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These Minutes are subject to confirmation by City Council.

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

**TUESDAY, JUNE 26, 2001,
WEDNESDAY, JUNE 27, 2001, AND
THURSDAY, JUNE 28, 2001**

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

CALL TO ORDER

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

The meeting opened with O Canada.

6.2 **CONFIRMATION OF MINUTES**

Councillor Shiner, seconded by Councillor Miller, moved that the Minutes of the Special and Regular Council meetings held on the 23rd, 24th, 25th, 26th, 27th and 30th days of April, 2001, and the 1st and 2nd days of May, 2001, be confirmed in the form supplied to the Members, which carried.

6.3 **PETITIONS AND ENQUIRIES**

Petitions:

The following Petitions were filed with the Acting City Clerk:

- (a) a Petition submitted by Councillor Johnston, on behalf of the Elliott family, in regard to Notice of Motion J(4) pertaining to 39 McGlashan Avenue.

Motion:

Councillor Johnston moved that the foregoing petition be referred to the Audit Committee.

Vote:

Adoption of motion by Councillor Johnston:

Yes - 37	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 4	
Councillors:	Ford, Kelly, Moeser, Ootes

Carried by a majority of 33.

- (b) a Petition submitted by Councillor Michael Walker pertaining to Clause No. 11 of Report No. 5 of The Midtown Community Council, headed “OMB Decision – 435-513 Rosewell Avenue and 164-170 Cheritan Avenue (Eglinton-Lawrence - Ward 16)”.

Motion:

Councillor Walker moved that the foregoing Petition be received and considered with Clause No. 11 of Report No. 5 of The Midtown Community Council.

Vote:

The motion by Councillor Walker carried.

- (c) Petitions submitted by Members of Council and various individuals in regard to Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”:
- (1) Petition signed by 41 persons submitted by Pat Milana, Unit Chair, Toronto

- Civic Employees' Union, Local 416;
- (2) Petition signed by 72 persons, submitted by Councillor Gerry Altobello;
 - (3) Petition signed by 43 persons, submitted by Councillor Maria Augimeri;
 - (4) Petitions signed by 62 and 86 persons, respectively, submitted by Councillor Sandra Bussin;
 - (5) Petition signed by 433 persons, submitted by Councillor Olivia Chow;
 - (6) Petition signed by 135 persons, submitted by Councillor Frank Di Giorgio;
 - (7) Petition signed by 81 persons, submitted by Councillor John Filion;
 - (8) Petition signed by 44 persons, submitted by Councillor Joanne Flint;
 - (9) Petition signed by 136 persons, submitted by Councillor Suzan Hall;
 - (10) Petition signed by 63 persons, submitted by Councillor Anne Johnston;
 - (11) Petition signed by 376 persons, submitted by Councillor Irene Jones;
 - (12) Petition signed by 111 persons, submitted by Councillor Chris Korwin-Kuczynski;
 - (13) Petition signed by 40 persons, submitted by Councillor Jack Layton, on behalf of Councillor Norm Kelly;
 - (14) Petition signed by 113 persons, submitted by Councillor Pam McConnell;
 - (15) Petitions signed by 65 and 107 persons, respectively, submitted by Councillor Joe Mihevc;
 - (16) Petition signed by 9 persons, submitted by Councillor David Miller;
 - (17) Petition signed by 1 person, submitted by Councillor Denzil Minnan-Wong;
 - (18) Petition signed by 131 persons, submitted by Councillor Ron Moeser;
 - (19) Petition signed by 35 persons, submitted by Councillor Frances Nunziata;
 - (20) Petition signed by 277 persons, submitted by Councillor Case Ootes;

- (21) Petition signed by 28 persons, submitted by Councillor Joe Pantalone;
- (22) Petition signed by 166 persons, submitted by Councillor Jane Pitfield;
- (23) Petition signed by 106 persons, submitted by Councillor David Soknacki;
- (24) Petition signed by 217 persons, submitted by Councillor Kyle Rae;
- (25) Petition signed by 182 persons, submitted by Councillor David Shiner;
- (26) Petition signed by 1,048 persons, submitted by Councillor Michael Walker;
and
- (27) various petitions signed by 261 persons, filed with the Acting City Clerk.

Proposal by Deputy Mayor:

Deputy Mayor Ootes proposed that the foregoing petitions be received and considered with Clause No. 1 of Report No. 9 of The Policy and Finance Committee.

Council concurred in the proposal by the Deputy Mayor.

Enquiry and Answer:

Council had before it the following regarding the Mayor's recent European trip:

- (a) Enquiry dated May 24, 2001, from Councillor Walker (See Attachment No. 1, Page 150); and
- (b) Answer to the foregoing Enquiry dated June 21, 2001, from Mayor Mel Lastman (See Attachment No. 2, Page 151).

Motion:

Councillor Walker moved that the foregoing Enquiry and Answer be received.

Vote:

The motion by Councillor Walker carried.

PRESENTATION OF REPORTS

6.4 Councillor Flint presented the following Reports for consideration by Council:

Report No. 9 of The Administration Committee,
Report No. 5 of The Community Services Committee,
Report No. 8 of The Works Committee,
Report No. 5 of The Audit Committee,
Report No. 9 of The Policy and Finance Committee,
Report No. 9 of The Works Committee,
Report No. 10 of The Administration Committee,
Report No. 6 of The Community Services Committee,
Report No. 6 of The Economic Development and Parks Committee,
Report No. 6 of The Planning and Transportation Committee,
Report No. 6 of The Southwest Community Council,
Report No. 5 of The West Community Council,
Report No. 5 of The Downtown Community Council,
Report No. 7 of The East Community Council,
Report No. 5 of The Midtown Community Council,
Report No. 5 of The North Community Council,
Report No. 4 of The Board of Health,
Report No. 6 of The Striking Committee, and
Report No. 6 of The Audit Committee,

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

6.5 Councillor Flint, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 10 of The Works Committee,

and moved, seconded by Councillor Jones, that the provisions of Chapter 27 of the City of Toronto Municipal Code be waived in connection with the foregoing Report, and that Council now give consideration to such Report, which carried, more than two-thirds of Members present having voted in the affirmative.

6.6 DECLARATIONS OF INTEREST

Councillor Bussin declared her interest in Clause No. 7 of Report No. 6 of The Economic Development and Parks Committee, headed “2001 Grant Recommendations for the Economic Development Sector Initiatives Program (EDSIP) and the Economic Sponsorship Initiatives (ESI) All Wards”, in that her husband represents one of the members of the organization involved in the Toronto Harbour Parade of Lights.

Councillor Jones declared her interest in Clause No. 15 of Report No. 10 of The Administration Committee, headed “Compliance Audit Request Under the Municipal Elections Act, 1996”, in that the Auditor named therein acts as Auditor for her election campaign.

Mayor Lastman declared his interest in Clause No. 19 of Report No. 5 of The Downtown Community Council, headed “Draft By-law - Proposed Stop Up and Closure of a Portion of Lake Shore Boulevard West Between Strachan Avenue and Ontario Drive - Molson Indy (Trinity-Spadina, Ward 19)”, in that he is a member of the Molson Indy Board of Directors; and in Notice of Motion J(4), moved by Councillor Johnston, seconded by Councillor Walker, pertaining to 39 McGlashan Road and 596-598 Marlee Avenue - Tax Sale Matters, and the petition filed by Councillor Johnston in that regard, in that he has been named as a party in legal proceedings with respect to 39 McGlashan Avenue.

Councillor Miller declared his interest in Item (h), entitled “66-74 Quebec Avenue, Preliminary Report – Application to Amend the former City of Toronto Official Plan and Zoning By-law No. 438-86, to Demolish Two Residential Detached Houses and a Six-plex to Construct a 20 Storey Residential Tower (Parkdale-High Park, Ward 13)”, as embodied in Clause No. 37 of Report No. 6 of The Southwest Community Council, headed “Other Items Considered by the Community Council”, in that his mother resides in a condominium building adjacent to the proposed development.

Councillor Ootes declared his interest in Clause No. 15 of Report No. 10 of The Administration Committee, headed “Compliance Audit Request Under the Municipal Elections Act, 1996”, in that the request for a compliance audit pertains to his election campaign.

Councillor Walker declared his interest in Clause No. 1 of Report No. 5 of The Audit Committee, headed “Toronto Harbour Commissioners - Financial Review - Further Information”, only insofar as it pertains to the Outer Harbour Marina, in that his daughter is a summer employee at the Outer Harbour Marina.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 9 of The Administration Committee, Clauses Nos. 1, 2 and 3.

Report No. 5 of The Community Services Committee, Clause No. 1.

Report No. 8 of The Works Committee, Clauses Nos. 1, 2 and 3.

Report No. 5 of The Audit Committee, Clause No. 1.

Report No. 9 of The Policy and Finance Committee, Clauses Nos. 1, 3, 4, 10, 11, 12, 13, 14 and 15.

Report No. 9 of The Works Committee, Clauses Nos. 1, 2, 6, 10, 11, 12, 13, 14, 17 and 19.

Report No. 10 of The Works Committee, Clauses Nos. 1 and 3.

Report No. 10 of The Administration Committee, Clauses Nos. 2, 3, 5, 9, 10, 11, 13, 15, 16 and 17.

Report No. 6 of The Community Services Committee, Clauses Nos. 1, 5, 6, 7 and 13.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 3, 4, 5, 6, 7, 8, 9, 11 and 12.

Report No. 6 of The Planning and Transportation Committee, Clauses Nos. 2, 3, 4, 6, 10, 11 and 12.

Report No. 6 of The Southwest Community Council, Clauses Nos. 1 and 10.

Report No. 5 of The West Community Council, Clauses Nos. 5, 6, 9, 11 and 13.

Report No. 5 of The Downtown Community Council, Clauses Nos. 2, 5, 6, 12, 18, 24, 46 and 48.

Report No. 5 of The Midtown Community Council, Clause No. 12.

Report No. 6 of The Striking Committee, Clauses Nos. 1 and 3.

Report No. 6 of The Audit Committee, Clauses Nos. 4 and 5.

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

Report No. 9 of The Policy and Finance Committee, Clauses Nos. 3, 4, 12 and 15.

Report No. 10 of The Works Committee, Clauses No. 3.

Report No. 10 of The Administration Committee, Clauses Nos. 3, 5, 15 and 17.

Report No. 6 of The Community Services Committee, Clauses Nos. 6 and 7.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 3, 5, 7 and 8.

Report No. 6 of The Planning and Transportation Committee, Clauses Nos. 6 and 10.

Report No. 6 of The Southwest Community Council, Clause No. 1.

Report No. 5 of The West Community Council, Clause No. 11.

Report No. 5 of The Downtown Community Council, Clause No. 46.

Report No. 6 of The Audit Committee, Clause No. 5.

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

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

6.8 Clause No. 1 of Report No. 9 of The Administration Committee, headed “Status of the TEDCO Investigation”.

Motions:

- (a) Councillor Chow moved that the Clause be struck out and referred to the Budget Advisory Committee for information during its deliberations on the 2002 budget for the Toronto Port Authority.
- (b) Councillor Ashton moved that motion (a) by Councillor Chow be amended by adding thereto the words “and the Acting Chief Administrative Officer be requested to submit a report to the Budget Advisory Committee, for consideration therewith, on the original ownership of the hockey tickets, from whom they were purchased and at what cost”.

Votes:

Motion (b) by Councillor Ashton carried.

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

In summary, Council struck out and referred the Clause to the Budget Advisory Committee for information during its deliberations on the 2002 budget for the Toronto Port Authority; and requested the Acting Chief Administrative Officer to submit a report to the Budget

Advisory Committee, for consideration therewith, on the original ownership of the hockey tickets, from whom they were purchased and at what cost.

6.9 **Clause No. 2 of Report No. 9 of The Administration Committee, headed “Access to Property Databases by City Councillors”.**

Motion:

Councillor Berardinetti moved that the Clause be received.

Vote:

The motion by Councillor Berardinetti carried.

6.10 **Clause No. 19 of Report No. 9 of The Works Committee, headed “Questionable Automobile Advertising Initiatives”.**

Vote:

Adoption of Clause, without amendment:

Yes - 24	
Councillors:	Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Nunziata, Pantalone, Prue, Rae, Shiner, Silva, Sutherland, Walker
No - 15	
Councillors:	Altobello, Ashton, Balkissoon, Cho, Feldman, Holyday, Jones, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Ootes, Pitfield, Shaw, Soknacki

Carried by a majority of 9.

6.11 **Clause No. 11 of Report No. 10 of The Administration Committee, headed “Purchase of 117-119 Fermanagh Avenue (Ward 14 - Parkdale-High Park)”.**

Motion:

Councillor Korwin-Kuczynski moved that the Clause be amended in accordance with the confidential report dated June 20, 2001, from the President, Toronto Parking Authority, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information related to the acquisition of property for municipal or local board purposes, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council approve the acquisition of these properties, as set out in my report dated May 30, 2001, to Administration Committee, despite some contamination having been identified in and in relation to the property at 119 Fermanagh Avenue, provided that the Toronto Parking Authority proceeds with remediation of that property to residential/parkland standard following closing in conjunction with its construction of the surface parking lot; an amount of \$70,000.00 will be held back from the purchase price and placed in a reserve fund; this amount will be sufficient to clean up any and all contaminates; and any monies remaining in the reserve fund will be returned to the vendor; and
- (2) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

6.12 **Clause No. 16 of Report No. 10 of The Administration Committee, headed “By-law No. 181-81 Governing the Metropolitan Toronto Police Benefit Fund - Draft By-law to Increase Minimum Pension”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that the report dated June 18, 2001, from the Interim Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the request of the Board of Trustees to increase the minimum pension from \$375.00 to \$500.00, per year of service, be approved; and

- (2) the estimated \$3.96 million cost of this benefit improvement be charged against available surpluses in the Metropolitan Toronto Police Benefit Fund.’ ”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

- 6.13 **Clause No. 3 of Report No. 6 of The Planning and Transportation Committee, headed “Four Draft Plan of Condominium Applications: 44 Walmer Road (Ward 20 - Trinity-Spadina); 440 Eglinton Avenue East (Ward 22 - St. Paul’s); 88 Wellesley Street East (Ward 27 – Toronto Centre-Rosedale) and 17, 19, 21, 23 and 25 Lascelles Boulevard (Ward 22 - St. Paul’s)”.**

Vote:

Adoption of Clause, without amendment:

Yes - 37
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 1
Councillor: Kelly

Carried by a majority of 36.

- 6.14 **Clause No. 12 of Report No. 6 of The Planning and Transportation Committee, headed “Introduction of Bills as Required to Implement Approved Budget Proposals”.**

Motion:

Councillor Pantalone moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Planning and Transportation Committee be authorized to hold a public hearing at its meeting scheduled for July 3, 2001, to

consider proposed amendments to the City's sign by-laws to increase sign permit fees and sign variance fees by five percent."

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

6.15 **Clause No. 13 of Report No. 5 of The West Community Council, headed "Requests for Variances from Chapter 215, Signs of the Former City of Etobicoke Municipal Code".**

Motion:

Councillor Jones moved that the Clause be amended by deleting Recommendation (b) embodied in the report dated May 22, 2001, from the City Clerk, Etobicoke Sign Variance Advisory Committee, and inserting in lieu thereof the following:

"(b) the recommendation contained in the report (April 27, 2001) from Mr. Tamer Mikhail, Senior Plan Examiner, Building Division, West District, regarding 13803190 Ontario Limited (Division of O.J.S. & Associates Limited), 5481 Dundas Street West (Ward 5 - Etobicoke-Lakeshore), be deleted and the following be inserted in lieu thereof:

'It is recommended that the sign variance be approved as the application does comply with the distance requirements between sites within other former municipalities of the City of Toronto.' "

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

6.16 **Clause No. 2 of Report No. 5 of The Downtown Community Council, headed "Tree Removal and Injury - 887 - 907 Woodbine Avenue (Beaches-East York, Ward 32)".**

Motion:

Councillor Pantalone moved that the Clause be amended by deleting from Recommendation (c) of the Downtown Community Council, the date "April 12, 2001", and inserting in lieu thereof the date "June 1, 2001", so that such recommendation shall now read as follows:

- “(c) the applicant agreeing to implement the planting plan, Drawing No. L1, prepared by Cosburn Giberson Landscape Architects, date stamped as received by Urban Development Services on June 1, 2001.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

6.17 **Clause No. 18 of Report No. 5 of The Downtown Community Council, headed “Exemption from former Borough of East York Sign By-law No. 64-87 - 561 O’Connor Drive (Beaches-East York, Ward 31)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Prue moved that Council adopt the following recommendation:

“It is recommended that Esso Imperial Oil Canada be permitted to install a pylon sign, having a total sign area of 15.77 square metres, at 561 O’Connor Drive.”

Votes:

The motion by Councillor Prue carried.

The Clause, as amended, carried.

6.18 **Clause No. 24 of Report No. 5 of The Downtown Community Council, headed “Appeal to Ontario Municipal Board – Official Plan Amendment and Rezoning Application – 10-12 Market Street (Toronto Centre-Rosedale, Ward 28)”.**

Motion:

Councillor McConnell moved that the Clause be amended to provide that:

“**WHEREAS** there is a Ontario Municipal Board pre-hearing on Official Plan and Zoning Amendment Application No. 200002 for 10-12 Market Street on Wednesday, June 27, 2001; and

WHEREAS the City Solicitor has been instructed by Toronto - East York Community Council to attend the Ontario Municipal Board in opposition to the application until certain planning issues are resolved; and

WHEREAS Toronto - East York Community Council has requested the Commissioner of Works and Emergency Services to report directly to City Council regarding the option of reducing or eliminating parking in the development;

NOW THEREFORE BE IT RESOLVED THAT City Council consider on Tuesday, June 26, 2001, the report from the Commissioner of Works and Emergency Services dated June 20, 2001, entitled 'Official Plan Amendment and Rezoning Application No. 200002 for Premises Nos. 10-12 Market Street – Elimination of Parking Requirements', which indicates that the requirement for on-site parking spaces could be waived;

AND BE IT FURTHER RESOLVED THAT the requirement for on-site parking spaces be deleted.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

6.19 **Clause No. 48 of Report No. 5 of The Downtown Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

Motion:

Councillor Pantalone moved that the Clause be amended by adding the following new Part (e) to Recommendation No. (2) of the Downtown Community Council:

“(e) Toronto ITU World Cup Triathlon, VIP Reception, to be held on Saturday, July 7, 2001, between 11:00 a.m. and 6:00 p.m., at Exhibition Place.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Pantalone moved that the Clause be further amended by adding thereto the following:

“It is further recommended that City Council, for liquor licensing purposes, declare the Molson Indy, to be held on July 12 to 16, 2001, to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as further amended, carried.

Councillor Disero in the Chair.

Deputy Mayor Ootes in the Chair.

6.20 **Clause No. 1 of Report No. 5 of The Community Services Committee, headed “Provincial Legislation for ‘Rent Roll Back’ ”.**

Motion:

Councillor Walker moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Vote:

The motion by Councillor Walker carried.

6.21 **Clause No. 3 of Report No. 9 of The Administration Committee, headed “Sale of Surplus City-Owned Vacant Land, Southeast Corner of Ellesmere Road and Neilson Road (Ward 43 - Scarborough East)”.**

Motion:

Councillor Soknacki moved that the Clause be amended by striking out the recommendation of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that the report dated June 22, 2001, from the Commissioner of Corporate Services, be adopted, subject to amending Recommendation No. (2) embodied therein by adding thereto the words ‘within the context of the Housing First Policy’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) the report (May 3, 2001) from the Commissioner of Corporate Services, entitled “Sale of Surplus City-Owned Vacant Land, Southeast Corner of Ellesmere Road and Neilson Road”, be received;
- (2) the Commissioner of Corporate Services continue discussions with the Rouge Valley Health System, in consultation with the Commissioner of Community and Neighbourhood Services and the City Solicitor, with respect to the possible sale of all or some portion of Parts 1, 2 and 3, Reference Plan 64R-10780, within the context of the Housing First Policy;
- (3) the Offer to Purchase in the amount of \$1,570,000.00, received from Rouge Valley Health System to purchase the lands at the southeast corner of Ellesmere Road and Neilson Road identified as Parts 1, 2 and 3 on Reference Plan 64R-10780, not be accepted, and the Offer to Purchase, along with the Purchaser’s deposit of \$100,000.00, be returned to the Purchaser; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

6.22 Clause No. 1 of Report No. 6 of The Community Services Committee, headed “Transfer of Care Delays on Toronto Emergency Medical Services”.

Motions:

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

“It is further recommended that:

- (1) the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (a) this report be received for information;
- (b) City Council support and endorse our report to Community Services dated May 28, 2001; and
- (c) the dialogue with the hospital Chief Executive Officers and the Ministry of Health and Long-Term Care continue.’; and

- (2) City Council recognize the concerns expressed by the hospital Chief Executive Officers regarding the impact of measures to reduce or defer non-emergency, inter-facility patient transfer services, and the General Manager of Toronto Emergency Medical Services be requested to make every effort to minimize the impacts on non-emergency patient transfers, provided transfer of care times improve and response times are returned to an appropriate level.”

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

“It is further recommended that all statistics be publicly released on a regular basis and the Commissioner of Works and Emergency Services be directed to ensure that no agreements are executed with the provincial government and/or the hospital sector preventing the full public disclosure of statistics.”

- (c) Councillor Augimeri moved that the Clause be amended by inserting in Recommendation No. (2) embodied in the report dated May 28, 2001, from the Commissioner of Works and Emergency Services, as amended by the Community Services Committee, after the words “Toronto area”, the words “acute care”, so that such recommendation shall now read as follows:

“(2) the Chair of the Community Services Committee, Seniors’ Advocate, Commissioner of Works and Emergency Services and the General Manager of Toronto Emergency Medical Services meet with the Chief Executive Officers of Toronto area acute care hospitals to review the impacts that transfer of care delays are having on the Toronto Emergency Medical Services and to develop strategies to effectively deal with this trend;”.

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

“It is further recommended that the Mayor or his representative, the Chair of the Community Services Committee and the Seniors’ Advocate be requested to meet with the Premier of Ontario and/or the Minister of Health to:

- (1) recover the \$724,000.00 required to immediately address the transfer of patient care delay crisis; and
- (2) seek financial solutions to the health care crisis caused by under-funding of hospitals, health care clinics and long term care facilities.”

