committee for further consideration at a Special meeting to be held in October 2001, at the Call of the Chair.

Council also took the following action:

- (1) adopted the report dated July 21, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, embodying the following recommendation:

“It is recommended that contracted services for Synerware EDP Services Incorporated, Remarkable Software Incorporated and Beacon Software Revenue Systems LLC be extended to December 31, 2001, in the amounts of \$100,000.00, \$220,000.00 and \$60,000.00, respectively, on the provision that these services are to be terminated following the finalization of a new contract or the transfer of responsibility to internal staff. Any new contract(s) will be the result of a Request for Proposal.”; and

- (2) referred the following motion to the Administration Committee for further consideration at its Special meeting:

Moved by Councillor Nunziata:

“It is recommended that, for all consulting contracts in excess of \$50 million, the Acting Chief Financial Officer be requested to submit a report to the appropriate Standing Committee on the total funds expended in relation to such contracts, such report to include a comparison of the funds specifically budgeted for each contract and the final cost of each to the City of Toronto.”

**Clause No. 7 - “Leasing Services for Photocopiers for a Three (3) Year Period - Quotation Request No. 3406-01-313 and Photocopier Lease - Implicit Interest Rate”.**

The Clause was struck out and referred to the Acting Chief Financial Officer and the Commissioner of Corporate Services for further consideration and joint report thereon to the Administration Committee.

**Clause No. 8 - “City of Toronto Advertising Policy”.**

The Clause was amended by:

- (1) striking out Recommendation No. (3) of the Administration Committee and inserting in lieu thereof the following:

“(3) that the Commissioner of Corporate Services be requested to:

- (a) ensure that community media (both geographic and cultural) have an equal opportunity to place City advertising; and
- (b) consider how to fairly allocate such placements.”; and

- (2) adding thereto the following:

“It is further recommended that as a general practice, where a matter being advertised is geographically specific, it identify the locally-elected municipal representative, or the representatives, if located on the boundary between two Wards, at the discretion of the respective Councillors, where not specifically excluded by statute.”

**Clause No. 9 - “Relocation of the City Publications and Resource Centre in City Hall”.**

The Clause was amended by:

- (1) adding to Recommendation No. (1) embodied in the report dated June 19, 2001, from the Commissioner of Corporate Services, as embodied in the Clause, the words “or the vacant building on Nathan Phillips Square, adjacent to the skate rental area, formerly used as a snack bar”, so that such recommendation shall now read as follows:

“(1) Council give approval in principle to have the store re-located to the area immediately west of the main doors of City Hall that is currently occupied by Security staff; (Security staff would be re-located to the area currently occupied by the store.), or the vacant building on Nathan Phillips Square, adjacent to the skate rental area, formerly used as a snack bar;”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Corporate Services be requested to submit a report to the Administration Committee, for its meeting scheduled to be held on September 6, 2001, on the feasibility of both options; and
- (b) the report requested in Recommendation No. (3)(ii) also be submitted to the Administration Committee for its meeting scheduled to be held on September 6, 2001.”

**Clause No. 10 - “Purchase of 75 Lee Avenue (Ward 32 – Beaches-East York)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Toronto Parking Authority be requested to defer conversion of the property to off-street parking, until the pay-and-display machines have been installed on the surrounding streets.”

**Clause No. 21 - “Information on 1000 Finch Avenue West (Ward 8 - York West)”.**

Council adopted the following recommendations:

“It is recommended that:

- (a) the recommendation of the Administration Committee embodied in the communication dated July 17, 2001, from the Acting City Clerk, be adopted, viz.:

‘The Administration Committee recommends the adoption of the report (July 13, 2001) from the Commissioner of Corporate Services respecting the sale of 1000 Finch Avenue West and 4580 Dufferin Street, embodying the following recommendations:

“It is recommended that:

- (1) the Offer to Purchase from Amexon Real Estate Investment Syndicate Inc., to purchase the City-owned property identified as 1000 Finch Avenue West and 4580 Dufferin Street, in the amount of \$8,550,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
  - (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of Account Number NP2763;
  - (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable; and
  - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.” ’; and
- (b) the Acting Chief Financial Officer be required to submit a report to the Policy and Finance Committee, if at any time, the new owner defaults on payment of property taxes.”

**Clause No. 24 - “Compliance Audit Requests Under the Municipal Elections Act, 1996”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (a) the recommendations of the Administration Committee embodied in the communication dated July 17, 2001, from the Acting City Clerk, be adopted, viz.:  
‘The Administration Committee recommends:
- (1) the adoption of Recommendation No. (1)(b) embodied in the report (July 16, 2001) from the Acting City Clerk, viz.:  
“(1)(b) reject the application for a Compliance Audit of the election campaign finances of Councillor Peter Li Preti;”;  
and
  - (2) that the Province of Ontario be requested to establish an arms-length municipal board to review municipal election returns, finances and similar matters in this regard.’;
- (b) the Administration Committee be requested to consider the development of amendments to Elections legislation to address shortcomings that have been identified in the City Council debate concerning the Compliance Audits; and
- (c) the Acting City Clerk be requested to submit a report to next regular meeting of the Administration Committee scheduled to be held on September 6, 2001, on issues concerning the viability of establishing an arms-length municipal board and other options to review municipal election returns, compliance with City Council’s election campaign policies, finances and similar matters, including, but not limited to, the powers of investigation, evaluation and the issuing of orders.”

**REPORT NO. 7 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 1 - “Provincial Legislation for ‘Rent Roll Back’ ”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Province of Ontario be requested to:
  - (a) review the Tenant Protection Act and to roll back rents, in accordance with the Clause, or freeze rents until the review is completed; and
  - (b) consider legislating mandatory reserve funds for building repairs for the owners of apartment buildings;
- (2) the Community Services Committee be requested to develop a proposal for rent control mechanisms for the City of Toronto to implement;
- (3) the City Solicitor be requested to resubmit, to the Community Services Committee, the report on the enforcement of property maintenance standards on landlords;

- (4) a special evening session of the Committee of the Whole of City Council be held in the Fall of 2001, to hear from the public respecting the rental crisis in the City of Toronto; and
- (5) the following motion, together with the Federation of Canadian Municipalities' National Housing Policy Options and Proposals, be referred to the Tenant Defence Sub-Committee for review with City staff and the development of a plan for advocacy and an appropriate strategy:

Moved by Councillor Mammoliti:

“It is further recommended that the Province of Ontario be requested to consider establishing a shelter subsidy, such subsidy to be based on income.”

**Clause No. 2 - “Survey of Toronto Shelters”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**REPORT NO. 8 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 1 - “Request for Proposal for the Manufacture, Supply and Maintenance of Firefighter Protective Clothing (Bunker Suits)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Policy and Finance Committee be directed to review the method for determining Canadian content and make recommendations to Council for improvements in that process; and
- (2) the Director of Purchasing and Materials Management be requested to submit a report to the Policy and Finance Committee on:
  - (a) how an article manufactured in the United States can be deemed to have in excess of 80 percent Canadian content; and
  - (b) a comparison of lease versus purchase over four years and five years, using the lease prices as per the current recommended bid and lowest cost of bunker suits currently being purchased.”

**Clause No. 5 - “Impact on the City of the ‘Ontario Early Years Plan’ ”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 12 - “Supporting Communities Partnership Initiative - Allocations for Transitional Housing”.**

The Clause was adopted, subject to amending the report dated June 21, 2001, from the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, by:

(a) adding to Appendix 1 to such report an additional project for the Woodgreen Community Centre, at 243 Cosburn Avenue, in Ward 29, Toronto-Danforth, and appending the project summary to the Clause;

(b) amending Recommendation No. (1) of such report to now read as follows:

“(1) Council approve the SCPI funding for transitional housing projects in the amount of \$9,865,157.00 to 12 organizations, identified in Appendix 1;”;

(c) amending Recommendation No. (3) of such report to now read as follows:

“(3) a SCPI Contingency Fund be established in the amount of \$1,479,774.00;” and

(d) amending the body of the report, under the heading “Purpose”, to read as follows:

“Purpose:

This report recommends funding of \$9,865,157.00 plus a 15 percent contingency of \$1,479,774.00 for a total of \$11,344,931.00 from the Transitional Housing funding envelope from federal funding provided through the Supporting Communities Partnership Initiative (SCPI). A total of 12 non-profit organizations proposing 12 projects are recommended for funding.”

**Clause No. 15 - “Initiatives Underway to Increase Hostel Capacity”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report requested from the Acting Commissioner of Community and Neighbourhood Services identify and highlight bottlenecks to increasing the hostel capacity and the resources necessary to work through the bottlenecks.”

**Clause No. 18 - “Request for Grant from the Tenant Defence Fund - Brentwood Towers Tenants’ Association”.**

Council adopted the following recommendation:

“It is recommended that the recommendations of the Tenant Defence Sub-Committee embodied in the communication dated July 19, 2001, from the Acting City Clerk, be adopted, viz.:

'The Tenant Defence Sub-Committee recommends the adoption of the recommendations embodied in the report (July 10, 2001) from the Acting Commissioner of Community and Neighbourhood Services, subject to inserting at the beginning of Recommendation No. (3) the words "in addition to the \$30,000.00 already committed," so that such recommendations now read as follows:

- “(1) that all requests for additional grants assisting tenants in appeals or judicial reviews of above-guideline rent increase orders and disputes against landlords’ appeals of demolitions or condominium conversions to the Ontario Municipal Board be first subject to staff administrative review and discussion at the Tenant Defence Sub-Committee prior to being forwarded to the Community Services Committee and Council;
- (2) that grant applications related to tenant disputes against AGI applications before the Ontario Rental Housing Tribunal remain a priority for the Tenant Support Grants Program;
- (3) that, in addition to the \$30,000.00 already committed, a maximum limit of \$60,000.00 be reserved for grant applications related to AGI applications;
- (4) that the status of grants and applications be reviewed on a quarterly basis to ensure complete take-up of the grants by the end of the year;
- (5) that the Brentwood tenants be advised that they immediately forward a grant application to staff for review and that staff make recommendations to the Tenant Defence Sub-Committee on the disposition of the application; and
- (6) that the appropriate City officials be authorized to take the necessary actions to give effect thereto.” ’ ’ ”

**REPORT NO. 7 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 1 - “South Etobicoke Employer Cluster Capacity Study (Ward 6 Etobicoke-Lakeshore)”.**

The Clause was struck out and referred to the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism for a joint report thereon, and on the New Toronto Secondary plan; and the Chairs of the Planning and Transportation Committee and the Economic Development and Parks Committee and the Ward Councillor were requested to consult on a joint meeting of the two Standing Committees to consider the further joint report.



**Clause No. 4 - “Naming of the Pierre Elliott Trudeau Pedestrian Bridge and Establishment of a Process to Approve Official Gifts”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 5 - “2001 Recreation Grants Program Appeals Report (All Wards)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report dated July 18, 2001, from the Commissioner of Economic Development, Culture and Tourism, be adopted, subject to inserting in Recommendation No. (1), after the word ‘consider’, the words ‘as the first priority’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) the Corporate Grants Review Team consider as the first priority the Toronto Kiwanis Boys and Girls Clubs for potential funding from unused grant funds returned by agencies over the year 2001 and report thereon to the appropriate Standing Committee;
- (2) staff from the Community and Neighbourhood Services Department, as well as the Economic Development, Culture and Tourism Department continue to work with the Toronto Kiwanis Boys and Girls Clubs to co-ordinate agency and City programs in the Regent Park Community; and
- (3) the appropriate City officials be authorized and directed to take necessary action to give effect thereto.’ ”

**Clause No. 9 - “City-Wide Public Art Advisory Committee - Terms of Reference (All Wards)”.**

The Clause was amended:

- (1) to provide that:
  - (a) the “Public Art Advisory Committee” be renamed the “Art Committee for Public Places”; and
  - (b) the membership of the Public Art Advisory Committee be expanded to include two additional Members of Council; and
- (2) by adding the following to the mandate of the Public Art Advisory Committee (*now the Art Committee for Public Places*):
  - “(e) to assist in the development of a donations and acquisition policy;
  - (f) to solicit input from the Arts community with regard to the establishment of Arts policies for the City of Toronto; and

(g) to encourage the development of the Arts in the City of Toronto.”

**Clause No. 12 - “Results of the Requests for Proposals (RFP) No. 9155-00-7365 for the John Street Roundhouse (Ward 20 Trinity-Spadina)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that that report dated July 18, 2001, from the Commissioner of Corporate Services, embodying the following recommendations, be adopted, viz.:

‘It is recommended that:

- (1) subject to legal encumbrances, the John Street Roundhouse site, located at 222 Bremner Boulevard, be declared surplus to the City’s requirements, and the intended manner of sale be by way of lease to O&Y Properties Inc. and its partners, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code, be taken; and
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

**Clause No. 17 - “Council Appointment to Toronto Track and Field Centre Advisory Council (Ward 8 York West)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 21 - “Other Items Considered by the Committee”.**

The Clause was received as information, subject to amending Item (d), entitled “Year-Round Residence on Boats Moored on Parks and Recreation Property”, notwithstanding the provisions of Chapter 27 of the City of Toronto Municipal Code, to provide that the report requested by the East Community Council (*now the Scarborough Community Council*) of the Commissioner of Economic Development, Culture and Tourism, be forwarded not only to the Scarborough Community Council, but to the Community Councils of all of the areas of the City of Toronto that would also be impacted in this regard, as well as to the Planning and Transportation Committee, for consideration.

**REPORT NO. 7 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 1 - “Removal of Bus Bays on City Streets”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**REPORT NO. 8 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

- Clause No. 1** - **“Proposed Sign By-law Amendments to the Former City of Toronto Municipal Code, Chapter 297, Signs, Former Borough of East York By-law 64-87, Former City of Etobicoke Municipal Code, Chapter 215, Signs, Former City of North York Sign By-law 30788, Former City of Scarborough Sign By-law 22980, and Former City of York Municipal Code, Chapter 835, Signs”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the principle of full cost recovery for sign permit fees, with a portion of funds dedicated for public art, be adopted, and the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, in September 2001, on the formula, fee structure and implementation plan.”

- Clause No. 2** - **“Preliminary Proposal to Expand the Don Valley Parkway”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

- Clause No. 3** - **“Strategic Plan for Cycling in Toronto: The ‘Toronto Bike Plan - Shifting Gears’ (All Wards)”.**

The Clause was amended by striking out the recommendations of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Recommendation No. (1) embodied in the joint report dated June 14, 2001, from the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism, entitled ‘Strategic Plan for Cycling in Toronto: The Toronto Bike Plan: Shifting Gears’, be amended by inserting the words ‘in principle’ after the words ‘be adopted by City Council’, and by adding at the end thereof the words ‘subject to deferring consideration of a “Bicycle Lane” designation on Royal York Road, between Dundas Street West and the Mimico Creek Bridge, and Berry Road, between Prince Edward Drive and Stephen Drive, pending the determination of their technical feasibility and consultation with the community, and, in the interim, listing these streets as “Signed Bicycle Routes”’, so that such recommendation shall now read as follows:

- (1) the Toronto Bike Plan – Shifting Gears, June 2001, be adopted by City Council, in principle, as the strategic plan for implementing cycling priorities, programs and infrastructure improvements over the 10 year period, 2002-2011, subject to deferring consideration

of a “Bicycle Lane” designation on Royal York Road, between Dundas Street West and the Mimico Creek Bridge, and Berry Road, between Prince Edward Drive and Stephen Drive, pending the determination of their technical feasibility and consultation with the community, and, in the interim, listing these streets as “Signed Bicycle Routes”;

- (2) an inter-departmental Bike Plan Co-ordinating Committee, as outlined in this report, be established to co-ordinate the implementation of the Plan, in consultation with the Toronto Cycling Committee, and that the Transportation Services Division take the lead in establishing and chairing the Committee;
- (3) the Commissioners of Works and Emergency Services, Urban Development Services, and Economic Development, Culture and Tourism be requested to clearly identify the Bike Plan projects identified in their five year Capital and Operating Budget submissions for the years 2002-2006, and submit these to the Toronto Cycling Committee, the Works Committee and the Budget Advisory Committee for consideration;
- (4) the Commissioner of Works and Emergency Services be requested to prepare annual progress reports in May to City Council, through the Toronto Cycling Committee, in consultation with the Bike Plan Co-ordinating Committee, documenting the progress of the Bike Plan;
- (5) the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism be requested to review staffing resources required to implement the Bike Plan and report to the Planning and Transportation Committee on any proposed changes to the current establishment beginning January 2003;
- (6) the bikeway routes proposed in the Bike Plan be subject to the existing approval process (detailed analysis, design and public consultation) before being considered by City Council for implementation; and
- (7) an annual implementation plan be developed and submitted to the regular budget process for consideration.”

