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These Minutes were confirmed by City Council on October 2, 2001.

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

**TUESDAY, JULY 24, 2001,
WEDNESDAY, JULY 25, 2001, AND
THURSDAY, JULY 26, 2001**

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

CALL TO ORDER

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

The meeting opened with O Canada and a moment of silence.

7.2 **CONFIRMATION OF MINUTES**

Councillor Prue, seconded by Councillor Kelly, moved that the Minutes of the Council meeting held on the 30th, 31st days of May, and the 1st day of June, 2001, be confirmed in the form supplied to the Members, which carried.

7.3 **ENQUIRIES**

- (1) Council had before it the following regarding position titles and salary ranges in the Mayor's Office:
- (a) Enquiry dated June 15, 2001, from Councillor Walker (See Attachment No. 1, Page 199); and
 - (b) Answer to the foregoing Enquiry dated July 16, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer (See Attachment

No. 2, Page 200).

Disposition:

Consideration of the foregoing Enquiry, together with the Answer thereto, was deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001.

- (2) Council had before it the following regarding the response received from the Ontario Provincial Police (OPP) with respect to the TEDCO investigation:
- (a) Enquiry dated July 3, 2001, from Councillor Walker (See Attachment No. 3, Page 201); and
 - (b) joint Answer to the foregoing Enquiry dated July 18, 2001, from the Acting Chief Administrative Officer and the City Solicitor (See Attachment No. 4, Page 204).

Motion:

Councillor Walker moved that, notwithstanding the provisions of Chapter 27 of the City of Toronto Municipal Code, the foregoing Enquiry, together with the joint Answer thereto, be referred to the Ontario Provincial Police and the Toronto Police Services Board, with a request that they provide answers in this regard to the Administration Committee.

Votes:

Waive provisions of Chapter 27 of the City of Toronto Municipal Code:

Yes - 29	
Councillors:	Altobello, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Feldman, Fillion, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Prue, Rae, Shiner, Silva, Soknacki, Walker
No - 5	
Mayor:	Lastman
Councillors:	Duguid, Ford, Moeser, Ootes

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

Adoption of motion by Councillor Walker:

Yes - 33 Councillors:	Altobello, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shiner, Silva, Soknacki, Walker
No - 2 Mayor: Councillor:	Lastman Ootes

Carried by a majority of 31.

- (3) Council had before it the following regarding the City's purchase of cigarettes and alcohol for use in City shelters:
- (a) Enquiry dated June 15, 2001, from Councillor Milczyn (See Attachment No. 5, Page 208); and
 - (b) Answer to the foregoing Enquiry dated June 25, 2001, from the Acting Commissioner of Community and Neighbourhood Services (See Attachment No. 6, Page 209).

Motion:

Councillor Milczyn moved that the foregoing Enquiry, together with the Answer thereto, be received for information.

Vote:

The motion by Councillor Milczyn carried.

PRESENTATION OF REPORTS

7.4 Councillor Pantalone presented the following Reports for consideration by Council:

Report No. 10 of The Policy and Finance Committee,
Report No. 7 of The Community Services Committee,
Report No. 7 of The Planning and Transportation Committee,

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

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

7.5 **DECLARATIONS OF INTEREST**

Councillor Ford declared his interest in Clause No. 23 of Report No. 11 of The Administration Committee, headed “Printing and Distribution Unit Procurement Procedures”, in that he is the owner of a company that supplies decals, labels and tags.

Councillor Holyday declared his interest in Item (g), entitled “Ontario Municipal Board Hearing - 3890 Bloor Street West (Ward 5 - Etobicoke-Lakeshore)”, as embodied in Clause No. 18 of Report No. 7 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, in that he owns property adjoining the subject site.

Councillor Johnston declared her interest in Clause No. 24 of Report No. 11 of The Administration Committee, headed “Compliance Audit Requests Under the Municipal Elections Act, 1996”, and in Item (b), entitled “Compliance Audit Requests Under the Municipal Elections Act, 1996”, as embodied in Clause No. 1 of Report No. 12 of The Administration Committee, headed “Other Items Considered by the Committee”, in that the request for a compliance audit pertains to her election campaign.

Mayor Lastman declared his interest in Clause No. 23 of Report No. 6 of The North York Community Council, headed “Further Report - Proposed Modifications to the Downsview Area Secondary Plan (OPA 464) and Proposed Amendments to the OMB Order -

UDOP-464 - Parc Downsview Park Inc. Lands - Sports and Entertainment Designation Deferral - West of Allen Road/South of Sheppard Avenue West - Ward 10", in that his son owns property within the subject area; and in Motion I, moved by Councillor Johnston, seconded by Councillor Walker, with respect to tax sale matters related to 39 McGlashan Road and 596-598 Marlee Avenue, in that he has been named as a party in legal proceedings with respect to 39 McGlashan Road.

Councillor Li Preti declared his interest in Clause No. 24 of Report No. 11 of The Administration Committee, headed "Compliance Audit Requests Under the Municipal Elections Act, 1996", and in Item (b), entitled "Compliance Audit Requests Under the Municipal Elections Act, 1996", as embodied in Clause No. 1 of Report No. 12 of The Administration Committee, headed "Other Items Considered by the Committee", in that the request for a compliance audit pertains to his election campaign; and in Clause No. 23 of Report No. 6 of The North York Community Council, headed "Further Report - Proposed Modifications to the Downsview Area Secondary Plan (OPA 464) and Proposed Amendments to the OMB Order - UDOP-464 - Parc Downsview Park Inc. Lands - Sports and Entertainment Designation Deferral - West of Allen Road/South of Sheppard Avenue West - Ward 10", in that he owns property in the subject area; and in Item (i), entitled "Wrought Iron Fence Encroachment - 36 Joel Swirsky Boulevard - Ward 10 - York Centre", as embodied in Clause No. 26 of Report No. 6 of The North York Community Council, headed "Other Items Considered by the Community Council", in that his principal residence is located within the subject area.

Councillor Miller declared his interest in Item (b), entitled "Preliminary Report - 66-74 Quebec Avenue, Application to Amend the Former City of Toronto Official Plan and Zoning By-law No. 438-86; Betray Schmitz, Sweeny Holdings Inc., Stanley L. Semexman and Kathy Fenochi (Parkdale-High Park, Ward 13)", as embodied in Clause No. 40 of Report No. 7 of The Humber York Community Council, headed "Other Items Considered by the Community Council", in that he owns a condominium, in which his mother resides, abutting property to the proposed development.

Councillor Moscoe declared his interest in Clause No. 24 of Report No. 11 of The Administration Committee, headed "Compliance Audit Requests Under the Municipal Elections Act, 1996", and in Item (b), entitled "Compliance Audit Requests Under the Municipal Elections Act, 1996", in that he is a supplier of election signs to candidates and his firm is specifically named in the Clause; and in Clause No. 22 of Report No. 6 of The North York Community Council, headed "Wilson Avenue Revitalization Study and Keele Street Study - Summary of Study Findings and Recommendations and Strategy for Implementation - UD03-P-DNL - Ward 8 - York West and Ward 9 - York Centre", in that his principal residence is located within the subject area.

Councillor Shaw declared her interest in Clause No. 16 of Report No. 8 of The Scarborough Community Council, headed "Official Plan Amendment Application SC-20000007, Zoning

By-law Amendment Application SC-20000015, McCowan Centre Inc., Northeast Corner of McCowan Road and Ellesmere Road - City Centre (Scarborough Centre - Ward 38)", in that she and her family own property in the vicinity of the development; and in Item (d), entitled "Status Report, Zoning By-law Amendment Application TF ZBL 2001 0002, The Governing Council of the University of Toronto, Northeast Corner of Ellesmere Road and Morningside Avenue, Highland Creek Community (Scarborough East – Ward 44)", as embodied in Clause No. 19 of such Report, headed "Other Items Considered by the Community Council", in that she teaches part-time at the Centennial College of Applied Arts and Technology.

Councillor Shiner declared his interest in Clause No. 40 of Report No. 6 of The Toronto East York Community Council, headed "Establishment of Construction Staging Areas - 230 and 270 Wellington Street West (230 Wellington and The Icon) (Trinity-Spadina, Ward 20)", in that his family owns property within the subject area.

Councillor Silva declared his interest in Clause No. 24 of Report No. 11 of The Administration Committee, headed "Compliance Audit Requests Under the Municipal Elections Act, 1996", and in Item (b), entitled "Compliance Audit Requests 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. 7 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

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

Report No. 10 of The Policy and Finance Committee, Clauses Nos. 1, 2 and 3.

Report No. 7 of The Community Services Committee, Clauses Nos. 1 and 2.

Report No. 7 of The Planning and Transportation Committee, Clause No. 1.

Report No. 11 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

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

Report No. 7 of The Audit Committee, Clause No. 1.

Report No. 11 of The Policy and Finance Committee, Clauses Nos. 1, 2, 4, 7, 9, 13, 17, 18 and 19.

Report No. 11 of The Administration Committee, Clauses Nos. 1, 2, 5, 7, 8, 9, 10, 21, 22, 24 and 25.

Report No. 8 of The Community Services Committee, Clauses Nos. 1, 5, 12, 14, 15 and 18.

Report No. 7 of The Economic Development and Parks Committee, Clauses Nos. 1, 4, 5, 9, 12, 17 and 21.

Report No. 8 of The Planning and Transportation Committee, Clauses Nos. 1, 2, 3, 4, 5, 7 and 8.

Report No. 12 of The Works Committee, Clauses Nos. 1, 3, 4, 5, 8, 17 and 18.

Report No. 7 of The Etobicoke Community Council, Clauses Nos. 14 and 16.

Report No. 6 of The Toronto East York Community Council, Clauses Nos. 8, 16, 19, 21, 27, 42, 51, 55, 56 and 61.

Report No. 8 of The Scarborough Community Council, Clauses Nos. 1, 2, 8, 9, 15 and 16.

Report No. 6 of The Midtown Community Council, Clauses Nos. 5 and 15.

Report No. 6 of The North York Community Council, Clauses Nos. 1, 3 and 24.

Report No. 7 of The Humber York Community Council, Clauses Nos. 1, 2, 3 and 39.

Report No. 5 of The Board of Health, Clauses Nos. 2, 3 and 4.

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

Report No. 11 of The Policy and Finance Committee, Clause No. 1.

Report No. 11 of The Administration Committee, Clauses Nos. 2, 5 and 22.

Report No. 8 of The Planning and Transportation Committee, Clause No. 4.

Report No. 12 of The Works Committee, Clause No. 1.

Report No. 8 of The Scarborough Community Council, Clauses Nos. 1, 2, 8 and 9.

Report No. 5 of The Board of Health, Clause No. 2.

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.

- 7.7 **Clause No. 21 of Report No. 6 of The Toronto East York Community Council, headed “Proposed Closing to Vehicular and Pedestrian Traffic - Gerrard Street East, Pembroke Street, Dundas Street East and George Street (Toronto Centre-Rosedale, Ward 27)”.**

Motion:

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

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

‘It is recommended that:

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

- anniversary date of the lease term;
 - (iii) the Lessee shall have the right to renew the lease, upon 60 days written notice, for a further term of five years, subject to the same terms and conditions as contained in the original lease, except as to rent which will be negotiated at then market rates;
 - (iv) the Lane will not be assigned or sublet without leave;
 - (v) the lease shall further provide for termination at any time after the third (3rd) year at the option of either party, provided that, at least six (6) months prior notice is given in writing to the other party and that the Lessee shall restore the lands to their original condition should the lands be required for public lane purposes;
 - (vi) the use of the Lane will be restricted for open space purposes in conjunction with the abutting residential properties at Premises Nos. 73 and 77 Pembroke Street and that no building or structure, other than fences, gates or landscaping, will be permitted on the Lane;
 - (vii) the lease will be terminated by the City if the site ceases to be used for the purposes stipulated in Condition 1(b)(vi), above; and
 - (viii) notwithstanding any clause contained or not contained in this proposal, the lease agreement must be in a form acceptable to the City Solicitor;
- (c) the Applicants shall agree to accept the lease of the Lane subject to a reservation by the City and other utility companies, if necessary, of an easement over the entire area, for access, operation, use, inspection, repair, maintenance, reconstruction or alterations of the existing service, and for the construction of additional or new services, with the City's easement subject to the following terms and conditions:
- (i) the City shall have the right at all times without notice to enter the easement for the purpose of constructing, inspecting, maintaining, servicing, altering, repairing and reconstructing a sewer, maintenance hole or any

- other municipal service upon, under, through, over and along the lands;
- (ii) no work shall be carried out and no building or structure, temporary or permanent shall be erected or any other encumbrance placed on or over the easement without the approval of the Commissioner of Works and Emergency Services;
 - (iii) the owner shall have no claim against the City for the loss of occupancy of the lands subject to the easement when the City is exercising its easement rights; and
 - (iv) the City shall not be responsible for damage to private property caused by the existence of any services and/or the easement;
- (d) the Applicants shall agree to pay the cost of any encroachment agreement(s) and any other documents necessary or incidental to the leasing of the Lane; and
 - (e) the Applicants shall comply with any other terms and conditions related to the closing and leasing of the Lane as the City Solicitor and the Commissioner of Works and Emergency Services may deem advisable to protect the City's interests;
- (2) notice be given to the public of the proposed by-law to stop-up and close and lease the Lane, in accordance with the requirements of the Municipal Act;
 - (3) the Toronto East York Community Council hold a public hearing concerning the proposed by-law if any person who claims that the person's land will be prejudicially affected by the proposed by-law applies to be heard, in accordance with the requirements of the Municipal Act;
 - (4) the lease price for the Lane be set at \$4,500.00 per annum, for the five (5) year lease period;
 - (5) following the stopping up and closing of the Lane, upon compliance by the Applicants with the terms and conditions set out in Recommendation No. (1) hereof, and the payment by the Applicants of the lease price set out in Recommendation No. (4) hereof, the Lane, consisting of Area 4 on Plan SYE2959, be leased to the abutting owner

on each side, reserving an easement in favour of the City;

- (6) prior to the leasing of the Lane, easements be granted, if necessary, to any utility company, in accordance with Recommendation No. (1)(c), above;
- (7) access be retained over the Lane to be closed, for the operation, use, inspection, repair, maintenance, reconstruction, or alteration of the City's underground facilities; and
- (8) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills to give effect thereto.' "

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

7.8 Clause No. 27 of Report No. 6 of The Toronto East York Community Council, headed "Disabled Persons Loading Zone - Gainsborough Road, East Side, North of Newbold Avenue (Beaches-East York, Ward 32)".

Motion:

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

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

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

"It is recommended that:

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

Avenue to a point six metres further north thereof; and

- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

7.9 **Clause No. 51 of Report No. 6 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

Motion:

Councillor Rae moved that the Clause be amended by adding the following events to Recommendation No. (4) of the Toronto East York Community Council:

- “(c) Allied Canadian Eighth year anniversary Event to be held on August 30, 2001, in the laneway located at 602-606 King Street West;
- (d) Marché and Bakery Restaurant Summer Staff Party to be held on August 13, 2001, from 11:00 a.m. to 6:00 p.m.;
- (e) Save Our Boathouse Campaign Wine Garden fundraiser to be held in Kew Beach Boathouse on July 28 and 29, 2001, from 12:00 noon to 7:00 p.m.;
- (f) Delta Chelsea Hotel Annual Staff Appreciation Picnic to be held on July 28, 2001, at the Toronto Olympic Island (Areas 17 and 18), from 8:00 a.m. to 8:00 p.m.; and
- (g) Balmy Beach Rugby Club Event to be held at Ashbridges Bay Park North on August 11, 2001, from 11:30 a.m. to 6:30 p.m.”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

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 further amended by adding to the end of Recommendation No. (2) of the Toronto East York Community Council, the words “and the closing ceremonies on September 15, 2001, located at the Metro Square, 55 John Street, additionally be declared to be an event of international, national and municipal significance and that it has no objection to it taking place, nor to the granting of an extension of operating hours until 4:00 a.m.”, so that such recommendation shall now read as follows:

- “(2) declare the 26th Toronto International Film Festival taking place at various locations from September 6, 2001, to September 15, 2001, inclusive, to be an event of international, national and municipal significance and indicate that it has no objection to it taking place; nor to the granting of an extension of operation hours until 4:00 a.m. of Bistro 990, 990 Bay Street or the Rosewater Supper Club, 19 Toronto Street (the film festival host restaurants) for the duration of the festival; nor to the granting of an extension of operating hours until 4:00 a.m. of the Four Seasons Hotel (La Serre) 21 Avenue Road, Windsor Arms Hotel, Club 22, 18 St. Thomas Street and Park Hyatt Hotel, Lobby Bar (Mezzanine Bar) 4 Avenue Road (the film festival host hotels) for the duration of the festival, and the closing ceremonies on September 15, 2001, located at the Metro Square, 55 John Street, additionally be declared to be an event of international, national and municipal significance and that it has no objection to it taking place, nor to the granting of an extension of operating hours until 4:00 a.m.;”.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

Motion to Re-Open:

Councillor Mihevc, 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 Mihevc moved that the Clause be further amended by adding the following Caribana Festival-related events to Recommendation No. (1) of the Toronto East York Community Council:

- “(d) Gospel Festival and Pan Alive at Queen’s Park on July 29, 2001, from 1:00 p.m. to 11:00 p.m.;
- (e) King and Queen Extravaganza at Lamport Stadium on August 2, 2001, from 7:00 p.m. to 11:00 p.m.;
- (f) Caribana Grand Parade at Exhibition Place on August 4, 2001, from 10:00 a.m. to 8:00 p.m.; and
- (g) Arts and Cultural Festival on Olympic Island on August 5 and 6, 2001, from 12:00 noon to 8:00 p.m.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as further amended, carried.