Votes:

Adoption of motions (a), (b), (c) and (d), by Councillors Duguid, Miller, Augimeri and Chow, respectively:

Yes - 32
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Ootes, Prue, Rae, Silva, Soknacki, Sutherland, Walker
No – 0

Carried, without dissent.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) inserting in Recommendation No. (2) embodied in the report dated May 28, 2001, from the Commissioner of Works and Emergency Services, as amended by the Community Services Committee, after the words “Toronto area”, the words “acute care”, so that such recommendation shall now read as follows:

“(2) the Chair of the Community Services Committee, Seniors’ Advocate, Commissioner of Works and Emergency Services and the General Manager of Toronto Emergency Medical Services meet with the Chief Executive Officers of Toronto area acute care hospitals to review the impacts that transfer of care delays are having on the Toronto Emergency Medical Services and to develop strategies to effectively deal with this trend;”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Mayor or his representative, the Chair of the Community Services Committee and the Seniors’ Advocate be requested to meet with the Premier of Ontario and/or the Minister of Health to:
 - (i) recover the \$724,000.00 required to immediately address the transfer of patient care delay crisis; and
 - (ii) seek financial solutions to the health care crisis caused by under-funding of hospitals, health care clinics and long term care facilities;
- (b) City Council recognize the concerns expressed by the hospital Chief Executive Officers regarding the impact of measures to reduce or defer non-emergency, inter-facility patient transfer services, and the General Manager of Toronto Emergency Medical Services be requested to make every effort to minimize the impacts on non-emergency patient transfers, provided transfer of care times improve and response times are returned to an appropriate level;
- (c) all statistics be publicly released on a regular basis and the Commissioner of Works and Emergency Services be directed to ensure that no agreements are executed with the provincial government and/or the hospital sector preventing the full public disclosure of statistics; and
- (d) the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) this report be received for information;
- (2) City Council support and endorse our report to Community Services dated May 28, 2001; and
- (3) the dialogue with the hospital Chief Executive Officers and the Ministry of Health and Long-Term Care continue.’ ”

6.23 **Clause No. 12 of Report No. 6 of The Economic Development and Parks Committee, headed “Results of the Request for Quotations No. 0203-01-015 for Janitorial Services in the Parks and Recreation East District (Various Wards)”.**

Motion:

Councillor Ashton moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit report to the Economic Development and Parks Committee on the application of performance metrics and methods of measuring productivity and consumer satisfaction.”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

6.24 **Clause No. 9 of Report No. 5 of The West Community Council, headed “Application for Approval of Site Plan Control, Zanini Developments Inc., 1 Beavertdale Road, File No. SPC20000033 (Ward 5 - Etobicoke-Lakeshore)”.**

Motion:

Councillor Milczyn moved that the Clause be amended by adding to Recommendation No. (4) embodied in the report dated May 25, 2001, from the Director, Community Planning, West District, as amended by the West Community Council, the words “and that the developer provide a Letter of Credit in that amount”, so that such recommendation shall now read as follows:

“(4) that the developer be responsible for the protection of the trees and the replacement of trees, as necessary, within two years of the completion of all construction on the site, such replacements to be with 200 millimetre calliper trees, up to a value of \$8,000.00, and that the developer provide a Letter of Credit in that amount.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

6.25 **Clause No. 6 of Report No. 9 of The Works Committee, headed “Highway 401/Morningside Avenue - New Road and Modification to Highway 401 Interchange - Proposed Environmental Assessment Study (Ward 42 - Scarborough-Rouge River)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services, in consultation with the City Forester, and in the context of the Environmental Assessment, be requested to investigate landscaping options and ensure that the recommended design includes appropriate landscaping features.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

6.26 **Clause No. 5 of Report No. 5 of The Downtown Community Council, headed “Draft Zoning By-law - 885 Logan Avenue (Toronto-Danforth, Ward 30)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Prue moved that Council adopt the following recommendation:

“It is recommended that the report dated June 25, 2001, from the Commissioner of Urban Development Services, embodying the following recommendation, be adopted:

‘It is recommended that the project be approved and the City Solicitor be instructed to amend the by-law to include a setback of the second storey of 1.67 metres from the west elevation of the building.’ ”

Votes:

The motion by Councillor Prue carried.

Adoption of Clause, as amended:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Johnston, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Silva, Soknacki, Sutherland
No - 3	
Councillors:	Layton, Shiner, Walker

Carried by a majority of 23.

6.27 Clause No. 6 of Report No. 5 of The Downtown Community Council, headed “Draft By-laws – Official Plan Amendment and Rezoning - 354 and 404 Jarvis Street (Toronto Centre-Rosedale, Ward 27)”.

Motion to Re-Open:

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

Motion:

Councillor Rae moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated June 25, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) City Council encourage the applicant to enter into discussions with Enwave with respect to servicing the proposed building;
- (2) City Council encourage the applicant to enter into discussions with Toronto Hydro Energy Services Inc. to maximize energy efficiency of the buildings and integration with the energy procurement program; and

- (3) the Commissioner of Economic Development, Culture and Tourism be requested to consult with the Toronto Preservation Board and to report directly to Council at its meeting on July 24, 25 and 26, 2001, on:
 - (a) the merits of any applications received to alter or demolish buildings on this designated site; and
 - (b) the matters to be secured in the heritage easement agreement.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

6.28 **Clause No. 2 of Report No. 10 of The Administration Committee, headed “2001 Access and Equity Grant Program Allocations”.**

Motions:

- (a) Councillor Holyday moved that the Clause be amended to provide that, if the final report for an organization has not been submitted and approved, funding for the grant to such organization not be released and the Acting Chief Administrative Officer be requested to report further to the Administration Committee in that regard.
- (b) Councillor Mihevc moved that the Clause be amended by adding thereto the following:

“It is further recommended that the following motion be approved, in principle, and referred to the Policy and Finance Committee for further consideration in the subsequent year’s budget deliberations:

‘**WHEREAS** the Access and Equity Grants Budget of \$465,000.00 is not sufficient to deal with women’s issues, disability issues and gay, lesbian, bisexual and transgendered issues; and

WHEREAS the 1998 review of the Access and Equity Grants program noted that \$1.5 million was required to fund all the Access and Equity areas with which the City is concerned; and

WHEREAS the City of Toronto's motto is 'Diversity our Strength';

NOW THEREFORE BE IT RESOLVED THAT City Council approve a three-year phase-in, from 2002 to 2004, of the Access and Equity Grants Budget to the total of \$1.5 million.' ”

- (c) Councillor Shiner moved that motion (b) by Councillor Mihevc be referred to the Acting Chief Administrative Officer and the Acting Commissioner of Community and Neighbourhood Services for joint report thereon to the Policy and Finance Committee and the Budget Advisory Committee during the 2002 budget process.

Votes:

Adoption of motion (a) by Councillor Holyday:

Yes – 7	
Councillors:	Holyday, Korwin-Kuczynski, Lindsay Luby, Pitfield, Shiner, Soknacki, Sutherland
No - 28	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Johnston, Jones, Kelly, Layton, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Silva, Walker

Lost by a majority of 21.

Adoption of motion (c) by Councillor Shiner:

Yes - 24	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Nunziata, Ootes, Pitfield, Prue, Shiner, Soknacki, Sutherland, Walker
No - 11	
Councillors:	Augimeri, Chow, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Rae, Shaw, Silva

Carried by a majority of 13.

The Clause, as amended, carried.

6.29 Clause No. 5 of Report No. 6 of The Community Services Committee, headed “Community Services Grants Program - 2001 Allocations”.

Vote:

Adoption of Clause, without amendment:

Yes - 34	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 33.

6.30 Clause No. 4 of Report No. 6 of The Economic Development and Parks Committee, headed “2001 Cultural Grants Recommendations – Major Cultural Organizations (All Wards)”.

Motion:

Councillor Mihevc moved that the Clause be amended by:

- (1) deleting Recommendation No. (3) embodied in the report dated May 17, 2001, from the Commissioner of Economic Development, Culture and Tourism, and inserting in lieu thereof the following new Recommendation No. (3):

“(3) a grant to the Caribbean Cultural Committee – Caribana – in the amount of \$353,500.00 be approved, subject to the organization meeting the following outstanding grant conditions for the year 2000, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, by July 16, 2001:

- (a) the Caribbean Cultural Committee will have a Chief Executive Officer in place to provide professional management of the Caribana Festival;
 - (b) the Caribbean Cultural Committee will produce a complete audit of its financial operations for the year 2000; and
 - (c) the Caribbean Cultural Committee be required to submit to the Commissioner of Economic Development, Culture and Tourism a complete audit of its 2001 financial operations no later than December 31, 2001;”;
- (2) adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee, in January 2002, on:

- (a) the Caribbean Cultural Committee’s progress in implementing a plan to restructure the organization, in order to ensure the future stability of the Caribana Festival; and
- (b) receipt of a complete audit of the 2001 financial operations of the Caribbean Cultural Committee.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

6.31 **Clause No. 6 of Report No. 6 of The Economic Development and Parks Committee, headed “2001 Community Festivals and Special Events Grants - Recommendations for Organizations (All Wards)”.**

Motion:

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

“It is further recommended that a grant of up to \$5,000.00 be awarded to ‘Sunday in the Park’ (Regent Park’s Community Festival) through the Toronto Christian Resources Centre, and the Commissioner of Economic Development, Culture and

Tourism be directed to work with this organization in preparing their community festival grant for 2002.”

Votes:

Adoption of motion by Councillor McConnell:

Yes - 27	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sutherland, Walker
No - 8	
Councillors:	Ashton, Duguid, Feldman, Holyday, Nunziata, Ootes, Shiner, Soknacki

Carried by a majority of 19.

The Clause, as amended, carried.

6.32 **Clause No. 1 of Report No. 8 of The Works Committee, headed “Dufferin Street Jog Elimination at Queen Street West - Addendum to Environmental Study Report (1992) (Davenport)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by adding thereto the following:

“It is further recommended that the joint report dated June 18, 2001, from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) in accordance with the recommendation of Clause No. 10 of Report No. 2 of The Works Committee, the Commissioner of Works and Emergency Services be authorized to file the Notice of Filing of Addendum for the Dufferin Street Jog Elimination at Queen Street West Environmental Assessment Study Report (ESR) with the City Clerk, and give public notification of such filing in accordance with the requirements of the Class EA;

- (2) authority be granted, in connection with Option “A”, to initiate the expropriation process for the property interests detailed herein;
- (3) authority be granted, in connection with Option “A”, to serve and publish Notices of Application for Approval to Expropriate property interests detailed herein, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer’s recommendations to Council for its consideration;
- (4) authority be granted to negotiate and execute a crossing agreement with CN and GO Transit, on terms acceptable to the City Solicitor, the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

6.33 **Clause No. 12 of Report No. 5 of The Midtown Community Council, headed “Final Report – Application to Amend the Official Plan and Zoning By-law - 2722 Bayview Avenue (Don Valley West - Ward 25)”.**

Motion:

Councillor Flint moved that the Clause be amended:

- (1) to provide that the Draft Official Plan Amendment and Draft Zoning By-law as set out in Attachments Nos. 7 and 8 contained in the report dated May 14, 2001, from the Director, Community Planning, North District, be amended to permit an accessory dispensing pharmacy only as a temporary use for a period of three years, as per Section 39 of the Planning Act; and
- (2) by adding thereto the following:
“It is further recommended that:

- (a) the City Solicitor do all things necessary to make the necessary changes to the draft Official Plan and Zoning By-law amendments, prior to the Bills being brought forward to City Council for enactment; and
- (b) in accordance with Section 34(17) of the Planning Act, no further notice be given in respect of the proposed by-law.”

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

Councillor Lindsay Luby in the Chair.

6.34 **Clause No. 9 of Report No. 6 of The Economic Development and Parks Committee, headed “Canada Malting Complex - Metronome Canada Incorporated - Information Report (Ward 20 Trinity Spadina)”.**

Motion:

Councillor Holyday moved that the Clause be amended by striking out the recommendations of the Economic Development and Parks Committee and inserting in lieu thereof the following:

“It is recommended that the report dated April 30, 2001, from the Commissioner of Corporate Services, as embodied in the Clause, be adopted.”

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion by Councillor Holyday:

Yes - 13	
Councillors:	Altobello, Chow, Di Giorgio, Feldman, Holyday, Layton, Lindsay Luby, Mihevc, Nunziata, Pantalone, Pitfield, Rae, Soknacki
No - 17	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Cho, Disero, Flint, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Moeser, Ootes, Shaw, Sutherland, Walker

Lost by a majority of 4.

Adoption of Clause, without amendment:

Yes - 17	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Cho, Disero, Flint, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Moeser, Ootes, Pitfield, Shaw, Sutherland, Walker
No - 13	
Councillors:	Altobello, Balkissoon, Chow, Di Giorgio, Feldman, Holyday, Layton, Lindsay Luby, Mihevc, Nunziata, Pantalone, Rae, Soknacki

Carried by a majority of 4.

6.35 Clause No. 4 of Report No. 6 of The Audit Committee, headed “Finance Department Review”.

Motion:

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

“It is further recommended that the Acting Chief Administrative Officer be requested to consider what sections of the current Finance Department can be reorganized corporately, from the Finance Department, and be organized as a separate function to deal with budget and accounting services, and submit a report thereon to the Administration Committee, such report to be considered with the report currently being prepared by the Acting Chief Administrative Officer on the financial review.”

Votes:

Adoption of motion by Councillor Pitfield:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Feldman, Flint, Holyday, Johnston, Kelly, Layton, Lindsay Luby, Mammoliti, McConnell, Moeser, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Soknacki, Sutherland, Walker
No - 0	

Carried, without dissent.

The Clause, as amended, carried.

6.36 **Clause No. 17 of Report No. 9 of The Works Committee, headed “Rear Yard Drainage - Adair Road and Furnival Road (Ward 31 - Beaches-East York)”.**

Motion:

Councillor Prue moved that the Clause be amended to provide that the project be approved as recommended, but the amount payable by each homeowner be limited to \$2,000.00.

Votes:

The motion by Councillor Prue carried.

The Clause, as amended, carried.

6.37 **Clause No. 4 of Report No. 6 of The Planning and Transportation Committee, headed “Highway 404 Extension”.**

Motion:

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

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

WHEREAS the Province of Ontario has just completed the widening of Highway 404 north of Highway 401; and

WHEREAS the Province of Ontario is planning to extend Highway 404 north from its current terminus at Davis Drive in the Town of Newmarket; and

WHEREAS the recent widening has increased traffic volume on Highway 404 and noise levels in the residential communities located adjacent to Highway 404 south of Steeles Avenue in the City of Toronto; and

WHEREAS the Province of Ontario has a long track record of erecting sound/noise barriers adjacent to expressways under its jurisdiction, such as Highways 401 and 427 and the Queen Elizabeth Way;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the Province of Ontario to erect sound/noise barriers along both sides of Highway 404 between Highway 401 and Steeles Avenue.’ ”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

6.38 **Clause No. 1 of Report No. 6 of The Striking Committee, headed “Appointments to the Association of Municipalities of Ontario, Toronto Caucus”.**

Motion to Re-Open:

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

Motion:

Councillor Disero moved that the Clause be amended by adding thereto the following:

“It is further recommended that Councillor Betty Disero be appointed as the additional City of Toronto Caucus Representative on the AMO Board of Directors for a term of office commencing at the Annual Meeting of the Association in August 2001, until the next Annual Meeting in August 2002.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

6.39 **Clause No. 3 of Report No. 6 of The Striking Committee, headed “Appointments to the Waterfront Reference Group”.**

Motion:

Councillor Pantalone moved that, having regard that Council, by its adoption, without amendment, of Motion J(9), moved by Councillor Pantalone, seconded by Councillor Ootes, re-opened Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed

“Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative”, for further consideration, only insofar as it pertains to the composition of the Waterfront Reference Group, and amended the composition of the Waterfront Reference Group to provide for the additional appointment of two (2) Members at large, as originally recommended in the staff report, the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) Councillors J. Flint and P. McConnell be appointed to the Waterfront Reference Group, as Members at large, for a term of office expiring May 31, 2002, and until their successors are appointed, or when the mandate is completed, whichever is earlier;
- (2) leave be granted to permit the introduction of any necessary Bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

6.40 **Clause No. 2 of Report No. 8 of The Works Committee, headed “Proposed Bill to Ban Bottles and Cans from State of Michigan Landfills”.**

Motion:

Councillor Mammoliti moved that the Clause be struck out and referred back to the Works Committee for further consideration.

Vote:

The motion by Councillor Mammoliti carried.

6.41 **Clause No. 9 of Report No. 10 of The Administration Committee, headed “Request for Additional Funds for Increase in Purchase Order Issued for Chiller Replacement Project at St. Lawrence Market-South”.**

Motion:

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

“It is further recommended that:

- (1) the following procedures for dealing with Capital project estimates for Facilities and Real Estate, as outlined in the communication dated June 26, 2001, from the Executive Director, Facilities and Real Estate, be adopted:
 - ‘(1) all capital work that exceeds \$50,000.00 in value will be co-ordinated through the Design, Construction and Asset Preservation Section of Facilities and Real Estate for project estimates; this includes both Capital Budget submissions and emergency projects; and
 - (2) in preparing the project scope and estimate, the following procedures apply:
 - (a) a full site visit is to be made to establish extent of work;
 - (b) a preliminary engineering study, to define the method of remedial repairs, will be conducted;
 - (c) a detailed scope of work, based on the engineering study, is to be prepared; this will include all necessary code implications, disruption to the operation of the building and any specialized equipment;
 - (d) a project schedule will be drafted to establish the duration of the project, with milestone dates and any after-hours work;
 - (e) a project schedule, scope of work and a detailed estimate is to be prepared, including quantities and unit costs; and
 - (f) this estimate shall be reviewed with Project Managers for feedback.’; and
- (2) the Acting City Clerk be requested to circulate a copy of the communication dated June 26, 2001, from the Executive Director, Facilities and Real Estate, to all Commissioners, with a request that they submit reports to the Policy and Finance Committee, through the Budget Advisory Committee, by September 2001, on their procedures for dealing with Capital expenditures.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 6.42 **Clause No. 12 of Report No. 5 of The Downtown Community Council, headed “Commercial Boulevard Parking Fronting 520 Richmond Street West and on the Augusta Avenue Flank (Trinity-Spadina, Ward 20)”.**

Motion to Re-Open:

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

Motion:

Councillor Chow moved that the Clause be amended by striking out the recommendations of the Downtown Community Council and inserting in lieu thereof the following:

“It is recommended that City Council deny the request for commercial boulevard parking for four vehicles fronting 520 Richmond Street West and for one vehicle on the Augusta Avenue flank.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 6.43 **Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”.**

Motions:

- (a) Councillor Rae moved that the Clause be struck out and referred back to the Board of Directors of the Metropolitan Toronto Housing Company, the Board of Directors of the Toronto Housing Company, the Acting Chief Administrative Officer and the Acting Commissioner of Community and Neighbourhood Services for further consideration and consultation with the tenants’ Tenant Councils, Members of Council and staff, and report thereon, with options, for the consolidation of the City

of Toronto's housing, to a joint meeting of the Community Services Committee and the Policy and Finance Committee at the same time as the Shareholder's Direction is also on the agenda, such report to address the nomination process for tenants.

Motions on Referral:

- (b) Councillor Mihevc moved that motion (a) by Councillor Rae be amended by adding thereto the words “and further, that the requested report be submitted to City Council for consideration at its regular meeting scheduled to be held on October 2, 2001, such report to include:
 - (1) the relationship of the new Housing Corporation to the City of Toronto;
 - (2) staffing issues;
 - (3) the ‘Fair Wage’ policy;
 - (4) successor rights;
 - (5) a tenant model for representation;
 - (6) the composition of the Board of Directors of the Corporation; and
 - (7) the content of the Shareholder’s Direction.”
- (c) Councillor Chow moved that motion (a) by Councillor Rae be amended by adding thereto the words “and further, that the tenants and staff to be consulted be provided with a brief summary of City Council’s Service Delivery Policy Framework”.
- (d) Councillor Silva moved that motion (a) by Councillor Rae be amended by adding thereto the words “and further, that representatives of the Unions be included in the consultation process”.
- (e) Councillor Jones moved that motion (a) by Councillor Rae be amended by adding thereto the words “and further, that:
 - (1) the Acting Commissioner of Community and Neighbourhood Services be required to:
 - (a) consult with tenant advocates, prior to the preparation of the report;
 - (b) include a full range of model options for the Housing Company, including the pros and cons of each option, in the report; and
 - (c) provide an analysis of the existing Boards of Directors connected with the City of Toronto and the ways in which the proposed Board of

- Directors resembles the Boards currently in place in the City of Toronto; and
- (2) the Community Services Committee and the Policy and Finance Committee be required to schedule time for deputations in this regard at the joint meeting.”

Vote Be Now Taken:

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

Yes – 15	
Councillors:	Disero, Feldman, Flint, Ford, Hall, Kelly, Li Preti, Mammoliti, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shiner, Sutherland
No – 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Pantalone, Prue, Rae, Shaw, Silva, Soknacki, Walker

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

Votes on referral:

Motion (b) by Councillor Mihevc carried.

Motion (c) by Councillor Chow carried.

Motion (d) by Councillor Silva carried.

Adoption of motion (e) by Councillor Jones:

Yes - 25 Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Disero, Fillion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Walker
No - 18 Mayor: Councillors:	Lastman Berardinetti, Di Giorgio, Duguid, Feldman, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Ootes, Pitfield, Shiner, Soknacki, Sutherland

Carried by a majority of 7.

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

Yes - 18 Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Fillion, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 25 Mayor: Councillors:	Lastman Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 7.

Vote to Now Continue Debate on this Clause:

Yes - 19 Mayor: Councillors:	Lastman Balkissoon, Di Giorgio, Feldman, Flint, Hall, Johnston, Kelly, Li Preti, Mammoliti, Moeser, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland
No - 13 Councillors:	Augimeri, Cho, Chow, Disero, Ford, Holyday, Lindsay Luby, Mihevc, Milczyn, Pantalone, Prue, Silva, Walker

Carried by a majority of 6.

Motions:

- (f) Councillor Walker moved that the Clause be amended:
- (1) by striking out the recommendations of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that the Toronto Housing Company Inc. and the Metro Toronto Housing Corporation remain as two separate entities.”; or
 - (2) if Part (1) fails, to provide that, in the creation of the new Housing Company, the composition of the Board of Directors be as follows:
 - (a) four (4) tenants, elected by their fellow tenants;
 - (b) four (4) politicians, appointed by City Council through the Nominating Committee process; and
 - (c) five (5) citizens;for a total membership of 13.
- (g) Councillor Layton moved that the Clause be amended:
- (1) to provide that:
 - (a) the development of the new terms for the Board of Directors ensures a majority of tenant representation on the Board;
 - (b) any sale or major redevelopment of City-owned housing require approval by Toronto City Council, after an open, public process;
 - (c) any business plan be renamed the “Community Management Plan”, and be developed with the involvement of the residents of the Housing Company;
 - (d) the new Corporation not be permitted to release an asset from the portfolio that is transferred to the Corporation until receiving specific instructions from City Council at its meeting to be held on October 2, 2001, or thereafter, according to the Shareholder Direction or business plan; and

- (e) all the current sitting Members of the Board of Directors of the Toronto Housing Company be appointed, today, to the new Housing Corporation so as to supplement the membership appointed by the Province of Ontario, and to act until October 2, 2001, or until their successors are appointed; and
- (2) by adding thereto the following:
- “It is further recommended that:
- (a) in developing the Shareholder Direction, staff of the Community and Neighbourhood Services Department be directed to do the following:
 - (i) consult with Toronto Housing Company and Metro Toronto Housing Corporation Tenants’ Councils;
 - (ii) submit the resulting report to the Advisory Committee on Homeless and Socially-Isolated Persons for comment; and
 - (iii) consult with the Inter-Clinic Public Housing Work Group;
 - (b) in developing the Shareholder Direction, staff of the Community and Neighbourhood Services Department be directed to meet with representatives of the staff and unions of the Toronto Housing Company and the Metro Toronto Housing Authority; and
 - (c) any ‘Shareholder Direction’ document, or document providing the over-arching principles of operation of a newly amalgamated housing authority, involve tenant and tenant advocate representation as the document is drafted, and such document be forwarded to a joint meeting of the Policy and Finance Committee and the Community Services Committee to provide an opportunity for public deputations, prior to submission to City Council.”

Councillor Disero in the Chair.