**Clause No. 5 - “Oak Ridges Moraine Update”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report dated July 12, 2001, from the Commissioner of Urban Development Services, be adopted, subject to amending Recommendation No. (2) embodied therein, by deleting the word ‘or’, prior to the words ‘special legislation’, and inserting in lieu thereof the word ‘and’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) the Provincial government extend the effective time period of the Act to Protect the Oak Ridges Moraine, until such time as the action plan is substantially implemented to allow for a process of meaningful consultation, including public review and comment;
- (2) the Provincial government establish a plan, under the auspices of the Ontario Planning and Development Act and special legislation, providing a consistent approach to the protection of the Oak Ridges Moraine; and
- (3) the Provincial Policy Statement be amended to include stronger statements related to the protection of the Moraine in a consistent manner, and reference a regional growth strategy which should be developed by the Greater Toronto Services Board (GTSB) or, in the alternative, be jointly developed by the four regional municipalities in the Greater Toronto Area (GTA) and the City of Toronto.’ ”

**Clause No. 7 - “Proposed Car Free Day - Status Report (All Wards)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the City of Toronto support the 2001 Car Free Day on St. George Street (from Bloor to College Streets) on Saturday, September 22, 2001, and the appropriate City staff be requested to assist in the implementation of the event.”

**Clause No. 8 - “Rodent Control at Construction and Demolition Sites”.**

The Clause was amended by adding thereto the following:

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

**WHEREAS** there is currently no authority for the City of Toronto to make rodent control a condition for the issuance of demolition or building permits; and

**WHEREAS** Council has directed the City Solicitor to make application to the Provincial government for such authority; and

**WHEREAS** City Council has been advised that ‘provided provincial comments are communicated in a timely fashion’, the Solicitor expects that the Bill will be ready for first reading when the legislature commences in the fall;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Provincial government to ensure that comments are indeed communicated in a timely fashion, so as to allow for early application of appropriate by-laws.”

**REPORT NO. 10 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 1 - “Bill 46 - The Public Sector Accountability Act, 2001”.**

The Clause was amended by:

(1) amending the report dated June 5, 2001, from the Chief Administrative Officer, as embodied in the Clause, as follows:

(a) by inserting in Recommendation No. (1), after the word “municipal”, the words “or voluntary”, so that such recommendation shall now read as follows:

“(1) the Province be requested not to include the municipal or voluntary sector under Bill 46; and

(b) by deleting Recommendation No. (2) and inserting in lieu thereof the following new Recommendation No. (2):

“(2) the Provincial government be requested to modernize the existing accountability framework for municipalities only based on recommendations arising from the existing provincial/municipal discussions regarding the new Municipal Act.”; and

(2) adding thereto the following:

“It is further recommended that:

(1) the Mayor’s Office be requested to compose a delegation of Members of Council to meet with the Premier of Ontario and relevant Ministers, in accordance with efforts by the Association of Municipalities of Ontario, to attempt to convince the Provincial government that this legislation will require massive new reporting structures and consume municipal and provincial resources, thereby not achieving the required objectives;

(2) the Mayor and Members of Council be encouraged to attend the Annual General Meeting of the Association of Municipalities of Ontario on August 19, 20, 21 and 22, 2001;

(3) City of Toronto representatives be requested to bring forward the City’s opposition to Bill 46 for the attention of Provincial Ministers in attendance;

(4) the Acting Chief Administrative Officer be requested to develop a communiqué containing a list of issues that the City of Toronto has with the Province of Ontario, for Members of Council attending the Annual General Meeting of the Association of Municipalities of Ontario;

- (5) the Acting Chief Administrative Officer be:
  - (a) requested to submit a report to the Policy and Finance Committee, within 60 days, outlining a communication program to inform the citizens of Toronto of the implications of Bill 46; and
  - (b) authorized to make any necessary technical amendments to the report, prior to submission to the Province of Ontario; and
- (6) the following motion be referred to the Acting Chief Administrative Officer for consideration and report thereon to the Policy and Finance Committee:

Moved by Councillor Sutherland:

“It is further recommended that the Acting Chief Administrative Officer be requested to review the City’s current grant application process, with a view to simplifying the forms in accordance with the regulations under Bill 46, when it is enacted.”

**Clause No. 2 - “Status of City Participation in the Canada-Ontario Infrastructure Program”.**

The Clause was amended by:

- (1) deleting from Recommendation No. (2) of the Policy and Finance Committee the words, “if the Provincial government further delays providing the City with the Canada-Ontario Infrastructure Program Application forms”, so that such recommendation shall now read as follows:
  - “(2) that Council unilaterally approach the Federal government and begin discussions in regard thereto.”; and
- (2) adding thereto the following:

“It is further recommended that:

  - (a) the Federal government be requested to not cancel the Infrastructure Program, if there is no agreement with the Province of Ontario;
  - (b) Members of Federal Parliament located in the City of Toronto be requested to contact their Member of Provincial Parliament requesting that the Provincial government act immediately on the Canada-Ontario Infrastructure Program;
  - (c) the Mayor be requested to arrange a meeting between representatives of City Council and the Members of Federal Parliament representing the City of Toronto;

- (d) a copy of this Clause be forwarded to Members of Provincial Parliament within the City of Toronto, with a request that they provide assistance in ensuring that the Provincial government treats City of Toronto residents fairly under this program;
- (e) the Acting Chief Administrative Officer be requested to:
  - (i) submit a report to the Policy and Finance Committee, in September 2001, outlining a list of infrastructure projects that the City of Toronto wishes to cost share with the provincial and Federal governments; and
  - (ii) submit a report to Council, through the Policy and Finance Committee, outlining a comprehensive list of municipal projects previously prioritized by staff according to previously identified needs, and to forward such list to the Federal government Special Task Force chaired by Member of Parliament Judy Sgro.”

**Clause No. 3 - “Enwave District Energy Limited”.**

The Clause was received.

**REPORT NO. 11 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 2 - “Lease for the Hummingbird Performing Arts Centre Corporation”.**

The Clause was amended by adding at the end of Recommendation No. (2) embodied in the report dated July 12, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause, the words “including changes to the Hugh Walker mural”, so that such recommendation shall now read as follows:

- “(2) the lease between the City of Toronto and the Hummingbird Centre include a provision which requires City Council to approve any major structural changes to the Hummingbird Centre, including changes to the Hugh Walker mural;”.

**Clause No. 7 - “Endorsement of Research Project for the Development of Fusion Energy (All Wards)”.**

The Clause was amended by:

- (1) inserting in the recommendation embodied in the report dated June 21, 2001, from the Commissioner of Works and Emergency Services, as embodied in the Clause, after the words “express its”, the word “strong”, so that such recommendation shall now read as follows:



“It is recommended that Council express its strong support of Iter Canada’s bid at the international level to build and operate a fusion energy research and development facility in Clarington, Ontario.”; and

- (2) adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to all Members of Provincial Parliament representing Toronto area constituencies.”

**Clause No. 9 - “Beaver Hall Artists’ Co-operative Inc.”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Acting Commissioner of Community and Neighbourhood Services be requested to:
  - (a) henceforth provide annual reports to the Policy and Finance Committee, through the Community Services Committee, on the condition of the building at 29 McCaul Street and the state of the Co-op’s finances, including its reserve fund; and
  - (b) submit a report to the Policy and Finance Committee, prior to January 1, 2002, outlining an inventory of housing projects for which the Acting Commissioner is of the opinion that existing Capital reserves are inadequate, and the steps undertaken or proposed to ensure adequacy of these Capital reserves; and
- (2) the report dated July 19, 2001, from the Acting Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) subject to the Province agreeing to release the City from its obligations under the guarantee of a Renterprise mortgage obtained by Beaver Hall Artists’ Co-operative Inc. through Ontario Mortgage Corporation and to discharge the Renterprise mortgage, the Acting Commissioner of Community and Neighbourhood Services be authorized to sign an agreement with the Province that the City will seek no additional assistance from the Province with respect to Beaver Hall Artists’ Co-operative Inc., provided that such agreement is on terms and conditions satisfactory to the Acting Commissioner of Community and Neighbourhood Services and the City Solicitor; and

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

**Clause No. 17** - **“Adjustments to Parks and Recreation Division 2001 Capital Budget (All Wards)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the trail from the Don Valley Brickworks to Todmorden Mills be considered during the 2002 Capital Budget deliberations, and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee and the Toronto Cycling Committee on the plan.”

**Clause No. 18** - **“2001 Levy on Institutions Under Section 157 of the Municipal Act”**.

Council adopted the following recommendations:

“It is recommended that:

- (1) the Provincial government be advised that the \$75.00 levy has not been increased since 1998, and represents only some 30 percent of the \$210.00 that would accrue to the City if full property taxes were paid;
- (2) the Provincial government be requested to:
  - (a) increase the ‘heads and beds’ tax so that, at the very least, increases in inflation are reflected; and
  - (b) agree to phase-in increases over a period of time so that institutions pay the equivalent of property taxes; and
- (3) the report dated July 20, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Council authorize the levy of taxes for the 2001 taxation year on hospitals, colleges and universities and correctional facilities as authorized by Section 157 of the Municipal Act;
- (2) the maximum prescribed amount of \$75.00 be applied per provincially-rated hospital bed, full time student, or resident place; and

- (3) authority be granted for the introduction of the necessary Bills in Council to levy taxes for the year 2001 on hospitals, colleges and universities and correctional facilities in the form or substantially in the form of the draft by-laws attached hereto.’ ”

**Clause No. 19 - “Other Items Considered by the Committee”.**

The Clause was received as information, subject to:

- (1) striking out and referring Item (i), entitled “Paid Parking at Waterfront Locations (Various Wards)”, embodied therein, back to the Policy and Finance Committee for further consideration; and
- (2) striking out and referring Item (k), entitled “Retention of the Operation of the Pool at Bathurst Heights Secondary School”, embodied therein, notwithstanding the provisions of Chapter 27 of the City of Toronto Municipal Code, to the Commissioner of Economic Development, Culture and Tourism for a report thereon directly to City Council at this meeting.

City Council subsequently received a report dated July 25, 2001, from the Commissioner of Economic Development, Culture and Tourism, and adopted such report, embodying the following recommendations, without amendment:

“It is recommended that:

- (1) the Commissioner Economic Development, Culture and Tourism be authorized to declare an interest in the pool at Bathurst Heights Secondary School;
- (2) the Commissioner Economic Development, Culture and Tourism be authorized to negotiate with the Toronto District School Board (TDSB) for access to the facility at Bathurst Heights Secondary School past the September 2001 deadline;
- (3) the final determination on the future of this facility be determined after completion of the joint City/TDSB review of pool locations and that staff report thereon to the School Advisory Committee and Economic Development and Parks Committee; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**REPORT NO. 11 OF THE WORKS COMMITTEE**

**Clause No. 1 - “Classification of Road Salt”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 2 - "City-Wide Service Levels of Sidewalk Snow Clearing, Leaf Collection and City Cleanliness (All Wards)".**

The Clause was amended by striking out the recommendations of the Works Committee and inserting in lieu thereof the following:

"It is recommended that:

- (a) the recommendations embodied in the report dated July 19, 2001, from the Commissioner of Works and Emergency Services, be adopted, subject to deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):

“(3) effective January 2002, the North York mechanical sidewalk clearing program be extended to the entire City of Toronto and the cost therefor be taken from the Corporate Contingency Account;”

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

“It is recommended that, in order to provide certainty that contracted services are available for snow clearing for the 2001-2002 winter control season and, in particular, in relation to the Etobicoke Community Council area, the following recommendations be adopted:

- (1) the existing snow clearing service standards as approved by Council at its meeting of April 23, 24, 25, 26, 27, 30 and May 1 and 2, 2001, be effective for the 2001-2002 winter control season;
- (2) the Commissioner of Works and Emergency Services be authorized to renew the existing contracts/purchase orders with A. Shea & Sons Road Grading, Lima's Gardens and Construction, MTM Landscaping and Crownwood Construction for basic sidewalk snow clearing (City-owned property, reverse frontage, arterials, collectors and transit routes) and seniors/disabled program in the Etobicoke Community Council area, for the 2001-2002 winter control season, with an option in favour of the City to renew for one additional winter control season and otherwise on the same terms and conditions, including price, as the existing contracts;
- (3) effective January 2002, the North York mechanical sidewalk clearing program be extended to the entire City of Toronto and the cost therefor be taken from the Corporate Contingency Account; and

- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (b) the recommendations of the Works Committee embodied in the communication dated July 4, 2001, from the Acting City Clerk, be adopted, subject to amending Recommendation No. (1) to provide that the membership of the Working Group be increased to six members, in order to ensure representation from each of the former municipalities, and Councillors Balkissoon, Disero and Nunziata also be appointed to the Working Group, so that such recommendations shall now read as follows:

‘The Works Committee recommends:

- (1) the establishment of a Working Group of six members, comprised of Councillors Balkissoon, Disero, Lindsay Luby, Nunziata and Pitfield and one member of the Economic Development and Parks Committee, to ensure representation from each of the former municipalities; and
- (2) that the mandate of the Working Group shall be to consult with all Members of Council and to develop a public survey of service delivery with communications staff of the Works and Emergency Services Department as follows:
  - (i) the survey to be completed by the end of September 2001 and the results forwarded to the Works Committee for its meeting on October 17, 2001;
  - (ii) the survey to focus on public opinion on service level standards and public priorities with respect to hard services, such as garbage collection, snow removal, leaf collection, street cleaning, litter and water services; and
  - (iii) the survey to be broad-ranging with a minimum of 100 residents per Ward.’;
- (c) the recommendation of the Economic Development and Parks Committee embodied in the communication dated July 10, 2001, from the Acting City Clerk, be adopted, viz.:

‘The Economic Development and Parks Committee on July 9, 2001, recommended to Council that Councillor Denzil Minnan-Wong, Ward 34 Don Valley East, be appointed, and Councillor George Mammoliti, Ward 7 York West, be an alternate on the proposed Working Group respecting the subject matter, as the representative from the Economic Development and Parks Committee.’;

- (d) the Acting Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee listing all services that are provided throughout the City of Toronto in an unequal manner;
- (e) the Commissioner of Works and Emergency Services, in consultation with the Acting Chief Financial Officer, be requested to submit a report to the Policy and Finance Committee on the cost of enforcement of the level of service identified for leaf collection; and
- (f) the Commissioner of Works and Emergency Services be requested to:
  - (i) submit a report to the Works Committee on measures taken to monitor and ensure contract compliance for snow removal, both for roads and sidewalks; and
  - (ii) review options for clearing snow from sidewalks and roads in the 20 percent of the City that cannot be cleared mechanically, with particular attention to the methods used in Winnipeg and Montreal, and report thereon to the Works Committee.”

**Clause No. 3 - “Traffic Calming Policy”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 4 - “Drain Grant Appeal for 204 Swanwick Avenue (Ward 32 - Beaches-East York)”.**

The Clause was struck out and referred back to the Works Committee for further consideration.

**REPORT NO. 12 OF THE WORKS COMMITTEE**

**Clause No. 4 - “Proposed Contingency Plan for the Prevention and Control of the West Nile Virus”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Medical Officer of Health be requested to submit a report to the Board of Health on the potential ability of the Board of Health to act upon concerns related to West Nile Virus sources when located on private property.”

**Clause No. 5 - “Chemicals in Drinking Water”.**

The Clause was struck out and referred back to the Works Committee for further consideration and the hearing of depositions.

**Clause No. 8 - “Action By Canadians Program: The ABC’s of Climate Change”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Toronto Hydro be invited to participate in the Actions By Canadians Program.”

**Clause No. 17 - “510 Spadina Streetcar: Closure of Unsafe Unsignalized Opening at Baldwin Street”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 18 - “Other Items Considered by the Committee”.**

The Clause was received as information, subject to striking out and referring Item (1), entitled “Tender No. 95-2001: Collection of Curbside Waste, Bulky Items, Yard Waste, Recyclables and Waste, and Waste and Recyclables from Public Receptacles in Former City of Etobicoke”, embodied therein, back to the Works Committee for further consideration.

#### **REPORT NO. 6 OF THE ETOBICOKE COMMUNITY COUNCIL**

**Clause No. 1 - “Preliminary Report - Applications to Amend the Etobicoke Official Plan and Zoning Code Toronto District School Board, 2245 Lawrence Avenue West File No. TA CMB10020007 (Ward 2 - Etobicoke North)”.**

Council took no action on this Clause.

#### **REPORT NO. 7 OF THE ETOBICOKE COMMUNITY COUNCIL**

**Clause No. 14 - “Community Improvement Plans for the Mimico Village and Mimico-by-the-Lake Community Improvement Project Areas (Ward 6 - Etobicoke-Lakeshore)”.**

The Clause was amended by deleting from the recommendation of the Etobicoke Community Council, all of the words after the word “District”, so that such recommendation shall now read as follows:

“The Etobicoke Community Council recommends the adoption of the report (June 19, 2001) from the Director, Community Planning, West District.”

**Clause No. 16 - “Final Report – Application to Amend the Etobicoke Official Plan; Reno-Depot Inc., 1608 The Queensway File No. TA CMB20010001 (Ward 5 - Etobicoke-Lakeshore)”.**

The Clause was amended in accordance with the report dated July 19, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the draft Official Plan Amendment, appended as Attachment No. 1 to this report, be approved; and
- (2) no further notice be given with respect to this Official Plan Amendment.”