7.10 Clause No. 56 of Report No. 6 of The Toronto East York Community Council, headed “Establishment of Construction Staging Areas - 65 Navy Wharf Court (The Optima - City Place - Building E) (Trinity-Spadina, Ward 20)”.

Motion:

Councillor Chow moved that the Clause be amended by deleting the name “Navy Warf Court”, wherever it occurs in the Clause, and inserting in lieu thereof the name “Navy Wharf Court”.

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

7.11 Clause No. 55 of Report No. 6 of The Toronto East York Community Council, headed “Installation of an All-Way ‘Stop’ Sign Control - Manitoba Drive and New Brunswick Way (Trinity-Spadina, Ward 19)”.

Motion:

Councillor Pantalone moved that the Clause be amended by deleting the name “New Brunswick Avenue”, wherever it occurs in the Clause, and inserting in lieu thereof the name “New Brunswick Way”.

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

- 7.12 **Clause No. 16 of Report No. 8 of The Scarborough Community Council, headed “Official Plan Amendment Application SC-20000007 Zoning By-law Amendment Application SC-20000015 McCowan Centre Inc., Northeast Corner of McCowan Road and Ellesmere Road - City Centre (Scarborough Centre – Ward 38)”.**

Motion:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 7.13 **Clause No. 15 of Report No. 6 of The Midtown Community Council, headed “Request to Extend Parking Prohibition from 5:00 p.m. to 8:00 p.m. on Conrad Avenue and Turner Road (St. Paul’s – Ward 21)”.**

Motion:

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

Vote:

The motion by Councillor Mihevc carried.

- 7.14 **Clause No. 1 of Report No. 6 of The North York Community Council, headed “Special Occasion Permit - Community Event - St. Roch’s Church - Feast of our Patron St. Roch Celebration - Ward 7 - York West”.**

Motion:

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

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

Votes:

The motion by Councillor Mammoliti carried.

The Clause, as amended, carried.

7.15 **Clause No. 1 of Report No. 7 of The Humber York Community Council, headed “Maintenance of Various Encroachments, 81 and 83 Nairn Avenue, and on the Ascot Avenue Flank (Davenport, Ward 17)”.**

Motion:

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

Vote:

The motion by Councillor Silva carried.

7.16 **Clause No. 18 of Report No. 8 of The Community Services Committee, headed “Request for Grant from the Tenant Defence Fund - Brentwood Towers Tenants’ Association”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that the Council adopt the following recommendation:

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

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

“(1) that all requests for additional grants assisting tenants in appeals or judicial reviews of above-guideline rent increase

orders and disputes against landlords' appeals of demolitions or condominium conversions to the Ontario Municipal Board be first subject to staff administrative review and discussion at the Tenant Defence Sub-Committee prior to being forwarded to the Community Services Committee and Council;

- (2) that grant applications related to tenant disputes against AGI applications before the Ontario Rental Housing Tribunal remain a priority for the Tenant Support Grants Program;
- (3) that, in addition to the \$30,000.00 already committed, a maximum limit of \$60,000.00 be reserved for grant applications related to AGI applications;
- (4) that the status of grants and applications be reviewed on a quarterly basis to ensure complete take-up of the grants by the end of the year;
- (5) that the Brentwood tenants be advised that they immediately forward a grant application to staff for review and that staff make recommendations to the Tenant Defence Sub-Committee on the disposition of the application; and
- (6) that the appropriate City officials be authorized to take the necessary actions to give effect thereto.” ’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

7.17 **Clause No. 39 of Report No. 7 of The Humber York Community Council, headed “Request for Change in Direction of Traffic on Neptune Drive, West of Bathurst Street (Eglinton-Lawrence, Ward 15)”.**

Motion:

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

“It is further recommended that:

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

‘It is recommended that:

- (1) Schedule XII of By-law No. 31001, of the former City of North York, be amended to permit two-way traffic operations on Neptune Drive, from Bathurst Street to a point 73 metres west;
 - (2) By-law No. 32-92, of the former Metro Toronto, be amended to permit northbound left and southbound right turns at the Bathurst Street/Neptune Drive intersections; and
 - (3) no construction take place to implement two-way operations on Neptune Drive, until the local Councillor has had an opportunity to meet with all affected parties and address concerns that have been raised on this matter.’; and
- (b) a public meeting be held under the sponsorship of the Transportation Department, in co-operation with the local Councillor, and notification be undertaken by the Clerk of the Community Council, in consultation with the local Councillor.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.18 Clause No. 16 of Report No. 7 of The Etobicoke 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:

Councillor Milczyn moved that the Clause be amended in accordance with the report dated July 19, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

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

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

7.19 Clause No. 19 of Report No. 11 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.

Motions:

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

Votes:

Motion (a) by Councillor Milczyn carried.

Waive provisions of Chapter 27 of the City of Toronto Municipal Code:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Kelly, Ootes

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

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, was received as information.

Note:

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

“It is recommended that:

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

7.20 **Clause No. 2 of Report No. 11 of The Policy and Finance Committee, headed “Lease for the Hummingbird Performing Arts Centre Corporation”.**

Motion:

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

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

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

7.21 **Clause No. 1 of Report No. 10 of The Policy and Finance Committee, headed “Bill 46 - The Public Sector Accountability Act, 2001”.**

Motions:

(a) Councillor Miller moved that the Clause be amended by amending the report dated June 5, 2001, from the Chief Administrative Officer, as embodied in the Clause, as follows:

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

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

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

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

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

“It is further recommended that:

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

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

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

- (c) Councillor Walker moved that the Clause be amended by adding thereto the following:
 “It is further recommended that the Acting Chief Administrative Officer be:
- (1) requested to submit a report to the Policy and Finance Committee, within 60 days, outlining a communication program to inform the citizens of Toronto of the implications of Bill 46; and
 - (2) authorized to make any necessary technical amendments to the report, prior to submission to the Province of Ontario.”
- (d) Councillor Sutherland moved that the Clause be amended by adding thereto the following:
 “It is further recommended that the Acting Chief Administrative Officer be requested to review the City’s current grant application process, with a view to simplifying the forms in accordance with the regulations under Bill 46, when it is enacted.”
- (e) Councillor Layton moved that the Clause be amended by adding thereto the following:
 “It is further recommended that the Mayor’s Office be requested to compose a delegation of Members of Council to meet with the Premier of Ontario and relevant Ministers, in accordance with efforts by the Association of Municipalities of Ontario, to attempt to convince the Provincial government that this legislation will require massive new reporting structures and consume municipal and provincial resources, thereby not achieving the required objectives.”
- (f) Councillor Mihevc moved that motion (d) by Councillor Sutherland be referred to the Acting Chief Administrative Officer for consideration and report thereon to the Policy and Finance Committee.

Votes:

Adoption of motion (a) by Councillor Miller:

Yes - 33 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1 Councillor: Ford

Carried by a majority of 32.
Motion (b) by Councillor Chow carried.

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

Yes - 22	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, Jones, Korwin-Kuczynski, Layton, Mihevc, Miller, Pantalone, Prue, Shiner, Silva, Soknacki, Walker
No - 13	
Councillors:	Berardinetti, Duguid, Ford, Holyday, Kelly, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Sutherland

Carried by a majority of 9.

Part (2) of motion (c) by Councillor Walker carried.

Motion (f) by Councillor Mihevc carried.

Motion (e) by Councillor Layton carried.

Councillor Soknacki requested that his opposition to motion (e) by Councillor Layton be noted in the Minutes of this meeting.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) amending the report dated June 5, 2001, from the Chief Administrative Officer, as embodied in the Clause, as follows:
 - (a) by inserting in Recommendation No. (1), after the word “municipal”, the words “or voluntary”, so that such recommendation shall now read as follows:
 - “(1) the Province be requested not to include the municipal or voluntary sector under Bill 46; and
 - (b) by deleting Recommendation No. (2) and inserting in lieu thereof the following new Recommendation No. (2):
 - “(2) the Provincial government be requested to modernize the existing accountability framework for municipalities only based on recommendations arising from the existing

provincial/municipal discussions regarding the new Municipal Act,”; and

- (2) adding thereto the following:

“It is further recommended that:

- (1) the Mayor’s Office be requested to compose a delegation of Members of Council to meet with the Premier of Ontario and relevant Ministers, in accordance with efforts by the Association of Municipalities of Ontario, to attempt to convince the Provincial government that this legislation will require massive new reporting structures and consume municipal and provincial resources, thereby not achieving the required objectives;
- (2) the Mayor and Members of Council be encouraged to attend the Annual General Meeting of the Association of Municipalities of Ontario on August 19, 20, 21 and 22, 2001;
- (3) City of Toronto representatives be requested to bring forward the City’s opposition to Bill 46 for the attention of Provincial Ministers in attendance;
- (4) the Acting Chief Administrative Officer be requested to develop a communiqué containing a list of issues that the City of Toronto has with the Province of Ontario, for Members of Council attending the Annual General Meeting of the Association of Municipalities of Ontario;
- (5) the Acting Chief Administrative Officer be:
 - (a) requested to submit a report to the Policy and Finance Committee, within 60 days, outlining a communication program to inform the citizens of Toronto of the implications of Bill 46; and
 - (b) authorized to make any necessary technical amendments to the report, prior to submission to the Province of Ontario; and
- (6) the following motion be referred to the Acting Chief Administrative Officer for consideration and report thereon to the Policy and Finance Committee:

Moved by Councillor Sutherland:

“It is further recommended that the Acting Chief Administrative Officer be requested to review the City’s current grant application process, with a view to simplifying

the forms in accordance with the regulations under Bill 46, when it is enacted.”

7.22 Clause No. 4 of Report No. 11 of The Policy and Finance Committee, headed “The Provincial Requirement to Report Under the Municipal Performance Measurement Program (MPMP)”.

Motion:

Councillor Moscoe moved that the Clause be amended by striking out Recommendation No. (1) embodied in the report dated July 4, 2001, from the Acting Chief Administrative Officer, and inserting in lieu thereof the following:

- “(1) all performance measurement data contained in Appendix ‘A’ be provided to the Province of Ontario as required, through the Association of Municipalities of Ontario only;”.

Withdrawal of Motion:

Councillor Moscoe, with the permission of Council, withdrew his motion.

Vote:

The Clause was adopted, without amendment.

7.23 Clause No. 12 of Report No. 7 of The Economic Development and Parks Committee, headed “Results of the Requests for Proposals (RFP) No. 9155-00-7365 for the John Street Roundhouse (Ward 20 Trinity-Spadina)”.

Motion:

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

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

‘It is recommended that:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 7.24 **Clause No. 1 of Report No. 8 of The Planning and Transportation Committee, headed “Proposed Sign By-law Amendments to the Former City of Toronto Municipal Code, Chapter 297, Signs, Former Borough of East York By-law 64-87, Former City of Etobicoke Municipal Code, Chapter 215, Signs, Former City of North York Sign By-law 30788, Former City of Scarborough Sign By-law 22980, and Former City of York Municipal Code, Chapter 835, Signs”.**

Motion:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 7.25 **Clause No. 8 of Report No. 6 of The Toronto East York Community Council, headed “Draft By-laws - South-East Spadina Part II Official Plan and Zoning By-law Amendments - 74, 76, 80 and 100 McCaul Street (Trinity-Spadina, Ward 20)”.**

Motion:

Councillor Chow moved that the Clause be amended:

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

- “(3) the Commissioner of Works and Emergency Services, in consultation with the Ontario College of Art and Design, install the maximum number of bike parking spaces possible on the street and at the building entrances;”;
- (2) by deleting Recommendation No. (7) of the Toronto East York Community Council and inserting in lieu thereof the following:
 - “(7) the Ontario College of Art and Design and the City of Toronto reach an agreement, as part of the site plan approval process, for the contemplated open space at the south, south-western portion of the site that would ensure the space becomes permanently landscaped, accessible to the public, subject to the City’s standard provisions respecting safety and security, and where possible, in the opinion of the Commissioner of Economic Development, Culture and Tourism, be connected to Grange Park.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Chow moved that the Clause be further amended in accordance with the report dated July 24, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) City Council amend the Draft Zoning By-law to require that:
 - (a) forty percent of Area 2A be provided and maintained as unobstructed area in Phase 1 of construction;
 - (b) seventy percent of Area 1 be provided and maintained as unobstructed area; and
 - (c) when the project is completed, thirty percent of Areas 2A and 2B overall be provided and maintained as unobstructed area and not less

than twenty-five percent in either Area 2A or 2B be provided and maintained as unobstructed area; and

- (2) no further notice be given of the public meeting on the Draft Zoning By-law, as amended.”

Votes:

The motion by Councillor Chow carried.

The Clause, as further amended, carried.

7.26 **Clause No. 3 of Report No. 6 of The North York Community Council, headed “Disposition of Surplus Vacant Land - Northwest Corner of Wilson Heights Boulevard and Waterloo Avenue - Ward 10 - York Centre”.**

Motion:

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

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

“It is recommended that:

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

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

Votes:

The motion by Councillor Feldman carried.

The Clause, as amended, carried.

- 7.27 **Clause No. 4 of Report No. 5 of The Board of Health, headed “Role of Neighbourhood Residents in Animal Control Cases”.**

Motion:

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

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

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

- 7.28 **Clause No. 8 of Report No. 8 of The Planning and Transportation Committee, headed “Rodent Control at Construction and Demolition Sites”.**

Motion:

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

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

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

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

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

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

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

7.29 **Clause No. 5 of Report No. 6 of The Midtown Community Council, headed “1678 Avenue Road - The Bistro - Renewal of Patio Licence (Eglinton-Lawrence - Ward 16)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Johnston moved that Council adopt the following recommendation:

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

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

Votes:

The motion by Councillor Johnston carried.

The Clause, as amended, carried.

7.30 **Clause No. 61 of Report No. 6 of The Toronto East York Community Council, headed “Implementation of Overnight On-Street Permit Parking - Everett Crescent, between Oak Park Avenue and Wallington Avenue (Beaches-East York, Ward 31)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Prue moved that Council adopt the following recommendations:

“It is recommended that:

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

Votes:

The motion by Councillor Prue carried.

The Clause, as amended, carried.

7.31 **Clause No. 5 of Report No. 7 of The Economic Development and Parks Committee, headed “2001 Recreation Grants Program Appeals Report (All Wards)”.**

Motion:

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

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

‘It is recommended that:

- (1) the Corporate Grants Review Team consider as the first priority the Toronto Kiwanis Boys and Girls Clubs for potential funding from unused grant funds returned by agencies over the year 2001 and report thereon to the appropriate Standing Committee;
- (2) staff from the Community and Neighbourhood Services Department, as well as the Economic Development, Culture and Tourism

Department continue to work with the Toronto Kiwanis Boys and Girls Clubs to co-ordinate agency and City programs in the Regent Park Community; and

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

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

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

Motions:

- (a) Councillor Filion moved that the Clause be amended in accordance with the report dated July 20, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

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

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

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

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

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

- (b) Councillor Chow moved that the Clause be amended to provide that 50 percent of the time and space of the Royal Canadian Legion facility being dedicated for public community use, to the satisfaction of the Acting Commissioner of Community and Neighbourhood Services.

Votes:

Motion (a) by Councillor Filion carried.

Motion (b) by Councillor Chow carried.

The Clause, as amended, carried.

7.33 **Clause No. 9 of Report No. 11 of The Policy and Finance Committee, headed “Beaver Hall Artists’ Co-operative Inc.”.**

Motions:

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

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to henceforth provide annual reports to the Policy and Finance Committee on the condition of the building at 29 McCaul Street and the state of the Co-op’s finances, including its reserve fund.”

- (b) Councillor Chow moved that:

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

“It is further recommended that the report dated July 19, 2001, from the Acting Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (a) subject to the Province agreeing to release the City from its obligations under the guarantee of a Renterprise mortgage obtained by Beaver Hall Artists' Co-operative Inc. through Ontario Mortgage Corporation and to discharge the Renterprise mortgage, the Acting Commissioner of Community and Neighbourhood Services be authorized to sign an agreement with the Province that the City will seek no additional assistance from the Province with respect to Beaver Hall Artists' Co-operative Inc., provided that such agreement is on terms and conditions satisfactory to the Acting Commissioner of Community and Neighbourhood Services and the City Solicitor; and
 - (b) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' ”; and
- (2) motion (a) by Councillor Holyday be amended by inserting, after the words “Policy and Finance Committee”, the words “through the Community Services Committee”.
- (c) Councillor Soknacki moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Policy and Finance Committee, prior to January 1, 2002, outlining an inventory of housing projects for which the Acting Commissioner is of the opinion that existing Capital reserves are inadequate, and the steps undertaken or proposed to ensure adequacy of these Capital reserves.”

Votes:

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

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

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

Motion (c) by Councillor Soknacki carried.

The Clause, as amended, carried.