- (h) Councillor Li Preti moved that the Clause be amended:
 - (1) to provide that:

- (a) any plan to sell or redevelop any part of public housing stock require the approval of both the relevant Community Council and City Council; and
 - (b) the Council representatives on the new housing company Board of Directors be those who have a social housing component in their respective communities; and
- (2) by adding thereto the following:

“It is further recommended that the appropriate City staff be authorized to work with Councillors wishing to hold meetings in the community and to provide staff support for the consultation process.”

Deputy Mayor Ootes in the Chair.

- (i) Councillor Duguid moved that the Clause be amended:
- (1) in accordance with Recommendations Nos. (1), (2)(b) and (3) embodied in the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, viz.:
- “(1) Recommendation No. (3) in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, entitled ‘Governance of City-Owned Social Housing Portfolio’, be amended to read as follows:
- ‘(3) appropriate steps be taken to appoint a new 13-member Board of Directors for TCHC comprising:
- (a) nine (9) citizens, two (2) of whom would be tenants, collectively representing a range of relevant expertise including:
- (i) knowledge of the social housing area;
- (ii) housing advocacy;
- (iii) community development;
- (iv) business and financial management;
- (v) understanding of corporate governance responsibilities;
- (vi) organizational development; and
- (vii) labour relations;
- (b) three (3) Councillors; and
- (c) the Mayor or a Councillor as the Mayor’s designate;’;
- (2)(b) Council choose, as the method to appoint tenants to the Board of Directors, a tenant nomination process whereby tenants make nominations for the tenant positions on the Board of Directors; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

- (2) by adding thereto the following:

“It is further recommended that:

- (a) the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the City Solicitor be directed and authorized to undertake the necessary actions to change the name of the local housing corporation that the Provincial Government established under the Social Housing Reform Act, 2000, from “Metro Toronto Housing Corporation” to “Toronto Community Housing Corporation” (TCHC); and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;
- (b) the respective Boards of Directors of the Metro Toronto Housing Authority and the Toronto Housing Company be directed to maintain all current policies and programs, until such time as Council approves a comprehensive Shareholder Direction;
- (c) in the preparation of the draft Shareholder Direction, staff and the Reference Group be directed to provide policy direction in the following areas:
- (i) maintenance of the highest standard of tenant security and tenure and an equitable method of tenant selection;
- (ii) development of new service standards and levels aimed at improving tenant satisfaction;
- (iii) enhanced tenant support initiatives;
- (iv) direction regarding maintenance of a service delivery mix that ensures stability of service delivery;
- (v) the inclusion of a meaningful process for management accountability at the local level;

- (vi) inclusion of a requirement for the new corporation to involve tenants in decision making, policy formulation and planning, building on the 'Resident Participation System' currently in place in the Toronto Housing Company and the Resident Advisory Council of the Metro Toronto Housing Company;
 - (vii) a provision whereby the annual plan would be forwarded annually to City Council, with a staff report ensuring the plan complies with the Shareholder Direction;
 - (viii) that the Shareholder Direction include requirements to seek Council approval for the removal of any rent-geared-to-income (RGI) or market units;
 - (ix) the inclusion of a requirement that the new corporation recognizes applicable successor rights obligations, including recognition of their existing Collective Agreement rights;
 - (x) the inclusion of an effective eviction prevention policy;
 - (xi) the inclusion of an effective tenant complaint process; and
 - (xii) that the Shareholder Direction include a requirement to maintain levels of service and a requirement to engage in service level adjustments and harmonization only after full tenant consultation; and
- (d) the Board of Directors of the new Housing Corporation be directed that it may not dispose of any property without the consent of City Council.”

Councillor Lindsay Luby in the Chair.

(j) Councillor Mihevc moved that the Clause be amended:

- (1) by amending Recommendation No. (2) embodied in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, to read as follows:

“(2) the necessary actions, including obtaining all required consents and approvals, be commenced immediately to transfer all THC assets and operations to the newly formed Toronto Community Housing Corporation (TCHC), but not be executed until the new membership of the TCHC Board is in place, and that the THC be dissolved as soon as may be convenient following completion of such executions;”;

- (2) to provide that the operations of the Toronto Housing Company (THC) remain with THC until the Shareholder Direction is executed; and
- (3) by adding the following words to Recommendation No. (5) embodied in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause:

“and that the Reference Group provide policy direction in the following areas:

- (a) mandatory tenant council structure at the local and City-wide levels;
- (b) mandatory Fair Wage Policy, consistent with that of the City of Toronto;
- (c) successor rights for employees of both housing companies; and
- (d) an over-arching commitment to set policies and programs consistent with the overall goal of eliminating homelessness and providing affordable housing;”.

(k) Councillor Bussin moved that the Clause be amended:

- (1) to provide that the Shareholder Direction contain a provision to ensure the role of City Councillors in terms of decisions that are made that impact on their particular community; and
- (2) by adding thereto the following:

“It is further recommended that the Acting Chief Administrative Officer be directed to have meaningful consultations with the affected parties, such as the Canadian Union of Public Employees, Locals 79 and 416, and the City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI), in terms of any changes related to employment issues at the Toronto Housing Company and the Metro Toronto Housing Company.”

(l) Councillor Prue moved that the Clause be amended to provide that:

- (1) the tenant representatives on the Board of Directors of the new housing company be directly elected, rather than appointed by Council;

- (2) the number of Councillors to be appointed to the Board of Directors of the new housing company be limited to two; and
 - (3) where possible, the Councillors appointed to the Board of Directors of the new housing company be those who have direct experience living in public housing.
- (m) Councillor Silva moved that the Clause be amended to provide that the Shareholder Direction:
- (1) contain a provision that the model for the selection of residents to the Board of Directors of the new housing company be that used by the Toronto Housing Company; and
 - (2) recognize that the employees of the new housing company are employees of the City of Toronto.
- (n) Councillor Mammoliti moved that the Clause be amended to provide that:
- (1) in the preparation of the draft Shareholder Direction, staff and the reference group be directed to provide recommendations which ensure that the new corporation will develop a new corporate culture, structures and mechanisms that replace those inherited from the previous provincial local housing authority; and
 - (2) the membership of the Board of Directors of the new housing company be comprised of three citizens, four tenants and six Members of City Council.
- (o) Councillor Jones moved that the Clause be amended to provide that the Shareholder Direction allow for the conversion of the buildings to co-operative units, subject to the approval of City Council.
- (p) Councillor Chow moved that:
- (1) Part (1) of motion (i) by Councillor Duguid be amended:
 - (a) to provide that one additional Member of Council be appointed to the Board of Directors of the new housing company; and
 - (b) by adding to Recommendation No. (3)(a) the following:
 - “(viii) legal aid experience; and
 - (ix) social services for hard to serve tenants;”;

- (2) Part (2)(b) of motion (i) by Councillor Duguid be amended by inserting, after the word “programs”, the words “and operations”; and
- (3) the Clause be amended:
 - (a) to provide that the new merged housing company be a local board of the City of Toronto under the Municipal Affairs Act;
 - (b) by amending Recommendation No. (2) embodied in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, to read as follows:
 - “(2) the necessary actions, including obtaining all required consents and approvals, be commenced immediately to transfer all MTHC assets and operations to the newly formed THC and that MTHC be dissolved as soon as may be convenient following completion of such transfers;”;
 - (c) by adding to Recommendation No. (5) embodied in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, the words “and that staff, Commissioners and interested Councillors be consulted in the preparation of the Shareholder Direction and business plan”; and
 - (d) by adding thereto the following:
 - “It is further recommended that:
 - (i) the Shareholder Direction and the business plan of MTHC be submitted to joint meetings of the Community Services and Policy and Finance Committees for approval, prior to City Council’s decision; and
 - (ii) tenants and staff to be consulted be provided with a brief summary of Council’s Service Delivery Policy Framework.”
- (q) Councillor McConnell moved that the Clause be amended:
 - (1) to provide that:

- (a) the Corporation be established with by-laws requiring it to follow the Shareholder Direction, to submit annual business plans for the approval of Council and to adhere to its business plans unless it receives Council approval to depart from such plans;
- (b) the Shareholder Direction:
 - (i) include meaningful processes for tenant accountability at the local level and the presence of elected tenants on the Board of Directors of the new housing corporation;
 - (ii) require the new housing corporation to adopt an eviction policy consistent with the City of Toronto's policy on evictions in private sector accommodation;
 - (iii) include clauses enabling staff transferred from the municipality to be able to remain employees of the City of Toronto and those rights be enjoyed by all employees of the corporation;
 - (iv) instruct the new housing corporation to reimburse the City of Toronto for the costs incurred in the initial work on property redevelopment efforts; and
 - (v) include the following requirements for the new corporation:
 - (1) to involve tenants in decision making, policy formulation and planning, building on the "Resident Participation System" currently in place in the Toronto Housing Company;
 - (2) to seek Council approval for the disposition of any units currently in the portfolio;
 - (3) to ensure that staff transferred from the City of Toronto be assured of no loss of the protections or privileges currently in their Collective Agreements and those rights be enjoyed by all employees of the corporation;
 - (4) to appoint an independent Ombudsman to deal with tenant complaints; and

- (5) to maintain levels of service and to engage in service level adjustments and harmonization only after full tenant consultation; and

- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be directed to include, in the Shareholder Direction, that the new housing corporation pursue redevelopment of former Ontario Housing Corporation properties, where appropriate, and the new housing corporation continue the work of the Provincial Ministry of Housing to redevelop Regent Park as a pilot project in the redevelopment efforts.”

Deputy Mayor Ootes in the Chair.

- (r) Councillor Miller moved that Part (2)(c) of motion (i) by Councillor Duguid be amended by deleting the words “to provide policy direction in the following areas”, and inserting in lieu thereof the words “to include in the Shareholder Direction the following”.

Withdrawal of Motion:

Councillor Duguid, with the permission of Council, withdrew Part (2)(d) of his motion (i).

Votes:

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

Yes – 11	
Councillors:	Augimeri, Bussin, Cho, Johnston, Jones, Layton, Miller, Pantalone, Prue, Rae, Walker
No – 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Silva, Soknacki, Sutherland

Lost by a majority of 21.

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

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

Part (2)(b) of motion (i) by Councillor Duguid carried, as amended.

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

Adoption of Part (3)(b) of motion (p) by Councillor Chow:

Yes – 16	
Councillors:	Augimeri, Bussin, Cho, Chow, Johnston, Jones, Layton, Li Preti, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
No – 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 11.

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

Yes – 16	
Councillors:	Augimeri, Bussin, Cho, Chow, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
No – 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 11.

Adoption of Part (1)(a) of motion (g) by Councillor Layton:

Yes – 16	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Disero, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Prue, Rae, Silva, Walker
No – 27	
Mayor:	Lastman

Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Soknacki, Sutherland
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Lost by a majority of 11.

Adoption of Part (1)(a) of motion (p) by Councillor Chow:

Yes – 19	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Rae, Silva, Walker
No – 24	
Mayor:	Lastman
Councillors:	Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 5.

Part (1)(b) of motion (p) by Councillor Chow carried.

Adoption of Part (1) of motion (i) by Councillor Duguid, as amended:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 10	
Councillors:	Bussin, Cho, Ford, Minnan-Wong, Moeser, Pantalone, Prue, Rae, Silva, Walker

Carried by a majority of 23.

Adoption of Part (1) of motion (l) by Councillor Prue:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 3	
Councillors:	Balkissoon, Kelly, Korwin-Kuczynski

Carried by a majority of 37.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (2) of motion (l) by Councillor Prue, redundant.

Adoption of Part (3) of motion (l) by Councillor Prue:

Yes - 17	
Councillors:	Augimeri, Bussin, Cho, Chow, Johnston, Jones, Layton, McConnell, Mihevc, Milczyn, Miller, Pantalone, Prue, Rae, Shaw, Silva, Walker
No - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland

Lost by a majority of 9.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (2) of motion (n) by Councillor Mammoliti, redundant.

Adoption of Part (1)(b) of motion (h) by Councillor Li Preti:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Johnston, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Walker
No - 15	
Councillors:	Ashton, Balkissoon, Berardinetti, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Mammoliti, Minnan-Wong, Moeser, Ootes, Soknacki, Sutherland

Carried by a majority of 13.

Adoption of Part (1)(e) of motion (g) by Councillor Layton:

Yes - 18	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 25	
Mayor:	Lastman
Councillors:	Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 7.

Adoption of Part (1)(b) of motion (g) by Councillor Layton:

Yes - 38	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 5	
Councillors:	Balkissoon, Flint, Ford, Ootes, Sutherland

Carried by a majority of 33.

Deputy Mayor Ootes, having regard to the nature of Part (1)(a) of motion (h) by Councillor Li Preti, ruled such Part out of order.

Part (1)(d) of motion (g) by Councillor Layton carried.

Adoption of Part (2)(a) of motion (g) by Councillor Layton:

Yes - 42	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 41.

Adoption of Part (2)(b) of motion (g) by Councillor Layton:

Yes - 42	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 41.

Part (2) of motion (h) by Councillor Li Preti carried.

Adoption of Part (3) of motion (j) by Councillor Mihevc:

Yes - 23 Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Walker
No - 20 Mayor: Councillors:	Lastman Balkissoon, Berardinetti, Disero, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Ootes, Pitfield, Shiner, Soknacki, Sutherland

Carried by a majority of 3.

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

Yes - 31 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 12 Councillors:	Balkissoon, Berardinetti, Duguid, Feldman, Ford, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Ootes, Sutherland

Carried by a majority of 19.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (1) of motion (m) by Councillor Silva, redundant.

Adoption of Part (2) of motion (m) by Councillor Silva:

Yes - 19	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Flint, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Pantalone, Pitfield, Prue, Rae, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 5.

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

Yes - 39	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 4	
Councillors:	Ashton, Ford, Jones, McConnell

Carried by a majority of 35.

Adoption of motion (o) by Councillor Jones:

Yes - 42 Mayor: Lastman Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1 Councillor: Ford

Carried by a majority of 41.

Adoption of Part (2)(c) of motion (g) by Councillor Layton:

Yes - 21 Councillors: Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Disero, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 22 Mayor: Lastman Councillors: Altobello, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 1.

Ruling by Deputy Mayor:

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

Councillor Miller challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 17	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker

Carried by a majority of 9.

Vote:

Part (2)(c) of motion (i) by Councillor Duguid carried.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having been requested by Councillor McConnell to rule that Council vote on each component of Part (1) of her motion (q) separately, ruled that the vote on Part (1) of motion (q) be taken as requested by Councillor McConnell.

Councillor Soknacki challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 19	
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Ootes, Prue, Shaw, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland

Lost by a majority of 5.

Vote:

Adoption of Part (1) of motion (q) by Councillor McConnell, in its entirety:

Yes - 18 Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 25 Mayor: Councillors:	Lastman Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 7.

Withdrawal of Motion:

Councillor McConnell, with the permission of Council, withdrew Part (2) of her motion (q).

Votes:

Part (2) of motion (k) by Councillor Bussin carried.

Part (3)(c) of motion (p) by Councillor Chow carried.

Adoption of Part (3)(d)(i) of motion (p) by Councillor Chow:

Yes - 23 Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Nunziata, Pantalone, Prue, Rae, Silva, Soknacki, Walker
No - 20 Mayor: Councillors:	Lastman Ashton, Balkissoon, Berardinetti, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Ootes, Pitfield, Shaw, Shiner, Sutherland

Carried by a majority of 3.

Part (1)(c) of motion (g) by Councillor Layton carried.

Part (3)(d)(ii) of motion (p) by Councillor Chow carried.

Adoption of Part (3)(a) of motion (p) by Councillor Chow:

Yes - 15	
Councillors:	Altobello, Augimeri, Bussin, Cho, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 28	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 13.

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

Adoption of Clause, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 15	
Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Johnston, Jones, Layton, McConnell, Miller, Pantalone, Prue, Rae, Silva, Walker

Carried by a majority of 13.

In summary, Council amended this Clause by amending the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause:

- (1) by amending Recommendation No. (2) to read as follows:
 - “(2) the necessary actions, including obtaining all required consents and approvals, be commenced immediately to transfer all THC assets and operations to the newly formed Toronto Community Housing Corporation (TCHC), but not be executed until the new membership of the TCHC Board is in place, and that the THC be dissolved as soon as may be convenient following completion of such executions;”;
- (2) in accordance with Recommendations Nos. (1) and (2)(b) embodied in the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as further amended by Council, viz.:
 - “(1) Recommendation No. (3) in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, entitled ‘Governance of City-Owned Social Housing Portfolio’, be amended to read as follows:
 - “(3) appropriate steps be taken to appoint a new 13 member Board of Directors for TCHC comprising:
 - (a) 9 citizens, 2 of whom would be tenants, collectively representing a range of relevant expertise including:
 - (i) knowledge of the social housing area;
 - (ii) housing advocacy;
 - (iii) community development;
 - (iv) business and financial management;
 - (v) understanding of corporate governance responsibilities;
 - (vi) organizational development;
 - (vii) labour relations;
 - (viii) legal aid experience; and
 - (ix) social services for hard to serve tenants;
 - (b) 3 Councillors; and
 - (c) the Mayor or a Councillor as the Mayor’s designate;”;
 - (2)(b) Council choose, as the method to appoint tenants to the Board of Directors, a tenant nomination process whereby tenants make nominations for the tenant positions on the Board of Directors;

and further that:

- (3) the tenant representatives on the Board of Directors of the new housing company be directly elected, rather than appointed by Council;
 - (4) the Council representatives on the new housing company Board of Directors be those who have a social housing component in their respective communities; and
 - (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (3) by adding the following words to Recommendation No. (5):

“and that the Reference Group provide policy direction in the following areas:

- (a) mandatory tenant council structure at the local and City-wide levels;
- (b) mandatory Fair Wage Policy, consistent with that of the City of Toronto;
- (c) successor rights for employees of both housing companies; and
- (d) an overarching commitment to set policies and programs consistent with the overall goal of eliminating homelessness and providing affordable housing;

and that staff, Commissioners and interested Councillors be consulted in the preparation of the Shareholder Direction and business plan”;

- (4) to provide that:
- (a) the operations of the Toronto Housing Company (THC) remain with THC until the Shareholder Direction is executed;
 - (b) the respective Boards of Directors of the Metro Toronto Housing Authority and THC be directed to maintain all current policies, programs and operations, until such time as Council approves a comprehensive Shareholder Direction;
 - (c) any sale or major redevelopment of City-owned housing require approval by Toronto City Council, after an open, public process;

- (d) the new Corporation not be permitted to release an asset from the portfolio that is transferred to the Corporation until receiving specific instructions from City Council at its meeting to be held on October 2, 2001, or thereafter, according to the Shareholder Direction or business plan;
 - (e) any business plan be renamed the “Community Management Plan”, and be developed with the involvement of the residents of the Housing Company;
 - (f) the Shareholder Direction:
 - (i) contain a provision to ensure the role of City Councillors in terms of decisions that are made that impact on their particular community; and
 - (ii) allow for the conversion of the buildings to co-operative units, subject to the approval of City Council; and
 - (g) in the preparation of the draft Shareholder Direction, staff and the reference group be directed to provide recommendations which ensure that the new corporation will develop a new corporate culture, structures and mechanisms that replace those inherited from the previous provincial local housing authority; and
- (5) by adding thereto the following:
- “It is further recommended that:
- (a) in developing the Shareholder Direction, staff of the Community and Neighbourhood Services Department be directed to do the following:
 - (i) consult with Toronto Housing Company and Metro Toronto Housing Corporation tenants’ councils and submit the resulting report to the Advisory Committee on Homeless and Socially Isolated Persons for comment;
 - (ii) consult with the Inter-Clinic Public Housing Work Group;
 - (iii) meet with representatives of the staff and unions of the Toronto Housing Company and the Metro Toronto Housing Authority;
 - (b) in the preparation of the draft Shareholder Direction, staff and the Reference Group be directed to provide policy direction in the following areas:
 - (i) maintenance of the highest standard of tenant security and tenure and

- an equitable method of tenant selection;
 - (ii) development of new service standards and levels aimed at improving tenant satisfaction;
 - (iii) enhanced tenant support initiatives;
 - (iv) direction regarding maintenance of a service delivery mix that ensures stability of service delivery;
 - (v) the inclusion of a meaningful process for management accountability at the local level;
 - (vi) inclusion of a requirement for the new corporation to involve tenants in decision making, policy formulation and planning, building on the 'Resident Participation System' currently in place in the Toronto Housing Company and the Resident Advisory Council of the Metro Toronto Housing Company;
 - (vii) a provision whereby the annual plan would be forwarded annually to City Council, with a staff report ensuring the plan complies with the Shareholder Direction;
 - (viii) that the Shareholder Direction include requirements to seek Council approval for the removal of any rent-geared-to-income (RGI) or market units;
 - (ix) the inclusion of a requirement that the new corporation recognizes applicable successor rights obligations, including recognition of their existing Collective Agreement rights;
 - (x) the inclusion of an effective eviction prevention policy;
 - (xi) the inclusion of an effective tenant complaint process; and
 - (xii) that the Shareholder Direction include a requirement to maintain levels of service and a requirement to engage in service level adjustments and harmonization only after full tenant consultation;
- (c) the Acting Chief Administrative Officer be directed to have meaningful consultations with the affected parties, such as the Canadian Union of Public Employees, Locals 79 and 416, and the City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI), in terms of

any changes related to employment issues at the Toronto Housing Company and the Metro Toronto Housing Company;

- (d) tenants and staff to be consulted be provided with a brief summary of Council's Service Delivery Policy Framework;
- (e) the appropriate City staff be authorized to work with Councillors wishing to hold meetings in the community and to provide staff support for the consultation process;
- (f) the Shareholder Direction and the business plan of TCHC be submitted to joint meetings of the Community Services and Policy and Finance Committees for approval, prior to City Council's decision;
- (g) the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the City Solicitor be directed and authorized to undertake the necessary actions to change the name of the local housing corporation that the Provincial Government established under the Social Housing Reform Act, 2000, from "Metro Toronto Housing Corporation" to "Toronto Community Housing Corporation" (TCHC); and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

6.44 Clause No. 6 of Report No. 5 of The West Community Council, headed "Final Report - Application to Amend the Etobicoke Official Plan; Reno-Depot Inc., 1608 The Queensway, File No. TA CMB20010001 (Ward 5 - Etobicoke-Lakeshore)".

Motion to Re-Open:

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

Motion:

Councillor Milczyn moved that the Clause be struck out and referred back to the West Community Council for further consideration.

Vote:

The motion by Councillor Milczyn carried.

- 6.45 **Clause No. 10 of Report No. 6 of The Southwest Community Council, headed “Final Report - 2133 St. Clair Avenue West and 88 Ethel Avenue, Toronto Stockyards Land Development Board, Amendment to Former City of Toronto Official Plan and Zoning By-law No. 438-86; File No. 100027(York South-Weston, Ward 11)”.**

Motion:

Councillor Miller moved that the Clause be amended:

- (1) to provide that:
 - (a) the number of units be reduced to nine; and
 - (b) “auctioneers’ premises” and “art gallery” be deleted from the approved uses; and
- (2) by adding thereto the following:

“It is further recommended that the Director, Community Planning, South District, be:

 - (a) directed to involve the Junction area, the Junction Business Improvement Area and the Malta Village Business Association in future development applications in the Stockyards area; and
 - (b) requested to commence a joint process between the relevant business organizations in the Junction and Stockyards areas on issues of common concern.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 6.46 **Clause No. 1 of Report No. 10 of The Works Committee, headed “Report of the City of Toronto Waste Diversion Task Force 2010”.**

Motions:

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

“It is further recommended that:

- (1) Councillor Jones, Ward 6, Etobicoke-Lakeshore, be appointed as Chair of the Sub-Committee of the Works Committee established to look at the creation of a ‘Take It Back’ Program and/or Product Stewardship Initiatives for Household Hazardous Waste, as set out in Recommendation No. (10) of the Waste Diversion Task Force 2010; and
- (2) the confidential report dated June 27, 2001, from the Commissioner of Works and Emergency Services, be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of property interests of the municipality or local board, save and except the following recommendations embodied therein:

‘It is 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.’ ”
- (b) Councillor Sutherland moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Policy and Finance Committee for its meeting scheduled to be held on July 12, 2001, on a schedule for the weekly collection of organics, recycling and residuals.”