**REPORT NO. 7 OF THE HUMBER YORK COMMUNITY COUNCIL**

**Clause No. 1 - “Maintenance of Various Encroachments, 81 and 83 Nairn Avenue, and on the Ascot Avenue Flank (Davenport, Ward 17)”.**

The Clause, together with the report dated July 18, 2001, from the Commissioner of Works and Emergency Services, was struck out and referred back to the Humber York Community Council for further consideration.

**Clause No. 2 - “1380 Bloor Street West - Site Plan Application for 40 Live/Work Units; Namara Developments Ltd. (Davenport, Ward 18)”.**

Council adopted the following recommendation:

“It is recommended that the report dated June 21, 2001, from the Director, Community Planning, South District, as embodied in the Clause, be adopted, subject to the terms of the Site Plan for the project being amended to include a condition that the developer agrees to undertake a revised landscaping plan that includes accessibility for the physically challenged, subject to the agreement of the Toronto Housing Company which owns a portion of the land being landscaped, prior to the occupancy of any building on the site.”

**Clause No. 3 - “Final Report - 3 & 6 Windermere Avenue, Application to Amend the Official Plan and Zoning By-law No. 438-86 of the former City of Toronto; Stelco Inc., (Application by Reon Development Corp.), Application No. 100033 (Parkdale-High Park, Ward 13)”.**

The Clause was amended in accordance with the report dated July 20, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the recommendations contained in the Final Report of June 26, 2001, from the Director of Community Planning, South District, be amended by adding to Recommendation No. (5) the following:

“(ee) to immediately conduct a Preliminary Ambient Air Quality Assessment to identify potential air quality impacts including those from all proximal



sources of air pollutants and construction activities which exist at or near the subject site, for approval by the Medical Officer of Health, prior to the issuance of a building permit; and

- (ff) to submit an Air Quality Program to the Medical Officer of Health, prior to the issuance of a building permit.”; and
- (2) the Section 37 Agreement authorized by the adoption of the Final Report of June 26, 2001 reflect the matters identified in this Supplementary Report.”,

subject to the following additional amendments:

- (1) reducing the number of daycare spaces from 72 to 52 and reducing the required interior daycare space to 531.5 square metres and the contiguous exterior daycare space to 334 square metres; and
- (2) deleting the following Recommendation No. (9) embodied in the report dated June 26, 2001, from the Director, Community Planning, South District, and authorizing the City Solicitor to introduce the Bills, notwithstanding that the Section 37 Agreement has not been executed:

“(9) authorize the City Solicitor to introduce the necessary Bills in Council to give effect to these recommendations and to prepare the agreements referred to, and to ensure the agreements are executed prior to the introduction of such Bills, and to report directly to Council if necessary upon resolving any outstanding issues regarding the terms of the Section 37 Agreement described in this report.”

**Clause No. 39 - “Request for Change in Direction of Traffic on Neptune Drive, West of Bathurst Street (Eglinton-Lawrence, Ward 15)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (a) the report dated July 17, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Schedule XII of By-law No. 31001, of the former City of North York, be amended to permit two-way traffic operations on Neptune Drive, from Bathurst Street to a point 73 metres west;
- (2) By-law No. 32-92, of the former Metro Toronto, be amended to permit northbound left and southbound right turns at the Bathurst Street/Neptune Drive intersections; and

- (3) no construction take place to implement two-way operations on Neptune Drive, until the local Councillor has had an opportunity to meet with all affected parties and address concerns that have been raised on this matter.’; and
- (b) a public meeting be held under the sponsorship of the Transportation Department, in co-operation with the local Councillor, and notification be undertaken by the Clerk of the Community Council, in consultation with the local Councillor.”

**REPORT NO. 6 OF THE MIDTOWN COMMUNITY COUNCIL**

**Clause No. 5 - “1678 Avenue Road - The Bistro - Renewal of Patio Licence (Eglinton-Lawrence - Ward 16)”.**

Council adopted the following recommendation:

“It is recommended that Council grant a Boulevard Café Licence to the Bistro Café at 1678 Avenue Road, for a period of three (3) years commencing on the date of Council’s approval, to permit the existing structures to remain ‘as is’, that is:

- (a) the wooden flooring, lighting and heating, so long as it is attached to the building; and
- (b) the existing swing door, the existing plastic screening and the existing canopy;

subject to:

- (a) the applicant agreeing to immediately remove what structures exist, in the event the City is required to service the boulevard (road allowance), such removal to be required for as long as such work needs to take place; and
- (b) the existing canopy being cantilevered so that no structures are located more than 14 feet from the outer edge of the wall at ground level.”

**Clause No. 15 - “Request to Extend Parking Prohibition from 5:00 p.m. to 8:00 p.m. on Conrad Avenue and Turner Road (St. Paul’s – Ward 21)”.**

The Clause was struck out and referred back to the Midtown Community Council for further consideration.

**REPORT NO. 6 OF THE NORTH YORK COMMUNITY COUNCIL**

**Clause No. 1 - “Special Occasion Permit - Community Event - St. Roch’s Church - Feast of our Patron St. Roch Celebration - Ward 7 - York West”.**

The Clause was amended by adding thereto the following:

“It is further recommended that City Council, for liquor licensing purposes, declare the North Islington Seniors Summerfest being held on August 19, 2001, to be an event of municipal and/or community significance, that it has no objection to such event taking place and the Alcohol and Gaming Commission be so advised.”

**Clause No. 3 - “Disposition of Surplus Vacant Land - Northwest Corner of Wilson Heights Boulevard and Waterloo Avenue - Ward 10 - York Centre”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report dated July 23, 2001, from the Commissioner of Corporate Services, embodying the following recommendations, be adopted:

“It is recommended that:

- (1) the Offer to Purchase from Dung Bui and Ying Wang to purchase the City-owned vacant land located on the northwest corner of Wilson Heights Boulevard and Waterloo Avenue, in the amount of \$130,300.00, be accepted on the terms outlined in the body of this report and that either the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of the sale to Account No. NP2763;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable: and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**Clause No. 24 - “Final Report - Applications to Amend the Zoning By-law UDZ-99-41 – Davies Howe Partners obo Rosedale Developments Inc. and TB ZBL 2001 0007 - GSI Real Estate & Planning Advisors obo The Royal Canadian Legion, 4917-4995 Yonge Street, 11-27 Hollywood Avenue & 8-18 Spring Garden Avenue & 6 Spring Garden Avenue – Ward 23 – Willowdale”.**

The Clause was amended:

- (1) in accordance with the report dated July 20, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that the recommendations of the North York Community Council, Report No. 6, Clause No. 24, be modified by the addition of the following:

- (1) that Section 2 of the Site Plan Conditions of Approval outlined in Attachment 11 to the report dated July 6, 2001, from the Director, Community Planning, North District, be amended to include the following phrase at the end of the section:

‘Consideration of the preservation of the existing trees at the southwest corner of site when the Yonge Street frontage is developed.’; and

- (2) that the Site Plan Conditions of Approval outlined in Attachment 11 to the report dated July 6, 2001, from the Director, Community Planning, North District be amended to include an additional Condition numbered as 14 as follows:

‘Prior to the issuance of any building permit, a construction plan is to be submitted to the satisfaction of the Director of Works and Emergency Services, and Director/Deputy Chief Building Official, in consultation with the local Councillor, which addresses maintenance and access to the development site during construction.’ ”; and

- (2) to provide that 50 percent of the time and space of the Royal Canadian Legion facility being dedicated for public community use, to the satisfaction of the Acting Commissioner of Community and Neighbourhood Services.

## **REPORT NO. 8 OF THE SCARBOROUGH COMMUNITY COUNCIL**

**Clause No. 15 - “Official Plan Amendment Application SC-20000017, Zoning By-law Amendment Application SC-20000018, Bionvest Investments Limited - Lands North of Borough Drive South of Scarborough Centre Rapid Transit Station, City Centre (Scarborough Centre - Ward 38)”.**

Council adopted the following recommendation:

“It is recommended that the report dated July 6, 2001, from the Director of Community Planning, East District, as embodied in the Clause, be adopted, subject to adding thereto the following new Recommendation No. (5):

- ‘(5) require that the Agreement(s) referenced in Recommendation No. (4) embody appropriate provisions, financial and otherwise, to ensure the pedestrian connection to the Scarborough Centre Rapid Transit Station is designed and constructed to the satisfaction of the City of Toronto and the

Toronto Transit Commission, within two years of occupancy of the first building constructed on site, including the payment of the standard Toronto Transit Commission connection fees.’ ”

- Clause No. 16** - **“Official Plan Amendment Application SC-20000007 Zoning By-law Amendment Application SC-20000015 McCowan Centre Inc., Northeast Corner of McCowan Road and Ellesmere Road - City Centre (Scarborough Centre – Ward 38)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the discussions between the City and the owner outlined in Recommendation No. (3) embodied in the report dated July 5, 2001, from the Director, Community Planning, East District, include the issues of recreation, community and social services that would benefit children and youth.”

#### **REPORT NO. 6 OF THE TORONTO EAST YORK COMMUNITY COUNCIL**

- Clause No. 8** - **“Draft By-laws - South-East Spadina Part II Official Plan and Zoning By-law Amendments - 74, 76, 80 and 100 McCaul Street (Trinity-Spadina, Ward 20)”**.

The Clause was amended:

- (1) by deleting Recommendation No. (3) of the Toronto East York Community Council and inserting in lieu thereof the following:

“(3) the Commissioner of Works and Emergency Services, in consultation with the Ontario College of Art and Design, install the maximum number of bike parking spaces possible on the street and at the building entrances;”;

- (2) by deleting Recommendation No. (7) of the Toronto East York Community Council and inserting in lieu thereof the following:

“(7) the Ontario College of Art and Design and the City of Toronto reach an agreement, as part of the site plan approval process, for the contemplated open space at the south, south-western portion of the site that would ensure the space becomes permanently landscaped, accessible to the public, subject to the City’s standard provisions respecting safety and security, and where possible, in the opinion of the Commissioner of Economic Development, Culture and Tourism, be connected to Grange Park.”; and

- (3) in accordance with the report dated July 24, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council amend the Draft Zoning By-law to require that:
  - (a) forty percent of Area 2A be provided and maintained as unobstructed area in Phase 1 of construction;
  - (b) seventy percent of Area 1 be provided and maintained as unobstructed area; and
  - (c) when the project is completed, thirty percent of Areas 2A and 2B overall be provided and maintained as unobstructed area and not less than twenty-five percent in either Area 2A or 2B be provided and maintained as unobstructed area; and
- (2) no further notice be given of the public meeting on the Draft Zoning By-law, as amended.”

**Clause No. 16 - “Traffic Speed Control on Dundas Street East, from Greenwood Avenue to Kingston Road (Toronto-Danforth, Ward 30 and Beaches-East York, Ward 32)”.**

The Clause was struck out and referred back to the Toronto East York Community Council for further consideration for its meeting scheduled to be held on October 23, 2001; and the Commissioner of Works and Emergency Services was requested to assist the Ward Councillors with the co-ordination of a public meeting in this regard.

**Clause No. 19 - “Appeals to the Ontario Municipal Board Application to amend 1997-0274 and 1997-0275 – (University of Toronto Area Part II Plan and Zoning By-law) 321 Bloor Street (Woodsworth College) (Trinity-Spadina, Ward 20)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report dated July 25, 2001, from the Commissioner of Urban Development Services be adopted, subject to adding thereto following new Recommendation (c):

- ‘(c) the development being designed in such a way as to protect for the option of connecting to the St. George subway station or its Bedford Street entrance by means of knock-out panels.’;

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

‘It is recommended that City Council authorize the City Solicitor and City staff to attend the Ontario Municipal Board hearing in support of Official Plan and Zoning By-law Application 101006, subject to:

- (a) the amendments contained in the attached letter dated July 25, 2001, from the University of Toronto's Solicitor being made to the application;
- (b) Site Plan Application 301048 being amended to be consistent with the amended Official Plan and Zoning By-law Application; and
- (c) the development being designed in such a way as to protect for the option of connecting to the St. George subway station or its Bedford Street entrance by means of knock-out panels.' ”

**Clause No. 21 - “Proposed Closing to Vehicular and Pedestrian Traffic - Gerrard Street East, Pembroke Street, Dundas Street East and George Street (Toronto Centre-Rosedale, Ward 27)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the report dated July 20, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) subject to compliance with the requirements of the Municipal Act and upon compliance by the applicant(s) (the “Applicants”) with the following terms and conditions, the portion of the public lane shown as Area 4 on the attached Plan SYE2959 (the “Lane”), be stopped-up and closed as public lane:
  - (a) the Applicants, together with such other persons as the City Solicitor may require, shall indemnify the City against all loss, cost, damage or action arising as a result of the closing and leasing of the Lane;
  - (b) the Applicants shall agree to pay to the City compensation for the Lane, in the total amount of \$4,500.00 per annum, and be responsible for the payment of all taxes and expenses based on the following terms:
    - (i) the term of the lease will be for five (5) years;
    - (ii) the annual rent to be paid in advance of the commencement of the lease and upon each and every anniversary date of the lease term;
    - (iii) the Lessee shall have the right to renew the lease, upon 60 days written notice, for a further term of five years, subject to the same terms and conditions as contained in the original lease, except as to rent which will be negotiated at then market rates;

- (iv) the Lane will not be assigned or sublet without leave;
  - (v) the lease shall further provide for termination at any time after the third (3rd) year at the option of either party, provided that, at least six (6) months prior notice is given in writing to the other party and that the Lessee shall restore the lands to their original condition should the lands be required for public lane purposes;
  - (vi) the use of the Lane will be restricted for open space purposes in conjunction with the abutting residential properties at Premises Nos. 73 and 77 Pembroke Street and that no building or structure, other than fences, gates or landscaping, will be permitted on the Lane;
  - (vii) the lease will be terminated by the City if the site ceases to be used for the purposes stipulated in Condition 1(b)(vi), above; and
  - (viii) notwithstanding any clause contained or not contained in this proposal, the lease agreement must be in a form acceptable to the City Solicitor;
- (c) the Applicants shall agree to accept the lease of the Lane subject to a reservation by the City and other utility companies, if necessary, of an easement over the entire area, for access, operation, use, inspection, repair, maintenance, reconstruction or alterations of the existing service, and for the construction of additional or new services, with the City's easement subject to the following terms and conditions:
- (i) the City shall have the right at all times without notice to enter the easement for the purpose of constructing, inspecting, maintaining, servicing, altering, repairing and reconstructing a sewer, maintenance hole or any other municipal service upon, under, through, over and along the lands;
  - (ii) no work shall be carried out and no building or structure, temporary or permanent shall be erected or any other encumbrance placed on or over the easement without the approval of the Commissioner of Works and Emergency Services;
  - (iii) the owner shall have no claim against the City for the loss of occupancy of the lands subject to the easement when the City is exercising its easement rights; and



- (iv) the City shall not be responsible for damage to private property caused by the existence of any services and/or the easement;
  - (d) the Applicants shall agree to pay the cost of any encroachment agreement(s) and any other documents necessary or incidental to the leasing of the Lane; and
  - (e) the Applicants shall comply with any other terms and conditions related to the closing and leasing of the Lane as the City Solicitor and the Commissioner of Works and Emergency Services may deem advisable to protect the City's interests;
- (2) notice be given to the public of the proposed by-law to stop-up and close and lease the Lane, in accordance with the requirements of the Municipal Act;
  - (3) the Toronto East York Community Council hold a public hearing concerning the proposed by-law if any person who claims that the person's land will be prejudicially affected by the proposed by-law applies to be heard, in accordance with the requirements of the Municipal Act;
  - (4) the lease price for the Lane be set at \$4,500.00 per annum, for the five (5) year lease period;
  - (5) following the stopping up and closing of the Lane, upon compliance by the Applicants with the terms and conditions set out in Recommendation No. (1) hereof, and the payment by the Applicants of the lease price set out in Recommendation No. (4) hereof, the Lane, consisting of Area 4 on Plan SYE2959, be leased to the abutting owner on each side, reserving an easement in favour of the City;
  - (6) prior to the leasing of the Lane, easements be granted, if necessary, to any utility company, in accordance with Recommendation No. (1)(c), above;
  - (7) access be retained over the Lane to be closed, for the operation, use, inspection, repair, maintenance, reconstruction, or alteration of the City's underground facilities; and
  - (8) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills to give effect thereto.' "

**Clause No. 27**

- **“Disabled Persons Loading Zone - Gainsborough Road, East Side, North of Newbold Avenue (Beaches-East York, Ward 32)”**.

The Clause was amended by inserting the following new Recommendation No. (2) in the report dated June 22, 2001, from the Director, Transportation Services, District 1, and renumbering the existing Recommendation No. (2) as Recommendation No. (3):

- “(2) a designated on-street loading zone for the disabled be identified on the east side of Gainsborough Road, from a point three metres north of Newbold Avenue to a point six metres further north thereof; and”

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

“It is recommended that:

- (1) standing be prohibited at anytime on the east side of Gainsborough Road from Newbold Avenue to a point nine metres north thereof;
- (2) a designated on-street loading zone for the disabled be identified on the east side of Gainsborough Road, from a point three metres north of Newbold Avenue to a point six metres further north thereof; and
- (3) 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.”