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

“It is further recommended that:

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

‘It is recommended that:

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

7.34 Clause No. 8 of Report No. 11 of The Administration Committee, headed “City of Toronto Advertising Policy”.

Motion:

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

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Moscoe, 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 Moscoe moved that the Clause be further amended by striking out Recommendation No. (3) of the Administration Committee and inserting in lieu thereof the following:

- “(3) that the Commissioner of Corporate Services be requested to:
- (a) ensure that community media (both geographic and cultural) have an equal opportunity to place City advertising; and
 - (b) consider how to fairly allocate such placements.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as further amended, carried.

7.35 Clause No. 12 of Report No. 8 of The Community Services Committee, headed “Supporting Communities Partnership Initiative - Allocations for Transitional Housing”.

Motion:

Councillor Duguid moved that the Clause be adopted, subject to amending the report dated June 21, 2001, from the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, by:

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

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

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

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

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

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

“Purpose:

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

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

7.36 Clause No. 1 of Report No. 7 of The Community Services Committee, headed “Provincial Legislation for ‘Rent Roll Back’ ”.

Ruling by Deputy Mayor:

Deputy Mayor Ootes ruled that Council now consider this matter.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 23	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Sutherland
No - 6	
Councillors:	Altobello, Balkissoon, Johnston, Mihevc, Moscoe, Walker

Carried by a majority of 17.

Motions:

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

“It is further recommended that the Province of Ontario be requested to:

- (1) review the Tenant Protection Act; and
- (2) roll back rents, in accordance with the Clause, or freeze rents until the review is completed.”

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

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

- (c) Councillor Moscoe moved that motion (b) by Councillor Mammoliti be referred to the Tenant Defence Sub-Committee for consideration.

- (d) Councillor Layton moved that:

- (1) motion (b) by Councillor Mammoliti be referred to the Community Services Committee, together with the Federation of Canadian Municipalities’ National Housing Policy Options and Proposals, for review with City staff and the development of a plan for advocacy and an appropriate strategy; and

- (2) the Clause be amended by adding thereto the following:

“It is further recommended that:

- (a) the Community Services Committee be requested to develop a proposal for rent control mechanisms for the City of Toronto to implement; and
- (b) a special evening session of the Committee of the Whole of City Council be held in the Fall of 2001, to hear from the public respecting the rental crisis in the City of Toronto.”

- (e) Councillor Milczyn moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to consider legislating mandatory reserve funds for building repairs for the owners of apartment buildings.”

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

“It is further recommended that:

- (1) the City Solicitor be requested to resubmit, to the Community Services Committee, the report on the enforcement of property maintenance standards on landlords; and
- (2) a Rental Housing Task Force, comprised of interested Members of Council and stakeholders, be established to review the rental housing crisis in the City of Toronto and report thereon to Council, through the Community Services Committee, within six months.”

Councillor Lindsay Luby in the Chair.

- (g) Councillor Cho moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to create a tenant/landlord protection reserve fund.”

- (h) Councillor Kelly moved that:

- (1) the Clause be struck out and referred back to the Community Services Committee for further consideration, together with motions (a), (b), (c), (d), (e), (f) and (g), by Councillors Sutherland, Mammoliti, Moscoe, Layton, Milczyn, Nunziata and Cho; or
- (2) if Part (1) fails, motion (b) by Councillor Mammoliti be amended by adding thereto the words “and the Federal Government be requested to review its income supplement programs in large urban areas”.

Deputy Mayor Ootes in the Chair.

Vote on Referral:

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

Yes - 4 Councillors:	Feldman, Ford, Holyday, Kelly
No - 27 Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, Jones, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Walker

Lost by a majority of 23.

Votes:

Adoption of Part (1) of motion (a) by Councillor Sutherland:

Yes - 36 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 1 Councillor:	Ford

Carried by a majority of 35.

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

Yes - 26 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sutherland, Walker
No - 11 Councillors:	Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Milczyn, Moeser, Ootes, Soknacki

Carried by a majority of 15.

Adoption of motion (c) by Councillor Moscoe:

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 6	
Councillors:	Flint, Ford, Holyday, Kelly, Milczyn, Moeser

Carried by a majority of 25.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared the first portion of Part (1) of motion (d) by Councillor Layton, pertaining to the referral of motion (b) by Councillor Mammoliti to the Community Services Committee, and Part (2) of motion (h) by Councillor Kelly, redundant.

Adoption of the balance of Part (1) of motion (d) by Councillor Layton:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 4	
Councillors:	Flint, Ford, Holyday, Ootes

Carried by a majority of 29.

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

Yes - 24	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Walker
No - 13	

Councillors:	Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Milczyn, Moeser, Ootes, Soknacki, Sutherland
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Carried by a majority of 11.

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

Yes - 26	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 11	
Councillors:	Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Minnan-Wong, Moeser, Ootes

Carried by a majority of 15.

Motion (e) by Councillor Milczyn carried.

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

Yes - 36	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Flint, Jones

Carried by a majority of 34.

Advice by Acting City Clerk:

The Acting City Clerk advised the Council that Chapter 27 of the City of Toronto Municipal Code requires that Terms of Reference be identified when establishing a Sub-Committee or Task Force and, in the event Part (2) of motion (f) by Councillor Nunziata is adopted, it should be referred to the Acting Commissioner of Community and Neighbourhood Services for report thereon to the Community Services Committee.

Votes:

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

Yes - 5 Councillors:	Augimeri, Berardinetti, Nunziata, Shaw, Silva
No - 33 Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Soknacki, Sutherland, Walker

Lost by a majority of 28.

Adoption of motion (g) by Councillor Cho:

Yes - 9 Councillors:	Augimeri, Cho, Di Giorgio, Feldman, Jones, Layton, Shaw, Silva, Sutherland
No - 29 Councillors:	Altobello, Ashton, Berardinetti, Bussin, Chow, Duguid, Filion, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Soknacki, Walker

Lost by a majority of 20.

Adoption of Clause, as amended:

Yes - 30 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 8 Councillors:	Duguid, Feldman, Ford, Holyday, Kelly, Milczyn, Moeser, Ootes

Carried by a majority of 22.

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

“It is further recommended that:

- (1) the Province of Ontario be requested to:
 - (a) review the Tenant Protection Act and to roll back rents, in accordance with the Clause, or freeze rents until the review is completed; and
 - (b) consider legislating mandatory reserve funds for building repairs for the owners of apartment buildings;
- (2) the Community Services Committee be requested to develop a proposal for rent control mechanisms for the City of Toronto to implement;
- (3) the City Solicitor be requested to resubmit, to the Community Services Committee, the report on the enforcement of property maintenance standards on landlords;
- (4) a special evening session of the Committee of the Whole of City Council be held in the Fall of 2001, to hear from the public respecting the rental crisis in the City of Toronto; and
- (5) the following motion, together with the Federation of Canadian Municipalities’ National Housing Policy Options and Proposals, be referred to the Tenant Defence Sub-Committee for review with City staff and the development of a plan for advocacy and an appropriate strategy:

Moved by Councillor Mammoliti:

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

7.37 Clause No. 17 of Report No. 11 of The Policy and Finance Committee, headed “Adjustments to Parks and Recreation Division 2001 Capital Budget (All Wards)”.

Councillor Lindsay Luby in the Chair.

Motions:

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

“It is further recommended that the trail from the Don Valley Brickworks to Todmorden Mills be considered during the 2002 Capital Budget deliberations, and the Commissioner of Economic Development, Culture and Tourism be requested to

submit a report to the Economic Development and Parks Committee and the Toronto Cycling Committee on the plan.”

- (b) Councillor Prue moved that the Clause be amended by striking out and referring Recommendation No. (1) embodied in the report dated June 13, 2001, from the Commissioner of Economic Development, Culture and Tourism, back to the Commissioner of Economic Development, Culture and Tourism, with a request that he consult with the Don Valley Brickworks Committee, the Toronto Cycling Committee, Heritage Toronto and the adjacent Ward Councillors and submit a report thereon to the Economic Development and Parks Committee.

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion (b) by Councillor Prue:

Yes - 9	
Councillors:	Augimeri, Cho, Filion, Johnston, Jones, Minnan-Wong, Prue, Sutherland, Walker
No - 28	
Councillors:	Altobello, Ashton, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki

Lost by a majority of 19.

Motion (a) by Councillor Chow carried.

The Clause, as amended, carried.

7.38 Clause No. 1 of Report No. 7 of The Economic Development and Parks Committee, headed “South Etobicoke Employer Cluster Capacity Study (Ward 6 Etobicoke-Lakeshore)”.

Motion:

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

Vote:

The motion by Councillor Pantalone carried.

7.39 **Clause No. 3 of Report No. 10 of The Policy and Finance Committee, headed “Enwave District Energy Limited”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Shiner moved that the Clause be received.

Vote:

The motion by Councillor Shiner carried.

7.40 **Clause No. 2 of Report No. 7 of The Humber York Community Council, headed “1380 Bloor Street West - Site Plan Application for 40 Live/Work Units; Namara Developments Ltd. (Davenport, Ward 18)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Silva moved that Council adopt the following recommendation:

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

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

7.41 Clause No. 21 of Report No. 7 of The Economic Development and Parks Committee, headed “Other Items Considered by the Committee”.

Motion:

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

Votes:

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Nunziata, Ootes, Pantalone, Prue, Rae, Silva, Soknacki, Walker
No - 5	
Councillors:	Cho, Feldman, Minnan-Wong, Shiner, Sutherland

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

The motion by Councillor Chow carried.

The Clause, as amended, was received as information.

7.42 Clause No. 4 of Report No. 12 of The Works Committee, headed “Proposed Contingency Plan for the Prevention and Control of the West Nile Virus”.

Motion:

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

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

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

7.43 **Clause No. 5 of Report No. 8 of The Planning and Transportation Committee, headed “Oak Ridges Moraine Update”.**

Motion:

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

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

‘It is recommended that:

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

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 7.44 **Clause No. 16 of Report No. 6 of The Toronto East York Community Council, headed “Traffic Speed Control on Dundas Street East, from Greenwood Avenue to Kingston Road (Toronto-Danforth, Ward 30 and Beaches-East York, Ward 32)”.**

Motion:

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

Vote:

The motion by Councillor Layton carried.

- 7.45 **Clause No. 7 of Report No. 8 of The Planning and Transportation Committee, headed “Proposed Car Free Day - Status Report (All Wards)”.**

Motion:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 7.46 **The following Clauses were considered concurrently by Council:**

REPORT NO. 11 OF THE WORKS COMMITTEE

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

- Clause No. 5** - **“Drain Grant Appeal for 553 Hillside Avenue East (Ward 22 - St. Paul’s)”**.
- Clause No. 6** - **“Drain Grant Appeal for 8 Edgewood Grove (Ward 32 - Beaches-East York)”**.
- Clause No. 7** - **“Drain Grant Appeal for 104 Lascelles Boulevard (Ward 22 - St. Paul’s)”**.
- Clause No. 8** - **“Drain Grant Appeal for 24 Concord Avenue (Ward 20 - Trinity-Spadina)”**.

REPORT NO. 12 OF THE WORKS COMMITTEE

- Clause No. 3** - **“Drain Grant Appeal for 92 Gillard Avenue (Ward 30 - Toronto-Danforth)”**.

Motions:

- (a) Councillor Holyday moved that:
- (1) the Clauses be struck out and referred back to the Works Committee for further consideration; and
 - (2) Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to review the Drain Grant Policy and submit a report thereon to the Works Committee.”

Votes on Referral:

Adoption of Part (1) of motion (a) by Councillor Holyday, insofar as it pertains to Clause No. 4 of Report No. 11 of The Works Committee:

Yes - 17	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Feldman, Ford, Holyday, Korwin-Kuczynski, Li Preti, Milczyn, Minnan-Wong, Ootes, Pantalone, Prue, Shaw, Walker
No - 13	
Mayor:	Lastman
Councillors:	Chow, Duguid, Flint, Hall, Jones, Kelly, Layton, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Soknacki

Carried by a majority of 4.

Adoption of Part (1) of motion (a) by Councillor Holyday, insofar as it pertains to the balance of the Clauses:

Yes - 6 Councillors:	Cho, Feldman, Ford, Holyday, Milczyn, Minnan-Wong
No - 24 Mayor: Councillors:	Lastman Altobello, Balkissoon, Bussin, Chow, Di Giorgio, Duguid, Flint, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Nunziata, Ootes, Pantalone, Prue, Shaw, Soknacki, Walker

Lost by a majority of 18.

Motion:

- (b) Councillor Nunziata moved that the balance of the Clauses be amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to review the removal of trees as an alternative to the policy and report thereon to the Works Committee.”

Votes:

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

Yes - 11 Mayor: Councillors:	Lastman Duguid, Ford, Holyday, Kelly, Korwin-Kuczynski, Mammoliti, Milczyn, Nunziata, Ootes, Soknacki
No - 20 Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Flint, Jones, Layton, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Pantalone, Prue, Rae, Shaw, Shiner, Walker

Lost by a majority of 9.

Adoption of motion (b) by Councillor Nunziata:

Yes - 2 Councillors:	Mammoliti, Nunziata
No - 29 Mayor: Councillors:	Lastman Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Ford, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Soknacki, Walker

Lost by a majority of 27.

Adoption of Clauses Nos. 5, 6 and 7 of Report No. 11 of The Works Committee, and Clause No. 3 of Report No. 12 of The Works Committee, without amendment:

Yes - 29 Mayor: Councillors:	Lastman Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Soknacki, Walker
No - 2 Councillors:	Ford, Holyday

Carried by a majority of 27.

Adoption of Clause No. 8 of Report No. 11 of The Works Committee, without amendment:

Yes - 28 Mayor: Councillors:	Lastman Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Prue, Rae, Shaw, Shiner, Soknacki, Walker
No - 3 Councillors:	Ford, Holyday, Pantalone

Carried by a majority of 25.

In summary, Council:

- (1) referred Clause No. 4 of Report No. 11 of The Works Committee back to the Works Committee for further consideration; and
- (2) adopted the balance of the Clauses, without amendment.

7.47 Clause No. 1 of Report No. 6 of The Etobicoke Community Council, headed “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)”.

Motion:

Councillor Jones moved that the Clause be amended by striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated May 24, 2001, from the Director, Community Planning, West District, as embodied in the Clause, be adopted.”

Councillor Lindsay Luby in the Chair.

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion by Councillor Jones:

Yes - 18	
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, Jones, Kelly, Miller, Moscoe, Prue, Rae, Shiner
No - 19	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Filion, Ford, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Silva, Soknacki, Sutherland, Walker

Lost by a majority of 1.

Adoption of Clause, without amendment:

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

Lost, there being an equality of votes.

In summary, having regard to the foregoing decisions of Council, no action was taken by Council on this Clause.

7.48 Clause No. 14 of Report No. 7 of The Etobicoke Community Council, headed “Community Improvement Plans for the Mimico Village and Mimico-by-the-Lake Community Improvement Project Areas (Ward 6 - Etobicoke-Lakeshore)”.

Motion to Re-Open:

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

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

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

- 7.49 **Clause No. 3 of Report No. 7 of The Humber York Community Council, headed “Final Report - 3 & 6 Windermere Avenue, Application to Amend the Official Plan and Zoning By-law No. 438-86 of the former City of Toronto; Stelco Inc., (Application by Reon Development Corp.), Application No. 100033 (Parkdale-High Park, Ward 13)”.**

Motion:

Councillor Miller moved that the Clause be amended in accordance with the report dated July 20, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the recommendations contained in the Final Report of June 26, 2001, from the Director of Community Planning, South District, be amended by adding to Recommendation No. (5) the following:
 - “(ee) to immediately conduct a Preliminary Ambient Air Quality Assessment to identify potential air quality impacts including those from all proximal sources of air pollutants and construction activities which exist at or near the subject site, for approval by the Medical Officer of Health, prior to the issuance of a building permit; and
 - (ff) to submit an Air Quality Program to the Medical Officer of Health, prior to the issuance of a building permit.”; and
- (2) the Section 37 Agreement authorized by the adoption of the Final Report of June 26, 2001 reflect the matters identified in this Supplementary Report.”,

subject to the following additional amendments:

- (1) reducing the number of daycare spaces from 72 to 52 and reducing the required interior daycare space to 531.5 square metres and the contiguous exterior daycare space to 334 square metres; and
- (2) deleting the following Recommendation No. (9) embodied in the report dated June 26, 2001, from the Director, Community Planning, South District, and authorizing the City Solicitor to introduce the Bills, notwithstanding that the Section 37 Agreement has not been executed:
 - “(9) authorize the City Solicitor to introduce the necessary Bills in Council to give effect to these recommendations and to prepare the agreements referred to, and to ensure the agreements are executed prior to the introduction of such Bills, and to report directly to Council if

necessary upon resolving any outstanding issues regarding the terms of the Section 37 Agreement described in this report.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

7.50 Clause No. 2 of Report No. 10 of The Policy and Finance Committee, headed “Status of City Participation in the Canada-Ontario Infrastructure Program”.

Motions:

- (a) Councillor Miller moved that the Clause be amended by deleting from Recommendation No. (2) of the Policy and Finance Committee the words, “if the Provincial government further delays providing the City with the Canada-Ontario Infrastructure Program Application forms”, so that such recommendation shall now read as follows:

“(2) that Council unilaterally approach the Federal government and begin discussions in regard thereto.”

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

“It is further recommended that the Acting Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee, in September 2001, outlining a list of infrastructure projects that the City of Toronto wishes to cost share with the Provincial and Federal governments.”