Votes:

Motion (a) by Councillor Disero carried.

Motion (b) by Councillor Sutherland carried.

Adoption of Clause, as amended:

Yes - 32	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Disero, Feldman, Flint, Ford, Hall, Johnston, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 0	

Carried, without dissent.

6.47 **Clause No. 13 of Report No. 10 of The Administration Committee, headed “Proposed Acquisition of CN Leaside Spur Line Extending South from York Mills Road to North of Eglinton Avenue East (Ward 25 - Don Valley West)”.**

Motion to Re-Open:

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

Motion:

Councillor Flint moved that the Clause be amended by adding thereto the following:

“It is further recommended the confidential report dated June 19, 2001, from the Commissioner of Corporate Services, be adopted, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information related to the acquisition of property for municipal or local board purposes, save and except the recommendations embodied therein, subject to adding to Recommendation No. (1) the words ‘and the provision of an Access Agreement for the benefit of CN, in order to allow CN access to their active rail line adjacent to the east of the northerly portion of the property being acquired, and the City Solicitor be authorized to complete the transaction on December 18, 2001, including payment of any necessary expenses and amending the closing date to such earlier or later date as

he considers reasonable', so that the recommendations embodied in such confidential report shall now read as follows:

'It is recommended that:

- (1) the Offer to Sell from Canadian National Railway Company (CN) for the sale to the City of the Leaside Spur Line, in the amount of \$2.0 million, be accepted on the terms outlined in the body of this report and the provision of an Access Agreement for the benefit of CN, in order to allow CN access to their active rail line adjacent to the east of the northerly portion of the property being acquired, and the City Solicitor be authorized to complete the transaction on December 18, 2001, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable;
- (2) Council approve up to \$200,000.00 for a Phase II Environmental Report and a Site Specific Risk Assessment Plan (if necessary) to be completed on the property;
- (3) a further report be submitted to Council on the results of the Phase II Environmental investigations and any Site Specific Risk Assessment Plan completed during the due diligence period;
- (4) staff continue negotiations with Imperial Oil/Hydro One regarding the proposal to provide Hydro One with a telecommunications easement; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

6.48 **Clause No. 14 of Report No. 9 of The Policy and Finance Committee, headed "Sustainability Roundtable: First Status Report".**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Layton moved that Council adopt the following recommendation:

“It is recommended that the Chair of the Policy and Finance Committee and the Chair of the Community Services Committee be delegated the authority to appoint representatives of their respective Committees to the Sustainability Roundtable.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

- 6.49 **Clause No. 2 of Report No. 6 of The Planning and Transportation Committee, headed “Proposed Sign By-law Amendments to the Former City of Toronto Municipal Code, Chapter 297, Signs, North York Sign By-law 30788 and Metropolitan Toronto By-law 211-79 - West End of John Street Pumping Station (Ward 20, Trinity-Spadina); and North of Transit Road on the East and West Sides of W.R. Allen Road (Wards 9 & 10, York Centre)”.**

Motion:

- (a) Councillor Pantalone, seconded by Councillor Disero, moved that the Clause be amended:
- (1) to provide that Recommendation No. (1) of the Planning and Transportation Committee be adopted, subject to the deletion of the proposed location for an advertising sign on the west side of the W.R. Allen Road approximately 192 metres north of Transit Road (for southbound traffic); and

- (2) by adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Works and Emergency Services be requested to prepare a report, together with a draft by-law amendment to North York Sign By-law No. 30788, to permit the installation of a sign at a location on the west side of the W.R. Allen Road approximately 470 metres north of Transit Road, and submit such report and draft by-law to the Planning and Transportation Committee for the holding of a public meeting in accordance with the provisions of the Municipal Act;

- (b) the joint confidential report dated June 22, 2001, from the Interim Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, be adopted, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of property interests of the municipality; and
 - (c) the Bloor Viaduct Suicide Barrier project, as contained in the Transportation Services Division 2001 Capital Program, in the amount of \$6.0 million gross, \$2.5 million net, be released and construction of the barrier be commenced immediately, on the condition that the remaining unsecured contributions for the external financing will be forthcoming through signage other than on the Don Valley Parkway.”
- (b) Councillor Moeser moved that motion (a) by Councillor Pantalone be amended to provide that the location of the third sign be reported to the Planning and Transportation Committee for approval.

Vote Be Now Taken:

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

Yes - 23	
Mayor:	Lastman
Councillors:	Augimeri, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Silva, Soknacki, Sutherland
No - 9	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Ford, Holyday, Korwin-Kuczynski, Shiner, Walker

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

Votes:

Motion (b) by Councillor Moeser carried.

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

Yes - 27	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Pantalone, Prue, Silva, Soknacki, Sutherland, Walker
No - 7	
Councillors:	Altobello, Balkissoon, Ford, Holyday, Kelly, Korwin-Kuczynski, Nunziata

Carried by a majority of 20.

Adoption of Clause, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Johnston, Jones, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Pantalone, Prue, Silva, Soknacki, Sutherland, Walker
No - 5	
Councillors:	Altobello, Ford, Holyday, Kelly, Nunziata

Carried by a majority of 23.

6.50 Clause No. 10 of Report No. 10 of The Administration Committee, headed “Request for Proposals to Restore, Develop and Operate Union Station (Ward 28 - Toronto Centre-Rosedale)”.

Motions:

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

“It is further recommended that the report dated May 30, 2001, from the Commissioner of Corporate Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Commissioner of Corporate Services and Director of the Purchasing and Materials Management Division be authorized to issue a Request for Proposals to restore, develop and operate Union Station, to the three pre-qualified respondent groups from the Request for Expressions of Interest, in accordance with the terms identified herein;
- (2) the retainers of Marshall Macklin Monaghan and Davies Ward Phillips & Vineberg, LLP, be continued, to provide advice and assistance as required in connection with the Request for Proposals process, at a cost not to exceed \$250,000.00, to be funded from the net revenues of Union Station;
- (3) the Commissioner of Corporate Services report back to Administration Committee on the results of the Request for Proposals and with a recommended course of action to provide for a transition of Union Station to the governance body; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Vote Be Now Taken:

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

Yes - 13	
Councillors:	Cho, Di Giorgio, Disero, Duguid, Feldman, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Shaw, Soknacki
No - 11	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Holyday, Kelly, Korwin-Kuczynski, Miller, Moeser, Prue, Walker

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

Motion:

- (b) Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Hockey Hall of Fame be consulted in regard to a permanent hockey display in the new Union Station.”

Votes:

Motion (b) by Councillor Korwin-Kuczynski carried.

Adoption of motion (a) by Councillor McConnell:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Soknacki
No - 1	
Councillor:	Walker

Carried by a majority of 27.

The Clause, as amended, carried.

6.51 **Clause No. 11 of Report No. 6 of The Economic Development and Parks Committee, headed “Toronto District School Board, Update on Common Issues and Negotiations on Swimming Pool Usage by the Parks and Recreation Division (All Wards)”.**

Motion:

Councillor Chow moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the City of Toronto endorse the Toronto District School Board’s proposal to establish a ‘Pool Working Committee’ comprised of three trustees, three City Councillors plus staff from each organization to continue discussions on the funding of Board pools, such Working Group to be a Sub-Committee of the School Advisory Committee;
- (2) the Pool Working Committee also include representatives from the various swimming constituents, among them Sink or Swim (SOS), Swim Canada, Swim Ontario, Sport Alliance of Ontario, Lifesaving, Red Cross, Water Polo, etc.;

- (3) the Pool Working Committee report through the School Advisory Committee, in October 2001, regarding the progress of pool funding negotiations and recommend a protocol, including the implementation of joint-use agreements and land leases, for any future funding arrangements between the City and the Board;
- (4) the Mayor or his representative request a meeting with the Premier of Ontario, together with the Chair of the Toronto District School Board, to discuss the crisis caused by the provincial funding formula not mandating swimming or all maintenance, utility and care-taking tasks associated with pools, as educational expenses;
- (5) the City of Toronto attempt to apply for funding through the federal/provincial infrastructure program (Sports and Culture section) to repair old pools or build new ones to replace those pools that may have to be closed due to disrepair; and
- (6) the City accept the offer from Bruce Kidd of the Olympic Bid Team to assist in the effort to bring all levels of government together to increase physical education and sports for all of Toronto.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

6.52 **IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE**

June 26, 2001:

Procedural Motion:

6.53 **Personnel Matter - Appointment of Acting City Officials**

Mayor Lastman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(1):

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** the Mayor has identified a personnel matter that must be resolved as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT Council resolve itself into

Committee of the Whole today, June 26, 2001, to consider this matter.”,

the vote upon which was taken as follows:

Yes – 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland
No – 8	
Councillors:	Ashton, Cho, Chow, Jones, Layton, Mihevc, Prue, Walker

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

Vote:

Adoption of Motion J(1), without amendment:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Holyday, Johnston, Kelly, Lindsay Luby, Mammoliti, McConnell, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Soknacki, Sutherland
No - 6	
Councillors:	Ashton, Chow, Jones, Layton, Mihevc, Walker

Carried by a majority of 22.

Motion:

Deputy Mayor Ootes, at 5:48 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider a personnel matter, in accordance with the provisions of the Municipal Act.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 5:57 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:20 p.m., and met in public session in the Council Chamber.

Report of the Committee of the Whole:

Deputy Mayor Ootes took the Chair, called the Members to order and advised the Council that, having regard that Council had not concluded its discussion in Committee of the Whole, the in-camera session of this meeting would resume at 9:30 a.m. on Wednesday, June 27, 2001.

July 27, 2001:*Motion:*

Deputy Mayor Ootes, at 9:46 a.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to continue consideration of a personnel matter, in accordance with the provisions of the Municipal Act.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 9:53 a.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 12:27 p.m., and met in public session in the Council Chamber.

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

Report of the Committee of the Whole:

Deputy Mayor Ootes advised the Council that, having regard that Council had not concluded its discussion in Committee of the Whole, the in-camera session of this meeting would resume at 2:00 p.m., today.

Motion:

Deputy Mayor Ootes, at 2:15 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to continue consideration a personnel matter, in accordance with the provisions of the Municipal Act.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 2:24 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 4:04 p.m., and met in public session in the Council Chamber.

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

Report of the Committee of the Whole:

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

Motions:

- (a) Mayor Lastman, seconded by Councillor Ootes, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the leaving arrangement for Michael R. Garrett, Chief Administrative Officer and Interim Chief Financial Officer and Treasurer, in accordance with the terms of his employment contract with the City of Toronto, be approved;
- (2) the appointment of Michael R. Garrett as Chief Administrative Officer and Interim Chief Financial Officer for the City of Toronto be rescinded;
- (3) Shirley Hoy be appointed as Acting Chief Administrative Officer and Acting Chief Financial Officer, Al Shultz be appointed Acting Treasurer, and Eric Gam be appointed Acting Commissioner of Community and Neighbourhood Services;
- (4) Council appoint the Acting Chief Administrative Officer, Shirley Hoy, as the Chair of the Toronto Waterfront Revitalization Corporation, as sole director on an interim basis, and also as one of the two City of Toronto representatives on the Intergovernmental Steering Committee administering the Contribution Agreement regarding the funding of the revitalization of the waterfront, and that the appointments of Michael R. Garrett in that regard be rescinded;
- (5) the appointments described in Recommendations Nos. (2), (3) and (4) be in effect until such time as the respective successors have been appointed by Council;

- (6) the Acting Chief Administrative Officer have all the duties and responsibilities imposed upon the Chief Administrative Officer by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;
- (7) the Acting Chief Financial Officer have all the duties and responsibilities imposed upon the Chief Financial Officer and Treasurer by Article III, of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time, with the exception that:
 - (a) the duties imposed upon a Treasurer and a collector by the Municipal Act and any other statute, and by any by-law of Council, shall be the duties of the Acting Treasurer, on an interim basis;
 - (b) all other collectors for the City shall report to the Acting Treasurer;
 - (c) the Acting Treasurer shall report to the Acting Chief Financial Officer;
- (8) the Acting Commissioner of Community and Neighbourhood Services have all the duties and responsibilities imposed upon the Commissioner of Community and Neighbourhood Services by Article IX of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;
- (9) the Acting Chief Financial Officer be authorized to delegate to the Acting Treasurer the signing of cheques if the signatures are stamped, lithographed or engraved on any City cheque, and in that regard §257-1, of the City of Toronto Municipal Code be amended by adding the words 'the Acting Treasurer or' before the words 'the Director, Accounting Services or the Director, Treasury and Financial Services';
- (10) an internal/external search be initiated immediately by the Acting Chief Administrative Officer to fill the permanent position of Chief Administrative Officer;
- (11) a selection panel, consisting of the Mayor, the Deputy Mayor, the Chair of the Administration Committee and the Chair of the Personnel Sub-Committee, be established; and
- (12) leave be granted to introduce the necessary Bills in Council to give effect thereto, and the appropriate City officials be authorized to take any necessary action."

- (b) Councillor Ootes moved that motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by deleting Part (10), renumbering Part (11) as Part (10), and inserting the following new Part (11):
- “(11) an internal/external search be initiated immediately by the selection panel, with the support of a designated member of the Human Resources Division of the Corporate Services Department;”.
- (c) Councillor Sutherland moved that Council adopt the following recommendation:
- “It is recommended that the Acting Chief Administrative Officer and Chief Financial Officer, the Acting Treasurer and the Acting Commissioner of Community and Neighbourhood Services be paid additional compensation for Acting, in accordance with City policy.”
- (d) Councillor Pantalone moved that Council adopt the following recommendation:
- “It is recommended that the selection panel look at a process whereby the deliverables and priorities for the Chief Administrative Officer for the next two years are clearly established, and report thereon to a future in-camera meeting of City Council.”
- (e) Councillor Chow moved that Council adopt the following recommendation:
- “It is recommended that the Personnel Sub-Committee and the selection panel jointly establish a new job description for the Chief Administrative Officer.”
- (f) Councillor Bussin moved that motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that the selection panel be expanded to be equivalent to the selection panel used for the recent hirings of Commissioners, and those Councillors who are not on the hiring panel be allowed to audit the interviews for the various candidates.
- (g) Councillor Hall moved that Council adopt the following recommendation:
- “It is recommended that a review be undertaken of the hiring process, contract development and performance appraisal of senior officials.”
- (h) Councillor Altobello moved that motion (g) by Councillor Hall be referred to the Personnel Sub-Committee.

Ruling by Deputy Mayor:

Deputy Mayor Ootes ruled that, having regard that this personnel matter had been discussed fully in Committee of the Whole and that such discussions were to remain confidential, in accordance with the provisions of the Municipal Act, no further speakers would be permitted on this issue.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes – 32	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland
No – 10	
Councillors:	Ashton, Augimeri, Chow, Filion, Jones, Layton, Mihevc, Milczyn, Miller, Walker

Carried by a majority of 22.

Votes:

Motion (f) by Councillor Bussin carried.

Motion (e) by Councillor Chow carried.

Motion (b) by Councillor Ootes carried.

Motion (c) by Councillor Sutherland carried.

Motion (d) by Councillor Pantalone carried.

Motion (h) by Councillor Altobello carried.

Adoption of Part (2) of motion (a) by Mayor Lastman, seconded by Councillor Ootes:

Yes – 28 Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland
No – 14 Councillors:	Augimeri, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, Mihevc, Milczyn, Miller, Minnan-Wong, Prue, Walker

Carried by a majority of 14.

The balance motion (a) by Mayor Lastman, seconded by Councillor Ootes, carried, as amended.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the leaving arrangement for Michael R. Garrett, Chief Administrative Officer and Interim Chief Financial Officer and Treasurer, in accordance with the terms of his employment contract with the City of Toronto, be approved;
- (2) the appointment of Michael R. Garrett as Chief Administrative Officer and Interim Chief Financial Officer for the City of Toronto be rescinded;
- (3) Shirley Hoy be appointed as Acting Chief Administrative Officer and Acting Chief Financial Officer, Al Shultz be appointed Acting Treasurer, and Eric Gam be appointed Acting Commissioner of Community and Neighbourhood Services;
- (4) Council appoint the Acting Chief Administrative Officer, Shirley Hoy, as the Chair of the Toronto Waterfront Revitalization Corporation, as sole director on an interim basis, and also as one of the two City of Toronto representatives on the Intergovernmental Steering Committee administering the Contribution Agreement regarding the funding of the revitalization of the waterfront, and that the appointments of Michael R. Garrett in that regard be rescinded;

- (5) the appointments described in Recommendations Nos. (2), (3) and (4), above, be in effect until such time as the respective successors have been appointed by Council;
- (6) the Acting Chief Administrative Officer have all the duties and responsibilities imposed upon the Chief Administrative Officer by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;
- (7) the Acting Chief Financial Officer have all the duties and responsibilities imposed upon the Chief Financial Officer and Treasurer by Article III, of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time, with the exception that:
 - (a) the duties imposed upon a Treasurer and a collector by the Municipal Act and any other statute, and by any by-law of Council, shall be the duties of the Acting Treasurer, on an interim basis;
 - (b) all other collectors for the City shall report to the Acting Treasurer; and
 - (c) the Acting Treasurer shall report to the Acting Chief Financial Officer;
- (8) the Acting Commissioner of Community and Neighbourhood Services have all the duties and responsibilities imposed upon the Commissioner of Community and Neighbourhood Services by Article IX of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;
- (9) the Acting Chief Financial Officer be authorized to delegate to the Acting Treasurer the signing of cheques if the signatures are stamped, lithographed or engraved on any City cheque, and in that regard §257-1 of the City of Toronto Municipal Code be amended by adding the words “the Acting Treasurer or” before the words “the Director, Accounting Services or the Director, Treasury and Financial Services”;
- (10) the Acting Chief Administrative Officer and Chief Financial Officer, the Acting Treasurer and the Acting Commissioner of Community and Neighbourhood Services be paid additional compensation for Acting, in accordance with City policy;

- (11) a selection panel, consisting of the Mayor, the Deputy Mayor, the Chair of the Administration Committee, the Chair of the Personnel Sub-Committee, and further expanded to be equivalent to the selection panel for the recent hiring of Commissioners, be established, and those Councillors who are not on the selection panel be allowed to audit the interviews for the various candidates;
- (12) an internal/external search be initiated immediately by the selection panel, with the support of a designated member of the Human Resources Division of the Corporate Services Department;
- (13) the Personnel Sub-Committee and the selection panel jointly establish a new job description for the Chief Administrative Officer;
- (14) the selection panel look at a process whereby the deliverables and priorities for the Chief Administrative Officer for the next two years are clearly established, and report thereon to a future in-camera meeting of City Council;
- (15) leave be granted to introduce the necessary Bills in Council to give effect thereto, and the appropriate City officials be authorized to take any necessary action; and
- (16) the following motion be referred to the Personnel Sub-Committee:

Moved by Councillor Hall:

“It is recommended that a review be undertaken of the hiring process, contract development and performance appraisal of senior officials.”

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTIONS

6.54 Grant to Tenants of 30 Charles Street East

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(2):

Moved by: Councillor Rae

Seconded by: Councillor Walker

“**WHEREAS** the landlord of 30 Charles Street East applied to the Ontario Rental Housing Tribunal for an order to increase the rent charged by more than the guidelines for all residential units in the residential complex at 30 Charles Street East; and

WHEREAS the basis for the landlord's application was that he was required to expend funds to undertake work required pursuant to a Heritage Easement Agreement with the City of Toronto; and

WHEREAS in a decision dated May 17, 2001, the Ontario Rental Housing Tribunal dismissed the landlord's application on the basis that the landlord received consideration in exchange for doing the specific work on the exterior of the building upon which the application is based; and

WHEREAS in a decision dated June 7, 2001, the Ontario Rental Housing Tribunal denied the landlord's request to review the May 17, 2001 decision of the Ontario Rental Housing Tribunal; and

WHEREAS the landlord has now filed a Notice of Appeal with the Superior Court of Justice, Divisional Court, for an order that the Ontario Rental Housing Tribunal decision be set aside; and

WHEREAS if the appeal is granted, it will likely result in an above guideline rent increase for the tenants of 30 Charles Street East, because of capital expenditures required pursuant to the Heritage Easement Agreement; and

WHEREAS the tenants of 30 Charles Street East have already expended considerable time and effort to oppose the landlord's application for an above-guideline rent increase and do not have the financial resources necessary to participate in the appeal; and

WHEREAS the City has an interest in ensuring that the tenants are properly represented before the courts;

NOW THEREFORE BE IT RESOLVED THAT City Council ensure that the tenants of 30 Charles Street East are represented in the appeal of the decision of the Ontario Rental Housing Tribunal by making a grant of up to \$5,000.00 to the tenants for the purpose of covering the cost of legal representation in this matter, with funds to be allocated from the Tenant Support Grants Program.”,

the vote upon which was taken as follows:

Yes – 39	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No – 3	
Councillors:	Ford, Holyday, Ootes

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

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(2) was adopted, without amendment.

6.55 Alteration to Designated Heritage Properties – 444 Yonge Street and 354 and 404 Jarvis Street

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Prue

“WHEREAS City Council, at its meeting held May 30, 31 and June 1, 2001, adopted Clause No. 53 of Report No. 4 of The Downtown Community Council, headed

‘Alteration to Designated Heritage Property – 444 Yonge Street (College Park)’, and in so doing, approved alterations to the foyer on the seventh floor of College Park; and

WHEREAS the owner of College Park has subsequently informed City staff that it is in a position to be able to undertake further alterations to the seventh floor, including the restoration of the Auditorium and the Round Room (restaurant), and intends to apply for the necessary permits shortly; and

WHEREAS under the Ontario Heritage Act, the proposed alterations must be approved by Council and, before reaching a decision, Council must consult with the Toronto Preservation Board; and

WHEREAS the Toronto Preservation Board is not scheduled to meet prior to the next meeting of the Downtown Community Council scheduled for July 10, 2001; and

WHEREAS the Toronto Preservation Board is scheduled to meet on July 19, 2001, and could consider the proposed application at that time; and

WHEREAS the owner has indicated that, in order to meet tenant obligations, it must obtain the approval of Council prior to the Council meeting scheduled for October 2, 3, and 4, 2001; and

WHEREAS the Auditorium and the Round Room are significant heritage elements that have been awaiting restoration for almost 25 years;

NOW THEREFORE BE IT RESOLVED THAT, in order to expedite the processing of the application to restore the Auditorium and Round Room, the Commissioner of Economic Development, Culture and Tourism be directed to report directly to Council for its meeting to be held July 24, 25 and 26, 2001, on the merits of the application, provided that the Toronto Preservation Board supports the application at its meeting on July 19, 2001.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(3) to the Downtown Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(3) to the Downtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Rae moved that Motion J(3) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development Culture and Tourism be directed to also report directly to City Council for its regular meeting scheduled to be held on July 24, 25 and 26, 2001, with respect to 354 and 404 Jarvis Street, provided that the Toronto Preservation Board supports the application with regard thereto at its meeting on July 19, 2001.”

Votes:

The motion by Councillor Rae carried.