**Clause No. 42 - “Sale of 208 Greenwood Avenue (Toronto-Danforth, Ward 30)”.**

The Clause was amended by deleting Recommendation No. (2) of the Toronto East York Community Council and inserting in lieu thereof the following:

- “(2) that the Acting Treasurer be requested to submit a report to the Policy and Finance Committee in the fall of 2001, detailing the appropriate allocation of revenue from the sale of 208 Greenwood Avenue and submitting a policy on the appropriate allocation of revenues from all real property sales, taking into consideration City Council’s request for a report from the Acting Chief Financial Officer and the Acting Commissioner of Community and Neighbourhood Services with respect to the allocation of proceeds from the sale of all City-owned residential land and housing to the Capital Revolving Fund or the Mayor’s Homelessness Initiative Reserve Fund for affordable housing, with the exception of those sales where the proceeds are committed to other uses.”

**Clause No. 51 - “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

The Clause was amended by:

- (1) adding the following Caribana Festival-related events to Recommendation No. (1) of the Toronto East York Community Council:

- “(d) Gospel Festival and Pan Alive at Queen’s Park on July 29, 2001, from 1:00 p.m. to 11:00 p.m.;
  - (e) King and Queen Extravaganza at Lamport Stadium on August 2, 2001, from 7:00 p.m. to 11:00 p.m.;
  - (f) Caribana Grand Parade at Exhibition Place on August 4, 2001, from 10:00 a.m. to 8:00 p.m.; and
  - (g) Arts and Cultural Festival on Olympic Island on August 5 and 6, 2001, from 12:00 noon to 8:00 p.m.”;
- (2) adding to the end of Recommendation No. (2) of the Toronto East York Community Council, the words “and the closing ceremonies on September 15, 2001, located at the Metro Square, 55 John Street, additionally be declared to be an event of international, national and municipal significance and that it has no objection to it taking place, nor to the granting of an extension of operating hours until 4:00 a.m.”, so that such recommendation shall now read as follows:
- “(2) declare the 26th Toronto International Film Festival taking place at various locations from September 6, 2001, to September 15, 2001, inclusive, to be an event of international, national and municipal significance and indicate that it has no objection to it taking place; nor to the granting of an extension of operation hours until 4:00 a.m. of Bistro 990, 990 Bay Street or the Rosewater Supper Club, 19 Toronto Street (the film festival host restaurants) for the duration of the festival; nor to the granting of an extension of operating hours until 4:00 a.m. of the Four Seasons Hotel (La Serre) 21 Avenue Road, Windsor Arms Hotel, Club 22, 18 St. Thomas Street and Park Hyatt Hotel, Lobby Bar (Mezzanine Bar) 4 Avenue Road (the film festival host hotels) for the duration of the festival, and the closing ceremonies on September 15, 2001, located at the Metro Square, 55 John Street, additionally be declared to be an event of international, national and municipal significance and that it has no objection to it taking place, nor to the granting of an extension of operating hours until 4:00 a.m.”; and
- (3) adding the following events to Recommendation No. (4) of the Toronto East York Community Council:
- “(c) Allied Canadian Eighth year anniversary Event to be held on August 30, 2001, in the laneway located at 602-606 King Street West;
  - (d) Marché and Bakery Restaurant Summer Staff Party to be held on August 13, 2001, from 11:00 a.m. to 6:00 p.m.;
  - (e) Save Our Boathouse Campaign Wine Garden fundraiser to be held in Kew Beach Boathouse on July 28 and 29, 2001, from 12:00 noon to 7:00 p.m.;

(f) Delta Chelsea Hotel Annual Staff Appreciation Picnic to be held on July 28, 2001, at the Toronto Olympic Island (Areas 17 and 18), from 8:00 a.m. to 8:00 p.m.; and

(g) Balmy Beach Rugby Club Event to be held at Ashbridges Bay Park North on August 11, 2001, from 11:30 a.m. to 6:30 p.m.”

**Clause No. 55 - “Installation of an All-Way ‘Stop’ Sign Control - Manitoba Drive and New Brunswick Way (Trinity-Spadina, Ward 19)”.**

The Clause was amended by deleting the name “New Brunswick Avenue”, wherever it occurs in the Clause, and inserting in lieu thereof the name “New Brunswick Way”.

**Clause No. 56 - “Establishment of Construction Staging Areas - 65 Navy Wharf Court (The Optima - City Place - Building E) (Trinity-Spadina, Ward 20)”.**

The Clause was amended by deleting the name “Navy Wharf Court”, wherever it occurs in the Clause, and inserting in lieu thereof the name “Navy Wharf Court”.

**Clause No. 61 - “Implementation of Overnight On-Street Permit Parking - Everett Crescent, between Oak Park Avenue and Wallington Avenue (Beaches-East York, Ward 31)”.**

Council adopted the following recommendations:

“It is recommended that:

- (1) overnight on-street parking be implemented on Everett Crescent, between Oak Park Avenue and Wallington Avenue; and
- (2) authority be granted for the introduction of the necessary Bill in Council to give effect thereto.”

#### **REPORT NO. 7 OF THE AUDIT COMMITTEE**

**Clause No. 1 - “Toronto Harbour Commissioners – Financial Review – Further Information”.**

The Clause, together with the following motions, was struck out and referred to the Acting Chief Administrative Officer and the City Solicitor, for report thereon to the Audit Committee:

Moved by Councillor Layton:

“It is recommended that the Acting Chief Administrative Officer be requested to include, in the negotiations with the Toronto Port Authority, the wind turbine initiative at the City of Toronto’s Ashbridges Bay Sewage Treatment Plant.”

Moved by Councillor Moscoe:

“It is further recommended that:

- (1) the City deduct the value of hockey subscriptions held by the Toronto Harbour Commission from the grant to the Toronto Port Authority;
- (2) the City pursue, using any means possible, the Auditor’s recommendation respecting the \$50 million surplus, including legal action payback of the portion of the \$50 million deemed by the Auditor to be ‘surplus’ under the provisions of the Toronto Harbour Commission Act, 1911, subject to a joint report to be submitted to the Audit Committee by the City Auditor and the City Solicitor;
- (3) the City structure payments to the Toronto Port Authority in a manner that ensures that the City is reimbursed for all amounts owed to the City; and
- (4) the City Auditor be requested to submit a report to City Council, through the Policy and Finance Committee, on political contributions made by GGMA Communications Ltd., based on information now available that was not available at the time.”

### **REPORT NO. 5 OF THE BOARD OF HEALTH**

**Clause No. 3 - “Strategy to Achieve a Phase-out of Non-essential Outdoor Uses of Pesticides”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

**Clause No. 4 - “Role of Neighbourhood Residents in Animal Control Cases”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the action by Board of Health be endorsed within the context of applicable laws and appropriate legal protocols.”

### **ENQUIRIES AND ANSWERS:**

- (1) **Enquiry from Councillor Walker regarding position titles and salary ranges in the Mayor’s Office.**

Consideration of the Enquiry dated June 15, 2001, from Councillor Walker, together with the Answer thereto dated July 16, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

(2) **Enquiry from Councillor Walker regarding the response received from the Ontario Provincial Police (OPP) with respect to the TEDCO investigation.**

The Enquiry dated July 3, 2001, from Councillor Walker, together with the joint Answer thereto dated July 18, 2001, from the Acting Chief Administrative Officer and the City Solicitor, was referred to the Ontario Provincial Police and the Toronto Police Services Board, with a request that they provide answers in this regard to the Administration Committee.

(3) **Enquiry from Councillor Milczyn regarding the City's purchase of cigarettes and alcohol for use in City shelters.**

The Enquiry dated June 15, 2001, from Councillor Milczyn, together with the Answer thereto dated June 25, 2001, from the Acting Commissioner of Community and Neighbourhood Services, was received for information.

**ADDITIONAL MATTER CONSIDERED BY COUNCIL:**

Council adopted the following recommendation:

“It is recommended that, having regard for medical concerns, Councillor Howard Moscoe be permitted to book a business class seat on the flights to and from Prince George, British Columbia, in September 2001, for the purpose of attending the meeting of the Board of Directors of the Federation of Canadian Municipalities.”

**NOTICE OF MOTION APPEARING UNDER ITEM F**

**Exemption from Noise By-law – Caribbean Concert Productions**

**Moved by: Councillor Mihevc**

**Seconded by: Councillor Ootes**

“**WHEREAS** Lamport Stadium has been used by Caribana organizers on the evening of the festival for the past thirteen years; and

**WHEREAS** Caribbean Concert Productions, in conjunction with AFRI/CAN FOOD BASKET, has applied for an exemption to the Noise By-law to allow them to continue the Caribana festival-related event to be held on Saturday, August 4, 2001, until 1:00 a.m.; and

**WHEREAS** Caribana artists have been booked to perform from as far as Africa for the Caribana festival-related show;

**NOW THEREFORE BE IT RESOLVED THAT** Caribbean Concert Productions be granted an exemption from the Noise By-law to permit the event to be held on Saturday, August 4, 2001, to proceed until 1:00 a.m.”

*Disposition: The Motion was adopted, without amendment.*

**NOTICE OF MOTION APPEARING UNDER ITEM I**

**39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters**

**Moved by: Councillor Johnston**

**Seconded by: Councillor Walker**

“**WHEREAS** on December 5, 6 and 7, 2000, with Councillor Johnston’s Motion No. P(9) remaining on the Order Paper to be heard at the next following January meeting of Council, the tax deed to 39 McGlashan Road was delivered to the tax sale purchaser, Lone Star Realty Ltd; and

**WHEREAS** the tax deed was delivered without the intended transfer being disclosed to Council at its meeting on December 7, 2000 considering the matter, and notwithstanding that Motion No. P(9) specifically asked that independent legal counsel be retained to advise City Council on all matters related to the tax sale and, pending Council’s receipt and consideration of the report of outside legal counsel and any rebuttal of the Elliott family’s counsel, there be no steps taken in furtherance of this tax sale, including, specifically, the delivery of the tax deed to the tax sale purchaser; and

**WHEREAS** the Elliott Family commenced legal proceedings against the City, former Chief Financial Officer and Treasurer Wanda Liczyk, Assistant City Solicitor Susan Ungar and Mayor Lastman, alleging misrepresentation, fraud and abuse of power, and seeking damages in the amount of \$8 million, plus costs, which litigation is now before the Ontario Court of Appeal (the ‘Elliott Litigation’); and

**WHEREAS** in the course of the Elliott Litigation the Elliotts have sought to rely upon: written reports and oral submissions made to City Council and to Councillors individually, in open Council, in in-camera sessions of Council, in Administration Committee meetings, and in outside meetings; offers to settle made to or by the City and all related settlement meetings and discussions; videotape recordings of City Council, City files and records including computer files and records; and, telephone records (the ‘Privileged Materials’); and

**WHEREAS** the Elliotts have examined the City’s Mr. Doyle, Ms. Liczyk, Mr. Phillips and Ms. Brunning, and the Elliotts report all these witnesses have refused to answer questions about the Privileged Materials and to produce the Privileged Materials requested of them, claiming solicitor/client privilege and privilege in settlement discussion matters; and

**WHEREAS** City Council by resolution has the authority to waive privilege over the Privileged Materials; and

**WHEREAS** as a public body responding to the complaint of a constituent citizen, City Council should be held to the highest standard of full, plain and true disclosure so as the citizen complaint can be justly and fairly considered; and

**WHEREAS** the retainer of Lerner & Associates LLP to represent the City in the Elliott Litigation and the related terms of engagement have never come before City Council for its consideration and approval; and

**WHEREAS** it is reported by the Elliotts that they are advised the City has incurred legal fees exceeding \$550,000.00 in all its litigation with them, including over \$200,000.00 to Lerner & Associates LLP alone over the last four months; and

**WHEREAS** there was a tax sale in June 1997, pursuant to which a property at 596-598 Marlee Avenue in the former City of North York was sold by the former City of North York to the same purchaser that purchased the Elliotts' home by tax sale in December 1997, Lone Star Realty Ltd.;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council waive privilege over the Privileged Materials;
- (2) City Council be informed of the details of the retainer of Lerner & Associates LLP, and the terms of engagement, for its consideration and the approval of City Council;
- (3) City Council be fully informed of the legal costs incurred to date by the City in all the legal proceedings with the Elliotts since December 1997, specifically including the legal fees paid or due to Lerner & Associates LLP, and an estimate of the legal fees expected to be incurred in the future, for the consideration and approval of City Council; and
- (4) an internal audit be conducted into the circumstances of the sale of 596-598 Marlee Avenue and to consider the procedures followed with respect to this tax sale, and that the results of the internal audit be reported back to City Council for its consideration.”

***Disposition:***

***The Motion was adopted, subject to:***

- (1) ***receiving Recommendations Nos. (1), (2) and (3) embodied in the Operative Paragraph;***
- (2) ***amending Recommendation No. (4) embodied in the Operative Paragraph by adding thereto the words “and further that this matter be reported publicly and, should it be necessary, only those matters deemed to be confidential be reported under separate confidential cover”;*** and
- (3) ***adding thereto the following new Operative Paragraphs:***



*“AND BE IT FURTHER RESOLVED THAT Council endorse the actions taken by staff in this matter;*

*AND BE IT FURTHER RESOLVED THAT local Councillors be informed whenever a property owner defaults on his/her taxes at the time when the one year count down begins.”;*

*So that the Operative Paragraphs shall now read as follows:*

*“NOW THEREFORE BE IT RESOLVED THAT Council endorse the actions taken by staff in this matter;*

*AND BE IT FURTHER RESOLVED THAT local Councillors be informed whenever a property owner defaults on his/her taxes at the time when the one year count down begins;*

*AND BE IT FURTHER RESOLVED THAT an internal audit be conducted into the circumstances of the sale of 596-598 Marlee Avenue and to consider the procedures followed with respect to this tax sale, and that the results of the internal audit be reported back to City Council for its consideration, and further that this matter be reported publicly and, should it be necessary, only those matters deemed to be confidential be reported under separate confidential cover.”*

*City Council at the in-camera portion of its meeting held on July 24, 25 and 26, 2001, also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they are subject to solicitor/client privilege.*

## **NOTICES OF MOTIONS APPEARING UNDER ITEM J**

### **(1) Proposed Amendment to Council Procedures - Staff Permitted on Floor of Council**

**Moved by: Councillor Walker**

**Seconded by: Councillor Johnston**

**“WHEREAS** up until 1998, it was the practice of Toronto City Council not to allow political staff from the Mayor’s and Councillors’ offices onto the floor of Council; and

**WHEREAS**, since 1998, it has been commonplace to observe political staff from the Mayor’s office, specifically, circulating on the floor of Council, lobbying and sometimes

harassing Members of Council or, even worse, during debate and on many occasions, while a vote is taking place; and

**WHEREAS** this practice is extremely disruptive to any Councillor who is voting, speaking or trying to ask questions and to those who are trying to follow the debate; and

**WHEREAS** there is ample opportunity before Council meetings and during the regularly scheduled intervals during the Council meeting for the Mayor to dispatch his troops to lobby Councillors on issues that are of importance to him; and

**WHEREAS** the practices and procedures of our two senior levels of government do not allow the Prime Minister's or Premier's staff onto the floor of Parliament or the Legislature during debate;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council amend its Procedural By-law, Chapter 27 of the City of Toronto Municipal Code, to allow that only Members of Council, necessary City Staff (i.e. the Clerk's staff and, Security) and senior staff who are there to provide information or answer questions be permitted on the floor of Council while meetings are in session."

*Disposition:                    The Motion was referred to the Administration Committee.*

(2) **Establishment of International Banking Centres**

**Moved by:                    Councillor Walker**

**Seconded by:                Councillor Prue**

**“WHEREAS** the Federal Budget of February 26, 1986, mentioned Montreal and Vancouver as possible locations for the establishment of International Banking Centres; and

**WHEREAS** the Government of Canada has enacted legislation designating the Cities of Vancouver and Montreal as International Banking Centres; and

**WHEREAS** the Government of Canada amended the Income Tax Act in December 1987 to designate only Montreal and Vancouver as International Banking Centres; and

**WHEREAS** the City of Toronto was not included as a possible location for an International Banking Centre; and

**WHEREAS** the City of Toronto is the nationally and internationally recognized primary centre for banking activity in Canada; and

**WHEREAS** this designation would clearly imply Toronto's position of true financial leadership in the entire country; and

**WHEREAS** exempting the City of Toronto from the designation as an International Banking Centre by the federal government is clearly discriminatory and illogical; and

**WHEREAS** the City of Toronto is the only Canadian city that has the required financial critical mass to compete with these other international banking centres such as New York, Tokyo, London, etc; and

**WHEREAS** banking professionals and the Metropolitan Toronto Board of Trade state that excluding the City of Toronto as an International Banking Centre is deeply harmful to the Toronto Economy and the Banking Community;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council again advise the federal government that there is no justification for excluding the City of Toronto from initiatives designed to encourage international banking business in Canada, and that if the federal government is prepared to facilitate the establishment of International Banking Centres, Toronto should be one of them.”