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

“It is further recommended that:

- (1) Members of Federal Parliament located in the City of Toronto be requested to contact their Member of Provincial Parliament requesting that the Provincial government act immediately on the Canada-Ontario Infrastructure Program; and
- (2) the Federal government be requested to not cancel the Infrastructure Program, if there is no agreement with the Province of Ontario.”

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

“It is further recommended that a copy of this Clause be forwarded to Members of Provincial Parliament within the City of Toronto, with a request that they provide assistance in ensuring that the Provincial government treats City of Toronto residents fairly under this program.”

- (e) Councillor Cho moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Mayor be requested to arrange a meeting between representatives of City Council and the Members of Federal Parliament representing the City of Toronto.”

- (f) Councillor Li Preti moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Acting Chief Administrative Officer be requested to submit a report to Council, through the Policy and Finance Committee, outlining a comprehensive list of municipal projects previously prioritized by staff according to previously identified needs, and to forward such list to the Federal government Special Task Force chaired by Member of Parliament Judy Sgro.”

Votes:

Adoption of motion (a) by Councillor Miller:

Yes - 29
Councillors: Augimeri, Cho, Chow, Di Giorgio, Duguid, Feldman, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Walker
No - 0

Carried, without dissent.

Motion (b) by Councillor Chow carried.

Motion (f) by Councillor Li Preti carried.

Part (1) of motion (c) by Councillor Korwin-Kuczynski carried.

Motion (d) by Councillor Pantalone carried.

Part (2) of motion (c) by Councillor Korwin-Kuczynski carried.

Motion (e) by Councillor Cho carried.

The Clause, as amended, carried.

In summary, Council amended the Clause by:

- (1) deleting from Recommendation No. (2) of the Policy and Finance Committee the words, “if the Provincial government further delays providing the City with the Canada-Ontario Infrastructure Program Application forms”, so that such recommendation shall now read as follows:

“(2) that Council unilaterally approach the Federal government and begin discussions in regard thereto.”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Federal government be requested to not cancel the Infrastructure Program, if there is no agreement with the Province of Ontario;
- (b) Members of Federal Parliament located in the City of Toronto be requested to contact their Member of Provincial Parliament requesting that the Provincial government act immediately on the Canada-Ontario Infrastructure Program;
- (c) the Mayor be requested to arrange a meeting between representatives of City Council and the Members of Federal Parliament representing the City of Toronto;
- (d) a copy of this Clause be forwarded to Members of Provincial Parliament within the City of Toronto, with a request that they provide assistance in ensuring that the Provincial government treats City of Toronto residents fairly under this program;
- (e) the Acting Chief Administrative Officer be requested to:
 - (i) submit a report to the Policy and Finance Committee, in September 2001, outlining a list of infrastructure projects that the City of Toronto wishes to cost share with the provincial and Federal governments; and

- (ii) submit a report to Council, through the Policy and Finance Committee, outlining a comprehensive list of municipal projects previously prioritized by staff according to previously identified needs, and to forward such list to the Federal government Special Task Force chaired by Member of Parliament Judy Sgro.”

7.51 Clause No. 14 of Report No. 8 of The Community Services Committee, headed “Shelter Proposal at 2714 Danforth Avenue”.

Vote:

Adoption of Clause, without amendment:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pantalone, Prue, Shaw, Shiner, Silva, Sutherland
No - 1	
Councillor:	Holyday

Carried by a majority of 29.

7.52 Clause No. 21 of Report No. 11 of The Administration Committee, headed “Information on 1000 Finch Avenue West (Ward 8 - York West)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Moscoe moved that Council adopt following recommendations:

“It is recommended that:

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

“The Administration Committee recommends the adoption of the report (July 13, 2001) from the Commissioner of Corporate Services respecting the sale of 1000 Finch Avenue West and 4580 Dufferin

Street, embodying the following recommendations:

“It is recommended that:

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.53 Clause No. 8 of Report No. 12 of The Works Committee, headed “Action By Canadians Program: The ABC’s of Climate Change”.

Motion:

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

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

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

7.54 **Clause No. 9 of Report No. 7 of The Economic Development and Parks Committee, headed “City-Wide Public Art Advisory Committee - Terms of Reference (All Wards)”.**

Motion:

Councillor Moscoe moved that the Clause be amended:

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.55 Clause No. 7 of Report No. 11 of The Policy and Finance Committee, headed “Endorsement of Research Project for the Development of Fusion Energy (All Wards)”.

Motion:

Councillor Miller moved that the Clause be amended by:

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

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

- (2) adding thereto the following:

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

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

7.56 Clause No. 18 of Report No. 12 of The Works Committee, headed “Other Items Considered by the Committee”.

Motion:

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

Votes:

Adoption of motion by Councillor Miller:

Yes - 27	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Feldman, Flint, Johnston, Jones, Kelly, Layton, Li Preti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Walker
No - 7	
Councillors:	Duguid, Ford, Hall, Holyday, Lindsay Luby, Milczyn, Moeser

Carried by a majority of 20.

The Clause, as amended, was received as information.

7.57 Clause No. 10 of Report No. 11 of The Administration Committee, headed “Purchase of 75 Lee Avenue (Ward 32 – Beaches-East York)”.

Motion:

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

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

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

7.58 Clause No. 15 of Report No. 8 of The Community Services Committee, headed “Initiatives Underway to Increase Hostel Capacity”.

Motion:

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

“It is further recommended that the report requested from the Acting Commissioner of Community and Neighbourhood Services identify and highlight bottlenecks to

increasing the hostel capacity and the resources necessary to work through the bottlenecks.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

7.59 **Clause No. 19 of Report No. 6 of The Toronto East York Community Council, headed “Appeals to the Ontario Municipal Board Application to amend 1997-0274 and 1997-0275 – (University of Toronto Area Part II Plan and Zoning By-law) 321 Bloor Street (Woodsworth College) (Trinity-Spadina, Ward 20)”.**

Motions:

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

“It is further recommended that the report dated July 25, 2001, from the Commissioner of Urban Development Services be adopted.”

(b) Councillor Pantalone moved that motion (a) by Councillor Chow be amended by adding thereto the words “subject to adding thereto following new Recommendation (c):

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

Votes:

Motion (b) by Councillor Pantalone carried.

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

The Clause, as amended, carried.

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

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

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

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

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

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

7.60 Clause No. 42 of Report No. 6 of The Toronto East York Community Council, headed “Sale of 208 Greenwood Avenue (Toronto-Danforth, Ward 30)”.

Motion:

Councillor Shiner moved that the Clause be amended by deleting Recommendation No. (2) of the Toronto East York Community Council and inserting in lieu thereof the following:

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

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

7.61 **Clause No. 5 of Report No. 12 of The Works Committee, headed “Chemicals in Drinking Water”.**

Motion:

Councillor Kelly moved that the Clause be struck out and referred back to the Works Committee for further consideration and the hearing of deputations.

Vote:

The motion by Councillor Kelly carried.

7.62 **Clause No. 7 of Report No. 11 of The Administration Committee, headed “Leasing Services for Photocopiers for a Three (3) Year Period - Quotation Request No. 3406-01-313 and Photocopier Lease - Implicit Interest Rate”.**

Motion:

Councillor Miller moved that the Clause be struck out and referred to the Acting Chief Financial Officer and the Commissioner of Corporate Services for further consideration and joint report thereon to the Administration Committee.

Vote:

The motion by Councillor Miller carried.

7.63 **Clause No. 13 of Report No. 11 of The Policy and Finance Committee, headed “Toronto Police Services Board By-Law No. 139, Amending By-Law No. 110 - Increase to the Fee Charged by the Toronto Police Service for Attending False Alarms”.**

Vote:

The Clause was adopted, without amendment.

Councillor Layton requested that it be noted in the Minutes of this meeting that these charges do not apply to housing owned by the City of Toronto.

7.64 **Clause No. 2 of Report No. 11 of The Works Committee, headed “City-Wide Service Levels of Sidewalk Snow Clearing, Leaf Collection and City Cleanliness (All Wards)”.**

Motions:

- (a) Councillor Pantalone moved that the Clause be amended by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the report dated July 19, 2001, from the Commissioner of Works and Emergency Services, be adopted;
- (2) the recommendations of the Works Committee embodied in the communication dated July 4, 2001, from the Acting City Clerk, be adopted; and
- (3) the recommendation of the Economic Development and Parks Committee embodied in the communication dated July 10, 2001, from the Acting City Clerk, be adopted.”

Councillor Lindsay Luby in the Chair.

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that:

- (1) the report dated July 19, 2001, from the Commissioner of Works and Emergency Services, be received;
- (2) the communication dated July 4, 2001, from the Acting City Clerk, be received; and
- (3) the communication dated July 10, 2001, from the Acting City Clerk, be received.”

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

“It is further recommended that persons who are charged with illegal dumping a second time be charged double the fine and, for a third offence, be charged quadruple the fine.”

Ruling by Deputy Mayor:

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

Motions:

- (d) Councillor Jones moved that Part (1) of motion (a) by Councillor Pantalone be amended by adding thereto the words “subject to deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):

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

- (e) Councillor Holyday moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Acting Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee listing all services that are provided throughout the City of Toronto in an unequal manner.”

- (f) Councillor Pitfield moved that:

- (1) motion (d) by Councillor Jones be referred to the Works Committee for further consideration; and
- (2) Part (2) of motion (a) by Councillor Pantalone be amended by adding thereto the words “subject to amending Recommendation No. (1) to provide that the membership of the Working Group be increased to six members, in order to ensure representation from each of the former municipalities, and Councillors Balkissoon, Disero and Nunziata also be appointed to the Working Group”.

- (g) Councillor Mihevc 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 Works Committee on measures taken to monitor and ensure contract compliance for snow removal, both for roads and sidewalks.”

- (h) Councillor Nunziata 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 Acting Chief Financial Officer, be requested to submit a report to the Policy and Finance Committee on the cost of enforcement of the level of service identified for leaf collection.”

- (i) Councillor Flint 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 review options for clearing snow from sidewalks and roads in the 20 percent of the City that cannot be cleared mechanically, with particular attention to the methods used in Winnipeg and Montreal, and report thereon to the Works Committee.”

- (j) Councillor Chow moved that motion (d) by Councillor Jones be amended to provide that City Council establish and adopt a principle that allows Community Councils to recommend to Council how funds allocated for sidewalk snow removal, leaf collection and cleanliness would be spent in the Community Council area; and, further, that the Commissioner of Works and Emergency Services be requested to submit a report to each Community Council, in September 2001, on what funds would be spent if these services are harmonized, so as to allow each Community Council to determine how its share is to be utilized to provide alternative services.

Ruling by Deputy Mayor:

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

Councillor Chow challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Feldman, Flint, Ford, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Milczyn, Moeser, Moscoe, Ootes, Prue, Shiner, Silva, Soknacki, Sutherland, Walker
No - 11	
Councillors:	Augimeri, Chow, Di Giorgio, Filion, Layton, Lindsay Luby, Mihevc, Miller, Nunziata, Pantalone, Rae

Carried by a majority of 12.

Motion:

- (k) Councillor Layton moved that motion (d) by Councillor Jones be amended by deleting the word “mechanical”.

Ruling by Deputy Mayor:

Councillor Chow requested the Deputy Mayor to rule on whether motion (d) by Councillor Jones was in order.

Deputy Mayor Ootes, having regard to the nature of motion (d) by Councillor Jones, ruled such motion in order.

Councillor Chow challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Prue, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 7	
Councillors:	Chow, Filion, Kelly, Layton, Miller, Pantalone, Rae

Carried by a majority of 24.

Votes:

Adoption of motion (b) by Councillor Balkissoon, moved by Councillor Altobello in the absence of Councillor Balkissoon:

Yes - 13	
Councillors:	Altobello, Ashton, Berardinetti, Cho, Duguid, Ford, Miller, Nunziata, Prue, Rae, Silva, Soknacki, Walker
No - 25	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Shaw, Shiner, Sutherland

Lost by a majority of 12.

Adoption of motion (k) by Councillor Layton:

Yes - 16	
Councillors:	Altobello, Berardinetti, Cho, Chow, Jones, Kelly, Korwin-Kuczynski, Layton, Miller, Moscoe, Pantalone, Prue, Rae, Shaw, Sutherland, Walker
No - 21	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Nunziata, Shiner, Silva, Soknacki

Lost by a majority of 5.

Adoption of Part (1) of motion (f) by Councillor Pitfield, moved by Councillor Soknacki in the absence of Councillor Pitfield:

Yes - 18	
Mayor:	Lastman
Councillors:	Berardinetti, Chow, Duguid, Filion, Ford, Holyday, Kelly, Korwin-Kuczynski, Layton, Mammoliti, Mihevc, Moeser, Ootes, Pantalone, Rae, Soknacki, Walker
No - 20	
Councillors:	Altobello, Ashton, Augimeri, Cho, Di Giorgio, Feldman, Flint, Hall, Jones, Li Preti, Lindsay Luby, Miller, Minnan-Wong, Moscoe, Nunziata, Prue, Shaw, Shiner, Silva, Sutherland

Lost by a majority of 2.

Adoption of motion (d) by Councillor Jones, without amendment:

Yes - 20	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Cho, Di Giorgio, Feldman, Filion, Flint, Hall, Jones, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Prue, Shaw, Shiner, Sutherland
No - 18	

Councillors:	Altobello, Berardinetti, Chow, Duguid, Ford, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Miller, Moeser, Ootes, Pantalone, Rae, Silva, Soknacki, Walker
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Carried by a majority of 2.

Part (2) of motion (f) by Councillor Pitfield, moved by Councillor Soknacki in the absence of Councillor Pitfield, carried.

Adoption of Part (1) of motion (a) by Councillor Pantalone, as amended:

Yes - 25	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Di Giorgio, Feldman, Filion, Flint, Hall, Holyday, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Shaw, Shiner, Sutherland
No - 12	
Councillors:	Altobello, Cho, Chow, Duguid, Ford, Layton, Miller, Moeser, Rae, Silva, Soknacki, Walker

Carried by a majority of 13.

Part (2) of motion (a) by Councillor Pantalone carried, as amended.

Part (3) of motion (a) by Councillor Pantalone carried.

Adoption of motion (e) by Councillor Holyday:

Yes - 24	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Ford, Hall, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Moscoe, Nunziata, Ootes, Prue, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 14	
Councillors:	Ashton, Chow, Filion, Flint, Jones, Layton, Li Preti, Mihevc, Miller, Minnan-Wong, Pantalone, Pitfield, Rae, Walker

Carried by a majority of 10.

Motion (g) by Councillor Mihevc carried.

Motion (h) by Councillor Nunziata carried.

Adoption of motion (i) by Councillor Flint:

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Holyday, Pitfield

Carried by a majority of 35.

Adoption of Clause, as amended:

Yes - 25	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Cho, Di Giorgio, Feldman, Filion, Flint, Hall, Jones, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Prue, Shaw, Shiner, Sutherland
No - 14	
Councillors:	Altobello, Chow, Duguid, Ford, Holyday, Korwin-Kuczynski, Layton, Miller, Nunziata, Pitfield, Rae, Silva, Soknacki, Walker

Carried by a majority of 11.

In summary, Council amended the Clause by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (a) the recommendations embodied in the report dated July 19, 2001, from the Commissioner of Works and Emergency Services, be adopted, subject to deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):
 - “(3) effective January 2002, the North York mechanical sidewalk clearing program be extended to the entire City of Toronto and the cost therefor be taken from the Corporate Contingency

Account;”,

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

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

- (1) the existing snow clearing service standards as approved by Council at its meeting of April 23, 24, 25, 26, 27, 30 and May 1 and 2, 2001, be effective for the 2001-2002 winter control season;
 - (2) the Commissioner of Works and Emergency Services be authorized to renew the existing contracts/purchase orders with A. Shea & Sons Road Grading, Lima’s Gardens and Construction, MTM Landscaping and Crownwood Construction for basic sidewalk snow clearing (City-owned property, reverse frontage, arterials, collectors and transit routes) and seniors/disabled program in the Etobicoke Community Council area, for the 2001-2002 winter control season, with an option in favour of the City to renew for one additional winter control season and otherwise on the same terms and conditions, including price, as the existing contracts;
 - (3) effective January 2002, the North York mechanical sidewalk clearing program be extended to the entire City of Toronto and the cost therefor be taken from the Corporate Contingency Account; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;
- (b) the recommendations of the Works Committee embodied in the communication dated July 4, 2001, from the Acting City Clerk, be adopted, subject to amending Recommendation No. (1) to provide that the membership of the Working Group be increased to six members, in order to ensure representation from each of the former municipalities, and Councillors Balkissoon, Disero and Nunziata also be appointed to the Working Group, so that such recommendations shall now read as follows:

‘The Works Committee recommends:

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

‘The Economic Development and Parks Committee on July 9, 2001, recommended to Council that Councillor Denzil Minnan-Wong, Ward 34 Don Valley East, be appointed, and Councillor George Mammoliti, Ward 7 York West, be an alternate on the proposed Working Group respecting the subject matter, as the representative from the Economic Development and Parks Committee.’;
- (d) the Acting Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee listing all services that are provided throughout the City of Toronto in an unequal manner;
- (e) the Commissioner of Works and Emergency Services, in consultation with the Acting Chief Financial Officer, be requested to submit a report to the Policy and Finance Committee on the cost of enforcement of the level of service

identified for leaf collection; and

- (f) the Commissioner of Works and Emergency Services be requested to:
 - (i) submit a report to the Works Committee on measures taken to monitor and ensure contract compliance for snow removal, both for roads and sidewalks; and
 - (ii) review options for clearing snow from sidewalks and roads in the 20 percent of the City that cannot be cleared mechanically, with particular attention to the methods used in Winnipeg and Montreal, and report thereon to the Works Committee.”