Motion J(3), as amended, carried.

6.56 39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(4):

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.”

the vote upon which was taken as follows:

Yes – 27	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Ford, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Pantalone, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No – 15	
Councillors:	Disero, Duguid, Feldman, Filion, Flint, Hall, Kelly, Li Preti, Mammoliti, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shiner

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

Disposition:

Having regard that the motion to waive notice did not carry, Councillor Johnston, with the permission of Council, gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on July 24, 2001.

6.57 Installation of Underground Cables – 825 Coxwell Avenue and 840 Coxwell Avenue

Councillor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor Balkissoon

“WHEREAS an application has been received by Works and Emergency Services from H. H. Angus and Associates Limited, Consulting Engineers, on behalf of Toronto East General Hospital, for the installation of underground cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue for computer, alarm, annunciator and buzzer, fire alarm and emergency voice communication and CCTV systems; and

WHEREAS there is an urgency to commence work to service Toronto East General Hospital’s new administrative offices;

NOW THEREFORE BE IT RESOLVED THAT the Council give consideration to the report dated June 21, 2001, from the Commissioner of Works and Emergency Services, entitled ‘Installation of Underground Cables – 825 Coxwell Avenue and 840 Coxwell Avenue’, and that such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(5) to the Policy and Finance Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(5), a report dated June 21, 2001, from the Commissioner of Works and Emergency Services, entitled "Installation of Underground Cables – 825 Coxwell Avenue and 840 Coxwell Avenue (Toronto-Danforth – Ward 29 and Beaches-East York – Ward 31)". (See Attachment No. 3, Page 152).

Vote:

Motion J(5) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 21, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

"It is recommended that City Council approve the installation of underground fibre optic cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue, provided the owner and such other licensees as may be required by the City Solicitor enter into an agreement with the City of Toronto, agreeing to:

- (1) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;
- (2) maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (3) provide 'as built' drawings upon completion of all installations;
- (4) remove the fibre optic cables upon receiving 90 days notice so to do;
- (5) pay an annual encroachment fee as approved by City Council for this type of use (2001 rate is \$10.63 per linear metre of cable in this area) within the public right of way, which fee shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer

- Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);
- (6) notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
 - (7) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.”

6.58 Child Care Centre – Possible Renovations to 610 Jane Street

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

Moved by: Councillor Miller

Seconded by: Councillor Chow

“**WHEREAS** the Toronto City Council on June 7, 2000, by its adoption, as amended, of Clause No. 10 of Report No. 13 of The Administration Committee, headed ‘Disposal of Surplus Library Property’, directed that ‘the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Administration Committee on opportunities for non-profit and community service organizations to acquire the use of surplus Library Board properties’; and

WHEREAS the overall policy has not yet been submitted to the Administration Committee; and

WHEREAS the former City of York Library Board property on 610 Jane Street has been declared surplus by the Toronto Public Library; and

WHEREAS the property lies within an area defined within the Child Care Service Plan as ‘under-served’ and not receiving an equitable share of resources due to the lack of licensed child care capacity;

NOW THEREFORE BE IT RESOLVED THAT the Acting Commissioner of Community and Neighbourhood Services, Children’s Services Division, be directed to report, as soon as possible, to the Community Services Committee, on the programmatic and financial feasibility of renovating the existing building into a child care centre.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(6) to the Community Services Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(6) to the Community Services Committee was taken as follows:

Yes – 37	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Fillion, Flint, Ford, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No – 6	
Mayor:	Lastman
Councillors:	Feldman, Holyday, Kelly, Li Preti, Minnan-Wong

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

Motion:

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

“AND BE IT FURTHER RESOLVED THAT the Acting Commissioner of Community and Neighbourhood Services be directed to submit a report to the Community Services Committee, following consultation with the Ward Councillors and the service providers, on the need for child care spaces in the immediate area.”

Votes:

The motion by Councillor Nunziata carried.

Motion J(6), as amended, carried.

6.59 Calcorp Incorporated Option to Purchase Part of Viking Road

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Milczyn

Seconded by: Councillor Holyday

“WHEREAS the Council of the former City of Etobicoke amended and adopted Clause 240-A-97 of the Sixteenth Report of the Administration Committee, 1997, and authorized the City of Etobicoke to enter into an option to purchase agreement (the ‘Option Agreement’) with Calcorp Inc. for the purchase of part of Viking Road, subject to, among other things, the necessary zoning by-law for the proposed re-development of the lands to the south of Viking Road being approved; and

WHEREAS Toronto City Council, at its meeting of December 14, 15 and 16, 1999, adopted Clause No. 11 of Report No. 14 of The Etobicoke Community Council, headed ‘Calcorp Incorporated Option to Purchase Part of Viking Road – Request for Extension’, and approved a 12-month extension to the Option Agreement until December 4, 2000; and

WHEREAS Toronto City Council, at its regular meeting of October 3, 4 and 5, 2000, and its Special Meeting held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, by its adoption of Motion J(35), approved a 6-month extension to the Option Agreement until July 4, 2001; and

WHEREAS Calcorp Inc. has made a development application which is currently being processed; and

WHEREAS the Option Agreement expires on July 4, 2001, prior to the completion of review of the aforesaid application; and

WHEREAS a further 12-month extension until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003, has been requested by Calcorp Inc.; and

WHEREAS the Commissioner of Corporate Services has submitted a report dated June 22, 2001, recommending that the Option Agreement be extended, on the terms and conditions set out in such report; and

WHEREAS it is necessary that Council consider this matter immediately, as the Option Agreement will expire on July 4, 2001, unless, prior to that date, Council agrees to extend it;

NOW THEREFORE BE IT RESOLVED THAT COUNCIL give consideration to the report dated June 22, 2001, from the Commissioner of Corporate Services, entitled 'Calcorp Incorporated Option to Purchase Part of Viking Road – Request for Extension', and that such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(7) to the West Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(7), a report dated June 22, 2001, from the Commissioner of Corporate Services, entitled “Calcorp Inc. Option to Purchase Part of Viking Road Request for Extension (Ward 5 – Etobicoke-Lakeshore)”. (See Attachment No. 4, Page 155).

Vote:

Motion J(7) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 22, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) a portion of Viking Road, having a total area of approximately 0.60 acres, as shown on the attached sketch ('Viking Road') be declared surplus to municipal requirements and notice of the proposed sale be given to the public in accordance with the requirements of City of Toronto Municipal Code Chapter 213;
- (2) the Option Agreement be extended until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003, on the terms and conditions set out in the body of this report;
- (3) the City Solicitor be authorized and directed to complete the transaction on the terms and conditions set out in the body of this report and pay any City costs incidental to the closing and be further authorized to amend 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.”

6.60 Former North York Noise By-law No. 31857

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Miller

“WHEREAS on November 24, 2000, the City of Toronto Department of Urban Development Services, Municipal Licencing, Standards and Court Services Division, wrote to a taxpayer stating that the Noise By-law No. 31857 (of the former City of North York) states that ‘no person shall ring bells, blow horns, shout or make or permit unusual noises, or noises likely to disturb the inhabitants’; and

WHEREAS the aforementioned City Department letter then quoted the Oxford dictionary definition of inhabitants as ‘persons or animals that live in or occupy a place’; and

WHEREAS the aforementioned Licensing, Standards and Court Services Division decreed that under the Oxford dictionary definition (and I quote) ‘in the context of the By-law 31857 means more than one person which has been adopted by our division for the purpose of adjudication’; and

WHEREAS the taxpayer was then advised in writing ‘...it is not possible for us to bring the matter before the Courts at this time given the aforementioned definition’; and

WHEREAS the aforementioned Division concluded its November 24, 2000 letter to the taxpayer by advising ‘...it is our decision that this matter be better dealt with through mediation or in a civil court action’; and

WHEREAS I have been advised that the Noise By-law No. 31857 contains no explicit requirement that ‘two or more inhabitants’ be disturbed before the By-law can be evoked; and

WHEREAS a restrictive pre-condition that more than one person needs to be disturbed before enforcement proceedings will commence should not be imported into the By-law through an administrator’s interpretation of the word ‘inhabitants’; and

WHEREAS this restrictive pre-condition arbitrarily applied can, and has in this

specific case, deny the benefit and protection of By-law No. 31857 to a significant number of taxpayers living alone; and

WHEREAS, as the City's Seniors' Advocate, I am concerned for the well being of the more than 300,000 seniors who call Toronto home; and

WHEREAS one in four of Toronto's seniors live alone, and the majority is female; **NOW THEREFORE BE RESOLVED THAT** City Council ensure that a person living alone will have access and redress to Noise By-law No. 31857 and the quiet enjoyment of their home; and that Council comply with the Ontario Human Rights Code, which guarantees access to services without discrimination on the basis of sex, family or marital status, through a clear directive to prevent the aforementioned interpretation of Noise By-law No. 31857, as set out in this Motion."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(8) to the Planning and Transportation Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(8) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Johnston moved that Motion J(8) be referred to the Commissioner of Urban Development Services and the City Solicitor for a joint report thereon to the Planning and Transportation Committee on the status of the work on the proposed harmonized Noise By-law; and the Commissioner of Urban Development Services and the City Solicitor be directed to include in the harmonized Noise By-law, a statement that "inhabitants" means one or more persons.

Vote:

The motion by Councillor Johnston carried.

6.61 Appointments to the Waterfront Reference Group

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Ootes

“WHEREAS Council, at its meeting held on May 30, 31, and June 1, 2001, by its adoption of Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed ‘Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative’, established the Waterfront Reference Group, comprised of Members of Council, to include representation from the Policy and Finance, Planning and Transportation, Economic Development and Parks, and Works Committees, as well as a Councillor sitting on the Sustainability Round Table, to be determined by the Round Table, a Member of Council who is a member of the Toronto Transit Commission and a Councillor representative of the Toronto and Region Conservation Authority; and the Mayor and the Chair of the Planning and Transportation Committee as ex-officio voting members; and

WHEREAS it is important for the City of Toronto to demonstrate the breadth of its support for the Waterfront Regeneration initiative at such a critical time, and it is desirable to have participation from additional Members of Council who expressed their interest in being considered for appointment to this Group, while maintaining a size of committee that may function effectively; and

WHEREAS in accordance with provisions of §27-106 of the Municipal Code, Members of Council have already been advised of the vacancies and have been permitted to submit names for consideration for appointment to said Group; and

WHEREAS there are no financial impacts associated with this Motion;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed ‘Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative’, be re-opened for further consideration, only insofar as it pertains to the composition of the Waterfront Reference Group;

AND BE IT FURTHER RESOLVED THAT the composition of the Waterfront Reference Group be amended to provide for the additional appointment of two Members 'at large' as originally recommended in the staff report, and that the following Members of Council be appointed, in accordance with the recommendations contained in Clause No. 3 of Report No. 6 of The Striking Committee, headed 'Appointments to the Waterfront Reference Group':

J. Flint
P. McConnell;

AND BE IT FURTHER RESOLVED THAT leave be granted to permit the introduction of any necessary Bills in Council to give effect thereto;

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

Votes:

The first Operative Paragraph embodied in Motion J(9) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(9) was adopted, without amendment.

(See also Minute No. 6.39, Page 32, for the companion amendment to Clause No. 3 of Report No. 6 of The Striking Committee.)

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

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

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.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Downtown Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Disposition:

Consideration of Motion J(10) was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

6.63 **Downtown Yonge Street Business Improvement Area – Special Charge By-law**

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Mayor Lastman

“**WHEREAS** the Downtown Yonge Street Business Improvement Area was designated by By-law No. 27-2001 enacted February 11, 2001, and approved by the Ontario Municipal Board on April 20, 2001; and

WHEREAS pursuant to Council’s action at its meeting held on January 30, 31 and February 1, 2001, and in accordance with section 220 of the Municipal Act, the City Clerk published notice of Council’s intention to pass a minimum and maximum special charge By-law applicable to rateable property in the Downtown Yonge Street Business Improvement Area; and

WHEREAS no objections to the passage of the minimum and maximum special

charge By-law have been received by the City Clerk within the time frame for the receiving of objections; and

WHEREAS City Council must appoint a Board of Management for the BIA to create the body corporate that manages the BIA's budget and undertakes the activities authorized by the BIA's general membership; and

WHEREAS the Downtown Yonge Street BIA held its inaugural annual general meeting on May 29, 2001, to nominate members of its Board of Management; and

WHEREAS a report dated June 4, 2001, by the Commissioner of Economic Development, Culture and Tourism, recommending appointments to the BIA's Board of Management was approved by the Economic Development and Parks Committee at its meeting held on June 11, 2001, and is before Council at this meeting as Economic Development and Parks Committee Report No. 6, Clause No. 18; and

WHEREAS the BIA's Board of Management must submit a budget for approval by City Council; and

WHEREAS the draft budget of the BIA was approved by the general membership of the BIA on June 11, 2001; and

WHEREAS the BIA's budget must be approved by its Board of Management before it can be considered by Council, and since the Board has not yet been appointed, the adoption of the budget must be subject to Council first approving the Board members and is also subject to the Board members then approving the draft budget; and

WHEREAS it is necessary for Council to enact a BIA Levy By-law based on the Board of Management's approved budget, in order that funds may be raised for the purposes of the BIA; and

WHEREAS the minimum and maximum special charge By-law must be enacted before the enactment of a BIA Levy By-law; and

WHEREAS there is an urgency in enacting both the minimum and maximum special charge By-law and the BIA Levy By-law, so that the BIA will have funds to carry out its objectives as identified in its draft budget;

NOW THEREFORE BE IT RESOLVED THAT the report dated June 22, 2001, from the Acting City Clerk, and the report dated June 20, 2001 from the Chief Administrative Officer and Acting Chief Financial Officer and Treasurer, be adopted.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Council also had before it, during consideration of Motion J(11), the following reports:

- (a) (June 20, 2001) from the Chief Administrative Officer and the Acting Chief Financial Officer and Treasurer, entitled “2001 Business Improvement Area Operating Budgets: Report No. 5”. (See Attachment No. 5, Page 158); and
- (b) (June 22, 2001) from the Acting City Clerk, entitled “Downtown Yonge Street Business Improvement Area Minimum and Maximum Special Charge By-law”. (See Attachment No. 6, Page 162).

Vote:

Motion J(11) was adopted, without amendment, and in so doing, Council, adopted, without amendment:

- (a) the report dated June 20, 2001, from the Chief Administrative Officer and the Acting Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) Economic Development and Parks Committee adopt and certify to City Council the 2001 expenditure request of the Downtown Yonge Street Business Improvement Area totalling \$668,997.00 and a 2001 BIA levy of \$668,997.00 subject to appointment of the BIA’s Board of Management by City Council and subject to submission of documentation indicating that the BIA’s proposed 2001 Operating Budget was adopted by its Board of Management;
- (2) a copy of this report be forwarded to the Policy and Finance Committee for its information;
- (3) authority be granted for the introduction of the necessary Bill in Council; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (b) the report dated June 22, 2001, from the Acting City Clerk, embodying the following recommendations:

“It is recommended that:

- (1) Council approve the attached draft by-law respecting a minimum and maximum special charge for the Downtown Yonge Street Business Improvement Area; and
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto including the introduction of the necessary Bill in Council.”

6.64 **Speedy Recovery to Councillor Moscoe**

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pantalone

Seconded by: Councillor Miller

“WHEREAS Councillor Howard Moscoe has recently undergone surgery; and

WHEREAS Councillor Moscoe is currently convalescing at home; and

WHEREAS he is greatly missed for his good humour, his energy, his dedication to the various needs of his community, and the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council convey to Councillor Moscoe and to his family their very best wishes for a safe and speedy recovery, and for his return to every day activities and challenges.”

Vote:

Adoption of Motion J(12), without amendment:

Yes – 42

Mayor: Lastman

Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker

No – 0

Carried, without dissent.

6.65 Parking Fees – Toronto Waterfront Parks

Councillor Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jones

Seconded by: Councillor Miller

“WHEREAS City Council at its regular meeting held on April 23, 24, 25, 26 and 27, 2001, and its Special meeting held on April 30, May 1 and 2, 2001, adopted, as amended, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’; and

WHEREAS the waterfront parks in our Wards have been burdened with new parking fees causing undue costs to the residents of the City who wish to enjoy the waterfront; and

WHEREAS many of the residents in our Wards live in apartments and many are low-income families and the waterfront parks are one of the only free summer recreation facilities available to them; and

WHEREAS our offices have received a large number of complaints from people across the City. The public has told us that the fees have had a huge impact on people who cannot leave the city for cottage country; on frequent users of the waterfront; on low-income families; on those trying to adopt a healthy lifestyle; on the Dragon Boat Race teams; on residential neighbourhood congestion; and on the reputation of Toronto as a green city;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, be re-opened for further consideration, only insofar as it pertains to the charging of fees for parking at Toronto’s Waterfront Parks;

AND BE IT FURTHER RESOLVED THAT the City of Toronto Council rescind its decision to charge for parking at Toronto’s Waterfront Parks.”

Votes:

Adoption of first Operative Paragraph embodied in Motion J(13):

Yes - 34 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Pitfield, Prue, Shaw, Shiner, Silva, Walker
No - 8 Mayor: Councillors:	Lastman Di Giorgio, Moeser, Ootes, Pantalone, Rae, Soknacki, Sutherland

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of the balance of Motion J(13) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(13) to the Policy and Finance Committee was taken as follows:

Yes - 18 Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Pitfield, Prue, Shaw, Silva, Walker
No - 24 Mayor: Councillors:	Lastman Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Sutherland

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

Disposition:

Having regard to the foregoing decision of Council, the balance of Motion J(13) was referred to the Policy and Finance Committee.

6.66 “Cycle Right” Campaign

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pitfield

Seconded by: Councillor Mihevc

“WHEREAS cycling is becoming an ever-increasingly popular and environmentally friendly mode of transportation and recreation in the City of Toronto; and

WHEREAS many citizens of Toronto rely on cycling in order to fulfil their employment requirements, namely couriers; and

WHEREAS with this increase comes the potential for serious injuries, when cyclists travel the wrong way on one-way streets, in pedestrian crosswalks, through red lights and stop signs and on sidewalks; and

WHEREAS the Toronto Police Services recently ran an educational campaign titled ‘Cycle Right’ with the intent of raising public awareness and to remind cyclists to obey the rules of the road; and

WHEREAS cycling traffic increases with the onset of the summer season;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto support and endorse the Toronto Police Services message of the ‘Cycle Right’ Campaign and consider launching a companion awareness campaign;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the possibility of the City of Toronto launching such a campaign, including a review of the financial implications and opportunities for partnerships.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(14) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(14) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Chow moved that Motion J(14) be amended by adding to the end of the first Operative Paragraph, the following words:

“on the condition that the City of Toronto and Toronto Police Services conduct a parallel campaign to advise drivers:

- (a) to check blind spots prior to making a right turn, or opening doors; and
- (b) that it is illegal to park, or stop, on bike lanes.”,

so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the City of Toronto support and endorse the Toronto Police Services message of the ‘Cycle Right’ Campaign and consider launching a companion awareness campaign on the condition that the City of Toronto and Toronto Police Services conduct a parallel campaign to advise drivers:

- (a) to check blind spots prior to making a right turn, or opening doors; and
- (b) that it is illegal to park, or stop, on bike lanes;”

Votes:

The motion by Councillor Chow carried.

Motion J(14), as amended, carried.

6.67 Wychwood Car Barns Site – Feasibility Study

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Feldman

“**WHEREAS** City Council at its meeting held on October 3, 4 and 5, 2000, and Special meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, in considering Toronto Community Council Report No. 17, Clause No. 37, headed ‘Wychwood Carhouse Redevelopment Study - 76 Wychwood Avenue – Status Report (Midtown)’, designated the Wychwood Barns Site for Parks and Public Purposes; and

WHEREAS an early analysis of the Barns has raised the possibility of a multi-use community Arts Centre with a mix of community performance and meeting space, public gallery space, studios and a component of affordable live/work space for low-income artists; and

WHEREAS Artscape is partnering with the City on this project and requires feasibility money to undertake appropriate studies and planning;

NOW THEREFORE BE IT RESOLVED THAT the Council Reference Group for the Capital Revolving Fund, at its meeting on July 10, 2001, consider a proposal from Artscape for the funding for \$20,000.00 to conduct a feasibility study to determine the feasibility of affordable housing as a component of a multi-use development program for the Wychwood Car Barns Site.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(15) was adopted, without amendment.

6.68 **Proposed Pavement Narrowing - Roncesvalles Avenue at The Queensway/Queen Street West**

Councillor Korwin-Kuczynski moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Miller

“**WHEREAS** a request has been received by the Works and Emergency Services Department, from the Toronto Transit Commission, to narrow the pavement width by extending the sidewalk on the west side of Roncesvalles Avenue, from The Queensway to the transit loop approximately 61 metres north of The Queensway, to enhance the safety of pedestrians; and

WHEREAS it is vital to commence the statutory advertising process, in order to expedite the pavement narrowing in conjunction with the existing streetcar track allowance reconstruction that is currently underway on Roncesvalles Avenue and Queen Street West/The Queensway;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, entitled ‘Roncesvalles Avenue at The Queensway/Queen Street West - Proposed Pavement Narrowing (Parkdale- High Park, Ward 14), and that such report be adopted.’”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Southwest Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(16) to the Southwest Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(16), a report dated June 22, 2001, from the Commissioner of Works and Emergency Services, entitled “Roncesvalles Avenue at The Queensway/Queen Street West – Proposed Pavement Narrowing (Parkdale-High Park, Ward 14)”. (See Attachment No. 7, Page 164).

Motion:

Councillor Pantalone moved that Motion J(16) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to ensure that tree planting is carried out at this site, at the expense of the proponents, if, in the opinion of the Commissioner of Urban Development Services (Urban Design Division), such planting is feasible.”

Votes:

The motion by Councillor Pantalone carried.

Motion J(16), as amended, carried.

Council, by its adoption of Motion J(16), as amended, adopted, without amendment, the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) a road alteration by-law be prepared and advertising commence to extend the existing sidewalk on the west side of Roncesvalles Avenue described as follows:

‘extend the existing sidewalk from a width of approximately 2 metres to a width of approximately 4.3 metres on the west side of Roncesvalles Avenue, from The Queensway to a point approximately 61 metres north thereof, as described in the body of this report and generally as shown on the attached print Drawing No. M-4310-4, dated March 15, 2001’; and
- (2) 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.”

6.69 **109 Front Street East – Legal Agreements**

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS the City of Toronto entered into legal agreements with 109 Front Street East Inc. in 1997, requiring, among other things, that they construct a pedestrian bridge joining public parking in their development, across Jarvis Street to South St. Lawrence Market Street; and

WHEREAS the tender quotes received by 109 Front Street East Inc. for construction of the pedestrian bridge exceeded the construction upset limit of approximately \$330,000.00 required by their legal agreements with the City, and whereby the City is responsible for any construction costs beyond the upset limit; and

WHEREAS the City and 109 Front Street East Inc. have discussed a revised funding arrangement for the pedestrian bridge with City staff; and

WHEREAS 109 Front Street East Inc. wants to complete its development, including construction of the pedestrian bridge, as quickly as possible; and

WHEREAS a revised funding arrangement to construct the pedestrian bridge requires the consent of City Council, in order to gain authority to amend certain legal agreements; and

WHEREAS the Condominium Agreement, which has already been delayed for many months, cannot be registered until these Legal Agreements are finalized;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the joint confidential report dated June 26, 2001, from the Commissioners of Urban Development Services and Corporate Services, entitled ‘Construction of a Pedestrian Bridge connecting 109 Front Street East with South St. Lawrence Market’.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(17) to the

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

Procedural Vote:

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

Council also had before it, during consideration of Motion J(17), a joint confidential report dated June 26, 2001, from the Commissioners of Urban Development Services and Corporate Services.