*Disposition: The Motion was adopted, without amendment.*

(3) **Request for Alternate Side Parking on Chesley Avenue**

**Moved by: Councillor Silva**

**Seconded by: Councillor Pantalone**

“**WHEREAS** City Council at its meeting held on May 30, 31 and June 1, 2001, adopted, without amendment, Southwest Community Council Report No. 5, Clause No. 29, headed ‘Request for Alternate Side Parking on Chesley Avenue’; and

**WHEREAS** the initial request was for permit parking on both sides of Chesley Avenue to operate between 12:01 a.m. and 7:00 a.m., daily. The current By-law for Chesley Avenue indicates permit parking exists between 12:01 a.m. and 7:00 a.m., daily, on the north side of Chesley Avenue. However, signs posted in the field list the hours of permit parking operation between 2:00 a.m. and 5:00 a.m., daily; and

**WHEREAS**, on behalf of area residents, it is requested that this matter be reconsidered to allow permit parking on both sides of Chesley Avenue, between 12:01 a.m. and 7:00 a.m., daily; and

**WHEREAS** it is imperative to deal with this matter, as soon as possible, in order to eliminate the confusion over the hours of permit parking on the street;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Southwest Community Council Report No. 5, Clause No. 29, headed ‘Request for Alternate Side Parking on Chesley Avenue’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Recommendation No. (4) embodied therein be struck out and replaced with the following new Recommendation No. (4):

- (4) the existing permit parking system on Chesley Avenue is amended to operate on an alternate side basis, from 12:01 a.m. to 7:00 a.m., as per Recommendation (2) and (3);’.”

*Disposition: Council re-opened Clause No. 29 of Report No. 5 of The Southwest Community Council, headed “Request for Alternate Side Parking on Chesley Avenue”, for further consideration, and adopted the balance of the Motion, without amendment.*

(4) **Appointment of Chair of the Waterfront Revitalization Corporation**

**Moved by: Councillor Pantalone**

**Seconded by: Councillor Shiner**

“**WHEREAS** City Council at its meeting on May 30, 31 and June 1, 2001, requested the Mayor and the Waterfront Reference Group to report to City Council for its July 24, 2001 meeting on a nominee or nominees who can be recommended as the citizen appointment(s) to assume the role of Chair of the interim and permanent Waterfront Corporation and would be acceptable to the three levels of government; and

**WHEREAS** Mr. Robert Fung was appointed in November 1999 as the Chair of the Toronto Waterfront Revitalization Task Force; and

**WHEREAS** Mr. Robert Fung possesses the necessary qualifications and experience required to lead the revitalization of the Toronto Waterfront on behalf of the governments of Canada, Ontario and Toronto; and

**WHEREAS** representatives from the three levels of government have reached a consensus in naming Mr. Robert Fung as their preferred choice for Chair of the Toronto Waterfront Revitalization Corporation; and

**WHEREAS** the Waterfront Reference Group, at its first meeting on July 12, 2001, unanimously recommended that Mr. Robert Fung be appointed as the Chair of the Waterfront Revitalization Corporation; and

**WHEREAS** the Waterfront Reference Group reports to Council, through the Policy and Finance Committee, but was unable to report to the July 12, 2001 meeting of the Policy and Finance Committee because that meeting did not continue into the afternoon session; and

**WHEREAS** in order to meet City Council’s directive that the Waterfront Reference Group report to the July 24, 2001 Council meeting in this regard, it is necessary to report directly to City Council;

**NOW THEREFORE BE IT RESOLVED THAT** City Council appoint Mr. Robert Fung as the Chair of the Waterfront Revitalization Corporation.”

*Disposition: The Motion was adopted, subject to adding thereto the following new Operative Paragraph:*

***“AND BE IT FURTHER RESOLVED THAT the other members of the Waterfront Revitalization Corporation, appointed by the City, be approved through a process that is public, open and transparent.”***

(5) **Taste of the Kingway – Declaration for Liquor Licence Purposes**

**Moved by: Councillor Jones**

**Seconded by: Councillor Lindsay Luby**

**“WHEREAS** Montgomery’s Inn will be participating in the annual ‘Taste of the Kingsway’ event on September 6, 2001, from 5:00 p.m. until 8:00 p.m.; and

**WHEREAS** there is a planned corn roast on the grounds which is anticipated as a significant addition to the festivities and an excellent opportunity to raise funds and profile for this City-owned heritage resource; and

**WHEREAS** the event is to be conducted in accordance with the Municipal Alcohol Policy and applicable legislation; and

**WHEREAS** there is an urgency to this Motion, as the event is to take place prior to the next Council meeting scheduled to be held on October 2, 3 and 4, 2001; and

**WHEREAS** there are no financial impacts associated with this Motion;

**NOW THEREFORE BE IT RESOLVED THAT** City Council, for liquor licensing purposes, declare the event of municipal and/or community significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place;

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

*Disposition: The Motion was adopted, without amendment.*

(6) **Support for Canada’s Olympians**

**Moved by: Councillor Walker**

**Seconded by: Councillor Prue**

**“WHEREAS** Council had committed itself to a bid to host the 2008 games at an estimated cost of over 2 billion dollars for the construction of facilities and infrastructure,

and considering the amount needed by Toronto's athletes to adequately support their personal best endeavours is very small in comparison; and

**WHEREAS** Canada's Olympians have invested a great deal of personal sacrifice to bring honour to Canada, and they have increasingly become discouraged by the minimal financial support given them by the federal government for, amongst other things: practice facilities, travel, and accommodation expenses, during both Olympic events and in between Olympic events; and

**WHEREAS** despite being unsuccessful in our bid to host the 2008 Olympics, Toronto can still make a significant contribution to the 2008 Olympic Games by making a tangible investment in our athletes and ensuring that they receive the kind of support they require and deserve in preparation for the 2008 Games; and

**WHEREAS** our athletes are disappointed that their commitment and personal sacrifice is not being adequately recognized by our government at all levels, that it is incumbent on Toronto (the largest municipality in Canada and a bidder for the 2008 Olympic Games), to provide leadership in the provision of supplementary financial support to that being provided; and

**WHEREAS** Toronto's support can only be extended to its own athletes, due to budget constraints arising from provincial downloading etc, and that Toronto's tax base is dependent solely on the assessment of real property; and

**WHEREAS** this motion was introduced in October 2000 during the previous term of Council and despite our pending bid for the 2008 Olympics was not acted on by City Council;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council adopt principles for the creation of the 'Toronto Olympic Athletes' Assistance Program' as follows:

- (1) immediately commit to an initial yearly funding of 50 cents per capita;
- (2) lobby the federal and provincial levels of government to provide funds in addition to that currently provided, at some multiple of Toronto's contribution of 50 cents per capita;
- (3) create a new Committee of Council to further develop Toronto's commitment to its athletes; the Committee's mandate will include:
  - (a) investigate examples of the difficulties and financial shortfalls experienced by our athletes in the Sydney and previous Olympic Games;
  - (b) the appropriate level of ongoing funds;
  - (c) the most cost effective manner in which financial support can be delivered to our athletes; and

- (d) to convey Council's position and challenge other municipalities across Canada to introduce, encourage and facilitate expansion of financial support to Olympians from all parts of Canada."

*Disposition: The Motion was referred to the Economic Development and Parks Committee.*

(7) **Issuance of Debentures**

**Moved by: Mayor Lastman**

**Seconded by: Councillor Shiner**

"**WHEREAS** at its meeting held on January 30, 31 and February 1, 2001, City Council adopted By-law No. 30-2001, being a by-law to authorize agreements respecting the issue and sale of debentures; and

**WHEREAS**, pursuant to By-law No. 30-2001, the Mayor and Treasurer are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$600,000,000.00 for the purposes of the City of Toronto, including the purposes of any former area municipality, the former Municipality of Metropolitan Toronto and a board of education; and

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

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

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the report of the Acting Chief Financial Officer, dated July 18, 2001 regarding the issuance of debentures; that such report be adopted; and that leave be granted for the introduction of the necessary Bills in Council to give effect to the issuance of debentures."

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 18, 2001, from the Acting Chief Financial Officer and the Acting Treasurer, embodying the following recommendations:*

*"It is recommended that:*

*(1) authority be granted for the introduction of the necessary Bills in Council on July 24, 2001, to give effect to the issuance of debentures as described in this report; and*

*(2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”*

**(8) Ontario Municipal Board Hearing - 108 North Drive**

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Jones**

**“WHEREAS** the Committee of Adjustment West District received Consent Application B16/01ET and Minor Variance Application A115/01ET for 108 North Drive that requested a corner lot be severed into two smaller lots and two detached houses would be constructed thereon; and

**WHEREAS** the Director of Planning, West District, informed the Committee of Adjustment that he could not support the application because the size of the lots is out of keeping with the area, the location of the proposed houses does not relate to the existing houses on North Drive or Royal York Road, a severance could create a precedent for severances of many other large lots in the area, and the requested variances are not minor; and

**WHEREAS** the Works and Emergency Services Department found the application to be problematic with respect to a number of service concerns; and

**WHEREAS** on May 10, 2001, the Committee of Adjustment West District refused the applications as not being minor in nature and were undesirable for the appropriate development and use of the subject property; and

**WHEREAS** Victor Rodrigues, acting as agent for the owners, appealed the Committee of Adjustment decision on May 28, 2001, to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City Solicitor and appropriate Urban Development and Works and Emergency Services staff to prepare for and attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision.”

*Disposition: The Motion was adopted, without amendment.*

**(9) Extension of Contract for Insurance Adjusting Services**

**Moved by: Councillor Berardinetti**

**Seconded by: Councillor Holyday**



**“WHEREAS** at its meeting of March 6, 1998, City Council adopted By-law No. 57-1998, being a By-law which granted the Bid Committee authority to award contracts; and

**WHEREAS** pursuant to By-law No. 57-1998, the Bid Committee on July 29, 1998, authorized Request for Proposal No. 9105-98-00842, including Addendum 1, for Insurance Adjusting Services be awarded to the lowest proponent, McLarens Toplis Canada, and that the City enter into a three-year contract for the provision of specific insurance adjusting services with McLarens Toplis Canada; and

**WHEREAS** the three-year contract with McLarens Toplis Canada is due to expire on July 31, 2001, and contains a provision allowing the City to extend the term of the agreement for a period ending no later than July 31, 2003; and

**WHEREAS** McLarens Toplis currently processes approximately 500 claims per month and has 2,200 open claims and it is imperative that this service continues to be provided; and

**WHEREAS** information recently obtained by City staff confirms that City Council authority is required to extend the agreement;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the report dated July 20, 2001, from the Acting Chief Financial Officer, recommending that:

- (1) authority be granted to extend the Insurance Adjusting Services’ contract with McLarens Toplis Canada for a one year period ending July 31, 2002 at an estimated cost of \$1,200,000.00; and
- (2) staff conduct a Requests for Proposals public tendering during the one-year period for this service and report results and recommendations to City Council before July 31, 2002.”

**Disposition:** *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 20, 2001, from the Acting Chief Financial Officer, embodying the following recommendations:*

*“It is recommended that:*

- (1) *authority be granted to extend the Insurance Adjusting Services’ contract with McLarens Toplis Canada for a one year period ending July 31, 2002, at an estimated cost of \$1,200,000.00;*
- (2) *staff conduct a Requests for Proposals public tendering during the one year period for this*

*service and report results and recommendations to City Council before July 31, 2002; and*

- (3) *the appropriate officials be authorized to take the necessary action to give effect thereto.”*

(10) **Ontario Municipal Board Hearing - 351 Spring Garden Avenue**

**Moved by:** Councillor Filion

**Seconded by:** Councillor Moscoe

“**WHEREAS** the Committee of Adjustment for the City of Toronto (North District) approved an application by the owner of 351 Spring Garden Avenue for the consent to sever one residential property fronting onto the south side of Spring Garden Avenue into two residential properties having frontages of 15.24m each; and

**WHEREAS** the Committee of Adjustment for the City of Toronto (North District) refused the severance application and the two associated variance applications requesting variances for lot frontage and width, front yard setback, east side yard setback, length and lot coverage; and

**WHEREAS** Planning staff reported that the subject lot is not an anomaly in the area; the lot is located within an area where the lots maintain frontages that meet or exceed the by-law requirements for this area and the lot, as it currently exists, would be in keeping with the surrounding area; and it was also staff’s opinion that the related variances were not minor in nature, not in keeping with the intent of the by-law and Official Plan and would not represent an appropriate development of the property;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the City Solicitor to authorize City legal staff and Planning staff to attend the Ontario Municipal Board hearing on July 30, 2001, to uphold the City’s By-law.”

*Disposition: The Motion was adopted, without amendment.*

(11) **Request for Direction, Ontario Municipal Board Appeal - Deep Pocket Investments Inc.**

**Moved by:** Councillor Berardinetti

**Seconded by:** Councillor Altobello

“**WHEREAS** a Pre-hearing Conference has been ordered by the Ontario Municipal Board to take place on August 27 and 28, 2001, respecting an appeal by Deep Pocket Investments Inc. regarding the lands located at 1533 Victoria Park Avenue in the Clairlea Community, Scarborough Centre – Ward 37; and

**WHEREAS** the timing of this Pre-hearing Conference precludes the opportunity to submit a report thereon to the Scarborough Community Council and City Council respecting instructions to the City Solicitor to appear before the Ontario Municipal Board in support of the staff position in this matter which is to oppose the Deep Pocket Investments Inc. proposal for these lands;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated July 16, 2001, from the Commissioner of Urban Development Services, respecting the Ontario Municipal Board Appeal of Zoning By-law Amendment Application SZ19970046 by Deep Pocket Investments Inc., for the lands situated at 1533 Victoria Park Avenue in the Clairlea Community, Scarborough Centre – Ward 37, and that such report be adopted.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 16, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that Council:*

- (1) support the position taken by Planning staff that the redevelopment of the subject property, as presently proposed, is inappropriate; and*
- (2) direct the City Solicitor to appear before the Ontario Municipal Board in support of this position.”*

**(12) Withdrawal of Council’s Intent to Designate 294-298 Sherbourne Street**

**Moved by: Councillor Rae**

**Seconded by: Councillor Chow**

“**WHEREAS** at its meeting on October 3, 4, and 5, 2000 and at its special meetings on October 6, 10, 11, and 12, 2000, Council refused an application to demolish the residential properties at 294-298 Sherbourne Street under section 33 of the Planning Act and decided to state its intention to designate these properties under Part IV of the Ontario Heritage Act (Clause No. 12 of Report No. 17 of The Toronto Community Council); and

**WHEREAS** on December 7, 2000, the City Clerk gave notice of Council’s intention to designate 294-298 Sherbourne Street under Part IV of the Ontario Heritage Act; and

**WHEREAS** on January 5, 2001 the solicitor representing the owner of 294-298 Sherbourne Street submitted a letter to the City Clerk objecting to the proposed

designation and the matter was referred to the Conservation Review Board for a hearing; and

**WHEREAS** pending a hearing by the Conservation Review Board, staff in Economic Development, Culture and Tourism, along with staff from Urban Development Services, have worked with the owner to find an architectural solution that mitigates the impact on the heritage properties while permitting the development to proceed; and

**WHEREAS** the owner is agreeable to these changes provided the property is not designated; and

**WHEREAS** the owner has submitted revised drawings dated March 26, 2001 to the City for Site Plan Approval (Application #300131) that are consistent with the agreed upon architectural solution;

**NOW THEREFORE BE IT RESOLVED THAT** Council withdraw the notice of intention to designate 294-298 Sherbourne Street, on condition that the owner withdraws its objection to the proposed designation;

**AND BE IT FURTHER RESOLVED THAT** Council rescind its decision to refuse the application to demolish and that a demolition permit be issued, once a building permit has been issued for a new building on the site, provided the building permit drawings are substantially in accordance with the revised drawings dated March 26, 2001, and submitted for Site Plan Approval (Application No. 300131);

**AND BE IT FURTHER RESOLVED THAT** the demolition permit be issued subject to the condition that the applicant construct and substantially complete the new building on the site within two years of the date demolition is commenced and on condition that, on failure to complete the building within two years, the City Clerk be entitled to enter on the collector's roll the sum of \$20,000.00 for each dwelling unit contained in the residential property in respect of which the demolition permit is issued, to be collected in like manner as municipal taxes;

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

*Disposition:                    The Motion was adopted, without amendment.*

(13) **Oakwood Village Festival of the Arts Urban Harvest - Road Closure**

**Moved by:                    Councillor Silva**

**Seconded by:                Councillor Mihevc**

“**WHEREAS** the Oakwood Village Festival of the Arts – Urban Harvest is scheduled for Saturday, September 29, 2001; and

**WHEREAS** the application was submitted to the Transportation Services, District 1, Works and Emergency Services, for a street closure on Saturday, September 29, 2001, from 8:00 a.m. to 8:00 p.m.; and

**WHEREAS** the necessary insurance and other documentation will be provided, as required by Transportation Services, District 1, Works and Emergency Services;

**NOW THEREFORE BE IT RESOLVED THAT** the City designate the ‘Oakwood Village Festival of the Arts – Urban Harvest’, as a community event to facilitate the road closure on Oakwood Avenue, between Rogers Road and Earnscliffe Road.”