7.65 Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “2001 Levy on Institutions Under Section 157 of the Municipal Act”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

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

‘It is recommended that:

- (1) Council authorize the levy of taxes for the 2001 taxation year

on hospitals, colleges and universities and correctional facilities as authorized by Section 157 of the Municipal Act;

- (2) the maximum prescribed amount of \$75.00 be applied per provincially-rated hospital bed, full time student, or resident place; and
- (3) authority be granted for the introduction of the necessary Bills in Council to levy taxes for the year 2001 on hospitals, colleges and universities and correctional facilities in the form or substantially in the form of the draft by-laws attached hereto.’ ”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.66 Clause No. 15 of Report No. 8 of The Scarborough Community Council, headed “Official Plan Amendment Application SC-20000017, Zoning By-law Amendment Application SC-20000018, Bionvest Investments Limited - Lands North of Borough Drive South of Scarborough Centre Rapid Transit Station, City Centre (Scarborough Centre - Ward 38)”.

Having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Duguid moved that Council adopt the following recommendation:

“It is recommended that the report dated July 6, 2001, from the Director of Community Planning, East District, as embodied in the Clause, be adopted.”

- (b) Councillor Altobello moved that motion (a) by Councillor Duguid be amended by adding thereto the following words:

“subject to adding thereto the following new Recommendation No. (5):

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

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

Votes:

Motion (b) by Councillor Altobello carried.

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

The Clause, as amended, carried.

7.67 **Clause No. 24 of Report No. 11 of The Administration Committee, headed “Compliance Audit Requests Under the Municipal Elections Act, 1996”.**

Councillor Shiner in the Chair.

Motions:

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

“It is further recommended that:

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

‘The Administration Committee recommends:

- (1) the adoption of Recommendation No. (1)(b) embodied in the report (July 16, 2001) from the Acting City Clerk, viz.:

“(1)(b) reject the application for a Compliance Audit of the election campaign finances of Councillor Peter Li Preti;”; and

- (2) that the Province of Ontario be requested to establish an arms-length municipal board to review municipal election returns, finances and similar matters in this regard.’; and

- (2) the Acting City Clerk be requested to submit a report to next regular meeting of the Administration Committee scheduled to be held on September 6, 2001,

on issues concerning the viability of establishing an arms-length municipal board and other options to review municipal election returns, compliance with City Council's election campaign policies, finances and similar matters.”

- (b) Councillor Mihevc moved that Part (2) of motion (a) by Councillor Soknacki be amended by adding thereto the words “including, but not limited to, the powers of investigation, evaluation and the issuing of orders”.
- (c) Councillor Augimeri moved that the Clause be amended by striking out Recommendation No. (1) embodied in the communication dated July 17, 2001, from the Acting City Clerk, and inserting in lieu thereof the following:

“(1) the adoption of Recommendation No. (1)(a) embodied in the report dated July 16, 2001, from the Acting City Clerk, viz.:

‘(1)(a) grant the application for a compliance audit of the election campaign finances of Councillor Peter Li Preti, appoint Roger Chaplin as auditor to conduct the audit and adopt the resolution attached as Appendix “B” to this report;’.”

- (d) Councillor Layton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Administration Committee be requested to consider the development of amendments to Elections legislation to address shortcomings that have been identified in the City Council debate concerning the Compliance Audits.”

Votes:

Adoption of motion (c) by Councillor Augimeri:

Yes - 9	
Councillors:	Ashton, Augimeri, Chow, Flint, Jones, Layton, Mihevc, Miller, Prue
No - 18	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Pitfield, Soknacki, Walker

Lost by a majority of 9.

Adoption of Part (1) of motion (a) by Councillor Soknacki, insofar as it pertains to Recommendation No. (1) of the Administration Committee embodied in the communication dated July 17, 2001, from the Acting City Clerk:

Yes - 18	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Soknacki, Walker
No - 9	
Councillors:	Ashton, Augimeri, Chow, Flint, Jones, Layton, Mihevc, Miller, Prue

Carried by a majority of 9.

Adoption of Part (1) of motion (a) by Councillor Soknacki, insofar as it pertains to Recommendation No. (2) of the Administration Committee embodied in the communication dated July 17, 2001, from the Acting City Clerk:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Pitfield, Prue, Soknacki, Walker
No - 1	
Councillor:	Mammoliti

Carried by a majority of 27.

Adoption of Part (2) of motion (a) by Councillor Soknacki, as amended by motion (b) by Councillor Mihevc:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Pitfield, Prue, Soknacki, Walker
No - 1	
Councillor:	Mammoliti

Carried by a majority of 26.

Motion (d) by Councillor Layton carried.

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

“It is further recommended that:

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

Deputy Mayor Ootes in the Chair.

7.68 **Clause No. 1 of Report No. 11 of The Administration Committee, headed “Policy for the Selection and Hiring of Professional and Consulting Services; Use of Consultants and Expenditure Reduction Strategies; and Hiring of Professional and Consulting Services Review”.**

Motions:

(a) Councillor Berardinetti moved that:

- (1) the Clause, together with the communication dated July 20, 2001, from the President, Canadian Union of Public Employees, Local 79, and the report dated July 24, 2001, from the Acting Chief Administrative Officer, be struck out and referred back to the Administration Committee for further consideration at a Special meeting to be held in October 2001, at the Call of the Chair; and
- (2) Council adopt the following recommendation:

“It is recommended that the report dated July 21, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, be adopted.”

(b) Councillor Nunziata moved that Council adopt the following recommendation:

“It is recommended that the following motion be referred to the Administration Committee for further consideration at its Special meeting:

Moved by Councillor Nunziata:

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

Votes:

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

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

Motion (b) by Councillor Nunziata carried.

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

Council also took the following action:

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

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

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

Moved by Councillor Nunziata:

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

7.69 Clause No. 9 of Report No. 11 of The Administration Committee, headed “Relocation of the City Publications and Resource Centre in City Hall”.

Motion:

Councillor Shaw moved that the Clause be amended by:

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

- “(1) Council give approval in principle to have the store re-located to the area immediately west of the main doors of City Hall that is currently occupied by Security staff; (Security staff would be re-located to the area currently occupied by the store.), or the vacant building on Nathan Phillips Square, adjacent to the skate rental area, formerly used as a snack bar;” and
- (2) adding thereto the following:
- “It is further recommended that:
- (a) the Commissioner of Corporate Services be requested to submit a report to the Administration Committee, for its meeting scheduled to be held on September 6, 2001, on the feasibility of both options; and
- (b) the report requested in Recommendation No. (3)(ii) also be submitted to the Administration Committee for its meeting scheduled to be held on September 6, 2001.”

Votes:

The motion by Councillor Shaw carried.

The Clause, as amended, carried.

7.70 Clause No. 1 of Report No. 7 of The Audit Committee, headed “Toronto Harbour Commissioners – Financial Review – Further Information”.

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the City deduct the value of hockey subscriptions held by the Toronto Harbour Commission from the grant to the Toronto Port Authority;
- (2) the City pursue, using any means possible, the Auditor’s recommendation respecting the \$50 million surplus, including legal action payback of the portion of the \$50 million deemed by the Auditor to be ‘surplus’ under the provisions of the Toronto Harbour Commission Act, 1911, subject to a joint report to be submitted to the Audit Committee by the City Auditor and the

City Solicitor;

- (3) the City structure payments to the Toronto Port Authority in a manner that ensures that the City is reimbursed for all amounts owed to the City; and
 - (4) the City Auditor be requested to submit a report to City Council, through the Policy and Finance Committee, on political contributions made by GGMA Communications Ltd., based on information now available that was not available at the time.”
- (b) Councillor Layton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Acting Chief Administrative Officer be requested to include, in the negotiations with the Toronto Port Authority, the wind turbine initiative at the City of Toronto’s Ashbridges Bay Sewage Treatment Plant.”
- (c) Councillor Shiner moved that the Clause, together with motions (a) and (b) by Councillors Moscoe and Layton, respectively, be struck out and referred to the Acting Chief Administrative Officer and the City Solicitor, for report thereon to the Audit Committee.

Vote:

Motion (c) by Councillor Shiner carried.

7.71 Clause No. 3 of Report No. 8 of The Planning and Transportation Committee, headed “Strategic Plan for Cycling in Toronto: The ‘Toronto Bike Plan - Shifting Gears’ (All Wards)”.

Motions:

- (a) Councillor Milczyn moved that the Clause be amended to provide that consideration of a “Bicycle Lane” designation on Royal York Road, between Dundas Street West and the Mimico Creek Bridge, and Berry Road, between Prince Edward Drive and Stephen Drive, be deferred pending the determination of their technical feasibility and consultation with the community, and, in the interim, listing these streets as “Signed Bicycle Routes”.
- (b) Councillor Chow moved that the Clause be amended by striking out the recommendations of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Recommendation No. (1) embodied in the joint report dated June 14, 2001, from the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism, entitled 'Strategic Plan for Cycling in Toronto: The Toronto Bike Plan: Shifting Gears', be amended by inserting the words 'in principle' after the words 'be adopted by City Council', so that such recommendation shall now read as follows:
 - '(1) the Toronto Bike Plan – Shifting Gears, June 2001, be adopted by City Council, in principle, as the strategic plan for implementing cycling priorities, programs and infrastructure improvements over the 10 year period, 2002-2011;';
- (2) an inter-departmental Bike Plan Co-ordinating Committee, as outlined in this report, be established to co-ordinate the implementation of the Plan, in consultation with the Toronto Cycling Committee, and that the Transportation Services Division take the lead in establishing and chairing the Committee;
- (3) the Commissioners of Works and Emergency Services, Urban Development Services, and Economic Development, Culture and Tourism be requested to clearly identify the Bike Plan projects identified as short term priorities in their five year Capital and Operating Budget submissions for the years 2002-2006, and submit these priorities to the Toronto Cycling Committee, the Works Committee and the Budget Advisory Committee for consideration;
- (4) the Commissioner of Works and Emergency Services be requested to prepare annual progress reports in May to City Council, through the Toronto Cycling Committee, in consultation with the Bike Plan Co-ordinating Committee, documenting the progress of the Bike Plan;
- (5) the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism be requested to review staffing resources required to implement the Bike Plan and report to the Planning and Transportation Committee on any proposed changes to the current establishment beginning January 2003;
- (6) the bikeway routes proposed in the Bike Plan be subject to the existing approval process (detailed analysis, design and public consultation) before being considered by City Council for implementation; and
- (7) an annual implementation plan be developed and submitted to the regular budget process for consideration."

- (c) Councillor Lindsay Luby moved that the Clause be struck out and referred to the Budget Advisory Committee for further consideration.

Permission to Withdraw Motion:

Councillor Lindsay Luby, with the permission of Council, withdrew her motion (c).

- (d) Councillor Lindsay Luby, with the permission of Council, moved that Part (3) of motion (b) by Councillor Chow be amended by:
- (1) deleting, after the word “identified”, the words “as short term priorities”; and
 - (2) deleting, after the word “these”, the word “priorities”.

Votes:

Motion (a) by Councillor Milczyn carried.

Motion (d) by Councillor Lindsay Luby carried.

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

Yes - 24	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Duguid, Flint, Hall, Kelly, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Walker
No - 3	
Councillors:	Holyday, Nunziata, Shaw

Carried by a majority of 21.

Adoption of Clause, as amended:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Duguid, Flint, Hall, Kelly, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Holyday, Nunziata

Carried by a majority of 23.

In summary, Council amended the Clause by striking out the recommendations of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Recommendation No. (1) embodied in the joint report dated June 14, 2001, from the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism, entitled ‘Strategic Plan for Cycling in Toronto: The Toronto Bike Plan: Shifting Gears’, be amended by inserting the words ‘in principle’ after the words ‘be adopted by City Council’, and by adding at the end thereof the words ‘subject to deferring consideration of a “Bicycle Lane” designation on Royal York Road, between Dundas Street West and the Mimico Creek Bridge, and Berry Road, between Prince Edward Drive and Stephen Drive, pending the determination of their technical feasibility and consultation with the community, and, in the interim, listing these streets as “Signed Bicycle Routes”’, so that such recommendation shall now read as follows:
 - ‘(1) the Toronto Bike Plan – Shifting Gears, June 2001, be adopted by City Council, in principle, as the strategic plan for implementing cycling priorities, programs and infrastructure improvements over the 10 year period, 2002-2011, subject to deferring consideration of a “Bicycle Lane” designation on Royal York Road, between Dundas Street West and the Mimico Creek Bridge, and Berry Road, between Prince Edward Drive and Stephen Drive, pending the determination of their technical feasibility and consultation with the community, and, in the interim, listing these streets as “Signed Bicycle Routes”’;
- (2) an inter-departmental Bike Plan Co-ordinating Committee, as outlined in this report, be established to co-ordinate the implementation of the Plan, in consultation with the Toronto Cycling Committee, and that the Transportation Services Division take the lead in establishing and chairing the Committee;
- (3) the Commissioners of Works and Emergency Services, Urban Development Services, and Economic Development, Culture and Tourism be requested to clearly identify the Bike Plan projects identified in their five year Capital and Operating Budget submissions for the years 2002-2006, and submit these to the Toronto Cycling Committee, the Works Committee and the Budget Advisory Committee for consideration;
- (4) the Commissioner of Works and Emergency Services be requested to prepare annual progress reports in May to City Council, through the Toronto Cycling

Committee, in consultation with the Bike Plan Co-ordinating Committee, documenting the progress of the Bike Plan;

- (5) the Commissioners of Works and Emergency Services, Urban Development Services and Economic Development, Culture and Tourism be requested to review staffing resources required to implement the Bike Plan and report to the Planning and Transportation Committee on any proposed changes to the current establishment beginning January 2003;
- (6) the bikeway routes proposed in the Bike Plan be subject to the existing approval process (detailed analysis, design and public consultation) before being considered by City Council for implementation; and
- (7) an annual implementation plan be developed and submitted to the regular budget process for consideration.”

7.72 IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE

July 24, 2001:

Motion:

Deputy Mayor Ootes, at 5:55 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 Motion I, moved by Councillor Johnston, seconded by Councillor Walker, respecting 39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters, in accordance with the provisions of the Municipal Act, having regard that this matter is subject to solicitor/client privilege.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed 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 7:37 p.m., and met in public session in the Council Chamber.

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

7.73 **39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters**

Deputy Mayor Ootes called upon Notice of Motion I appearing on the Order Paper, as follows:

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.”

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 in conjunction with Motion I:

Motions:

- (a) Councillor Moscoe moved that Motion I be amended by adding to Recommendation No. (4) embodied in the Operative Paragraph, the words “and further that this matter be reported publicly and, should it be necessary, only those matters deemed to be confidential be reported under separate confidential cover”.
- (b) Councillor Minnan-Wong moved that Motion I be amended by:
- (1) receiving Recommendations Nos. (1), (2) and (3) embodied in the Operative Paragraph; and
 - (2) adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council endorse the actions taken by staff in this matter.”
- (c) Councillor Flint moved that Motion I be amended by adding thereto the following new Operative Paragraph:

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

Votes:

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

Yes – 23	
Councillors:	Altobello, Ashton, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki
No – 10	
Councillors:	Balkissoon, Bussin, Cho, Chow, Holyday, Johnston, Korwin-Kuczynski, Moscoe, Prue, Walker

Carried by a majority of 13.

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

Yes – 20	Councillors: Altobello, Ashton, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Rae, Shiner, Soknacki
No – 13	Councillors: Balkissoon, Bussin, Cho, Chow, Holyday, Johnston, Jones, Korwin-Kuczynski, Mihevc, Moscoe, Pantalone, Prue, Walker

Carried by a majority of 7.

Motion (a) by Councillor Moscoe carried.

Adoption of motion (c) by Councillor Flint:

Yes - 31	Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Shiner, Soknacki, Walker
No - 2	Councillors: Kelly, Ootes

Carried by a majority of 29.

Adoption of Motion I, as amended:

Yes - 29	Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Soknacki
No - 4	Councillors: Bussin, Korwin-Kuczynski, Mihevc, Walker

Carried by a majority of 25.

In summary, Council adopted Motion I, subject to:

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

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

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

so that the Operative Paragraphs embodied in Motion I shall now read as follows:

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

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

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

Further Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, further reported that City Council, at the in-camera portion of its meeting, had also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that such instructions are subject to solicitor/client privilege.

July 25, 2001:

Procedural Motion:

Deputy Mayor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal be waived to permit introduction and debate of Notice of Motion J(34), moved by Councillor Ootes, seconded by Councillor Berardinetti, respecting the appointment of a City Clerk, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 5:25 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 the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 1 of Report No. 8 of The Community Services Committee, headed "Request for Proposal for the Manufacture, Supply and Maintenance of Firefighter Protective Clothing (Bunker Suits)", having regard that this Clause contains information related to litigation or potential litigation; and
- (b) Motion J(34), having regard that the report appended to this Motion contains personal information about an identifiable individual.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 8:05 p.m., and met in public session in the Council Chamber.