Vote:

Motion J(17) was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint confidential report dated June 26, 2001, from the Commissioners of Urban Development Services and Corporate Services, such joint report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it concerns the security of a property interest of the municipality or local board, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council approve the revisions to the agreements with 109 Front Street East Inc. respecting the construction of the pedestrian bridge for 109 Front Street East as set out in the body of this report;
- (2) prior to registration of the condominium for Phase IIC of 109 Front Street East, that 109 Front Street East Inc. deposit with the City Solicitor, in the form of a Letter of Credit, an amount equal to the difference between their current commitment and design and other fees they have already incurred, to secure completion of the pedestrian bridge;
- (3) authorization be given to reallocate up to \$125,000.00 in the 2001 Corporate Services Capital Budget for the St. Lawrence Market Complex to be used as the City's contribution to the bridge construction;
- (4) the City Solicitor be authorized to prepare and have executed any necessary amendments to legal agreements to implement the revised arrangements for construction of the pedestrian bridge as set out in this report; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

6.70 Declarations on Clean Air

Councillor Layton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Layton

Seconded by: Councillor Ootes

“WHEREAS Toronto held the Second Annual Smog Summit from June 11 to June 20, 2001; and

WHEREAS the Honourable David Collenette, Federal Minister of Transportation, the Honourable Ralph Goodale, Federal Minister of Natural Resources, the Honourable David Anderson, Federal Minister of Environment David Anderson, the Honourable Elizabeth Witmer, Provincial Minister of Environment, Deputy Mayor Case Ootes and a host of Councillors and Mayors from across the GTA signed the Toronto 2001 Inter-Governmental Declaration on Clean Air on June 11, 2001; and

WHEREAS City of Toronto Councillors Lorenzo Berardinetti, Sandra Bussin, Jack Layton, David Miller, Jane Pitfield, Sherene Shaw and Mario Silva, as well as participants from 16 local authorities from 12 nations around the world, who have taken a leadership role to reduce greenhouse gas emissions and smog reduction, met in Toronto from June 17 to June 20, 2001, as part of the Best Practices Exchange, sponsored by the City of Toronto, the Toronto Atmospheric Fund, and the International Council for Local Environmental Initiatives (ICLEI); and

WHEREAS the estimated 1,000 smog deaths each year in Toronto are caused by the same actions which cause climate change; and

WHEREAS climate change is the most critical threat to the sustainability of our planet and the health of millions of people is at risk from smog, rising heat, increased disease, more frequent extreme weather events and rising sea levels; and

WHEREAS representatives from 16 local authorities signed the Toronto Declaration pledging to continue their collective efforts to reduce greenhouse gas emissions and resolving to submit a Communiqué to the United Nations Conference of the Parties Meeting on Climate Change in Fall 2001; and

WHEREAS the next United Nations Conference of the Parties Meeting, being held in Berlin on July 16 to 26, 2001, will be the single most important opportunity to build world-wide support for the Toronto Declaration;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the Toronto 2001 Inter-governmental Declaration on Clean Air signed by the Deputy Mayor on June 11, 2001;

AND BE IT FURTHER RESOLVED THAT the City of Toronto endorse the attached Toronto Declaration and the Communiqué to the United Nations Conference of Parties 7th Meeting on October 29 to November 9, 2001, signed in Toronto on June 20, 2001.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Board of Health would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(18) to the Board of Health carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(18), the Toronto 2001 Inter-governmental Declaration on Clean Air signed by the Deputy Mayor on June 11, 2001, and the Toronto Declaration and the Communiqué to the United Nations Conference of Parties 7th Meeting on October 29 to November 9, 2001, signed in Toronto on June 20, 2001, copies of which are on file in the Office of the City Clerk.

Motion:

Councillor Layton moved that Motion J(18) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion also be forwarded to the Board of Health and the Federation of Canadian Municipalities.”

Votes:

The motion by Councillor Layton carried.

Motion J(18), as amended, carried.

6.71 **Menkes 5000 Yonge Development Ltd. - 5000 Yonge Street - Official Plan Amendment and Zoning By-law Amendment Including Section 37 Provisions**

Councillor Feldman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Feldman

Seconded by: Councillor Li Preti

“WHEREAS City Council at its meeting held on May 30, 31, and June 1, 2001, adopted, as amended, North Community Council Report No. 4, Clause No. 18, headed ‘Final Report - Application for Official Plan and Zoning By-law Amendments - TB CMB 2000 0002 – Menkes 5000 Yonge Developments Inc. - 5000 Yonge Street - Ward 23 – Willowdale’; and

WHEREAS, since the holding of the statutory public meeting, the applicant has requested that the existing height limits in the draft zoning by-law be varied to match the height standards presently allowed under the existing site specific zoning rather than the height limits referenced in the final report dated April 30, 2001, from the Director of Community Planning, North District; and

WHEREAS the schedule attached to the zoning by-law which was before Community Council should be amended to reflect the presently allowed height limits; and

WHEREAS City Council has considered Section 34(17) of the Planning Act and has determined that the changes are minor and that no further notice is required;

NOW THEREFORE BE IT RESOLVED THAT the proposed revisions to the Draft Zoning By-law Amendment and Official Plan Amendment reflecting the height standards presently allowed under the existing site specific zoning, rather than the height limits referenced in the final report dated April 30, 2001, from the Director of Community Planning, North District, be approved, and the City Solicitor be authorized to introduce the necessary Bills in Council to give effect thereto;

AND BE IT FURTHER RESOLVED that no further notice be given in respect of the proposed Zoning By-law and Official Plan Amendment.”

Council also had before it, during consideration of Motion J(19), a copy of Schedule C1(100) to the By-law, a copy of which is on file in the Office of the City Clerk.

Vote:

Motion J(19) was adopted, without amendment.

6.72 **City of Toronto 2001 Operating Budget – Public Health**

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Jones

“**WHEREAS** City Council, at its regular meeting held on April 23, 24, 25, 26 and 27, 2001 and its Special meeting held on April 30, May 1 and 2, 2001, in adopting, as amended, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, approved the 2001 Operating Budget for Public Health; and

WHEREAS the Budget Advisory Committee at its meeting held on April 2 and 6, 2001, had before it a report from the Medical Officer of Health which recommended that City of Toronto dog and cat registration and license fees be increased; and

WHEREAS the Budget Advisory Committee received the report; and

WHEREAS increased revenue is essential to offset the operating costs for Toronto Animal Services which is 100 percent municipally funded;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, be re-opened for further consideration, only insofar as it pertains to the 2001 Operating Budget for Public Health;

AND BE IT FURTHER RESOLVED THAT the license and registration fees for dogs and cats be increased, as outlined in the memorandum dated June 27, 2001, from the Medical Officer of Health, addressed to the Chair, Board of Health;

AND BE IT FURTHER RESOLVED THAT authority be granted to introduce the necessary Bill to amend Chapter 349 of the City of Toronto Municipal Code – Animals.”

Vote:

The first Operative Paragraph embodied in Motion J(20) carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of the balance of Motion J(20) to the Board of Health would have to be waived, in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(20), a memorandum dated June 27, 2001, from the Medical Officer of Health, addressed to the Chair, Board of Health, entitled "Proposed Dog and Cat Registration and Licencing Fees for 2001".

Vote:

The balance of Motion J(20) was adopted, without amendment, and in so doing, Council approved the following proposed registration fees for dogs and cats, effective September 1, 2001:

Dogs and Cats	Current Fees	Proposed Fees
Unaltered	\$35.00 (1 year)	\$50.00 (1 year)
	\$140.00 (5 years)	No longer available
Identified with a microchip	\$25.00 (1 year)	\$25.00 (1 year)
	\$15.00 (1 year) if senior citizen	\$15.00 (1 year) if senior citizen
	\$75.00 (5 years)	No longer available
	\$50.00 (5 years) if senior citizen	No longer available
Spayed or neutered	\$15.00 (1 year)	\$15.00 (1 year)
	\$50.00 (5 years)	No longer available
	No fee if senior citizen	\$10.00 (1 year) if senior citizen
Spayed or neutered and identified with a microchip	No fee	\$10.00
Replacement tag	\$3.00	\$3.00

Personal assistance –
dogs only No fee No fee

Councillor Shaw requested that her opposition to this Motion be noted in the Minutes of this meeting.

- 6.73 Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001:

REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 13 - “Survey of Toronto Shelters”.

REPORT NO. 6 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 11 - “Removal of Bus Bays on City Streets”.

REPORT NO. 9 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 10 - “Bill 46 - The Public Sector Accountability Act, 2001”.

Clause No. 11 - “Status of City Participation in the Canada-Ontario Infrastructure Program”.

Clause No. 13 - “Enwave District Energy Limited”.

REPORT NO. 8 OF THE WORKS COMMITTEE

Clause No. 3 - “Classification of Road Salt”.

REPORT NO. 9 OF THE WORKS COMMITTEE

Clause No. 1 - “City-Wide Service Levels of Sidewalk Snow Clearing, Leaf Collection and City Cleanliness (All Wards)”.

Clause No. 2 - “Traffic Calming Policy”.

Clause No. 10 - “Drain Grant Appeal for 204 Swanwick Avenue (Ward 32 - Beaches-East York)”.

Clause No. 11 - “Drain Grant Appeal for 553 Hillside Avenue East

(Ward 22 - St. Paul's)".

- Clause No. 12 - "Drain Grant Appeal for 8 Edgewood Grove (Ward 32 – Beaches-East York)".
- Clause No. 13 - "Drain Grant Appeal for 104 Lascelles Boulevard (Ward 22 - St. Paul's)".
- Clause No. 14 - "Drain Grant Appeal for 104 Lascelles Boulevard (Ward 22 - St. Paul's)".

REPORT NO. 5 OF THE WEST COMMUNITY COUNCIL

- Clause No. 5 - "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)".

REPORT NO. 5 OF THE AUDIT COMMITTEE

- Clause No. 1 - "Toronto Harbour Commissioners - Financial Review - Further Information".

NOTICE OF MOTION

- J(10) Exemption from Noise By-law – Caribbean Concert Productions
Moved by Councillor Mihevc, seconded by Councillor Ootes

Council concurred in the proposal by Deputy Mayor Ootes.

BILLS AND BY-LAWS

- 6.74 On, June 26, 2001, at 7:27 p.m., Councillor Holyday, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 606 By-law No. 505-2001 To confirm the proceedings of the Council at its Meeting held on the 26th day of June, 2001,

the vote upon which was taken as follows:

Yes - 31 Mayor: Lastman

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Johnston, Kelly, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Ootes, Prue, Rae, Shaw, Shiner, Soknacki, Walker
No – 0	

Carried, without dissent.

- 6.75 On June 27, 2001, at 7:38 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 541	By-law No. 506-2001	To Appoint an Acting Chief Administrative Officer, an Acting Chief Financial Officer, an Acting Treasurer and Collector, and an Acting Commissioner of Community and Neighbourhood Services.
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- 6.76 On June 27, 2001, at 7:39 p.m., Councillor Soknacki, seconded by Councillor Chow, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 607	By-law No. 507-2001	To confirm the proceedings of the Council at its Meeting held on the 26th and 27th days of June, 2001,
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the vote upon which was taken as follows:

Yes - 29	
Councillors:	Augimeri, Bussin, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki
No - 1	
Councillor:	Chow

Carried by a majority of 28.

6.77 On June 28, 2001, at 6:52 p.m., Councillor Altobello, seconded by Councillor Balkissoon, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 505	By-law No. 508-2001	To amend Article I, Building Permits, of Municipal Code Chapter 363, Building Construction and Demolition, to increase permit fees.
Bill No. 506	By-law No. 509-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Parking Permits – Chapter 183, Article V.
Bill No. 507	By-law No. 510-2001	To adopt a new City of Toronto Municipal Code Chapter 915, Parking on Private or Municipal Property.
Bill No. 508	By-law No. 511-2001	To layout and dedicate certain land for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 509	By-law No. 512-2001	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 510	By-law No. 513-2001	To stop up and close a portion of the public highway Government Road, north of 43 Mill Cove, and to authorize the sale thereof.
Bill No. 511	By-law No. 514-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 512	By-law No. 515-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 513	By-law No. 516-2001	To amend By-law No. 31001 of the

		former City of North York, as amended.
Bill No. 514	By-law No. 517-2001	To amend By-law No. 30518, as amended, of the former City of North York.
Bill No. 515	By-law No. 518-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 516	By-law No. 519-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 517	By-law No. 520-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 518	By-law No. 521-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 519	By-law No. 522-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 520	By-law No. 523-2001	To amend the former City of Toronto Municipal Code Chapter 20, Business Improvement Areas, to include the new Downtown Yonge Street Business Improvement Area Board of Management.
Bill No. 521	By-law No. 524-2001	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 2075 Bayview Avenue.

Bill No. 522	By-law No. 525-2001	To designate certain Lots on Registered Plan 66M-2348 as being exempt from Part Lot Control (re: 31-41 and 73-95 West Oak Crescent).
Bill No. 523	By-law No. 526-2001	To designate certain Lots on Registered Plan 66M-2338 as being exempt from Part Lot Control (re: Mare Crescent).
Bill No. 524	By-law No. 527-2001	To adopt a new City of Toronto Municipal Code, Chapter 553, Lottery Licensing.
Bill No. 525	By-law No. 528-2001	To amend City of North York By-law No. 7625 with respect to through lots.
Bill No. 526	By-law No. 529-2001	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.
Bill No. 527	By-law No. 530-2001	To temporarily stop up and close a portion of Lake Shore Boulevard West between Strachan Avenue and Ontario Drive.
Bill No. 529	By-law No. 531-2001	To amend By-law No. 175-2001.
Bill No. 530	By-law No. 532-2001	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 662 Pape Avenue.
Bill No. 531	By-law No. 533-2001	To amend General Zoning By-law No. 438-86 of the former City of Toronto respecting lands known as 662 Pape Avenue.

Bill No. 532	By-law No. 534-2001	To amend Chapter 400, Traffic and Parking, of the Municipal Code of the former Corporation of the City of Toronto, to replace parking machines with parking meters on certain portions of Queen Street East.
Bill No. 533	By-law No. 535-2001	To amend Chapter 910, Parking Machines, of the Municipal Code of the City of Toronto, to replace parking machines with parking meters on certain portions of Queen Street East.
Bill No. 534	By-law No. 536-2001	To amend Chapter 910, Parking Machines, of the Municipal Code of the City of Toronto, to replace parking meters with parking machines on certain portions of Richmond Street East.
Bill No. 535	By-law No. 537-2001	To adopt an amendment to the Official Plan for the former City of Toronto with respect to the lands known as Nos. 2133 St. Clair Avenue West and 88 Ethel Avenue.
Bill No. 536	By-law No. 538-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 2133 St. Clair Avenue West and 88 Ethel Avenue. *amended*
Bill No. 537	By-law No. 539-2001	To amend Municipal Code Chapter 27, Council Procedures, to establish permanent names for the Community Councils.
Bill No. 538	By-law No. 540-2001	To stop up and close portions of Beaverdale Road and Brussels Street and to authorize the sale thereof.

Bill No. 540	By-law No. 541-2001	To amend Municipal Code Chapter 227, Reserves and Reserve Funds, to establish the Golden Mile Employment District Transportation System Improvement Charge Reserve Fund.
Bill No. 542	By-law No. 542-2001	To designate the property at 40 Maple Avenue (H.H. Fudger House) as being of architectural and historical value or interest.
Bill No. 543	By-law No. 543-2001	To designate the property at 275-277 Yonge Street (John Bugg Store) as being of architectural and historical value or interest.
Bill No. 544	By-law No. 544-2001	To adopt an amendment to the Official Plan for the former City of North York in respect of lands located at Toryork Drive and Milvan Drive.
Bill No. 545	By-law No. 545-2001	To amend City of North York By-law No. 7625 in respect of lands located at Toryork Drive and Milvan Drive.
Bill No. 546	By-law No. 546-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 114 Springhurst Avenue.
Bill No. 547	By-law No. 547-2001	To amend the Official Plan of the former City of Toronto in respect of the lands known as 5 and 7 Thorburn Avenue.
Bill No. 548	By-law No. 548-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 5 and 7 Thorburn Avenue.
Bill No. 549	By-law No. 549-2001	To amend the Official Plan of the former City of Toronto in respect of the lands known as 26 Maynard Avenue.

Bill No. 550	By-law No. 550-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 26 Maynard Avenue.
Bill No. 551	By-law No. 551-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 552	By-law No. 552-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 553	By-law No. 553-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 554	By-law No. 554-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 1302 King Street West.

Bill No. 555	By-law No. 555-2001	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Crawford Street at between Bloor Street West and Barton Street by narrowing the pavement.
Bill No. 556	By-law No. 556-2001	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Langley Avenue from Broadview Avenue to Carlaw Avenue by the installation of speed humps.
Bill No. 557	By-law No. 557-2001	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Lawlor Avenue from Kingston Road to Gerrard Street East by the installation of speed humps.
Bill No. 558	By-law No. 558-2001	To authorize the alteration of Sheppard Avenue West at Canyon Avenue by the construction of a pedestrian refuge island.
Bill No. 559	By-law No. 559-2001	To authorize the alteration of Beaconsfield Avenue from Afton Avenue to Dundas Street West by the installation of speed humps.

Bill No. 560	By-law No. 560-2001	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways to establish bicycle lanes on Runnymede Road from Bloor Street West to St. Clair Avenue West.
Bill No. 561	By-law No. 561-2001	To name the private walkway 55.6 metres north of St. Clair Avenue West extending from Harvie Avenue, "Archgate Lane".
Bill No. 562	By-law No. 562-2001	To name the private lane south of Shaftesbury Avenue east of Yonge Street, "Charlesworth Lane".
Bill No. 563	By-law No. 563-2001	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Bloor Street West extending from Monkton Avenue to Lothian Avenue.
Bill No. 564	By-law No. 564-2001	To layout and dedicate certain land for public highway purposes to form part of the public highway Lake Shore Boulevard West.
Bill No. 565	By-law No. 565-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 566	By-law No. 566-2001	To amend further Metropolitan By-law No. 32-92 respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 567	By-law No. 567-2001	To amend further Metropolitan By-law No. 32-92 respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 568	By-law No. 568-2001	To amend further Metropolitan By-law No. 32-92 respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 569	By-law No. 569-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 570	By-law No. 570-2001	To amend further By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a By-law of the former Borough of East York.
Bill No. 571	By-law No. 571-2001	To amend By-law No. 32759, as amended, of the former City of North York.
Bill No. 572	By-law No. 572-2001	To amend further By-law No. 117-79, a By-law “To establish school bus loading zones on roads in the Borough of East York”, being a By-law of the former Borough of East York.
Bill No. 573	By-law No. 573-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gledhill Avenue.
Bill No. 574	By-law No. 574-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Castlefield Avenue, Willowbank Boulevard.
Bill No. 575	By-law No. 575-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosemount Avenue.
Bill No. 576	By-law No. 576-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 577	By-law No. 577-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and

		Parking, with respect to speed control zones.
Bill No. 578	By-law No. 578-2001	To amend Chapter 441, Fees, of the City of Toronto Municipal Code, to charge Fees for Accessing Assessment Information.
Bill No. 580	By-law No. 579-2001	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the wrought iron fence at 340 Centennial Road (Ward 44) from the maximum height requirements.
Bill No. 582	By-law No. 580-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Corley Avenue.
Bill No. 583	By-law No. 581-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Crawford Street.
Bill No. 584	By-law No. 582-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Emerson Avenue, Marion Street, Osler Street.
Bill No. 585	By-law No. 583-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting, Beverley Street, Boulton Avenue, Lane first north of Lyall Avenue, Lane first south of Queen Street East, Pine Avenue.
Bill No. 586	By-law No. 584-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Boulton Avenue, Caroline Avenue, Hogarth Avenue, Maughan Crescent, Mitchell Avenue, Roblocke Avenue.
Bill No. 587	By-law No. 585-2001	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in

		the Borough of East York”, being a By-law of the former Borough of East York.
Bill No. 588	By-law No. 586-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Runnymede Road.
Bill No. 589	By-law No. 587-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Woburn Avenue.
Bill No. 590	By-law No. 588-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wellington Street West.
Bill No. 591	By-law No. 589-2001	To confirm the effective date for the exemption as municipal capital facilities of a portion of lands at 109 Front Street East from taxation for municipal and school purposes.
Bill No. 592	By-law No. 590-2001	To amend City of Scarborough Zoning By-law Number 12077, the Centennial Community Zoning By-law; and to amend the Township of Pickering By-law Zoning No. 1978.
Bill No. 593	By-law No. 591-2001	To amend Township of Scarborough Zoning By-law Number 5952; and to amend the Scarborough Zoning By-law No. 15907, the Rouge Community.
Bill No. 594	By-law No. 592-2001	To amend Scarborough Zoning By-law No. 15907, the Rouge Community Zoning By-law and Township of Scarborough Zoning By-law No. 5952.
Bill No. 596	By-law No. 593-2001	To amend Scarborough Zoning By-law Number 10076, the Agincourt Community Zoning By-law; and to amend Scarborough Zoning By-law

Number 12797, the Agincourt North Community Zoning By-law; and to amend Scarborough Zoning By-law Number 9396, the Cliffcrest Community Zoning By-law; and to amend Scarborough Zoning By-law Number 12077, the Centennial Community Zoning By-law; and to amend Scarborough Zoning By-law Number 17677, the Milliken Community Zoning By-law; and to amend Scarborough Zoning By-law Number 15907, the Rouge Community Zoning By-law; and to amend Scarborough Zoning By-law Number 12360, the Tam O'Shanter Community Zoning By-law; and to Amend City of Toronto Zoning By-law 72-2001, Technical Amendments to Various Community Zoning By-laws.

Bill No. 597	By-law No. 594-2001	To provide a minimum and maximum special charge for the Downtown Yonge Street Business Improvement Area.
Bill No. 598	By-law No. 595-2001	To Provide for the Levy and Collection of Special Charges for the Year 2001 in Respect of Downtown Yonge Street Business Improvement Area.
Bill No. 599	By-law No. 596-2001	To amend the City of Toronto Municipal Code by adding Chapter 4, Adjustment, Committee of.
Bill No. 600	By-law No. 597-2001	To amend City of Toronto Municipal Code Chapter 349, Animals, to amend dog licence fees and cat registration fees.
Bill No. 601	By-law No. 598-2001	To amend By-law No. 31001 of the former City of North York, as amended.

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| Bill No. 602 | By-law No. 599-2001 | To amend By-law No. 31001 of the former City of North York, as amended. |
| Bill No. 603 | By-law No. 600-2001 | To adopt an amendment to the Official Plan for the former City of North York Official Plan in respect of lands municipally known as 5000 Yonge Street. |
| Bill No. 604 | By-law No. 601-2001 | To amend City of North York By-law No. 7625 in respect of lands municipally known as 5000 Yonge Street. |
| Bill No. 605 | By-law No. 602-2001 | To appoint Committee of Adjustment for the City of Toronto. |
- 6.78 On June 28, 2001, at 6:53 p.m., Councillor Altobello, seconded by Councillor Balkissoon, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried, without dissent:
- | | | |
|--------------|---------------------|---|
| Bill No. 528 | By-law No. 603-2001 | To amend further By-law No. 181-81 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits. |
|--------------|---------------------|---|
- 6.79 On June 28, 2001, at 6:53 p.m., Councillor Altobello, seconded by Councillor Balkissoon, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried, without dissent:
- | | | |
|--------------|---------------------|--|
| Bill No. 581 | By-law No. 604-2001 | To amend By-law No. 181-81 of the former Municipality of Metropolitan Toronto and amending By-law No. 92-2000. |
|--------------|---------------------|--|
- 6.80 On June 28, 2001, at 6:55 p.m., Councillor Pantalone, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 608

By-law No. 605-2001

To confirm the proceedings of the
Council at its Meeting held on the 26th,
27th and 28th days of June, 2001,

the vote upon which was taken as follows:

Yes – 32	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shaw, Silva, Soknacki, Sutherland, Walker
No – 1	
Councillor:	Bussin

Carried by a majority of 31.