*Disposition: The Motion was adopted, without amendment.*

(14) **Recruitment and Selection Process for the Chief Administrative Officer**

**Moved by: Councillor Berardinetti**

**Seconded by: Councillor Ootes**

“**WHEREAS** Council at its meeting held on June 26, 27, 28, 2001 adopted recommendations under Notice of Motion Item J(1), pertaining to the recruitment of a Chief Administrative Officer; and

**WHEREAS** it is proposed to amend and further define the recruitment and selection process for the position of Chief Administrative Officer, in order to ensure strict confidentiality in respect of candidates who wish to be considered for the position and to establish a selection panel with a corporate-wide perspective of the broad range of City programs and services;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Notice of Motion Item J(1) be reopened, insofar as it pertains to the composition of the selection panel and the establishment of a new job description for the Chief Administrative Officer;

**AND BE IT FURTHER RESOLVED THAT** Council give consideration to the report dated July 18, 2001 from Mayor Lastman, Chair of the Selection Committee, pertaining to this matter and that such report be adopted.”

*Disposition: Council re-opened Motion J(1), from its meeting held on June 26, 27 and 28, 2001, insofar as it pertains to the composition of the selection panel and the establishment of a new job description for the Chief Administrative Officer, and adopted the balance of this Motion, subject to adding thereto the following new Operative Paragraph:*

**“AND BE IT FURTHER RESOLVED THAT interested Members of Council be provided with the interview**

*schedule and be allowed to act as observers during the interview process.”*

*Council, by its adoption of the Motion, as amended, adopted, without amendment, the report dated July 18, 2001, from Mayor Lastman, embodying the following recommendations:*

*“It is recommended that:*

- (1) the selection panel for the recruitment of the Chief Administrative Officer be composed of the Mayor or designate, Deputy Mayor Ootes, the Chairs of the Standing Committees, Councillors Berardinetti, Duguid, Feldman, Pantalone and Disero, and the Chair of the Personnel Sub-Committee, Councillor Miller; and*
- (2) the recruitment process outlined herein be co-ordinated by one of the external executive search consulting firms identified through the previous RFP process, in conjunction with a member of the Human Resources Division of the Corporate Services Department.”*

- (15) **Alterations to Designated Heritage Properties and Minor Revision to Development Proposal – 444 Yonge Street and 354 and 404 Jarvis Street**

**Moved by: Councillor Rae**

**Seconded by: Councillor Chow**

**“WHEREAS** at its meeting held on June 26, 27 and 28, 2001, City Council adopted, as amended, Clause No. 6 of Report No. 5 of the Downtown Community Council, headed ‘Draft By-laws – Official Plan and Rezoning – 354 and 404 Jarvis Street’, and in so doing requested the Commissioner of Economic Development, Culture and Tourism to consult with the Toronto Preservation Board and to report directly to Council at its meeting to be held on July 24, 25 and 26, 2001 on the merits of any applications received to alter or demolish buildings on the property, and on matters to be secured in the heritage easement agreement; and

**WHEREAS** at the same meeting, City Council adopted Motion J(3), headed ‘Alteration to Designated Heritage Properties – 444 Yonge Street and 354 and 404 Jarvis Street’, and in so doing directed the Commissioner of Economic Development, Culture and Tourism to report directly to Council for its meeting to be held on July 24, 25 and 26, 2001 on applications to alter and/or demolish the properties at 444 Yonge Street and 354 and 404 Jarvis Street, provided that the Toronto Preservation Board supports the applications; and

**WHEREAS** at its meeting on July 19, 2001, the Toronto Preservation Board expressed its support for the applications; and

**WHEREAS** the developer for the residential component of the property at 354 and 404 Jarvis Street has come forward with a minor revision to its original development proposal;

**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the following reports:

- (1) (July 20, 2001) from the Commissioner of Economic Development, Culture and Tourism, entitled '444 Yonge Street (College Park) – Alteration to a Designated Heritage Property';
- (2) (July 20, 2001) from the Commissioner of Economic Development, Culture and Tourism entitled '354 and 404 Jarvis Street – Alterations to Designated Property and Authority to Enter into a Heritage Easement Agreement', and
- (3) (July 23, 2001) from the Commissioner of Urban Development Services entitled 'Conclusion of Planning Matters and a Minor Revision to the Proposed Official Plan and Zoning By-law Amendments, Application No. 100028 – 354 and 404 Jarvis Street – National Ballet School and Context Development Inc.'."

**Disposition:**                    *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment:*

- (a) *the report dated July 20, 2001, from the Commissioner of Economic Development, Culture and Tourism, entitled "444 Yonge Street (College Park) – Alteration to a Designated Heritage Property (Toronto Centre-Rosedale – Ward 27)", embodying the following recommendations:*

*"It is recommended that:*

- (1) *approval be granted by Council for the proposed alterations to the Seventh Floor at 444 Yonge Street (College Park) as set out in Attachment No. 1, Statement of Heritage Intent, prepared by E.R.A. Architects Inc., dated July 11, 2001, and on file with Heritage Preservation Services;*
- (2) *the drawings submitted by the applicant for building permit be substantially in accordance with the Statement of Heritage Intent prepared by E.R.A. Architects Inc., dated July 11, 2001, on file with Heritage Preservation Services;*

- (3) *prior to the issuance of a building permit, the applicant prepare a Restoration Plan providing a detailed description of the proposed alterations to the Eaton Auditorium, back of house, Round Room, and private dining rooms on the seventh floor of the subject property, to the satisfaction of the Commissioner Economic Development, Culture and Tourism; and*
  - (4) *the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”;*
- (b) *the report dated July 20, 2001, from the Commissioner of Economic Development, Culture and Tourism, entitled “354 and 404 Jarvis Street – Alterations to Designated Property and Authority to Enter into a Heritage Easement Agreement (Toronto Centre-Rosedale – Ward 27)”, embodying the following recommendations:*

*“It is recommended that:*

- (1) *the proposed alterations to the property at 354 Jarvis Street and the proposed partial demolition of buildings on the property be permitted in accordance with the application for consent dated June 26, 2001 on file with the City Clerk and as illustrated on Attachment No. 3 of this report, and plans and drawings submitted to the Commissioner of Urban Development Services (File #TCC-CMB 100028) provided that:*
  - (a) *each of the rear wings of Havergal College and Northfield House identified as A, B, and C on Attachment No. 3 of this report, shall only be demolished when it is necessary to allow for the erection of new building(s) for which a building permit has been issued; and*
  - (b) *prior to the issuance of a demolition permit under the Building Code Act, 1992 for any part of wings A, B, and C, on Attachment No. 3 of this report, the City shall be provided with a letter of credit or other security of a type and in an amount satisfactory to the Commissioner of*



*Economic Development, Culture and Tourism, to provide for the securing and stabilization of the façade of the remaining building that will be affected by the proposed demolition, and for any repair required as a result of damage caused by the demolition;*

- (2) *authority be granted by Council for the execution of Heritage Easement Agreement(s) under section 37 of the Ontario Heritage Act with the owner of the heritage buildings known as Havergal College and Northfield House using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Commissioner of Economic Development, Culture and Tourism;*
- (3) *the owner provides Heritage Preservation Services with two (2) copies of the required photographs of Northfield House and Havergal College for inclusion in the Heritage Easement Agreement(s);*
- (4) *the Heritage Easement Agreement(s) require that the owner of the heritage buildings provide a detailed Restoration Plan for Havergal College and Northfield House, either separately or together, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, prior to the issuance of a building permit for construction on lands to be developed by the NBS and which affects the relevant historic building;*
- (5) *prior to the issuance of a building permit for any construction on the lands to be developed by NBS that affects each of Havergal College and Northfield House, the owner post a letter of credit or other security of a type and in an amount satisfactory to the Commissioner of Economic Development, Culture and Tourism, to ensure restoration of the relevant historic building affected by the proposed construction, in accordance with the Restoration Plan to be secured in the Heritage Easement Agreement; and*

- (6) *the appropriate City Officials be authorized to take whatever action is necessary to give effect thereto.”; and*
  
- (c) *the report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled “Conclusion of planning matters and a minor revision to the proposed Official Plan and Zoning By-law Amendments, Application No. 100028 – 354 and 404 Jarvis Street – National Ballet School and Context Developments Inc. (Downtown Community Council, Report No. 5, Clause 6) (Toronto Centre-Rosedale, Ward 27)”, embodying the following recommendations:*

*“It is recommended that:*

- (1) *the draft Official Plan and Zoning By-law Amendments for the property at 354 and 404 Jarvis Street be amended to permit an additional 510 square metres as described in this report;*
  
- (2) *there be no further notice of public meeting respecting the Draft By-laws; and*
  
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of the Bills.”*

**(16) Use of Nathan Phillips Square – World Youth Day – July 28, 2001**

**Moved by: Councillor Mihevc**

**Seconded by: Councillor Augimeri**

**“WHEREAS** The World Youth Day has requested the use of Nathan Phillips Square on July 28, 2001 for the World Youth Day Rally; and

**WHEREAS** The World Youth Day’s organizers have requested to float open flame candles in the reflective pool on Nathan Phillips Square; and

**WHEREAS** the Municipal Code, Chapter 237 ‘Nathan Phillips Square’ prohibits the entering, or placing objects in the reflecting pool and any form of open flame; and

**WHEREAS** The Commissioner of Corporate Services has submitted the attached report dated July 20, 2001, recommending that the provisions of the Nathan Phillips Square By-law No. 237 be waived in order to accommodate this request;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated July 20, 2001 from the Commissioner of Corporate Services, and that such report be adopted.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 20, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) permission be granted to the event organizers of the World Youth Day to place open flame candles in the reflecting pool in support of World Youth Day; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

**(17) Grant to the Mission of Seafarers**

**Moved by: Councillor Shiner**

**Seconded by: Councillor Chow**

**“WHEREAS** the Mission of Seafarers is a Toronto-based charitable group that has operated in the Toronto Port for over 25 years, providing social welfare assistance to seafarers and the homeless that reside in the Port Lands; and

**WHEREAS** the Mission of Seafarers has advised the Toronto Port Authority that it will be receiving a bequest estimated at approximately \$1 million; and

**WHEREAS** the Mission of Seafarers is currently experiencing financial difficulties at this time and may be required to cease operations without interim financial support; and

**WHEREAS** the Toronto Port Authority Board has agreed to facilitate a repayable grant to the Mission of Seafarers; and

**WHEREAS** the Toronto Port Authority’s 2001 Operating Budget has yet to be approved by City Council and does not include any provision for this repayable grant;

**NOW THEREFORE BE IT RESOLVED THAT** a repayable grant of \$41,200.00 to the Mission Seafarers be authorized;

**AND BE IT FURTHER RESOLVED THAT** the Toronto Port Authority’s 2001 Operating Budget request be amended on a gross basis to reflect this authorized expenditure;

**AND BE IT FURTHER RESOLVED THAT** the repayable grant be funded from the Toronto Port Authority's own reserves to effect no additional increase in the City subsidy to the Toronto Port Authority in 2001;

**AND BE IT FURTHER RESOLVED THAT** the repayable grant be provided on the basis that it will not be considered at any time to constitute operating or capital budget pressures within the City of Toronto's budget;

**AND BE IT FURTHER RESOLVED THAT** the Toronto Port Authority report out, as part of the City's 2002 Budget, on the status of the charitable work of the Mission of Seafarers."

*Disposition:                    The Motion was withdrawn.*

(18) **Bloor West Village Ukrainian Festival**

**Moved by:                    Councillor Miller**

**Seconded by:                Councillor Korwin-Kuczynski**

"**WHEREAS** the Bloor West Village Ukrainian Festival will hold their Street Festival on September 21, 2001 to September 22, 2001, from 7:00 a.m. to 11:59 p.m. respectively; and

**WHEREAS** the Bloor West Village Ukrainian Festival and the Bloor West Village BIA have requested that a liquor licence for a beer tent at Runnymede and Bloor (facing west) be approved; and

**WHEREAS** I, as Ward Councillor, have received this formal request from the Bloor West Village Ukrainian Festival;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor license by the Bloor West Village Ukrainian Festival is in the public interest having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to approve the application."

*Disposition:                    The Motion was adopted, without amendment.*

(19) **Ontario Municipal Board respecting 172 Scarborough Road**

**Moved by:                    Councillor Rae**

**Seconded by:                Councillor Chow**

"**WHEREAS** the City of Toronto has a responsibility to maintain the integrity of its Official Plan which prohibits integral garages in new residential development; and

**WHEREAS** the owners of 172 Scarborough Road are appealing before the Ontario Municipal Board, the City of Toronto Committee of Adjustment's refusal to allow integral garages; and

**WHEREAS** a successful appeal of the Committee of Adjustment's decision may result in the setting of a precedent contrary to the City's Official Plan;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be instructed to attend the hearing of the Ontario Municipal Board on August 20, 2001, in support of the Committee of Adjustment's decision respecting the property at 172 Scarborough Road."

*Disposition: The Motion was adopted, without amendment.*

(20) **Arcadia Queensway Development Inc. - 964 The Queensway**

**Moved by: Councillor Milczyn**

**Seconded by: Councillor Jones**

**“WHEREAS** Arcadia Queensway Development Inc. submitted an application to amend the Etobicoke Zoning Code to permit the development of 14 townhouse and live/work units at 964 The Queensway; and

**WHEREAS** City Council, in adopting West Community Council Report No. 5, Clause No. 7, headed 'Final Report - Application to Amend the Etobicoke Zoning Code; Arcadia Queensway Development Inc. – 964 The Queensway; File No. CMB20000010 (Ward 5 - Etobicoke-Lakeshore)', approved the proposed development; and

**WHEREAS** the report dated May 22, 2001, from the Director of Planning, West District contained a description of the development as having a maximum floor space index of 1.46, minimum landscape open space of 23 percent, and a minimum width of each dwelling unit of 4.5 metres; and

**WHEREAS** the Director's report included specific references to rezoning the site from Limited Commercial (CL) to Fourth Density Residential (R4G), and

**WHEREAS** in preparing the draft site specific by-law based on the plans considered by Community Council, it was determined the maximum floor space index is 1.7, the minimum landscape open space is 6 percent, and the minimum width of each dwelling unit is 4.2 metres; and

**WHEREAS** the by-law maintains the underlying CL zoning as well as permitting the proposed 14-unit development;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Report No. 5 of West Community Council, Clause No. 7, headed 'Final Report - Application to Amend the West Zoning

Code; Arcadia Queensway Development Inc. – 964 The Queensway; File No. CMB20000010 (Ward 5 - Etobicoke-Lakeshore)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council hereby authorizes bringing forward, for passage, the draft by-law with the revised standards as set out above, including the maintenance of the underlying CL zoning, and determines that no further notice is to be given in respect of the proposed by-law."

*Disposition: Council re-opened Clause No. 7 of Report No. 5 of The West Community Council, headed "Final Report - Application to Amend the West Zoning Code; Arcadia Queensway Development Inc. - 964 The Queensway; File No. CMB20000010 (Ward 5 - Etobicoke-Lakeshore)", for further consideration, and adopted the balance of the Motion, without amendment.*

(21) **Assignment of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility**

**Moved by: Councillor Pitfield**

**Seconded by: Councillor Jones**

"**WHEREAS** City Council at its meeting held on June 26, 27, 28, 2001, adopted, as amended, Works Committee Report No. 10, Clause No. 1, headed 'Report of the City of Toronto Waste Diversion Task Force 2010'; and

**WHEREAS**, in so doing, City Council recommended that:

- '(a) the Commissioner of Works and Emergency Services be authorized to conduct a due diligence in respect of the proposal by Canada Composting Inc. for an assignment to it and its partners, BTA, Trow Consulting Engineers Ltd. and W.S. Nicholls Construction Inc of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility and, in addition, negotiate appropriate business terms for the operation of the facility; and,
- (b) the Commissioner of Works and Emergency Services report back to the July 2001 meeting of Council on the results of the due diligence and negotiations and, as well, on the details on the process for expansion of the facility;'

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated July 24, 2001 from the Commissioner of Works and Emergency Services entitled 'Assignment of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility' and that such report be adopted."