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

7.74 **Appointment of City Clerk**

Councillor Ootes called upon Motion J(34) appearing on the Order Paper as follows:

Moved by: Councillor Ootes

Seconded by: Councillor Berardinetti

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

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

Council also had before it, during consideration of Motion J(34), a confidential report dated July 19, 2001, from the Acting Chief Administrative Officer, entitled “Appointment – City Clerk”. (See Attachment No. 7, Page 211).

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(34).

Vote:

Adoption of Motion J(34), without amendment:

Yes – 29	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shaw, Soknacki, Sutherland
No – 1	
Councillor:	Walker

Carried by a majority of 28.

Council, by its adoption of Motion J(34), without amendment, adopted, without amendment, the confidential report dated July 19, 2001, from the Acting Chief Administrative Officer, embodying the following recommendations, such report now public, save and except the curriculum vitae referred to therein, such document to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual:

“It is recommended that:

- (1) Ulli S. Watkiss be appointed to the position of City Clerk and that such appointment be effective September 4, 2001, provided that she has entered into an employment contract with the City on or before September 3, 2001;
- (2) the Commissioner of Corporate Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;
- (3) By-law No. 342-2001 being ‘A By-law to appoint an Acting City Clerk’ be amended to provide that such appointment will remain in full force and effect until a by-law appointing a new City Clerk comes into effect; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.”

7.75 Clause No. 1 of Report No. 8 of The Community Services Committee, headed “Request for Proposal for the Manufacture, Supply and Maintenance of Firefighter Protective Clothing (Bunker Suits)”.

Report of the Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been brought forward from Committee of the Whole for consideration by Council in conjunction with the Clause.

Motions:

(a) Councillor Moscoe moved that:

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

“It is further recommended that:

- (a) the Policy and Finance Committee be directed to review the method for determining Canadian content and make recommendations to Council for improvements in that process; and
- (b) the Director of Purchasing and Materials Management be requested to submit a report to the Policy and Finance Committee on how an article manufactured in the United States can be deemed to have in excess of 80 percent Canadian content.”; or
- (2) consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on October 2, 2001, and, in the interim, the matter be referred to the Audit Committee for a review of the tender process to determine those factors that deterred the present Canadian manufacturers from bidding.
- (b) Councillor Shiner moved that Part (1)(b) of motion (a) by Councillor Moscoe be amended by adding thereto the words “and on a comparison of lease versus purchase over four years and five years, using the lease prices as per the current recommended bid and lowest cost of bunker suits currently being purchased”.

Votes:

Adoption of motion (b) by Councillor Shiner:

Yes - 20	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Feldman, Flint, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Shaw, Shiner, Soknacki, Walker
No - 10	
Mayor:	Lastman
Councillors:	Berardinetti, Duguid, Ford, Holyday, Kelly, Layton, Mihevc, Rae, Sutherland

Carried by a majority of 10.

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

Yes - 15	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Feldman, Korwin-Kuczynski, Layton, Li Preti, Milczyn, Minnan-Wong, Moscoe, Shaw, Shiner, Walker
No - 15	
Mayor:	Lastman

Councillors:	Berardinetti, Chow, Duguid, Flint, Ford, Holyday, Kelly, Lindsay Luby, Mihevc, Ootes, Pantalone, Rae, Soknacki, Sutherland
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Lost, there being an equality of votes.

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

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Moscoe, Ootes, Pantalone, Shaw, Shiner, Walker
No - 8	
Councillors:	Berardinetti, Ford, Kelly, Milczyn, Minnan-Wong, Rae, Soknacki, Sutherland

Carried by a majority of 14.

Adoption of Part (1)(b) of motion (a) by Councillor Moscoe, as amended:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Pantalone, Shaw, Shiner, Soknacki, Walker
No - 8	
Councillors:	Berardinetti, Flint, Ford, Kelly, Minnan-Wong, Ootes, Rae, Sutherland

Carried by a majority of 14.

Adoption of Clause, as amended:

Yes - 16	
Mayor:	Lastman
Councillors:	Berardinetti, Chow, Duguid, Flint, Ford, Holyday, Kelly, Lindsay Luby, Mihevc, Minnan-Wong, Ootes, Pantalone, Rae, Soknacki, Sutherland
No - 14	

Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Feldman, Korwin-Kuczynski, Layton, Li Preti, Milczyn, Moscoe, Shaw, Shiner, Walker
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Carried by a majority of 2.

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

“It is further recommended that:

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

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

7.76 Exemption from Noise By-law – Caribbean Concert Productions

Deputy Mayor Ootes called upon Notice of Motion F appearing on the Order Paper, as follows:

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.”

Council also had before it, during consideration of Motion F, a communication dated July 24, 2001, from Mr. Jason Pultz, addressed to Councillor Korwin-Kuczynski, regarding the noise level at Lamport Stadium, a copy of which is on file in the Office of the City Clerk.

Vote:

Adoption of Motion F, without amendment:

Yes - 25 Councillors:	Altobello, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Jones, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Silva, Soknacki, Walker
No - 4 Councillors:	Holyday, Korwin-Kuczynski, Nunziata, Sutherland

Carried by a majority of 21.

7.77 Proposed Amendment to Council Procedures - Staff Permitted on Floor of Council

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

Moved by: Councillor Walker

Seconded by: Councillor Johnston

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

WHEREAS, since 1998, it has been commonplace to observe political staff from the Mayor’s office, specifically, circulating on the floor of Council, lobbying and sometimes harassing Members of Council or, even worse, during debate and on many occasions, while a vote is taking place; and

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

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

WHEREAS the practices and procedures of our two senior levels of government do

not allow the Prime Minister's or Premier's staff onto the floor of Parliament or the Legislature during debate;

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

the vote upon which was taken as follows:

Yes - 29	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shiner, Soknacki, Sutherland, Walker
No - 7	
Councillors:	Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Ootes, Shaw, Silva

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

Procedural Vote:

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

Yes - 17	
Councillors:	Augimeri, Cho, Feldman, Jones, Korwin-Kuczynski, Layton, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Walker
No - 21	
Councillors:	Altobello, Balkissoon, Berardinetti, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Johnston, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Nunziata, Shaw, Soknacki, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(1) was referred to the Administration Committee.

7.78 **Establishment of International Banking Centres**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(2), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Prue

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

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council again advise the federal government that there is no justification for excluding the City of

Toronto from initiatives designed to encourage international banking business in Canada, and that if the federal government is prepared to facilitate the establishment of International Banking Centres, Toronto should be one of them.”

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

Vote:

Adoption of Motion J(2), without amendment:

Yes - 36	
Councillors:	Altobello, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 3	
Councillors:	Berardinetti, Minnan-Wong, Sutherland

Carried by a majority of 33.

7.79 Request for Alternate Side Parking on Chesley Avenue

Councillor Silva 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 Silva

Seconded by: Councillor Pantalone

“**WHEREAS** City Council at its meeting held on May 30, 31 and June 1, 2001,

adopted, without amendment, Southwest Community Council Report No. 5, Clause No. 29, headed 'Request for Alternate Side Parking on Chesley Avenue'; and

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

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

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

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

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

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

Vote:

The first Operative Paragraph embodied in Motion J(3) 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(3) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote:

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

7.80 Appointment of Chair of the Waterfront Revitalization Corporation

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

Moved by: Councillor Pantalone

Seconded by: Councillor Shiner

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

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

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

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

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

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

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

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

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(4) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote Be Now Taken:

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

Yes - 22	
Mayor:	Lastman
Councillors:	Cho, Di Giorgio, Feldman, Flint, Ford, Hall, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Moeser, Nunziata, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Soknacki, Sutherland
No - 12	
Councillors:	Augimeri, Bussin, Chow, Filion, Holyday, Layton, Mihevc, Miller, Moscoe, Ootes, Shaw, Walker

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

Motion to go into Committee of the Whole:

Councillor Walker at 12:20 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 further nominations for the position of Chair of the Toronto Waterfront Revitalization Corporation, in accordance with the provisions of the Municipal Act.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of the foregoing motion by Councillor Walker, ruled such motion in order.

Mayor Lastman challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 18 Councillors:	Augimeri, Bussin, Cho, Di Giorgio, Flint, Hall, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Miller, Moscoe, Ootes, Pantalone, Prue, Rae, Shaw, Walker
No - 10 Mayor: Councillors:	Lastman Feldman, Li Preti, Mammoliti, Milczyn, Moeser, Nunziata, Pitfield, Shiner, Soknacki

Carried by a majority of 8.

Procedural Vote:

Adoption of motion by Councillor Walker to go into Committee of the Whole:

Yes - 12 Councillors:	Augimeri, Bussin, Cho, Kelly, Korwin-Kuczynski, Layton, Miller, Moscoe, Ootes, Shaw, Soknacki, Walker
No - 16 Mayor: Councillors:	Lastman Di Giorgio, Feldman, Flint, Hall, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moeser, Nunziata, Pantalone, Pitfield, Prue, Rae, Shiner

Lost by a majority of 4.

Motion:

- (a) Councillor Walker moved that consideration of Motion J(4) be deferred until the Commissioner of Urban Development Services submits the report on the Waterfront Official Plan to City Council.

Vote on deferral:

Adoption of motion (a) by Councillor Walker:

Yes – 4 Councillors:	Augimeri, Miller, Prue, Walker
No – 35 Mayor: Councillors:	Lastman Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland

Lost by a majority of 31.

Motion:

- (b) Councillor Moscoe moved that Motion J(4) be adopted, subject to adding thereto the following new Operative Paragraph:

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

Votes:

Adoption of motion (b) by Councillor Moscoe:

Yes - 35 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Silva, Sutherland, Walker
No – 0	

Carried, without dissent.

Adoption of Motion J(4), as amended:

Yes - 33 Mayor: Lastman Councillors: Altobello, Ashton, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sutherland
No - 3 Councillors: Augimeri, Miller, Walker

Carried by a majority of 30.

7.81 **Taste of the Kingway – Declaration for Liquor Licence Purposes**

Councillor Jones 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(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jones

Seconded by: Councillor Lindsay Luby

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

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

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

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

WHEREAS there are no financial impacts associated with this Motion;

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

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

Vote:

Motion J(5) was adopted, without amendment.

7.82 **Support for Canada’s Olympians**

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

Moved by: Councillor Walker

Seconded by: Councillor Prue

“**WHEREAS** Council had committed itself to a bid to host the 2008 games at an estimated cost of over 2 billion dollars for the construction of facilities and infrastructure, and considering the amount needed by Toronto’s athletes to adequately support their personal best endeavours is very small in comparison; and

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

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

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

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

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

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

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

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 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(6) to the Economic Development and Parks Committee was taken as follows:

Yes - 9	
Councillors:	Chow, Johnston, Layton, Miller, Moscoe, Nunziata, Pitfield, Prue, Walker
No - 30	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(6) was referred to the Economic Development and Parks Committee.

7.83 **Issuance of Debentures**

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

Moved by: Mayor Lastman

Seconded by: Councillor Shiner

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

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

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

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

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

Council also had before it, during consideration of Motion J(7), a report dated July 18, 2001, from the Acting Chief Financial Officer and Acting Treasurer, entitled “Issuance of Debentures”. (See Attachment No. 8, Page 213).

Vote:

Motion J(7) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 18, 2001, from the Acting Chief Financial Officer and the Acting Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on July 24, 2001, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”

7.84 **Ontario Municipal Board Hearing - 108 North Drive**

Councillor Lindsay Luby 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(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Jones

“**WHEREAS** the Committee of Adjustment West District received Consent Application B16/01ET and Minor Variance Application A115/01ET for

108 North Drive that requested a corner lot be severed into two smaller lots and two detached houses would be constructed thereon; and

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

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

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

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

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

Vote:

Motion J(8) was adopted, without amendment.

7.85 **Extension of Contract for Insurance Adjusting Services**

Councillor Berardinetti 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 Berardinetti**

Seconded by: **Councillor Holyday**

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

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

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

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

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

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

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

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(9) 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(9) 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(9), a report dated July 20, 2001, from the Acting Chief Financial Officer, entitled "Contract for Insurance Adjusting Services". (See Attachment No. 9, Page 215).

Vote:

Motion J(9) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 20, 2001, from the Acting Chief Financial Officer, embodying the following recommendations:

“It is recommended that:

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

7.86 Ontario Municipal Board Hearing - 351 Spring Garden Avenue

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

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

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

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

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

Official Plan and would not represent an appropriate development of the property;

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

Vote:

Motion J(10) was adopted, without amendment.

7.87 Request for Direction, Ontario Municipal Board Appeal – Deep Pocket Investments Inc.

Councillor Berardinetti 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(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Berardinetti

Seconded by: Councillor Altobello

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

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

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

Council also had before it, during consideration of Motion J(11), a report dated July 16, 2001, from the Commissioner of Urban Development Services, entitled “Request for Direction Ontario Municipal Board Appeal Zoning By-law Amendment Application SZ19970046 Deep

Pocket Investments Inc. 1533 Victoria Park Avenue, Clairlea Community – Ward 37”. (See Attachment No. 10, Page 218).

Vote:

Motion J(11) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 16, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that Council:

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

7.88 **Withdrawal of Council’s Intent to Designate 294-298 Sherbourne 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(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

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

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

WHEREAS on January 5, 2001 the solicitor representing the owner of 294-298 Sherbourne Street submitted a letter to the City Clerk objecting to the proposed designation and the matter was referred to the Conservation Review Board for a hearing; and

WHEREAS pending a hearing by the Conservation Review Board, staff in Economic Development, Culture and Tourism, along with staff from

Urban Development Services, have worked with the owner to find an architectural solution that mitigates the impact on the heritage properties while permitting the development to proceed; and

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

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

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

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

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

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

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(12) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(12) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(12) was adopted, without amendment.

7.89 **Oakwood Village Festival of the Arts Urban Harvest - Road Closure**

Councillor Silva 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(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Mihevc

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

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

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

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

Vote:

Motion J(13) was adopted, without amendment.

7.90 **Recruitment and Selection Process for the Chief Administrative Officer**

Councillor Berardinetti 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(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Berardinetti

Seconded by: Councillor Ootes

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

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

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

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

Council also had before it, during consideration of Motion J(14), a report dated July 18, 2001, from Mayor Lastman, entitled “Recruitment and Selection Process for the Chief Administrative Officer. (See Attachment No. 11, Page 222).

Vote:

The first Operative Paragraph embodied in Motion J(14) carried, more than two-thirds of Members present having voted in the affirmative.

Motions:

- (a) Councillor Ootes, with the permission of Council, moved that Motion J(14) be adopted subject to adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** interested Members of Council be allowed to act as observers during the interview process.”

- (b) Councillor Mihevc moved that motion (a) by Councillor Ootes be amended by adding thereto the following words:

“and further, that Members of Council be provided with the interview schedule”.

Votes:

Motion (b) by Councillor Mihevc carried.

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

The balance of Motion J(14) as amended, carried.

In summary Council adopted Motion J(14), subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT interested Members of Council be provided with the interview schedule and be allowed to act as observers during the interview process.”

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

“It is recommended that:

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

7.91 Alterations to Designated Heritage Properties and Minor Revision to Development Proposal – 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 and debate 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 Rae

Seconded by: Councillor Chow

“WHEREAS at its meeting held on June 26, 27 and 28, 2001, City Council adopted,

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

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

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

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

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

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

Council also had before it, during consideration of Motion J(15), the following reports:

- (1) (July 20, 2001) from the Commissioner of Economic Development, Culture and

Tourism, entitled “444 Yonge Street (College Park) – Alteration to a Designated Heritage Property”. (See Attachment No. 12, Page 226).

- (2) (July 20, 2001) from the Commissioner of Economic Development, Culture and Tourism entitled “354 and 404 Jarvis Street – Alterations to Designated Property and Authority to Enter into a Heritage Easement Agreement”. (See Attachment No. 13, Page 229).
- (3) (July 23, 2001) from the Commissioner of Urban Development Services entitled “Conclusion of Planning Matters and a Minor Revision to the Proposed Official Plan and Zoning By-law Amendments, Application No. 100028 – 354 and 404 Jarvis Street – National Ballet School and Context Development Inc.”. (See Attachment No. 14, Page 235).