- 6.81 On June 28, 2001, at 7:29 p.m., Councillor Pantalone, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 579	By-law No. 606-2001	To amend former City of North York By-law No. 30788 to permit the erection of one off-premise sign on W. R. Allen Road. *amended*
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- 6.82 On June 28, 2001, at 7:31 p.m., Councillor Soknacki, seconded by Councillor Mihevc, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 609	By-law No. 607-2001	To confirm the proceedings of the Council at its Meeting held on the 26th, 27th and 28th days of June, 2001,
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the vote upon which was taken as follows:

Yes – 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Holyday, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Soknacki
No – 1	
Councillor:	Walker

Carried by a majority of 27.

The following Bills were withdrawn:

Bill No. 539 To adopt Amendment No. 86-2001 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting the lands located on the north side of The Queensway, east of The East Mall.

Bill No. 595 To amend Scarborough Zoning By-law Number 14402, the Malvern Community Zoning By-law; and To amend Scarborough Zoning By-law No. 15907, the Rouge Community Zoning By-law; and To amend Scarborough Zoning By-law No. 24982, the Employment Districts Zoning By-law.

OFFICIAL RECOGNITIONS:

6.83 Condolence Motions

June 26, 2001:

Councillor Korwin-Kuczynski, seconded by Councillor Walker, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the sudden passing of their friend and colleague, former City of Toronto Commissioner Michael Nixon, on June 10, 2001; and

WHEREAS in 1941, Michael was born in Belfast, Northern Ireland; he received his education, earning a degree in mechanical engineering at Queen’s University in Belfast, immigrated to Canada, in 1964, and worked at a variety of engineering jobs before joining the City of Toronto in 1974; and

WHEREAS Mr. Michael Nixon joined the City of Toronto in 1974, as the Director of Plan Examination, and, four years later, was appointed Toronto’s Commissioner of Buildings and Inspections and the Chief Building Official. Over the years, he and his staff were involved in many major building projects, such as the SkyDome and BCE Place; and

WHEREAS Mr. Michael Nixon was a strong supporter of the annual United Way campaign and was known on a first-name basis by many of the employees in his department. Personal integrity and providing high-quality services to the residents of the City of Toronto, were always top priorities under his leadership; and

WHEREAS Michael retired from the City of Toronto in 1995, and had been living on his 40-foot mahogany sailboat, the Vanguard, which was moored in Whitby Harbour;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Mr. Michael Nixon.”

Councillor Bussin, seconded by Councillor Korwin-Kuczynski, moved that:

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. Edgar Elliot on May 31, 2001; and

WHEREAS Mr. Elliot, affectionately known to friends and family alike as ‘Fast Eddy’, gave tirelessly from his bountiful energy and large heart, as one of the most active volunteers in the Beaches community, to the Canadian Cancer Society, Community Centre 55, East Toronto’s Senior Link and the Beaches Lions Club, to mention only a few; and

WHEREAS Mr. Elliot was a well-known and well-liked, long-term employee of the City of Toronto, from 1953 to 1992, serving in a number of different occupations, most notably as the Mayor’s chauffeur for Mayors Philip Givens, William Denison and David Crombie, eventually becoming the Supervisor of Transportation for Councillors, from 1978 until his retirement; and

WHEREAS generations of Beachers will always remember Ed as Santa Claus, who for many years, from the beginning of December until Christmas Eve, would daily don his artificial beard, red suit, boots, cap and natural jolliness to appear at the tree lighting in Kew Gardens, seniors and children’s parties, City Hall and wherever Santa was needed;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the Elliott family.”

Councillor Duguid, seconded by Mayor Lastman, moved that:

“**WHEREAS** Anton Tyukodi, an Advanced Care Paramedic with Toronto Emergency Medical Services, passed away suddenly and tragically in a helicopter accident on June 20, 2001; and

WHEREAS Anton entered municipal service, along with his brother Steve, as frontline care providers with Toronto Emergency Medical Services, 26 years ago and, in that time, gave unselfishly, and with compassion, to his patients and to the profession he loved, and willingly and with great enthusiasm participated in many pilot projects to improve service, such as the Emergency Response Units, the Emergency Support Units, the Air Ambulance Programme and the Advanced Life Support Programme with which he was one of our first paramedics in Toronto; and

WHEREAS Anton was an enthusiastic sailor, as well as an avid pilot who for several years participated in the opening act of the Toronto International Air Show, and an active member of the film industry in Toronto, appearing in numerous feature films and television productions as an actor, a stunt-performer, and a stunt co-ordinator; and

WHEREAS Anton took the time to become a storied, well-liked, legendary and respected resource, helping not only his patients and co-workers, but also realizing the success of truly having made a difference;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to Anton's mother, his son, his sister and his brother and to his many co-workers and colleagues; his kindness, caring and compassion will always be remembered."

Councillor McConnell, seconded by Councillor Pitfield, moved that:

“WHEREAS Leonard and Brian Baskatawang, aged 6 and 4, passed away on Monday, June 4, 2001, the day after their home was destroyed by fire; and

WHEREAS the tragic, early loss of these two young boys brought great sorrow to their mother, Sharon Martin, who was in hospital recovering from childbirth at the time of the fire, and to their father, Perry Baskatawang, who was in hospital recovering from the injuries he received in his repeated efforts to rescue his sons; and

WHEREAS this tragedy has deeply affected their classmates from the First Nations School of Toronto, and has brought great sadness to the First Nations Community of Toronto which has offered spiritual support and made donations to help the Baskatawang family; and

WHEREAS the loss of the Baskatawang brothers deeply touched the hearts of the people of Regent Park, bringing an outpouring of emotion and mourning from across the whole community; and

WHEREAS the fire fighters, police officers and emergency service workers who fought so valiantly to save the children were also incredibly moved by this heartbreaking event;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Leonard and Brian Baskatawang.”

Leave to introduce the Motions was granted and the Motions were carried unanimously.

Council rose and observed a moment of silence in memory of the late Mr. Michael Nixon, Mr. Edgar Elliot, Mr. Anton Tyukodi, and Masters Leonard and Brian Baskatawang.

6.84 **Presentations/Introductions/Announcements:**

June 26, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Humbercrest Public School, present at the meeting.

Councillor Rae, with the permission of Council, during the morning session of the meeting, on behalf of himself and Councillors Bussin, Chow, Fillion, Johnston, Korwin-Kuczynski, Layton, Li Preti, McConnell, Pantalone, Prue and Walker, extended his appreciation to the Gay Pride Day Committee for their contributions of time and effort to the success of this year's Gay Pride Day, the following Members of such Committee present at the meeting:

- Mr. Martin Zibauer,
- Mr. Mark Smith,
- Ms. Tami Kazan,
- Mr. Russell Matthew,
- Mr. Scott Ferguson,
- Mr. Mickey Cirak,
- Ms. Karen Rue,
- Mr. Kyle Knoeck,
- Ms. Enza Anderson,
- Ms. Margaret Robinson,
- Ms. Kim-Ellen Hurst,
- Mr. Joel Rotstein,
- Mr. Frank Chester,
- Mr. Dan Greco,
- Mr. Boyd Tolton, and
- Mr. Jeff Russell.

Deputy Mayor Ootes, during the morning session of the meeting, invited Councillor Lindsay Luby to the podium. Councillor Lindsay Luby addressed the Council and introduced Mr. Ed Torres, Vice-Chair of the Toronto Ribfest 2001 Committee, who was attending the meeting on behalf of Mr. Ralph Chiodo, the Chairman of Toronto Ribfest, Mr. Cy Garland of the Rotary Club of Etobicoke, and 'Tubby the Pig', the six foot mascot for Toronto Ribfest that had been designed by Mr. Mark Selkirk to receive donations for Ribfest. Councillor Lindsay Luby invited all Members of Council to attend the Ribfest being held on Friday, June 29, 2001, at Centennial Park, and, together with Mayor Lastman, tossed a Toonie into Tubby the Pig.

Deputy Mayor Ootes, during the afternoon session of the meeting, invited Mayor Lastman and Ms. Gail Souter of the Taxiwatch Committee to the podium, to present the Taxiwatch Awards. Mayor Lastman addressed the Council and introduced this year's award recipients - Driver of the Year, Mr. Peter Henry Carstens of Beck Taxi, First Runner Up, Mr. Hussen Ahmed Mohammed of Diamond Taxi, and Dispatcher of the Year, Mr. Peter Bakhholm Sorensen of Royal Taxi, and, together with Ms. Souter, presented the citations of merit to the winners. Mayor Lastman outlined the emergency situations in which the recipients of the awards had been involved and commended them for their heroic actions, and, on behalf of Council and the citizens of the City of Toronto, extended his appreciation to all of the drivers and dispatchers who are part of the City of Toronto Taxiwatch program.

June 28, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the adult ESL students from the Centre for Information and Community Services, present at the meeting.

Councillor Miller, with the permission of Council, during the morning session of the meeting, advised the Council that Petro Canada had joined with TD Canada Trust, TSN, Daimler Chrysler, the Federal Government and the Trans Canada Trail Foundation, to develop the 17,400-kilometre Trans Canada Trail across Canada and, on behalf of Council, extended the appreciation of Council to Petro Canada for their participation in this endeavour.

Councillor Li Preti, during the afternoon session of the meeting, introduced the following delegation from Calabria, Italy, present at the meeting:

- Michele Ambrogio, Sindaco Pianecrati,
- Giuseppe Nicoletti, Sindaco Dipignano,
- Mariano Greco, Assessore (Budget Chief),
- Cacco Marino, Sindaco Marzi, and
- Tony Serravalle, President of Valle del Savuto Social Club.

6.85 MOTIONS TO VARY PROCEDURE*Vary the order of proceedings of Council:***June 26, 2001:**

Councillor Layton, at 10:30 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, on June 27, 2001, at 9:30 a.m., the vote upon which was as follows:

Yes - 18	Councillors: Balkissoon, Cho, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Ootes, Shiner, Soknacki
No - 20	Councillors: Altobello, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Walker

Lost by a majority of 2.

Councillor Duguid, at 10:33 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, on June 27, 2001, at 4:00 p.m., which carried.

June 27, 2001:

Councillor Chow, at 7:30 p.m., moved that Council vary the order of its proceedings to resume consideration of Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, at 4:00 p.m., on June 28, 2001, the vote upon which was taken as follows:

Yes - 13	Councillors: Ashton, Augimeri, Bussin, Chow, Jones, Layton, McConnell, Miller, Pantalone, Prue, Rae, Silva, Walker
No - 23	Councillors: Altobello, Berardinetti, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 10

Councillor Mammoliti, at 7:30 p.m., moved that Council vary the order of its proceedings to resume consideration of Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed "Governance of City-Owned Social Housing Portfolio", at 9:30 a.m., on June 28, 2001, the vote upon which was taken as follows:

Yes - 20	
Councillors:	Altobello, Ashton, Berardinetti, Duguid, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland
No - 16	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Flint, Jones, Layton, McConnell, Miller, Pantalone, Prue, Rae, Shaw, Silva, Walker

Carried by a majority of 4.

Waive the provisions of the Procedural By-law related to meeting times:

June 26, 2001:

Deputy Mayor Ootes, at 12:18 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the presentations scheduled for this portion of the meeting, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Holyday, at 7:23 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of the in-camera personnel matter on the agenda for this meeting of Council, the vote upon which was taken as follows:

Yes - 21	
Mayor:	Lastman
Councillors:	Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Milczyn, Moeser, Ootes, Rae, Shaw, Shiner, Soknacki, Sutherland
No - 11	

Councillors: Altobello, Ashton, Balkissoon, Cho, Chow, Johnston, Layton, Mihevc, Miller, Prue, Walker

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

June 27, 2001:

Councillor Chow, at 7:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, the vote upon which was taken as follows:

Yes - 11
Councillors: Augimeri, Chow, Di Giorgio, Hall, Korwin-Kuczynski, Layton, McConnell, Miller, Rae, Shaw, Silva
No - 25
Councillors: Altobello, Ashton, Berardinetti, Bussin, Disero, Duguid, Flint, Ford, Holyday, Jones, Kelly, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shiner, Soknacki, Sutherland, Walker

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

June 28, 2001:

Councillor Sutherland, at 12:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to conclude the votes on the motions pertaining to the referral of Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, the vote upon which was taken as follows:

Yes - 28
Mayor: Lastman
Councillors: Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 15

Councillors:	Augimeri, Bussin, Cho, Chow, Flint, Johnston, Jones, Layton, Mihevc, Miller, Pantalone, Prue, Rae, Silva, Walker
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Lost, less than two-thirds of Members present having voted in the affirmative.

Councillor Pantalone, at 5:45 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, in order to conclude consideration of Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Governance of City-Owned Social Housing Portfolio”, the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Feldman, Hall, Holyday, Johnston, Kelly, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Walker
No - 7	
Councillors:	Chow, Flint, Ford, Jones, Korwin-Kuczynski, McConnell, Pitfield

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

Councillor Pantalone, at 6:55 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:00 p.m. adjournment, and that Council continue in session until 7:15 p.m., in order to conclude consideration of all urgent matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 24	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 10	
Mayor:	Lastman
Councillors:	Augimeri, Cho, Ford, Holyday, Kelly, Lindsay Luby, Moeser, Prue, Walker

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

Councillor Berardinetti, at 7:15 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:15 p.m. adjournment, and that Council continue in session until 7:30 p.m., in order to conclude consideration of all urgent matters remaining on the Order Paper for this meeting of Council, which carried, more than two-thirds of Members present having voted in the affirmative.

6.86 ATTENDANCE

Councillor Disero, seconded by Councillor Pantalone, moved that the absence of Councillor Moscoe from this meeting of Council be excused, which carried.

June 26, 2001	9:40 a.m. to 12:30 p.m.*	Roll Call 10:46 a.m.	Roll Call 10:54 a.m.	Roll Call 12:20 p.m.	Roll Call 2:12 p.m.
Lastman	x	-	-	x	-
Altobello	x	x	x	x	X
Ashton	x	-	x	-	-
Augimeri	x	x	x	x	-
Balkissoon	x	-	-	x	-
Berardinetti	x	-	-	-	-
Bussin	x	-	-	-	X
Cho	x	-	-	x	X
Chow	x	x	-	x	X
Di Giorgio	x	x	x	x	X
Disero	x	x	x	-	-
Duguid	x	x	-	-	X
Feldman	x	x	x	x	-
Filion	-	-	-	-	-
Flint	x	x	x	x	X
Ford	x	x	x	-	X
Hall	x	x	x	x	X
Holyday	x	x	x	x	X
Johnston	x	x	-	x	X
Jones	x	x	x	-	X
Kelly	x	x	x	-	-
Korwin-Kuczynski	x	x	x	-	X
Layton	x	x	x	x	-
Li Preti	x	-	x	-	-

Minutes of the Council of the City of Toronto
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June 26, 2001	9:40 a.m. to 12:30 p.m.*	Roll Call 10:46 a.m.	Roll Call 10:54 a.m.	Roll Call 12:20 p.m.	Roll Call 2:12 p.m.
Lindsay Luby	x	x	x	x	X
Mammoliti	x	-	-	-	X
McConnell	x	x	x	x	-
Mihevc	x	x	-	x	X
Mileczyn	x	x	x	x	X
Miller	x	x	x	-	-
Minnan-Wong	x	-	-	-	X
Moeser	x	-	-	-	-
Moscoe	-	-	-	-	-
Nunziata	x	-	x	x	X
Ootes	x	x	x	x	X
Pantalone	x	x	-	-	X
Pitfield	x	x	x	x	-
Prue	x	x	-	x	-
Rae	x	x	x	x	-
Shaw	x	-	-	x	X
Shiner	x	x	-	-	X
Silva	x	x	x	x	X
Soknacki	x	x	x	-	X
Sutherland	x	x	x	x	-
Walker	x	x	x	x	X
Total	43	331	27	26	26

* Members were present for some or all of the time period indicated.

June 26, 2001	2:12 p.m. to 5:45 p.m.*	Roll Call 3:33 p.m.	Roll Call 5:30 p.m.	Ctte. of the Whole in-Camera 6:00 p.m.	7:22 p.m. to 7:30 p.m.*
Lastman	x	x	x	x	x
Altobello	x	-	x	x	x
Ashton	x	-	x	x	x
Augimeri	x	x	-	-	-
Balkissoon	x	x	x	x	x
Berardinetti	x	x	x	x	x
Bussin	x	-	-	-	-
Cho	x	x	x	x	x

Minutes of the Council of the City of Toronto
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June 26, 2001	2:12 p.m. to 5:45 p.m.*	Roll Call 3:33 p.m.	Roll Call 5:30 p.m.	Ctte. of the Whole in-Camera 6:00 p.m.	7:22 p.m. to 7:30 p.m.*
Chow	x	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	x	x	x	x	x
Duguid	x	x	-	x	x
Feldman	x	x	-	x	x
Filion	x	x	-	-	-
Flint	x	x	x	x	x
Ford	x	-	-	x	x
Hall	x	-	-	-	-
Holyday	x	x	x	x	x
Johnston	x	x	x	x	x
Jones	x	-	-	x	x
Kelly	x	-	x	x	x
Korwin-Kuczynski	x	-	-	-	-
Layton	x	-	x	x	x
Li Preti	-	-	-	-	-
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	x	x
McConnell	x	x	x	x	x
Mihevc	x	-	-	x	x
Milczyn	x	x	-	x	x
Miller	x	-	x	x	x
Minnan-Wong	x	x	-	-	-
Moeser	x	x	-	x	x
Moscoe	-	-	-	-	-
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	x	-	-	x	x
Prue	x	x	x	x	x
Rae	x	x	x	x	x
Shaw	x	x	-	x	x
Shiner	x	x	-	x	x
Silva	x	-	x	-	-

Minutes of the Council of the City of Toronto
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June 26, 2001	2:12 p.m. to 5:45 p.m.*	Roll Call 3:33 p.m.	Roll Call 5:30 p.m.	Ctte. of the Whole in-Camera 6:00 p.m.	7:22 p.m. to 7:30 p.m.*
Soknacki	x	x	-	x	x
Sutherland	x	x	x	x	x
Walker	x	x	x	x	x
Total	43	29	29	36	36

* Members were present for some or all of the time period indicated.

June 27, 2001	9:40 a.m. to 9:45 a.m.*	Ctte. of the Whole in-Camera 9:53 a.m.	12:27 p.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 2:20 p.m.*
Lastman	x	x	x	-	-
Altobello	x	x	x	x	x
Ashton	-	x	x	-	-
Augimeri	-	x	x	-	-
Balkissoon	-	x	x	-	-
Berardinetti	x	x	x	x	x
Bussin	x	x	x	x	x
Cho	x	x	x	x	x
Chow	x	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	x	x	x	-	-
Duguid	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	-	x	x	x	x
Flint	-	x	x	-	-
Ford	x	x	x	x	x
Hall	x	x	x	-	-
Holyday	x	x	x	x	x
Johnston	x	x	x	x	x
Jones	x	x	x	x	x
Kelly	-	x	x	-	-
Korwin-Kuczynski	-	x	x	-	-
Layton	-	x	x	-	-
Li Preti	x	x	x	-	-
Lindsay Luby	x	x	x	-	-

Minutes of the Council of the City of Toronto
June 26, 27 and 28, 2001

June 27, 2001	9:40 a.m. to 9:45 a.m.*	Ctte. of the Whole in-Camera 9:53 a.m.	12:27 p.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 2:20 p.m.*
Mammoliti	x	x	x	-	-
McConnell	x	x	x	x	x
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Miller	-	x	x	-	x
Minnan-Wong	x	x	x	-	-
Moeser	x	x	x	-	-
Moscoe	-	-	-	-	-
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	x	x	x	-	-
Prue	x	x	x	x	x
Rae	x	x	x	x	x
Shaw	-	x	x	x	x
Shiner	-	x	x	x	x
Silva	x	x	x	-	-
Soknacki	-	x	x	x	x
Sutherland	-	x	x	-	-
Walker	x	x	x	x	x
Total	31	44	44	25	26

* Members were present for some or all of the time period indicated.

June 27, 2001	Ctte. of the Whole in-Camera 2:20 p.m.	4:00 p.m. to 7:35 p.m.*	Roll Call 5:15 p.m.	Roll Call 7:06 p.m.
Lastman	x	x	x	-
Altobello	x	x	-	x
Ashton	x	x	x	x
Augimeri	x	x	-	x
Balkissoon	x	x	-	-
Berardinetti	x	x	-	x
Bussin	x	x	x	x

Minutes of the Council of the City of Toronto
June 26, 27 and 28, 2001

June 27, 2001	Ctte. of the Whole in-Camera 2:20 p.m.	4:00 p.m. to 7:35 p.m.*	Roll Call 5:15 p.m.	Roll Call 7:06 p.m.
Cho	x	x	-	-
Chow	x	x	x	x
Di Giorgio	x	x	x	x
Disero	x	x	x	x
Duguid	x	x	x	x
Feldman	x	-	-	-
Filion	x	x	-	x
Flint	-	x	x	x
Ford	x	x	-	x
Hall	x	x	x	x
Holyday	x	x	x	x
Johnston	x	x	-	-
Jones	x	x	x	x
Kelly	x	x	x	x
Korwin-Kuczynski	x	x	-	x
Layton	x	x	x	-
Li Preti	x	x	x	-
Lindsay Luby	x	x	x	x
Mammoliti	x	x	x	x
McConnell	x	x	x	x
Mihevc	x	x	x	x
Milczyn	x	x	-	x
Miller	x	x	-	x
Minnan-Wong	x	x	-	-
Moeser	x	x	-	x
Moscoe	-	-	-	-
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	-	x
Pitfield	x	x	-	x
Prue	x	x	x	x
Rae	x	x	x	-
Shaw	x	x	-	-

Minutes of the Council of the City of Toronto
June 26, 27 and 28, 2001

June 27, 2001	Ctte. of the Whole in-Camera 2:20 p.m.	4:00 p.m. to 7:35 p.m.*	Roll Call 5:15 p.m.	Roll Call 7:06 p.m.
Shiner	x	x	-	x
Silva	x	x	x	x
Soknacki	x	x	-	x
Sutherland	-	x	x	x
Walker	x	x	x	x
Total	42	43	35	34

* Members were present for some or all of the time period indicated.