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated*

*July 24, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) Council consent to the request by Stone and Webster Canada Limited for the assignment from it to the joint venture group of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc. of its obligations and benefits (i) under the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility and (ii) in respect of the operation of the Facility, such consent to be subject to successful negotiation, to the satisfaction of the Commissioner of Works and Emergency Services, of the amending agreement to the Design-Build contract as referred to in recommendation (2) of this report and effective upon written notice from the City Solicitor to Stone and Webster Limited to that effect;*
  
- (2) the Commissioner of Works and Emergency Services be authorized to enter into an amending agreement to the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility, as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with the assignees, Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd., and W. S. Nicholls Construction Inc., as follows:*
  - (a) delineating the respective responsibilities of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineering Ltd. and W. S. Nicholls Construction Inc. for the project;*
  
  - (b) restructuring the performance test holdbacks and revising the payment breakdown and schedule accordingly, all within the previously authorized total contract amount;*

- (c) *revising the initial operation and acceptance test protocol to accelerate the performance test phases;*
  - (d) *removing the contractual obligation to supply and install a cogeneration system as part of the Design-Build Contract; and*
  - (e) *providing for such other provisions in respect of replacement bonds and insurance as necessary to protect the interests of the City;*
- (3) *the Consulting Agreement between the City and MacViro Consultants Inc. for project management services related to the Design and Construction of the Dufferin Mixed Waste Recycling and Organics Processing Facility be amended to allow for an increase of \$92,000.00 including all charges and taxes, to meet costs associated with an extended project schedule, to provide technical assistance in relation to the proposed assignment and to assist in negotiating the terms and conditions of the operating agreement between the City and Canada Composting Inc.; and*
- (4) *authority be granted to the Commissioner of Works and Emergency Services to report back to the September 2001 meetings of the Works, Budget Advisory, and Policy and Finance Committees with the details of an operating agreement with Canada Composting Inc. and recommendations on the proposed expansion of the Dufferin facility as part of the Task Force 2010 Implementation report.”*
- (22) **On-Street Parking and Parking Meters on Dundas Street West**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Chow**

“**WHEREAS** Council at its meeting held on May 30, 31 and June 1, 2001, adopted, without amendment, Downtown Community Council Report No. 4, Clause No. 63, headed ‘On-Street Parking and Parking Meters on Dundas Street West (Trinity-Spadina, Ward 20)’ and, in so doing, enacted By-law No. 488-2001, amending Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, to



allow on-street parking on Dundas Street West, between Beverley Street and Spadina Avenue; and

**WHEREAS** the staff of the Toronto Transit Commission is concerned that vehicles attempting to find open curb space to make deliveries to/from the businesses may worsen streetcar travel times as delivery trucks would double park in the streetcar lane;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Downtown Community Council Report No. 4, Clause No. 63, headed 'On-Street Parking and Parking Meters on Dundas Street West (Trinity-Spadina, Ward 20)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) By-law No. 488-2001 be amended as follows:
  - (a) parking be prohibited at anytime on the south side of Dundas Street West, from Spadina Avenue to a point 86 metres east;
  - (b) parking be permitted for a maximum of 2 hours at all times except 7:30 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:30 p.m., Monday to Friday, on the south side of Dundas Street West, from a point 86 metres east of Spadina Avenue to a point 30.5 metres west of Huron Street; from a point 30.5 metres east of Huron Street to the lane first west of Huron Street; and from a point 66 metres east of Huron Street to the first lane west of Beverley Street;
  - (c) Commercial Loading Zones be designated on the south side of Dundas Street West from Huron Street to a point 30.5 metres east of Huron Street and from the first lane east of Huron Street to a point 20 metres east;
  - (d) parking be prohibited at anytime on the north side of Dundas Street West from Spadina Road to a point 72 metres east;
  - (e) parking be permitted for a maximum of 2 hours at all times except 7:30 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:30 p.m., Monday to Friday, on the north side of Dundas Street West, from a point 35 meters east of Huron Street to a point 76.5 metres east of Huron Street; and from a point 96.5 metres east of Huron Street to a point 30.5 metres west of Beverley Street;
  - (f) Commercial Loading Zones be established on the north side of Dundas Street West, from a point 76.5 meters east of Huron Street to a point 20 metres further east; and from Huron Street to a point 30.5 metres further west; and

- (g) a Tour Bus Loading Zone be established on the north side of Dundas Street West, from a point 30.5 metres west of Huron Street to a point 40 metres further west;
- (2) the Transportation Services Division, the Toronto Transit Commission, City Planning and the Toronto Parking Authority be notified of such changes; and
- (3) City staff, in consultation with the Toronto Transit Commission, local business associations and Councillor Chow, review the traffic and transit situation after the parking 'pay and display' has been implemented in the area."

*Disposition: Council re-opened Clause No. 63 of Report No. 4 of The Downtown Community Council, headed "On-Street Parking and Parking Meters on Dundas Street West (Trinity-Spadina, Ward 20)", for further consideration, and adopted the balance of the Motion, without amendment.*

(23) **Upgrading or Replacement of Exterior Water Pipes – Water Service Replacement Program**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Augimeri**

**“WHEREAS** the upgrading or renewal of infrastructure is a problem that normally besets mature cities like the City of Toronto; and

**WHEREAS** there are identifiable parts of the City of Toronto that function on old infrastructure that requires either upgrading or renewal; and

**WHEREAS** many residents who reside in these distinct parts of the city typically experience recurring problems with water quality and water pressure; and

**WHEREAS** in many of these cases, city residents are prepared to absorb the cost of upgrading or replacing the infrastructure on private property to improve water quality and water pressure; and

**WHEREAS** there are a number of problem situations requiring a decision; and

**WHEREAS** the City of Toronto should explore and capitalize on any opportunity to upgrade or renew the city portion of the infrastructure as part of a long-term plan of infrastructure renewal;

**NOW THEREFORE BE IT RESOLVED THAT** whenever residents of the City of Toronto upgrade or replace exterior water pipes on residential properties at their expense, the City make arrangements to upgrade or replace the City portion of the pipes, up to three-quarters of an inch diameter, at the City’s expense within the guidelines of the Water Service Replacement Program.”

*Disposition: The Motion was referred to the Works Committee.*

**(24) Provincial Funding Model – Funding of Lease Payments and Possible Sharing of Public Assets**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Moeser**

“**WHEREAS** the City of Toronto, the Toronto District School Board (‘TDSB’) and the Toronto Catholic District School Board (‘TCDSB’) are each operating under severe financial constraints as a result of Provincial policy decisions; and

**WHEREAS** these Provincial policy decisions have reduced the ability of these public bodies to deliver the educational, social and physical services that are needed by the residents of the City of Toronto; and

**WHEREAS** increased Provincial funding levels and flexibility are needed to enable these public bodies to deliver the services needed by their constituents and for future planning; and

**WHEREAS** it is imperative that the City of Toronto, the TDSB and the TCDSB work co-operatively to consolidate and manage public assets and to carry out strategic planning; and

**WHEREAS** the City of Toronto is well positioned to act as facilitator and broker in the process of consolidating and managing public assets in the interest of these public bodies and their respective constituencies; and

**WHEREAS** the TDSB owns surplus school sites that it wishes to lease to fund its capital needs; and

**WHEREAS** the TCDSB wishes to lease such sites but has no funding under the Provincial Funding Model to do so;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto support the efforts of the School Boards in urging the Province to recognise and separately fund lease payments as grantable expenditures under the Provincial Funding Model without adversely affecting the capital revenues already received from the Province;

**AND BE IT FURTHER RESOLVED THAT**, in the alternative, the City of Toronto explore the sharing of public assets including a joint management strategy.”

*Disposition: The Motion was adopted, without amendment.*

**(25) 500 Sherbourne Street, 146 and 160 Wellesley Street East and 539 Jarvis Street**

**Moved by: Councillor Rae**

**Seconded by: Councillor Chow**

“**WHEREAS** the City of Toronto is in discussions with the Province of Ontario regarding the transference of the former Princess Margaret Hospital (500 Sherbourne Street) to the City; and

**WHEREAS** the hospital services at the Wellesley Hospital (146 and 160 Wellesley Street East) have been terminated and the Wellesley Central Health Corporation is reviewing the potential for the redevelopment of those lands; and

**WHEREAS** the redevelopment of these two parcels of land will represent a major redevelopment project within the City; and

**WHEREAS** the former Victoria Daycare Site at 539 Jarvis Street, which is adjacent to the former Princess Margaret Hospital, has been vacated; and

**WHEREAS** the properties at 515 and 519 Jarvis Street and 2 and 4 Wellesley Place, which are heritage properties, are being retained and developed with infill housing;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Commissioner of Urban Development Services, in consultation with the Acting Commissioner of Community and Neighbourhood Services, to prepare a planning study and report to Toronto East York Community Council in the last quarter of the year 2001 for the lands at 500 Sherbourne Street, 146 and 160 Wellesley Street East and 539 Jarvis Street, and consult with the owners of the respective properties, such study to examine the potential for comprehensive redevelopment including new roads, heights and massing of buildings, and parks and open space.”

*Disposition: The Motion was adopted, without amendment.*

**(26) Permit Fees – Toronto Film Studios**

**Moved by: Councillor Layton**

**Seconded by: Councillor Nunziata**

“**WHEREAS** the Toronto Film Studios at 629 Eastern Avenue has acquired the adjacent A.R. Clarke Property at 633 Eastern Avenue for expanded film studio purposes; and

**WHEREAS** the A.R. Clarke Property has recently had a substantial fire that requires demolition of damaged structures and site clean-up in advance of any building permit application for any new building, and hence before any hoarding permit for construction purposes can be applied for; and

**WHEREAS** the existing site conditions present a situation to the surrounding community that is potentially unsafe, noisy, dust-filled, and generally unpleasant; and

**WHEREAS** The Toronto Film Studios has requested permission to construct an attractive eight foot temporary wooden buffer fence on the City Right-of Way, along the frontage of the A.R. Clarke Property facing Eastern Avenue, as a mechanism to protect

the surrounding community from this unpleasantness for an indefinite period of several months; and

**WHEREAS** the buffer fence is to be built and maintained by the Toronto Film Studios, who are willing to assume all responsibilities and liabilities normally associated with Street Occupation Permits, the location and the design details of which are shown generally on the attached drawings;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct that the permit fees that apply to a monthly rental be waived in this instance for a period of 12 months, and that the Commissioner of Works and Emergency Services be authorized to charge only the one-time permit fee, as set out in the Requirements for the Issuance of a Street Occupancy Permit, which is contained in Chapter 313, s.313-22 of Toronto Municipal Code;

**AND BE IT FURTHER RESOLVED THAT** in January 2002, the Commissioner of Works and Emergency Services submit a report on the status of this matter to the Toronto East York Community Council;

**AND BE IT FURTHER RESOLVED** that the appropriate officials be authorized to process the application for the requested permit in a timely manner.”

*Disposition: The Motion was adopted, without amendment.*

(27) **Additional Costs - SAP Implementation – Police Services**

**Moved by: Councillor Balkissoon**

**Seconded by: Councillor Altobello**

“**WHEREAS** Council approved an amount of \$2.75 Million included in the 2000 Capital Budget for the implementation of SAP (version 4.0) at Toronto Police Services; and

**WHEREAS** Toronto Police Services issued a Request for Proposal and entered into a contract to install SAP version 4.0; and

**WHEREAS** the City had decided to proceed with the upgrade of its SAP system to the latest version to ensure ongoing SAP support; and

**WHEREAS** it was determined that it would be more economical for Toronto Police Services to implement the 4.6 version of SAP in the same timeframe as the City; and

**WHEREAS** this involved a change in scope and costs of the SAP implementation at Toronto Police Services; and

**WHEREAS** it is necessary to amend the implementation contract at this time to ensure that the implementation is completed on time;

**NOW THEREFORE BE IT RESOLVED THAT** the attached report dated July 19, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, entitled “Additional Costs SAP Implementation – Police Services”, be adopted by Council.”

**Disposition:** *The Motion was adopted, subject to adding thereto the following new Operative Paragraph:*

**“AND BE IT FURTHER RESOLVED THAT** the Acting Chief Financial Officer be requested to report to the Policy and Finance Committee at its October meeting on the status of the SAP implementation at Toronto Police Services, and to make a presentation at that meeting on the SAP system, as it is implemented at the City, and Toronto Police Services, including a review of the progress of the various stages of implementation since conception.”

*Council, by its adoption of the Motion, as amended, adopted, without amendment, the report dated July 19, 2001, from the Acting Chief Administrative Officer and the Acting Chief Financial Officer, embodying the following recommendations:*

*“It is recommended that:*

- (1) the request from Police Services for additional funding for the change in scope of the SAP implementation in the amount of \$1,165,000.00 be deferred;*
- (2) Toronto Police Services and City staff identify where savings can be achieved in the implementation costs by using City and Police Services staff rather than consulting resources;*
- (3) any additional funding still required be funded from the operating budgets of Police Services and the Finance Department; and*
- (4) the Acting Chief Administrative Office and Acting Chief Financial Officer report to the October Administration Committee meeting on the results of the SAP Implementation and the 4.6 Upgrade including an update on any funding implications of the Police SAP implementation.”*

(28) **Late Night Entertainment Events**

**Moved by:** Councillor Soknacki

**Seconded by:** Councillor Chow

“**WHEREAS** a Protocol for Late Night Entertainment Events was adopted by the City of Toronto Council at its meeting of August 1, 2000; and

**WHEREAS** the Protocol is mandatory with respect to events on City owned property, and voluntary with respect to events on private property; and

**WHEREAS** the Protocol has, as intended, ensured that City owned venues are checked in relation to the impact of late night entertainment events, and that there are Police, Fire, and Emergency Medical Services present;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Medical Officer of Health to report to the Board of Health for its meeting to be held on September 24, 2001 on:

- (1) the usefulness of the City Protocol with respect to late night entertainment events;
- (2) if there are areas of improvement within the jurisdiction of the City of Toronto (including the enhancement of drug education as recommended by the Coroner’s Inquiry into the death of Alan Ho); and
- (3) a review of the actions taken by the Boards of Health in other municipalities with respect to late night entertainment events.”

*Disposition: The Motion was adopted, without amendment.*

(29) **Ontario Municipal Board Appeal Regarding 118 Finch Avenue West and 4-10 Altamont Road**

**Moved by:** Councillor Feldman

**Seconded by:** Councillor Moscoe

“**WHEREAS** City Council at its meeting held on May 30 and 31 and June 1, 2001 enacted Official Plan Amendments 496 and 497 and Zoning By-law 470-2001 relating to a proposed four-storey condominium and townhouse project at 118 Finch Avenue West and 4-10 Altamont Road; and

**WHEREAS** the Official Plan Amendments and Zoning By-law were appealed to the Ontario Municipal Board by a ratepayer association which alleges that the bills were not available for public review at the statutory public meeting at which this development was approved, nor made available for comment to potentially affected third parties who requested their disclosure prior to adoption and enactment by Council; and

**WHEREAS** the appellant alleges technical concerns with the Official Plan Amendments and Zoning By-law rather than opposition to the proposed development itself; and

**WHEREAS** the applicant is anxious to proceed with the project without unnecessary delay; and

**WHEREAS** the next Council meeting will not take place until the first week of October, after the anticipated date of the Ontario Municipal Board hearing;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the City Solicitor to attempt to expeditiously settle the appeal so as to enable the proposed project to proceed as quickly as possible in accordance with the general intent of the staff report recommending approval of the project.”

*Disposition:                    The Motion was adopted, without amendment.*

(30) **Process for Development Review Applications**

**Moved by:                    Councillor Filion**

**Seconded by:                Councillor Moscoe**

“**WHEREAS** City Council at its meeting held on December 14, 15 and 16, 1999, mandated that ‘the development review process be governed by principles of fairness and equality in all dealings with applicants and potentially affected third parties’; and

**WHEREAS** it is imperative, in order to maintain public confidence in the development review process, that the actual wording and schedules of proposed Official Plan Amendments and Zoning By-laws be made available to the public for scrutiny prior to adoption and enactment;

**NOW THEREFORE BE IT RESOLVED THAT** City Council instruct that no proposed Official Plan Amendment be brought forward for adoption, or Zoning By-law for enactment, without the opportunity for public review of its specific content;

**AND BE IT FURTHER RESOLVED THAT** the applicant, and potentially affected third parties who so request, be provided with equal opportunity for comment on draft legislation during the development review process;

**AND BE IT FURTHER RESOLVED THAT** draft Official Plan Amendments and Zoning By-laws recommended by staff be brought forward in a timely manner, in their entirety, together with the related final reports, so as to be available to Councillors, applicants and potentially affected third parties at the statutory public meetings at which they are considered;

**AND BE IT FURTHER RESOLVED THAT** the appropriate staff be requested to report back to Council, through the Planning and Transportation Committee, on the process to give effect to the intent of this resolution.”



*Disposition: The Motion was referred to the Planning and Transportation Committee.*

(31) **Social Assistance Fraud – Provincial Legislative Changes**

**Moved by: Councillor Miller**

**Seconded by: Councillor Chow**

“**WHEREAS** Council at its meeting of April 11, 12 and 13, 2000 opposed Provincial legislative changes with respect to a lifetime ban for individuals convicted of social assistance fraud; and

**WHEREAS** Council subsequently considered the possibility of a court challenge because the law appeared to be unconstitutional but determined to wait; and

**WHEREAS** in the case of Rogers v. The Administrator of Ontario Works et al. Court File No. 01-CV-210868 Rogers has been denied benefits and is therefore challenging the constitutionality of the regulations; and

**WHEREAS** Rogers has been successful in obtaining interim relief from the Ontario Court, General Division, suggesting that the Court views the constitutional argument as having merit;

**NOW THEREFORE BE IT RESOLVED THAT** the Acting Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee, in time for the Committee to report to the October 2, 2001 Council meeting, on the merits of the City intervening in the Rogers case to further the City’s interest in this matter.”