Vote:

Motion J(15) was adopted, without amendment, and in so doing, Council adopted, without amendment:

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

“It is recommended that:

- (1) approval be granted by Council for the proposed alterations to the Seventh Floor at 444 Yonge Street (College Park) as set out in Attachment No. 1, Statement of Heritage Intent, prepared by E.R.A. Architects Inc., dated July 11, 2001, and on file with Heritage Preservation Services;
- (2) the drawings submitted by the applicant for building permit be substantially in accordance with the Statement of Heritage Intent prepared by E.R.A. Architects Inc., dated July 11, 2001, on file with Heritage Preservation Services;
- (3) prior to the issuance of a building permit, the applicant prepare a Restoration Plan providing a detailed description of the proposed alterations to the Eaton Auditorium, back of house, Round Room, and private dining rooms on the seventh floor of the subject property, to the satisfaction of the Commissioner Economic Development, Culture and Tourism; and

- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”;
- (b) the report dated July 20, 2001, from the Commissioner of Economic Development, Culture and Tourism, entitled “354 and 404 Jarvis Street – Alterations to Designated Property and Authority to Enter into a Heritage Easement Agreement (Toronto Centre-Rosedale – Ward 27)”, embodying the following recommendations:

“It is recommended that:

- (1) the proposed alterations to the property at 354 Jarvis Street and the proposed partial demolition of buildings on the property be permitted in accordance with the application for consent dated June 26, 2001 on file with the City Clerk and as illustrated on Attachment No. 3 of this report, and plans and drawings submitted to the Commissioner of Urban Development Services (File #TCC-CMB 100028) provided that:
- (a) each of the rear wings of Havergal College and Northfield House identified as A, B, and C on Attachment No. 3 of this report, shall only be demolished when it is necessary to allow for the erection of new building(s) for which a building permit has been issued; and
- (b) prior to the issuance of a demolition permit under the Building Code Act, 1992 for any part of wings A, B, and C, on Attachment No. 3 of this report, the City shall be provided with a letter of credit or other security of a type and in an amount satisfactory to the Commissioner of Economic Development, Culture and Tourism, to provide for the securing and stabilization of the façade of the remaining building that will be affected by the proposed demolition, and for any repair required as a result of damage caused by the demolition;
- (2) authority be granted by Council for the execution of Heritage Easement Agreement(s) under section 37 of the Ontario Heritage Act with the owner of the heritage buildings known as Havergal College and Northfield House using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Commissioner of Economic Development, Culture and Tourism;
- (3) the owner provides Heritage Preservation Services with two (2) copies

of the required photographs of Northfield House and Havergal College for inclusion in the Heritage Easement Agreement(s);

- (4) the Heritage Easement Agreement(s) require that the owner of the heritage buildings provide a detailed Restoration Plan for Havergal College and Northfield House, either separately or together, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, prior to the issuance of a building permit for construction on lands to be developed by the NBS and which affects the relevant historic building;
 - (5) prior to the issuance of a building permit for any construction on the lands to be developed by NBS that affects each of Havergal College and Northfield House, the owner post a letter of credit or other security of a type and in an amount satisfactory to the Commissioner of Economic Development, Culture and Tourism, to ensure restoration of the relevant historic building affected by the proposed construction, in accordance with the Restoration Plan to be secured in the Heritage Easement Agreement; and
 - (6) the appropriate City Officials be authorized to take whatever action is necessary to give effect thereto.”; and
- (c) the report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled “Conclusion of planning matters and a minor revision to the proposed Official Plan and Zoning By-law Amendments, Application No. 100028 – 354 and 404 Jarvis Street – National Ballet School and Context Developments Inc. (Downtown Community Council, Report No. 5, Clause 6) (Toronto Centre-Rosedale, Ward 27)”, embodying the following recommendations:

“It is recommended that:

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

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

Moved by: Councillor Mihevc

Seconded by: Councillor Augimeri

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

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

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

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

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

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 Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Council also had before it, during consideration of Motion J(16), a report dated July 20, 2001, from the Commissioner of Corporate Services, entitled “Use of Nathan Phillips Square: World Youth Day – Saturday, July 28, 2001”. (See Attachment No. 15, Page 237).

Vote:

Motion J(16) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 20, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

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

7.93 Grant to the Mission of Seafarers

Councillor Shiner, with the permission of Council, withdrew the following Notice of Motion J(17):

Moved by: Councillor Shiner

Seconded by: Councillor Chow

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

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

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

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

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

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

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

expenditure;

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

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

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

7.94 **Bloor West Village Ukrainian Festival**

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

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

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

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

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

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

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 Humber York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote:

Motion J(18) was adopted, without amendment.

7.95 Ontario Municipal Board respecting 172 Scarborough Road

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

Moved by: Councillor Rae

Seconded by: Councillor Chow

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

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

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

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

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(19) to the Toronto East York

Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(19) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(19) was adopted, without amendment.

7.96 **Arcadia Queensway Development Inc. - 964 The Queensway**

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

Moved by: Councillor Milczyn

Seconded by: Councillor Jones

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Report No. 5 of West Community Council, Clause No. 7, headed ‘Final Report - Application to Amend the Etobicoke Zoning Code; Arcadia Queensway Development Inc. – 964 The Queensway; File No. CMB20000010 (Ward 5 - Etobicoke-Lakeshore)’, be re-opened for further consideration;

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

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 Etobicoke Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

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

Vote:

The balance of Motion J(20) was adopted, without amendment.

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

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Pitfield

Seconded by: Councillor Jones

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

WHEREAS, in so doing, City Council recommended that:

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

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

Council also had before it, during consideration of Motion J(21) a report dated July 24, 2001, from the Commissioner of Works and Emergency Services, entitled “Assignment of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility”. (See Attachment No. 16, Page 239).

Vote:

Motion J(21) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 24, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) Council consent to the request by Stone and Webster Canada Limited for the assignment from it to the joint venture group of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc. of its obligations and benefits (i) under the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility and (ii) in respect of the operation of the Facility, such consent to be subject to successful negotiation, to the satisfaction of the Commissioner of Works and Emergency Services, of the amending agreement to the Design-Build contract as referred to in recommendation (2) of this report and effective upon written notice from the

City Solicitor to Stone and Webster Limited to that effect;

- (2) the Commissioner of Works and Emergency Services be authorized to enter into an amending agreement to the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility, as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with the assignees, Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd., and W. S. Nicholls Construction Inc., as follows:
 - (a) delineating the respective responsibilities of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineering Ltd. and W. S. Nicholls Construction Inc. for the project;
 - (b) restructuring the performance test holdbacks and revising the payment breakdown and schedule accordingly, all within the previously authorized total contract amount;
 - (c) revising the initial operation and acceptance test protocol to accelerate the performance test phases;
 - (d) removing the contractual obligation to supply and install a cogeneration system as part of the Design-Build Contract; and
 - (e) providing for such other provisions in respect of replacement bonds and insurance as necessary to protect the interests of the City;
- (3) the Consulting Agreement between the City and MacViro Consultants Inc. for project management services related to the Design and Construction of the Dufferin Mixed Waste Recycling and Organics Processing Facility be amended to allow for an increase of \$92,000.00 including all charges and taxes, to meet costs associated with an extended project schedule, to provide technical assistance in relation to the proposed assignment and to assist in negotiating the terms and conditions of the operating agreement between the City and Canada Composting Inc.; and
- (4) authority be granted to the Commissioner of Works and Emergency Services to report back to the September 2001 meetings of the Works, Budget Advisory, and Policy and Finance Committees with the details of an operating agreement with Canada Composting Inc. and recommendations on the proposed expansion of the Dufferin facility as part of the Task Force 2010 Implementation report.”

7.98 On-Street Parking and Parking Meters on Dundas Street West

Councillor Moscoe 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(22), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Chow

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

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

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

AND BE IT FURTHER RESOLVED THAT:

- (1) By-law No. 488-2001 be amended as follows:
 - (a) parking be prohibited at anytime on the south side of Dundas Street West, from Spadina Avenue to a point 86 metres east;
 - (b) parking be permitted for a maximum of 2 hours at all times except 7:30 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:30 p.m., Monday to Friday, on the south side of Dundas Street West, from a point 86 metres east of Spadina Avenue to a point 30.5 metres west of Huron Street; from a point 30.5 metres east of Huron Street to the lane first west of Huron Street; and from a point 66 metres east of

Huron Street to the first lane west of Beverley Street;

- (c) Commercial Loading Zones be designated on the south side of Dundas Street West from Huron Street to a point 30.5 metres east of Huron Street and from the first lane east of Huron Street to a point 20 metres east;
 - (d) parking be prohibited at anytime on the north side of Dundas Street West from Spadina Road to a point 72 metres east;
 - (e) parking be permitted for a maximum of 2 hours at all times except 7:30 a.m. to 9:30 a.m. and from 3:30 p.m. to 6:30 p.m., Monday to Friday, on the north side of Dundas Street West, from a point 35 meters east of Huron Street to a point 76.5 metres east of Huron Street; and from a point 96.5 metres east of Huron Street to a point 30.5 metres west of Beverley Street;
 - (f) Commercial Loading Zones be established on the north side of Dundas Street West, from a point 76.5 meters east of Huron Street to a point 20 metres further east; and from Huron Street to a point 30.5 metres further west; and
 - (g) a Tour Bus Loading Zone be established on the north side of Dundas Street West, from a point 30.5 metres west of Huron Street to a point 40 metres further west;
- (2) the Transportation Services Division, the Toronto Transit Commission, City Planning and the Toronto Parking Authority be notified of such changes; and
 - (3) City staff, in consultation with the Toronto Transit Commission, local business associations and Councillor Chow, review the traffic and transit situation after the parking 'pay and display' has been implemented in the area."

Votes:

The first Operative Paragraph embodied in Motion J(22) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(22) was adopted, without amendment.

7.99 Upgrading or Replacement of Exterior Water Pipes – Water Service Replacement Program

Councillor Di Giorgio 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(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Augimeri

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

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

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

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

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

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

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

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(23) to the Works Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(23) to the Works Committee lost, less than two-thirds of Members present having voted in the affirmative.

Having regard to the foregoing decision of Council, Motion J(23) was referred to the Works Committee.

7.100 Provincial Funding Model – Funding of Lease Payments and Possible Sharing of Public Assets

Councillor Di Giorgio 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(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Moeser

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

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

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

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

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

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

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

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

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

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(24) to the School Advisory Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(24) to the School Advisory Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(24) was adopted, without amendment.

7.101 500 Sherbourne Street, 146 and 160 Wellesley Street East and 539 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(25), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

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

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

and

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

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

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

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

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(25) to the Toronto East York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(25) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Motion J(25) was adopted, without amendment.

7.102 **Permit Fees – Toronto Film Studios**

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

Moved by: Councillor Layton

Seconded by: Councillor Nunziata

“**WHEREAS** the Toronto Film Studios at 629 Eastern Avenue has acquired the

adjacent A.R. Clarke Property at 633 Eastern Avenue for expanded film studio purposes; and

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

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

WHEREAS The Toronto Film Studios has requested permission to construct an attractive eight foot temporary wooden buffer fence on the City Right-of Way, along the frontage of the A.R. Clarke Property facing Eastern Avenue, as a mechanism to protect the surrounding community from this unpleasantness for an indefinite period of several months; and

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

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

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

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

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(26) to the Toronto East York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(26) to the Toronto East York Community Council was taken as follows:

Yes – 35 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No – 4 Councillors:	Ford, Holyday, Korwin-Kuczynski, Minnan-Wong

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

Council also had before it, during consideration of Motion J(26), a copy of Drawing No. SK-A1, which is on file in the Office of the City Clerk.

Vote:

Motion J(26) was adopted, without amendment.

7.103 Additional Costs - SAP Implementation – Police Services

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

Moved by: Councillor Balkissoon

Seconded by: Councillor Altobello

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

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

WHEREAS the City had decided to proceed with the upgrade of its SAP system to

the latest version to ensure ongoing SAP support; and

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

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

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

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

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(27) 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(27) 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(27), a report dated July 19, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, entitled “Additional Costs SAP Implementation – Police Services”. (See Attachment No. 17, Page 247).

Motion:

Councillor Shiner moved that Motion J(27) be adopted, subject to adding thereto the following new Operative Paragraph:

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

implementation since conception.”

Votes:

The motion by Councillor Shiner carried.

Motion J(27) as amended, carried.

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

“It is recommended that:

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

7.104 **Late Night Entertainment Events**

Councillor Soknacki moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Soknacki**

Seconded by: **Councillor Chow**

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

WHEREAS the Protocol is mandatory with respect to events on City owned property,

and voluntary with respect to events on private property; and

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

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

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

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(28) 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(28) to the Board of Health carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(28) was adopted, without amendment.

7.105 Ontario Municipal Board Appeal Regarding 118 Finch Avenue West and 4-10 Altamont Road

Councillor Feldman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29):

Moved by: Councillor Feldman

Seconded by: Councillor Moscoe

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

West and 4-10 Altamont Road; and

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

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

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

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

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

the vote upon which was taken as follows:

Yes – 36	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No – 3	
Councillors:	Moeser, Ootes, 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 Motion J(29) to the North York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(29) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(29) was adopted, without amendment.

7.106 Process for Development Review Applications

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(30), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

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

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

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

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

AND BE IT FURTHER RESOLVED THAT draft Official Plan Amendments and Zoning By-laws recommended by staff be brought forward in a timely manner, in their entirety, together with the related final reports, so as to be available to Councillors,

applicants and potentially affected third parties at the statutory public meetings at which they are considered;

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

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(30) 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(30) to the Planning and Transportation Committee lost, less than two-thirds of Members present having voted in the affirmative.

Having regard to the foregoing decision of Council, Motion J(30) was referred to the Planning and Transportation Committee.

7.107 **Social Assistance Fraud – Provincial Legislative Changes**

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

Moved by: **Councillor Miller**

Seconded by: **Councillor Chow**

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

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

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

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

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

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(31) 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(31) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(31) was adopted, without amendment.

7.108 **2008 Olympic Bid Proposed Centres and Villages**

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(32), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Johnston

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

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

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

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

WHEREAS many of the guiding principles outlined in the 2008 Olympic Bid are still

beneficial to the quality of life in the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT:

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

- encourage recruitment in coaching at all levels;
 - provide opportunities for youth to upgrade their skills and obtain work experience through community sport programming;
 - incorporate sustainable systems in the buildings of the waterfront; such as using sun and precipitation as the basis of their energy and water management systems, and power from renewable sources; and
 - upgrade and revitalize facilities, pools, fields and gyms;
- (4) the City of Toronto adopt the environment, culture, and equity plans of the Olympic bid and integrate the following Bid's principles into the City's plans:
- celebrate the remarkable diversity in its communities by welcoming all of its residents, including disability groups, multicultural communities and low-income families, to participate in and contribute to the life of the City;
 - maximize benefits to and integration with local communities through the promotion of local entrepreneurs and the involvement of small businesses wherever possible;
 - strive to be an inclusive and barrier free city in which public transportation and buildings are accessible to all, including the disabled, young, old and illiterate;
 - support all opportunities for educating the general public and promoting society's awareness with respect to social equity issues in Toronto;
 - minimize reliance on private vehicles and parking facilities in encouraging a 'green' transportation system that includes healthy activities such as walking and cycling for a more athletic City;
 - initiate, stimulate and strengthen existing athletic programs in partnerships with community athletes and sport organizations;
 - instill pride and involvement in the athletic achievements of its athletes and further the excellence of Canadian sports on the international stage;
 - ensure that athletic plans, programs and events are inclusive and

accessible to all who live, work and play in Toronto;

- seek creative environmental solutions through new research and development that will stand as a model for future development, provide a net environmental gain and create a positive environmental legacy for the City;
- encourage local industries to participate in pursuing new environmental solutions and generating environmental jobs, expertise and processes that have global value;
- promote economic incentives for environmental efficiencies;
- strive for the best possible air quality in planning, maintaining and upgrading a transportation infrastructure which is as environmentally sustainable as possible;
- commit to the environmental principles of reducing, reusing, recycling and other creative environmental solutions which will improve the air, water and land quality in Toronto;
- encourage and showcase environmentally sustainable technologies including green roofs, rain gardens, deep lake water cooling, natural lighting and ventilation, co-generation, solar energy, photovoltaic systems, fuels cells, sustainable building materials and processes, wastewater recycling and alternative vehicle fuels;
- ensure the full participation of all sectors of the cultural, artistic and heritage communities in this City, reflecting the innovation for which the City is internationally renowned;
- promote local talent, expertise and creativity by fostering artistic exchanges locally, nationally and internationally;
- advance cultural activities that serve to educate the general public in order to create future generations of artists and audiences;
- foster the excellence of local artistic talent, accomplishments and successes which are the pride of Toronto; and
- endorse lasting social, cultural, sporting, environmental and physical legacies that serve to celebrate the heritage and history of the City of Toronto as well as its rich diversity and its relationship with the world.”

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(32) to the Policy and Finance Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(32) to the Policy and Finance Committee was taken as follows:

Yes – 11	
Councillors:	Augimeri, Cho, Chow, Filion, Jones, Layton, Mihevc, Miller, Moscoe, Shaw, Silva
No – 27	
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Soknacki, Sutherland, Walker

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

Having regard to the foregoing decision of Council, Motion J(32) was referred to the Policy and Finance Committee.

7.109 Declaration of Event for Liquor Licencing Purposes – The Festival de Verano

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

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Li Preti

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

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

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

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

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

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(33) to the Humber York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(33) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(33) was adopted, without amendment.

7.110 Waterfront Interim Control By-law No. 627-2000

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

Moved by: Councillor Pantalone

Seconded by: Councillor Layton

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

WHEREAS the studies undertaken for the Central Waterfront Part II Plan have

resulted in a better understanding of the transportation needs and public infrastructure requirements; and

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

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

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

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

Council also had before it, during consideration of Motion J(35), a report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled “Extension for a further year and Certain Exemptions to the Waterfront Interim Control By-law No. 627-2000 (Trinity-Spadina, Toronto Centre-Rosedale, Toronto-Danforth, Wards 19, 20, 28, 30). (See Attachment No. 18, Page 250).

Vote:

Motion J(35) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 23, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

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

- (3) authority be granted for the introduction of the necessary Bill in Council to implement Recommendation No. (1).”