June 28, 2001	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:11 p.m. to 7:30 p.m.*	Roll Call 3:07 p.m.	Roll Call 3:40 p.m.	Roll Call 4:02 p.m.	Roll Call 4:49 p.m.	Roll Call 6:52 p.m.
Lastman	x	x	x	x	-	-	x	x
Altobello	x	x	x	-	-	-	x	x
Ashton	x	-	x	-	x	X	x	x
Augimeri	x	x	x	x	-	-	x	x
Balkissoon	x	-	x	x	-	-	x	x
Berardinetti	x	x	x	-	x	-	-	x
Bussin	x	x	x	-	-	X	-	-
Cho	x	-	x	-	-	X	-	x
Chow	x	x	x	x	x	X	x	x
Di Giorgio	x	x	x	x	x	X	x	x
Disero	x	x	x	x	x	X	x	x
Duguid	x	x	x	-	x	X	x	x
Feldman	x	x	x	x	x	X	x	x
Filion	x	-	x	-	-	-	x	-
Flint	x	x	x	x	x	X	x	x
Ford	x	x	x	x	-	-	x	x
Hall	x	x	x	x	-	X	x	-
Holyday	x	x	x	x	-	X	x	x
Johnston	x	-	x	x	-	-	-	-
Jones	x	x	x	x	-	-	x	x
Kelly	x	-	x	x	x	X	x	x
Korwin-Kuczynski	x	x	x	-	-	-	x	x
Layton	x	-	x	-	x	X	x	x

Minutes of the Council of the City of Toronto
June 26, 27 and 28, 2001

June 28, 2001	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:11 p.m. to 7:30 p.m.*	Roll Call 3:07 p.m.	Roll Call 3:40 p.m.	Roll Call 4:02 p.m.	Roll Call 4:49 p.m.	Roll Call 6:52 p.m.
Li Preti	x	-	x	x	x	X	-	-
Lindsay Luby	x	x	x	x	x	X	x	x
Mammoliti	x	-	x	x	x	X	x	-
McConnell	x	x	x	-	x	-	x	x
Mihevc	x	x	x	x	x	-	x	x
Milczyn	x	x	x	x	x	-	-	x
Miller	x	x	x	-	-	-	-	-
Minnan-Wong	x	x	x	-	x	X	-	x
Moeser	x	x	x	x	-	-	x	x
Moscoe	-	-	-	-	-	-	-	-
Nunziata	x	x	x	x	x	X	x	x
Ootes	x	x	x	x	x	-	x	x
Pantalone	x	-	x	-	-	-	x	x
Pitfield	x	x	x	x	x	X	-	x
Prue	x	x	x	x	-	-	x	x
Rae	x	x	x	x	x	X	-	-
Shaw	x	-	x	x	x	-	-	x
Shiner	x	x	x	-	-	-	-	x
Silva	x	x	x	x	x	X	x	x
Soknacki	x	-	x	x	-	-	-	x
Sutherland	x	-	x	x	-	-	-	x
Walker	x	x	x	x	x	X	x	x
Total	44	31	44	30	24	22	30	36

* Members were present for some or all of the time period indicated.

MEL LASTMAN,
Mayor

ULLI S. WATKISS,
City Clerk

ATTACHMENT NO. 1

Enquiry dated May 24, 2001, from Councillor Walker, regarding the Mayor's recent European trip. (See Minute No. 6.3, Page 1):

On your recent criticism regarding Toronto's City Councillors travelling to Banff, Alberta, for the meeting of the Federation of Canadian Municipalities, several questions come to mind regarding your recent expedition to Europe:

- (1) Who financed your trip, and from what budget did it come?
- (2) What were the expenses, itemized and totalled?
- (3) Who and where exactly did you visit, and what official business was conducted?

I note, Mayor, that you characterize your trips out of the country as "moving mountains" while Councillor's trips "waste money". The question is then, Mayor, on your last trip to Europe what mountains did you move?

I cordially await your reply.

ATTACHMENT NO. 2

Answer dated June 21, 2001, from Mayor Lastman, to the Enquiry dated May 24, 2001, from Councillor Walker, regarding the Mayor's recent European trip. (See Minute No. 6.3, Page 1):

Answer to No. 1:

No City funds were used to pay for my recent trip to Europe to promote our 2008 Olympic Bid.

Answer to No. 2:

No City funds were used to pay for my recent trip to Europe to promote our 2008 Olympic Bid.

Answer to No. 3:

My official business on behalf of the Bid Committee was to promote Toronto's 2008 Olympic Bid to the world press.

Answer to No. 4:

The Alps.

Cordially,

ATTACHMENT NO. 3 [Notice of Motion J(5)]

Report dated June 21, 2001, from the Commissioner of Works and Emergency Services, entitled "Installation of Underground Cables - 825 Coxwell Avenue and 840 Coxwell Avenue (Toronto-Danforth – Ward 29 and Beaches-East York – Ward 31)". (See Minute No. 6.57, Page 89):

Purpose:

To report on a request from H. H. Angus and Associates Ltd., Consulting Engineers, on behalf of Toronto East General Hospital, for permission to install fibre optic cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue for computer, telephone, alarm, annunciator and buzzer, fire alarm and emergency voice communication, and CCTV systems.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that City Council approve the installation of underground fibre optic cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue, provided the owner and such other licensees as may be required by the City Solicitor enter into an agreement with the City of Toronto, agreeing to:

- (1) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;
- (2) maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (3) provide 'as built' drawings upon completion of all installations;
- (4) remove the fibre optic cables upon receiving 90 days notice so to do;
- (5) pay an annual encroachment fee as approved by City Council for this type of use (2001 rate is \$10.63 per linear metre of cable in this area) within the public right of way, which fee shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);

- (6) notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (7) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.

Comments:

H. H. Angus and Associates Ltd., Consulting Engineers, 1127 Leslie Street, Don Mills, Ontario M3C 2J6, submitted an application on behalf of Toronto East General Hospital, for permission to install and maintain fibre optic cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue. The communication cables will provide a connection for computer, telephone, alarm, annunciator and buzzer, fire alarm and emergency voice communication, and CCTV systems.

The Telecommunications Steering Committee had a similar request from Ryerson Polytechnic University for permission to install communication cables under and across Bond Street, linking 111 Bond Street with 122 Bond Street. City Council, at its meeting of July 6, 7 and 8, 1999, in considering the matter approved our report (June 7, 1999), subject to three amendments embodying the following recommendations from the Chairman, Telecommunications Steering Committee:

- (a) the agreement be amended to require Ryerson to provide to the Telecommunications Steering Committee, through the Office of the Chief Administrative Officer, technical information on all of the above and below ground installations, cabling, structures and conduits or ducts with Ryerson uses for telecommunications purposes that cross or use City rights-of-way or other City property;
- (b) the agreement between the City and Ryerson include the requirement that the City be notified of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (c) Ryerson be required to make available for the use of the City, extra fibre optic wires, if and when installed, and space inside the conduit to be installed for City installation of fibre optic wiring.

In reviewing the most recent request on behalf of Toronto East General Hospital, it would appear that it may be appropriate to include a similar recommendation as outlined in item No. (b) as described above and therefore, we have included it as a

condition of approval.

Conclusions:

As the fibre optic communication cables will not impact negatively on the public right-of-way or existing underground utility and City services, the communication cables should be permitted.

Contact:

Angie Antoniou, Manager, Right of Way Management, District 1
Telephone: (416) 392-1525, Fax: (416) 392-7465
E-mail: aantonio@city.toronto.on.ca

ATTACHMENT NO. 4 [Notice of Motion J(7)]

Report dated June 22, 2001, from the Commissioner of Corporate Services, entitled “Calcorp Inc. Option to Purchase Part of Viking Road Request for Extension (Ward 5 – Etobicoke-Lakeshore”. (See Minute No. 6.59, Page 93):

Purpose:

To authorize a further extension of the option to purchase agreement (the “Option Agreement”) between the City and Calcorp Inc., dated November, 1997 pursuant to which the City granted Calcorp Inc. an option to purchase part of Viking Road.

Financial Implications and Impact Statement:

When the option is exercised by Calcorp Inc., the City will receive revenue in the approximate amount of \$690,000.00 from the sale of the lands.

Recommendations:

It is recommended that:

- (1) a portion of Viking Road, having a total area of approximately 0.60 acres, as shown on the attached sketch (“Viking Road”) be declared surplus to municipal requirements and notice of the proposed sale be given to the public in accordance with the requirements of City of Toronto Municipal Code Chapter 213;
- (2) the Option Agreement be extended until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003, on the terms and conditions set out in the body of this report;
- (3) the City Solicitor be authorized and directed to complete the transaction on the terms and conditions set out in the body of this report and pay any City costs incidental to the closing and be further authorized to amend 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.

Background:

At its meeting held on September 22, 1997, the Council of the former City of Etobicoke amended and adopted Clause 240-A-97 of the Sixteenth Report of the

Administration Committee, 1997, and authorized the appropriate City officials to take all steps necessary to enter into an option agreement with Calcorp Inc. whereby Calcorp Inc. would have an option to purchase Viking Road (in two separate transactions if Calcorp Inc. so chose) on an “as-is basis”, for a total price of \$400,000.00, with interest to accrue at the prime rate from the date of acceptance until the completion of the sale, subject to Calcorp Inc. acquiring title to all of the lands abutting Viking Road, the necessary road closing process being completed, and the reservation of any easements required for municipal services or public utilities. The sale was also to be conditional upon the necessary zoning by-law for the proposed re-development of the properties south of Viking Road being approved. The option was for an initial period of 18 months, with Calcorp Inc. having the right, which Calcorp Inc. did exercise, to extend the option period for up to five further 30-day periods. Viking Road was not, however, declared surplus, in accordance with the requirements of section 193 of the Municipal Act.

As a result of delays in determining a mechanism and timing for sanitary sewer expansion in the area, City Council, at its meeting of December 14, 15 and 16, 1999, adopted Clause 11 of Etobicoke Community Council Report No. 14, which provided for a further 12 month extension to the Option Agreement until December 4, 2000.

At its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 2000, October 10 and 11, 2000 and October 12, 2000, City Council adopted Notice of Motion J35, moved by Councillor O’Brien and seconded by Councillor Holyday and thereby adopted the report (September 22, 2000) of the Commissioner of Corporate Services, which recommended that the Option Agreement be extended until July 4, 2001, on the same terms and conditions as the original option, save and except for any further rights of extension.

Comments:

Calcorp Inc. are undertaking a land assembly in the vicinity of Viking Road which involves an Official Plan amendment and rezoning to allow for phased high-density residential development.

City Council at its meeting of May 30, 31 and June 1, 2001, adopted Clause 17 of Report No. 4 of the West Community Council entitled “Preliminary Report – Application to Amend the Etobicoke Official Plan and Zoning Code: 1332923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue” and directed that a community meeting be held in accordance with the *Planning Act*. This meeting has been scheduled for June 28, 2001.

A further extension of the Option Agreement has been requested by Calcorp Inc. as their development application is currently being processed. Negotiations with Calcorp

Inc. have resulted in agreement to the following amendments to the Option Agreement:

- (1) a further 12 month extension until July 4, 2002 be granted, with Calcorp Inc. having an option to further extend for an additional 6 months to January 4, 2003;
- (2) the rate of calculation of the price payable for Viking Road be changed from \$666,666.00 per acre to \$1,150,000.00 per acre, for a total estimated purchase price of \$690,000.00; and
- (3) the payment of interest on the price payable be calculated from the date of execution of the amending agreement by the City until completion of the sale.

Section 193(4) of the Municipal Act, requires that, before selling any property, Council must declare the property to be surplus by by-law or resolution passed at a meeting open to the public, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted by regulation passed under the legislation. Given that the City must declare the lands surplus prior to selling and as this was not included in the previous Council authority, a recommendation is included to declare Viking Road surplus to municipal requirements.

Conclusions:

It is considered reasonable to further extend the Option Agreement for 12 months based on the negotiated terms and conditions set out above and that in compliance with the Municipal Act Council declare Viking Road surplus to municipal requirements.

Contact:

Name: Mike Saffran
Position: Valuator/Negotiator
Telephone: 392-7205
Fax: 392-1880
E-Mail: msaffran@city.toronto.on.ca
Report No.: cc01-123

(A copy of the Site Sketch referred to in the foregoing report is on file in the Office of the Acting City Clerk).

ATTACHMENT NO. 5 [Notice of Motion J(11)]

Report dated June 20, 2001, from the Chief Administrative Officer and Acting Chief Financial Officer and Treasurer, entitled "2001 Business Improvement Area Operating Budgets: Report No. 5". (See Minute No. 6.63, Page 99):

Purpose:

This report brings forward the Downtown Yonge Street Business Improvement Area's (BIA) annual operating budget for approval by Council as required by Section 220 of the Municipal Act, as amended. Council approval is required to permit the City to collect funds through the commercial/industrial tax levy on behalf of the BIA.

Complete budgets received to date have been reviewed and reported herein; BIA budgets received after this date will be brought forward in subsequent reports.

Financial Implications and Impact Statement:

There are no financial implications for the City since funding for Business Improvement Area budgets is raised by a special levy on members.

Recommendations:

It is recommended that:

- (1) Economic Development and Parks Committee adopt and certify to City Council the 2001 expenditure request of the Downtown Yonge Street Business Improvement Area totalling \$668,997 and a 2001 BIA levy of \$668,997 subject to appointment of the BIA's Board of Management by City Council and subject to submission of documentation indicating that the BIA's proposed 2001 operating budget was adopted by its Board of Management;
- (2) a copy of this report be forwarded to the Policy and Finance Committee for its information;
- (3) authority be granted for the introduction of the necessary bill in Council; and,
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Comments:

This is the first budget for the Downtown Yonge Street BIA. For a new BIA, there are three steps which must be completed before its first budget can be approved. Firstly, the by-law designating a specific geographic area as a Business Improvement Area must come into force. The Downtown Yonge Street BIA was designated by By-law 27-2001 enacted February 11, 2001 and approved by the Ontario Municipal Board on April 20, 2001.

Secondly, City Council must appoint a Board of Management for the BIA to create the body corporate that manages the BIA's budget and undertakes the activities authorized by the BIA's general membership. The Downtown Yonge Street BIA held its inaugural annual general meeting on May 29, 2001, to nominate members of its Board of Management. A report dated June 4, 2001 by the Commissioner of Economic Development, Culture and Tourism recommending appointments to the BIA's Board of Management was approved by the Economic Development and Parks Committee at its meeting of June 11, 2001 and is before Council at this meeting as Clause 18 of Report 6 of the Committee.

Finally, the BIA's Board of Management must submit a budget for approval by City Council. The Downtown Yonge Street BIA's draft 2001 operating budget was approved by its interim board of management on June 8, 2001 and approved as proposed to its membership on June 11, 2001. The BIA's draft budget proposes expenditures totalling \$668,997 balanced by a BIA levy of \$668,997 and is summarized in Appendix A to this report.

Since a BIA's budget must be approved by its Board of Management before it can be considered by Council, and since the BIA's Board has not yet been appointed, the BIA's Board must approve its budget after it has been appointed, and then advise the City that its 2001 budget has been adopted before it can be considered by Council and a levy by-law enacted. Accordingly, adoption of this operating budget report by Council must be subject to Council first appointing the Board members and subject to the Board members then approving the draft budget.

In view of the timing of this matter, it is recommended that the Downtown Yonge Street Village BIA's 2001 operating budget of expenditures totalling \$668,997 and a 2001 BIA levy of \$668,997 be approved, subject to appointment of its Board of Management by City Council and subject to adoption of the BIA's proposed 2001 operating budget by its Board of Management.

Contact:

Joe Borowiec, Budget Services Division, Finance Department, 416-397-4298
Ron Nash, Senior Commercial Area Advisor, Small Business and Local Partnerships,
Economic Development, Culture and Tourism Department, 416-392-1134
Carmela Romano, Manager, Revenue Services, Finance Department, 416-395-6730

APPENDIX A

Downtown Yonge Street BIA Budget Summary (\$)			
	2000 Approved Budget	2000 Projected Actual	2001 Budget Request
Revenue:			
- Prior Years' Surplus	N/A	N/A	N/A
- Levy Funds Required (incl. 10% provision)	N/A	N/A	668,997
- Other Revenue	N/A	N/A	0
Total:	N/A	N/A	668,997
Expenditures:			
- Administration	N/A	N/A	171,441
- Capital	N/A	N/A	342,880
- Maintenance	N/A	N/A	52,143
- Promotion & Advertising	N/A	N/A	41,715
- Contingency	N/A	N/A	N/A
- 10% Provision for Assessment Appeal Reductions and Write-offs	N/A	N/A	60,818
Total:	N/A	N/A	668,997
(Surplus)/Deficit:	N/A	N/A	0

APPENDIX B

Status of Business Improvement Area Budget Submissions	
Business Improvement Area	Stage in Budget Process
Bloor/Bathurst-Madison	Reported previously
Bloor by the Park	Reported previously
Bloorcourt Village	Reported previously
Bloordale Village	Reported previously
Bloor West Village	Reported previously
Bloor-Yorkville	Reported previously
Corso Italia	Reported previously
Danforth by the Valley	Reported previously
Dovercourt Village	Budget being revised; no 1998, 1999 or 2000 budgets.
Downtown Yonge Street	Included in this report
Eglinton Hill (formerly Keele-Eglinton)	Reported previously
Eglinton Way	Reported previously
Forest Hill Village	Reported previously
Gerrard India Bazaar	Reported previously
Greektown on the Danforth	Reported previously
Harbord Street	Reported previously
Hillcrest Village	Budget being revised
Junction Gardens	Reported previously

Kennedy Road	Reported previously
Kingsway	Reported previously
Lakeshore Village	Budget being revised
Little Italy	Reported previously
Long Branch	Reported previously
Mimico by the Lake	Reported previously
Mimico Village	Reported previously
Mount Dennis	Budget not received; no 1998, 1999 or 2000 budget. No 2001 AGM scheduled.
Old Cabbagetown	Reported previously
Pape Village	Reported previously
Parkdale Village	Reported previously
Queen/Broadview Village	Reported previously
Roncesvalles Village	Reported previously
St. Clair Avenue West	Reported previously
St. Clair Gardens	Budget not received; no 1998, 1999 or 2000 budget. No 2001 AGM scheduled.
St. Lawrence Neighbourhood	Reported previously
Upper Village (Toronto)	Budget not received
Upper Village (York)	Budget not received; no 2000 budget; no 2001 AGM scheduled
Village of Islington	Reported previously
Village of Weston	Reported previously
Yonge-Lawrence Village	Reported previously
York-Eglinton	Reported previously

ATTACHMENT NO. 6 [Notice of Motion J(11)]

Report dated June 22, 2001, from the Acting City Clerk, entitled "Downtown Yonge Street Business Improvement Area Minimum and Maximum Special Charge By-law". (See Minute No. 6.63, Page 99):

Purpose:

This report addresses results of the publication of notice with respect to Council's intention to pass a minimum and maximum special charge by-law for the Downtown Yonge Street Business Improvement Area.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report. Minimum and maximum Business Improvement Area charges are based on a special levy on BIA members.

Recommendations:

It is recommended that:

- (1) Council approve the attached draft by-law respecting a minimum and maximum special charge for the Downtown Yonge Street Business Improvement Area; and
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto, including the introduction of the necessary Bill in Council.

Background:

Pursuant to action of City Council at its regular meeting held on January 30, 31 and February 1, 2001 and in accordance with section 220 of the Municipal Act, a public notice of Council's intention to pass a by-law to levy minimum and maximum special charges on rateable property in the Downtown Yonge Street Business Improvement Area was published in the Toronto Sun newspaper on May 10, 17, 24 and 31, 2001. This after the Ontario Municipal Board gave approval for the creation of the Downtown Yonge Street Business Improvement Area by approving By-law 27-2001 on April 17, 2001.

Comments:

The newspaper insertion stated that objections were to be served on the City Clerk, Legislative Services Office, Toronto City Hall by June 14, 2001. No objections have

been received.

Conclusions:

As section 220 of the Municipal Act (the “Act”) has been complied with in relation to public notification of Council’s intention to pass the draft by-law and no objections have been received, Council may enact the attached by-law.

Contact:

Paul Jones, Director, Legislative Services
Tel: (416) 392-4373, Fax: (416) 392-1867
E-Mail: pjones@city.toronto.on.ca

List of Attachments:

Minimum and maximum special charge for the Downtown Yonge Street Business Improvement Area Draft By-law.

(A copy of the attachment referred to in the foregoing report is on file in the Office of the Acting City Clerk.)

ATTACHMENT NO. 7 [Notice of Motion J(16)]

Report dated June 22, 2001, from the Commissioner of Works and Emergency Services, entitled "Roncesvalles Avenue at The Queensway/Queen Street West – Proposed Pavement Narrowing (Parkdale-High Park, Ward 14)". (See Minute No. 6.68, Page 108):

Purpose:

Due to the urgent need to complete streetcar track allowance reconstruction on Roncesvalles Avenue as expeditiously as possible, we are reporting directly to City Council on a proposal to enhance the safety of pedestrians crossing Roncesvalles Avenue at the intersection of The Queensway/Queen Street West by narrowing the travelled portion of the roadway. As this is a highway alteration pursuant to the provisions of the Municipal Act, the intent of City Council to authorize the change in pavement configuration must be advertised.

Financial Implications and Impact Statement:

All costs associated with the proposed pavement narrowing on Roncesvalles Avenue, north of The Queensway/Queen Street West, will be the responsibility of the Toronto Transit Commission.

Recommendations:

It is recommended that:

- (1) a road alteration by-law be prepared and advertising commence to extend the existing sidewalk on the west side of Roncesvalles Avenue described as follows:

“extend the existing sidewalk from a width of approximately 2 metres to a width of approximately 4.3 metres on the west side of Roncesvalles Avenue, from The Queensway to a point approximately 61 metres north thereof, as described in the body of this report and generally as shown on the attached print Drawing No. M-4310-4, dated March 15, 2001”; and
- (2) 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.

Comments:

At the request of the Toronto Transit Commission, Transportation Services' staff have investigated the feasibility of narrowing the pavement width by extending the sidewalk on the west side of Roncesvalles Avenue from The Queensway to the transit loop approximately 61 metres north of The Queensway to enhance the safety of pedestrians loading and unloading from streetcars on this section of Roncesvalles Avenue. Due to the width of pavement between the curb and the streetcar tracks, pedestrians must often cross through two streams of vehicles to or from the streetcar.

The intersection of Roncesvalles Avenue and The Queensway/Queen Street West/King Street West is scheduled for complete reconstruction in conjunction with the ongoing upgrade of the transit track allowance this year. In order to enhance the safety of pedestrians, particularly the disabled, the residents and business patrons, Transportation staff investigated the feasibility of redesigning the sidewalk/pavement on the west side of Roncesvalles Avenue to accomplish this objective as well as enhance the appearance of the area. To this end, a curb extension on the west side of Roncesvalles Avenue was proposed along with a transit shelter. The cost of the proposed sidewalk extension/road modification will be the responsibility of the Toronto Transit Commission.

Currently, standing is prohibited at all times on this section of roadway. The sidewalk extension will not result in any changes to the existing by-laws. However, there is an existing signed taxicab stand just south of the transit loop. The sidewalk extension will narrow the southbound travelled portion of the roadway, as a result, this taxicab stand will have to be removed. The by-law for this taxicab stand indicates that the location should be north of the transit loop and not in its current location. The taxicab stand at one point was located north of the transit loop, however, after the development of a small retail mall, the taxicab stand was relocated south of the transit loop and the By-law was never amended.

The changes described above, to the west side of Roncesvalles Avenue, would constitute an alteration to a public highway, pursuant to the provisions of the Municipal Act.

The intent of Council to enact a by-law to authorize any physical changes resulting in the alteration of the pavement configuration must be advertized and subsequently be subject to a public hearing. This project is pre-approved in accordance with Schedule A of the Class Environmental Assessment for the Municipal Roads Project.

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(A copy of Drawing No. M-4310-4 is on file in the Office of the Acting City Clerk.)