*Disposition: The Motion was adopted, without amendment.*

(32) **2008 Olympic Bid Proposed Centres and Villages**

**Moved by: Councillor Chow**

**Seconded by: Councillor Johnston**

“**WHEREAS** the 2008 Olympic Bid proposed Centres and Villages were designed to provide an important new model for city building in the 21<sup>st</sup> Century; and

**WHEREAS** thousands of citizens and city staff put tremendous efforts into developing the Olympic Bid and the Waterfront Plan; and

**WHEREAS** the City of Toronto was unsuccessful in its 2008 Olympic Bid; and

**WHEREAS** all levels of government made it clear their commitments to waterfront development were not contingent on winning the 2008 bid; and

**WHEREAS** many of the guiding principles outlined in the 2008 Olympic Bid are still beneficial to the quality of life in the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the City of Toronto form a legacy Team to realize the key components of the Olympic Master Plan, and that the City canvass members of the Olympic Bid team for their interest; and
- (2) appropriate City staff, with the assistance of the Toronto Legacy Team, comment on the key elements of the Toronto bid listed and report to the appropriate Standing Committees, including the Waterfront Reference Group, in September, regarding the feasibility of implementing these proposals; and that members of the Legacy Team be invited to present to the Standing Committees regarding these key elements; and
- (3) these Standing Committees take appropriate action to report back to Council on the steps that should be taken to accomplish those elements of these plans that should be pursued; and implemented as part of the City's plans, such as, the Official Plan, the Waterfront Plan, the Social Plan, Fiscal Plan and the Strategic Plan:
  - Construction of 4,000-4,500 units of a range and mix of new housing for Toronto;
  - Restore our lake water quality, and naturalize the Don River;
  - Support the remediation and redevelopment of contaminated sites;
  - Provide flood protection for the West Don lands and the Port lands;
  - Establish a waterfront pedestrian promenade from Yonge Street to Cherry Street;
  - Establish a waterfront culture and youth centre that tells the story of Toronto's diversity, and creativity and provides a forum for dynamic youth culture;
  - Provide cultural gateways to the waterfront that would drive the revitalization of the waterfront;
  - Provide ongoing opportunities for high performance athletes to act as role models to children and youth;
  - Encourage recruitment in coaching at all levels;

- Provide opportunities for youth to upgrade their skills and obtain work experience through community sport programming;
  - Incorporate sustainable systems in the buildings of the waterfront; such as using sun and precipitation as the basis of their energy and water management systems, and power from renewable sources; and
  - Upgrade and revitalize facilities, pools, fields and gyms;
- (4) the City of Toronto adopt the environment, culture, and equity plans of the Olympic bid and integrate the following Bid's principles into the city's plans:
- Celebrate the remarkable diversity in its communities by welcoming all of its residents, including disability groups, multicultural communities and low-income families, to participate in and contribute to the life of the City;
  - Maximize benefits to and integration with local communities through the promotion of local entrepreneurs and the involvement of small businesses wherever possible;
  - Strive to be an inclusive and barrier free city in which public transportation and buildings are accessible to all, including the disabled, young, old and illiterate;
  - Support all opportunities for educating the general public and promoting society's awareness with respect to social equity issues in Toronto;
  - Minimize reliance on private vehicles and parking facilities in encouraging a 'green' transportation system that includes healthy activities such as walking and cycling for a more athletic City;
  - Initiate, stimulate and strengthen existing athletic programs in partnerships with community athletes and sport organizations;
  - Instill pride and involvement in the athletic achievements of its athletes and further the excellence of Canadian sports on the international stage;
  - Ensure that athletic plans, programs and events are inclusive and accessible to all who live, work and play in Toronto;
  - Seek creative environmental solutions through new research and development that will stand as a model for future development, provide a net environmental gain and create a positive environmental legacy for the City;
  - Encourage local industries to participate in pursuing new environmental solutions and generating environmental jobs, expertise and processes that have global value;

- Promote economic incentives for environmental efficiencies;
- Strive for the best possible air quality in planning, maintaining and upgrading a transportation infrastructure which is as environmentally sustainable as possible;
- Commit to the environmental principles of reducing, reusing, recycling and other creative environmental solutions which will improve the air, water and land quality in Toronto;
- Encourage and showcase environmentally sustainable technologies including green roofs, rain gardens, deep lake water cooling, natural lighting and ventilation, co-generation, solar energy, photovoltaic systems, fuels cells, sustainable building materials and processes, wastewater recycling and alternative vehicle fuels;
- Ensure the full participation of all sectors of the cultural, artistic and heritage communities in this City, reflecting the innovation for which the City is internationally renowned;
- Promote local talent, expertise and creativity by fostering artistic exchanges locally, nationally and internationally;
- Advance cultural activities that serve to educate the general public in order to create future generations of artists and audiences;
- Foster the excellence of local artistic talent, accomplishments and successes which are the pride of Toronto; and
- Endorse lasting social, cultural, sporting, environmental and physical legacies that serve to celebrate the heritage and history of the City of Toronto as well as its rich diversity and its relationship with the world.”

*Disposition: The Motion was referred to the Policy and Finance Committee.*

(33) **Declaration of Event for Liquor Licencing Purposes – The Festival de Verano**

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Li Preti**

“**WHEREAS** a request has been received from the Canadian Hispanic Congress for a special occasions permit to hold a community event, ‘The Festival de Verano’ at Lamport Stadium on Saturday, July 28, 2001, from 2:00 p.m. until 11:00 p.m.; and

**WHEREAS** this group requires support and authorization to sell Hispanic food and beer on that day; and

**WHEREAS** the time sensitive nature of this request requires the endorsement of Toronto City Council; and

**WHEREAS** the Council will be meeting on July 24, 25 and 26, 2001; and

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

*Disposition: The Motion was adopted, without amendment.*

(34) **Appointment of City Clerk**

**Moved by: Councillor Ootes**

**Seconded by: Councillor Berardinetti**

“**WHEREAS** the Acting Chief Administrative Officer has submitted a confidential report dated July 19, 2001 with respect to a personnel matter pertaining to the appointment of a City Clerk;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the aforementioned confidential report dated July 19, 2001 from the Acting Chief Administrative Officer and that such confidential report be adopted.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated July 19, 2001, from the Acting Chief Administrative Officer, embodying the following recommendations, such report now public, save and except the curriculum vitae referred to therein, such document to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual:*

*“It is recommended that:*

- (1) Ulli S. Watkiss be appointed to the position of City Clerk and that such appointment be effective September 4, 2001, provided that she has entered into an employment contract with the City on or before September 3, 2001;*
- (2) the Commissioner of Corporate Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment*

*contract provisions previously approved and consistent with other third level senior management of the City;*

(3) *By-law No. 342-2001 being ‘A By-law to appoint an Acting City Clerk’ be amended to provide that such appointment will remain in full force and effect until a by-law appointing a new City Clerk comes into effect; and*

(4) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.”*

(35) **Waterfront Interim Control By-law No. 627-2000**

**Moved by: Councillor Pantalone**

**Seconded by: Councillor Layton**

“**WHEREAS** Council adopted the Waterfront Interim Control By-law No. 627-2000 to protect for future options to realize a waterfront with continuous public access, enhanced open space opportunities and an improved transportation network, which expires on October 4, 2001; and

**WHEREAS** the studies undertaken for the Central Waterfront Part II Plan have resulted in a better understanding of the transportation needs and public infrastructure requirements; and

**WHEREAS** in order to minimize the impact on private landowners and allow development to proceed while not compromising work on the Central Waterfront Part II Plan and precinct development strategies, lands included in the Interim Control By-law have been reviewed in the context of the ongoing work on the new Central Waterfront Part II Plan; and

**WHEREAS** it is recommended to exempt certain lands immediately from the Interim Control By-law and to extend the Interim Control By-law for another year for the remaining lands, but provide the opportunity for certain sites to be conditionally released as outlined in the attached report from the Commissioner of Urban Development Services, dated July 23, 2001; and

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the attached report dated July 23, 2001, from the Commissioner of Urban Development Services, regarding the extension of the Interim Control By-law for another year and exemptions for certain sites;

**AND BE IT FURTHER RESOLVED THAT** the necessary Bill be introduced to give effect thereto.”

**Disposition:** *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 23, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) the City Solicitor be directed to amend Interim Control By-law 627-2000 to delete the areas identified by shading on Map 1 and extend the period of the Interim Control By-law for a further year to October 4, 2002 for those areas shown by hatching on Map 1;*
- (2) the City Solicitor and appropriate staff be directed to attend the Ontario Municipal Board hearing commencing on October 9, 2001 to defend Interim Control By-law 627-2000, as amended in accordance with Recommendation No. (1); and*
- (3) authority be granted for the introduction of the necessary Bill in Council to implement Recommendation No. (1).”*

**(36) Interim Control By-law – Land adjacent to the North Side of the CN Lakeshore Rail Corridor**

**Moved by:** Councillor Pantalone

**Seconded by:** Councillor Korwin-Kuczynski

**“WHEREAS** the formation of the Toronto Waterfront Revitalization Corporation, and the City’s preparation of a new Central Waterfront Official Plan and Zoning By-law have focussed considerable attention on the waterfront; and

**WHEREAS** the City needs to protect for future options to realize a waterfront with continuous public access and potential reconfiguration of the street systems serving the waterfront; and

**WHEREAS** areas adjacent to the Central Waterfront are impacted by these initiatives; and

**WHEREAS** the Commissioner of Urban Development Services, in the attached report dated July 23, 2001, has recommended Interim Control for these areas;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the attached report dated July 23, 2001, from the Commissioner of Urban Development Services, regarding an Interim Control By-law for these areas;

**AND BE IT FURTHER RESOLVED THAT** the necessary Bill be introduced to give effect thereto.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 23, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) based upon City Council's prior approvals for the Front Street Extension and City Council's resolution of August 1, 2 and 3, 2000 directing the preparation of a new Central Waterfront Official Plan and Zoning By-law, City Council pass an Interim Control By-law, pursuant to Section 38 of the Planning Act, to prohibit the new use of land, buildings or structures, within the area shown on the Maps appended to this report, and the period of the proposed by-law be for one year from the date of enactment; and*
- (2) authority be granted for the introduction of the necessary Bill in Council to implement Recommendation No. (1).”*

**(37) Continuation of Salary - Captain Patrick Carey**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Prue**

**“WHEREAS** Captain Patrick Carey, a Toronto fire fighter, died of a heart attack in the line of duty on April 30, 2001; and

**WHEREAS** Captain Patrick Carey was a 29 year veteran of the Toronto Fire Department, with only two months remaining until his scheduled retirement; and

**WHEREAS** under the Toronto Fire Fighter’s Collective Agreement the salary of a fire fighter is to be continued to his widow, should he die in the line of duty; and

**WHEREAS** Captain Patrick Carey’s salary was terminated immediately upon his death; and



**WHEREAS** Captain Patrick Carey's salary would not have been terminated if his death was as a result of a tangible accident; and

**WHEREAS** on June 19, 2001, the WSIB has determined that his death was as a result of work related stress and therefore compensable under the WSI Act; and

**WHEREAS** the delay in reinstating the continuation of Captain Patrick Carey's salary has cost financial hardship to his widow;

**NOW THEREFORE BE IT RESOLVED THAT** the appropriate staff be directed to investigate this matter on an urgent basis and have the matter resolved immediately."

*Disposition: The Motion was adopted, without amendment.*

(38) **Use of Nathan Phillips Square – WWF Rally**

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Altobello**

**“WHEREAS** the Special Events Division of the Economic Development Culture and Tourism Department has tentatively booked Nathan Phillips Square for a possible WWF rally on or between the dates of August 27, 2001 and September 8, 2001; and

**WHEREAS** the Special Events Division is anticipating the need to utilize pyrotechnics during the event; and

**WHEREAS** under the Municipal Code, Chapter 237 ‘Nathan Phillips Square’ prohibits the setting off of fireworks within the limits of the Square; and

**WHEREAS** the Commissioner of Corporate Services has submitted the attached report dated July 25, 2001, recommending that the provisions of the Municipal Code, Chapter 237, Nathan Phillips Square be waived in order to accommodate this request;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated July 25, 2001 from the Commissioner of Corporate Services, and that such report be adopted.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council, adopted without amendment, the report dated July 25, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) permission be granted to the event organizers to set off pyrotechnics within the boundaries of Nathan Phillips Square; and*
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”*

(39) **Elevator Problems – City Hall Council Chamber**

**Moved by:** Councillor Nunziata

**Seconded by:** Councillor Berardinetti

“**BE IT RESOLVED THAT** the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on a remedy for the elevator problems associated with the City Hall Council Chamber.”

*Disposition: The Motion was adopted, without amendment.*

(40) **Toronto Port Authority – Amendment to Agreement**

**Moved by:** Councillor Shiner

**Seconded by:** Councillor Pantalone

“**WHEREAS** Council at its meeting held on July 4, 5 and 6, 2000 authorized the Chief Administrative Officer to execute an agreement (‘the Standstill Agreement’) with the Toronto Port Authority which would have the effect of extending the limitation period, under which the Toronto Port Authority would otherwise be required to commence litigation proceedings against the City in respect of an Agreement of Purchase and Sale dated July 18, 1994, for a period of one year; and

**WHEREAS** the term of the Standstill Agreement expires on July 31, 2001; and

**WHEREAS** by letter dated July 18, 2001 the Toronto Port Authority approached the City with respect to an extension of the Standstill Agreement for a further period of ninety days;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the confidential report of the City Solicitor dated July 26, 2001 regarding the extension of the Standstill Agreement on the terms being recommended by the City Solicitor, and that such report be adopted.”

*Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report from the City Solicitor dated July 26, 2001, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information subject to solicitor-client privilege.*

(41) **Declaration of Event for Liquor Licensing purposes- St. Fidelis Parish Homecoming Festival**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Pantalone**

“**WHEREAS** a request has been received from St. Fidelis Parish for a special occasion permit to hold a community event, ‘Homecoming Festival’, at 33 Connie Street on Sunday, September 9, 2001, from 2:00 p.m. to 1:00 a.m. on Monday, September 10, 2001; and

**WHEREAS** the festival is to take place outdoors on the church property, and food and drinks are to be served; and

**WHEREAS** it provides an opportunity for all parishioners to come out and participate in numerous events and activities; and

**WHEREAS** the time sensitive nature of this request requires the endorsement of Toronto City Council; and

**WHEREAS** the Council will be meeting on July 24, 25 and 26, 2001;

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

*Disposition: The Motion was adopted, without amendment.*

(42) **Request for Non-Objection Letter for Liquor Licensing Purposes – Junction Arts Festival and Junction Gardens BIA**

**Moved by: Councillor Miller**

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** the Junction Arts Festival will hold their Street Festival on September 15, 2001, and September 16, 2001, from 12:00 p.m. to 10:00 p.m., and from 12:00 p.m. to 5:00 p.m., respectively; and

**WHEREAS** the Junction Arts Festival and the Junction Gardens BIA have requested that an extension onto City property (north side of Dundas Street West) of the liquor licenses for the following licence establishments – Axis Gallery & Grill at 3048 Dundas Street West and Vesuvio’s Pizzeria and Spaghetti House at 3014 Dundas Street West be approved; and

**WHEREAS** I, as Ward Councillor, have received this formal request from the Junction Arts Festival and the Junction Gardens BIA;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor license by the Junction Arts Festival and the Junction Gardens BIA is in the public interest, having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to approve the application.”

*Disposition: The Motion was adopted, without amendment.*

(43) **Exemption from Noise By-law No. 31317 of the former City of North York**

**Moved by: Councillor Li Preti**

**Seconded by: Councillor Feldman**

“**WHEREAS** the former City of North York enacted Noise By-law No. 31317 on October 17, 1990, being a by-law to ensure an environment free from unusual, unnecessary, or excessive sound or vibration which may degrade the quality and tranquillity of life and cause nuisances; and

**WHEREAS** Works and Emergency Services Department is planning to widen the east side of Yonge Street from the Eastbound exit ramp of Highway 401 to Franklin Avenue; and

**WHEREAS** Yonge Street is one of the busiest arterial roads in the City of Toronto and closing of a lane during weekdays to facilitate the roadwork would severely impact traffic flow exiting from Highway 401 as well as Yonge Street; and

**WHEREAS** the safety of pedestrians and vehicular traffic, certain construction activities must be carried out during weekend hours, when traffic volumes are low;

**NOW THEREFORE BE IT RESOLVED THAT** exemption from Noise By-law No. 31317 of the former City of North York be granted to permit the contractor to work on two Sundays, from 9:00 a.m. to 7:00 p.m., in the months of September and October 2001, to carry out construction activities, including grinding and removal of asphalt, repairing of roadway and pouring of concrete.”

*Disposition: The Motion was adopted, without amendment.*

July 31, 2001