7.111 Interim Control By-law – Land adjacent to the North Side of the CN Lakeshore Rail Corridor

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

Moved by: Councillor Pantalone

Seconded by: Councillor Korwin-Kuczynski

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

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

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

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

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

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

Council also had before it, during consideration of Motion J(36), a report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled “Proposed Interim Control By-law to prohibit the new use of land, buildings or structures for land adjacent to the north side of the CN Lakeshore Rail Corridor – File Number 701002 (Trinity-Spadina, Parkdale-High Park, Wards 13, 14, 19, 20). (See Attachment No. 19, Page 254).

Vote:

Motion J(36) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 23, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

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

7.112 Continuation of Salary - Captain Patrick Carey

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(37), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Councillor Prue

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

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

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

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

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

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

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

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

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(37) to the Administration Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(37) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion J(37), without amendment.

Yes - 33
Councillors: Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Fillion, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shiner, Silva, Soknacki, Sutherland, Walker
No - 0

Carried, without dissent.

7.113 Use of Nathan Phillips Square – WWF Rally

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

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Altobello

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

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

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

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

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

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(38) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(38) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(38), a report dated July 25, 2001, from the Commissioner of Corporate Services, entitled “Use of Nathan Phillips Square: Special Events WWF Rally – Tentative Between August 27, 2001, and September 8, 2001”. (See Attachment No. 20, Page 258).

Vote:

Motion J(38) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated July 25, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

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

7.114 Elevator Problems – City Hall Council Chamber

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(39), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Councillor Berardinetti

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

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

Vote:

Motion J(39) was adopted, without amendment.

7.115 Toronto Port Authority – Amendment to Agreement

Councillor Shiner 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(40), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Pantalone

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

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

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

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

Council also had before it, during consideration of Motion J(40), a confidential report dated July 26, 2001, from the City Solicitor.

Vote:

Motion J(40) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated July 26, 2001, from the City Solicitor, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege.

7.116 Declaration of Event for Liquor Licensing purposes - St. Fidelis Parish Homecoming Festival

Councillor Di Giorgio 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(41), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Pantalone

“**WHEREAS** a request has been received from St. Fidelis Parish for a special

occasion permit to hold a community event, 'Homecoming Festival', at 33 Connie Street on Sunday, September 9, 2001, from 2:00 p.m. to 1:00 a.m. on Monday, September 10, 2001; and

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

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

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

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

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

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(41) to the Humber York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(41) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(41) was adopted, without amendment.

7.117 Request for Non-Objection Letter for Liquor Licensing Purposes – Junction Arts Festival and Junction Gardens BIA

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

Moved by: Councillor Miller

Seconded by: Councillor Korwin-Kuczynski

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

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

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

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

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(42) to the Humber York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(42) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(42) was adopted, without amendment.

7.118 Exemption from Noise By-law No. 31317 of the former City of North York

Councillor Li Preti 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(43), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Li Preti

Seconded by: Councillor Feldman

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

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

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

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

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

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(43) to the North York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(43) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(43) was adopted, without amendment.

7.119 ADDITIONAL MATTER CONSIDERED BY COUNCIL:

Motion:

Councillor Shiner moved that Council adopt the following recommendation:

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

Vote:

The motion by Councillor Shiner carried.

- 7.120 Councillor Moscoe moved 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 October 2, 2001:

REPORT NO. 7 OF THE COMMUNITY SERVICES COMMITTEE

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

REPORT NO. 8 OF THE COMMUNITY SERVICES COMMITTEE

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

REPORT NO. 7 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

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

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

REPORT NO. 7 OF THE PLANNING AND TRANSPORTATION COMMITTEE

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

REPORT NO. 8 OF THE PLANNING AND TRANSPORTATION COMMITTEE

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

REPORT NO. 11 OF THE WORKS COMMITTEE

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

Clause No. 3 - “Traffic Calming Policy”.

REPORT NO. 12 OF THE WORKS COMMITTEE

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

REPORT NO. 5 OF THE BOARD OF HEALTH

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

the vote upon which was taken as follows:

Yes - 19	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Cho, Duguid, Hall, Kelly, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 7	
Councillors:	Ashton, Chow, Flint, Holyday, Layton, Nunziata, Shaw

Carried by a majority of 12.

BILLS AND BY-LAWS

7.121 On July 24, 2001, at 9:51 a.m., Councillor Shiner, seconded by Councillor Feldman, 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. 639	By-law No. 611-2001	To amend By-law No. 506-2001, being a By-law “To Appoint an Acting Chief Administrative Officer, an Acting Chief Financial Officer, and Acting Treasurer and Collector, and an Acting Commissioner of Community and Neighbourhood Services” and to amend Chapter 257, Signing Authority, of the City of Toronto Municipal Code.
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Bill No. 640	By-law No. 612-2001	To authorize the issue of sinking fund debentures to the amount of \$100,000,000.00 for the purposes of the City of Toronto.
Bill No. 641	By-law No. 613-2001	To authorize the issue of sinking fund debentures to the amount of \$150,000,000.00 for a purpose of the City of Toronto.

- 7.122 On July 24, 2001, at 9:52 a.m., Councillor Shiner, seconded by Councillor Feldman, 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. 674	By-law No. 614-2001	To confirm the proceedings of the Council at its Meeting held on the 24th day of July, 2001.
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- 7.123 On July 24, 2001, at 7:42 p.m., Councillor Nunziata, seconded by Councillor Hall, 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. 723	By-law No. 615-2001	To confirm the proceedings of the Council at its Meeting held on the 24th day of July, 2001,
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the vote upon which was taken as follows:

Yes - 33	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Soknacki, Walker
No - 0	

Carried, without dissent.

- 7.124 On July 25, 2001, at 4:43 p.m., Councillor Pantalone, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 691	By-law No. 616-2001	To amend By-law No. 627-2000 respecting interim control on certain lands within the central waterfront and surrounding areas of the City of Toronto.
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Bill No. 692 By-law No. 617-2001 To effect interim control on certain lands adjacent to the north side of the CN Lakeshore Rail Corridor,

the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva, Sutherland
No - 1	
Councillor:	Walker

Carried by a majority of 26.

7.125 On July 25, 2001, at 4:44 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. 724 By-law No. 618-2001 To confirm the proceedings of the Council at its Meeting held on the 24th and 25th days of July, 2001,

the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Duguid, Feldman, Filion, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 2	
Councillors:	Chow, Walker

Carried by a majority of 27.

- 7.126 On July 25, 2001, at 8:25 p.m., Councillor Mihevc, 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. 725	By-law No. 619-2001	To confirm the proceedings of the Council at its Meeting held on the 24th and 25th days of July, 2001,
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the vote upon which was taken as follows:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shaw, Soknacki, Sutherland
No - 3	
Councillors:	Korwin-Kuczynski, Shiner, Walker

Carried by a majority of 22.

- 7.127 On July 26, 2001, at 5:44 p.m., Councillor Hall, seconded by Councillor Nunziata, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 610	By-law No. 620-2001	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 611	By-law No. 621-2001	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 612	By-law No. 622-2001	To enact a By-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a By-law providing for the designation of fire routes in the geographic area of Etobicoke, a By-law of the former City of Etobicoke.

Bill No. 613	By-law No. 623-2001	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
Bill No. 614	By-law No. 624-2001	To amend By-law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2000 as 39 Beaty Avenue.
Bill No. 615	By-law No. 625-2001	To amend City of Toronto By-law No. 553-2000, a By-law “To designate an area on both sides of Yonge Street from Crescent Road to the south and Woodlawn Avenue to the north as an improvement area”.
Bill No. 616	By-law No. 626-2001	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 617	By-law No. 627-2001	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 618	By-law No. 628-2001	To layout and dedicate certain lands west of Tapscott Road on the north side of Finch Avenue East, for highway purposes to form part of the public highway Finch Avenue East.
Bill No. 619	By-law No. 629-2001	To amend By-law No. 1129-87 of the former City of York, being a By-law “To prescribe a speed limit of 40 kilometres per hour, on various streets in City of York”.
Bill No. 620	By-law No. 630-2001	To appoint Dr. Michael Finkelstein, Dr. Bonnie Harvey and Dr. Karl Kabasele as Associate Medical Officers of Health for the City of Toronto Health Unit and to repeal the appointments of Dr. Shelley Deeks and Dr. Monir Taha

Bill No. 621	By-law No. 631-2001	as Associate Medical Officers of Health. To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 622	By-law No. 632-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 623	By-law No. 633-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 624	By-law No. 634-2001	To amend City of North York By-law No. 7625 in respect of lands municipally known as 252 Finch Avenue East.
Bill No. 625	By-law No. 635-2001	Official Plan Amendment No. 504 To amend the City of North York Official Plan.
Bill No. 626	By-law No. 636-2001	A By-law to amend former City of Toronto Municipal Code, Chapter 297, Signs, former Borough of East York By-law No. 64-87, former City of Etobicoke Municipal Code, Chapter 215, Signs, former City of North York By-law No. 30788, former City of Scarborough By-law No. 22980, and former City of York Municipal Code, Chapter 835, Sign, to increase sign permit fees and sign variance application fees by 5 percent.
Bill No. 627	By-law No. 637-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 628	By-law No. 638-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 629	By-law No. 639-2001	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 630	By-law No. 640-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 631	By-law No. 641-2001	To adopt Amendment No. 1067 of the Official Plan for the former City of Scarborough.
Bill No. 632	By-law No. 642-2001	To adopt Amendment No. 1068 of the Official Plan for the former City of Scarborough.
Bill No. 633	By-law No. 643-2001	To designate a Site Plan Control Area in the Bendale Community.
Bill No. 634	By-law No. 644-2001	To amend the Bendale Community Zoning By-law No. 9350.
Bill No. 635	By-law No. 645-2001	To amend Scarborough Zoning By-law No. 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.
Bill No. 636	By-law No. 646-2001	To amend Scarborough Zoning By-law No. 24982, as amended, the Employment Districts Zoning By-law, with respect to the Progress Employment District.
Bill No. 637	By-law No. 647-2001	To amend Scarborough Zoning By-law No. 14402, as amended, with respect to the Malvern Community.
Bill No. 638	By-law No. 648-2001	To adopt Amendment No. 1069 of the Official Plan for the former City of Scarborough.
Bill No. 642	By-law No. 649-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control

zones.

Bill No. 643	By-law No. 650-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 644	By-law No. 651-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 645	By-law No. 652-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 646	By-law No. 653-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Auburn Avenue, Beaconsfield Avenue, Hounslow Heath Road, Margueretta Street.
Bill No. 647	By-law No. 654-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Ossington Avenue.
Bill No. 648	By-law No. 655-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Davisville Avenue.
Bill No. 649	By-law No. 656-2001	To levy an amount for the year 2001 upon certain Public Hospitals and Provincial Mental Health Facilities.
Bill No. 650	By-law No. 657-2001	To levy an amount for the year 2001 upon certain Universities and Colleges.
Bill No. 651	By-law No. 658-2001	To levy an amount for the year 2001 upon certain Correctional Facilities.
Bill No. 652	By-law No. 659-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gainsborough Road, Givins Street, Mercer Street, Navy Wharf Court, Shaw Street, Simpson

		Avenue, Wheeler Avenue.
Bill No. 653	By-law No. 660-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cowan Avenue, Dufferin Street, Fleet Street, Fort Rouille Street, Gladstone Avenue, Jameson Avenue, Melbourne Avenue, Peel Avenue, Spencer Avenue, Springhurst Avenue, Strachan Avenue, Tyndall Avenue.
Bill No. 654	By-law No. 661-2001	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code with respect to parking machines on certain streets within the City of Toronto.
Bill No. 655	By-law No. 662-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 656	By-law No. 663-2001	To further amend Metropolitan Toronto By-law No. 45-84, respecting the regulation of traffic in Exhibition Place.
Bill No. 657	By-law No. 664-2001	To amend the former City of Toronto Municipal Code Traffic and Parking, respecting Front Yard Parking.
Bill No. 658	By-law No. 665-2001	To amend the former City of Toronto Municipal Code Streets and Sidewalks.
Bill No. 659	By-law No. 666-2001	To amend City of North York By-law No. 7625 in respect of lands located at Toryork Drive and Milvan Drive.
Bill No. 660	By-law No. 667-2001	To amend further City of Toronto By-law No. 574-2000, a By-law "Respecting the licensing, regulating and governing of trades, businesses and occupations in the City of Toronto", respecting Licence Fees.
Bill No. 661	By-law No. 668-2001	To amend the Official Plan of the former

Bill No. 662	By-law No. 669-2001	City of Toronto in respect of the lands known as 102 Spencer Avenue. To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 102 Spencer Avenue.
Bill No. 663	By-law No. 670-2001	To designate certain Lots on Plan M-372 as being exempt from Part Lot Control (re: 153 Doris Avenue and 77-95 Spring Garden Avenue).
Bill No. 664	By-law No. 671-2001	To designate certain Lots on Plan M-110 as being exempt from Part Lot Control (re: 134-136 Manitoba Street).
Bill No. 665	By-law No. 672-2001	To amend further By-law No. 196, entitled "To restrict the speed of motor vehicles", being a By-law of the former Borough of East of York.
Bill No. 666	By-law No. 673-2001	To further amend By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 667	By-law No. 674-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Christie Street.
Bill No. 668	By-law No. 675-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Relmar Gardens.
Bill No. 669	By-law No. 676-2001	To designate the property at 24 Chestnut Park (Robert Kemerer House) as being of architectural and historical value or interest.
Bill No. 670	By-law No. 677-2001	To designate the property at 395-397 Markham Street (T. R. Earl Houses) as being of architectural and historical value or interest.
Bill No. 671	By-law No. 678-2001	To designate the property at 511 King Street West (American Watch Case

		Company Building) as being of architectural and historical value or interest.
Bill No. 672	By-law No. 679-2001	To designate the property at 69-71 Spadina Road (Arthur Boswell Houses) as being of architectural and historical value or interest.
Bill No. 673	By-law No. 680-2001	To designate the property at 77 Seaton Street (William Hall House) as being of architectural and historical value or interest.
Bill No. 675	By-law No. 681-2001	To adopt a community improvement plan for the Mimico Village Community Improvement Project Area.
Bill No. 676	By-law No. 682-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 677	By-law No. 683-2001	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 678	By-law No. 684-2001	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 679	By-law No. 685-2001	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. 680	By-law No. 686-2001	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as 885 Logan Avenue.
Bill No. 681	By-law No. 687-2001	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. 682	By-law No. 688-2001	To amend former City of Toronto By-law No. 507-78 to designate the property at 99-113 Maitland Street (National Ballet School) as being of architectural and historical value or interest.
Bill No. 683	By-law No. 689-2001	To designate the property at 60 Simcoe Street (Roy Thomson Hall) as being of architectural and historical value or interest.
Bill No. 684	By-law No. 690-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Belsize Drive, Brynhurst Court, Cheston Road, Cleveland Street, Relmar Gardens.
Bill No. 685	By-law No. 691-2001	To authorize the alteration of Atlas Avenue, Cherrywood Avenue, Northcliffe Boulevard and Westmount Avenue.
Bill No. 686	By-law No. 692-2001	To amend By-law No. 378-2000, being “ A By-law 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 Windermere Avenue from Bloor Street West to Annette Street by the installation of speed humps.” to replace the Drawing to reflect changes to the location of the speed hump installations.
Bill No. 687	By-law No. 693-2001	To amend Chapter 324 of the Etobicoke Zoning Code and to remove the Holding Symbol (H) on the easterly portion of

the lands municipally known as 1
Beaverdale Road.

Bill No. 688	By-law No. 694-2001	To authorize the Commissioner of Community and Neighbourhood Services or the Acting Commissioner of Community and Neighbourhood Services, as the case may, be to enter into Supporting Communities Partnership Initiative (“SCPI”) agreements with certain organizations for the development and provision of transitional housing, to approve the use of SCPI funds in the SCPI Contingency Fund under certain conditions and to terminate a SCPI funding agreement under certain conditions.
Bill No. 689	By-law No. 695-2001	To amend By-law No. 342-2001, being a By-law “To appoint an Acting City Clerk”.
Bill No. 690	By-law No. 696-2001	To appoint a City Clerk.
Bill No. 693	By-law No. 697-2001	To amend former City of York By-law No. 1-83 with respect to the lands municipally known as 440 - 454 St. John’s Road.
Bill No. 694	By-law No. 698-2001	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on north side of The Queensway, east of Islington Avenue municipally known as 964 The Queensway.
Bill No. 695	By-law No. 699-2001	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located in the south-west quadrant of Browns Line and Evans Avenue, municipally known as 619 Evans Avenue.
Bill No. 696	By-law No. 700-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wellington Street

		West.
Bill No. 697	By-law No. 701-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Annette Street and Regal Road.
Bill No. 698	By-law No. 702-2001	To adopt a community improvement plan for the Mimico-by-the-Lake Community Improvement Project Area.
Bill No. 699	By-law No. 703-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosehill Avenue.
Bill No. 700	By-law No. 704-2001	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 701	By-law No. 705-2001	To further amend Metropolitan Toronto By-law No. 107-86, respecting parking meters on former Metropolitan Toronto Roads.
Bill No. 702	By-law No. 706-2001	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. 703	By-law No. 707-2001	To adopt an amendment to the former City of Toronto Part I Official Plan in respect of the lands municipally known in the year 2000 as Nos. 3 and 6 Windermere Avenue and to adopt an amendment to the Part II Plan for Swansea Village regarding the same lands to permit a high-density residential development on the former Stelco industrial lands.
Bill No. 704	By-law No. 708-2001	To amend the General Zoning By-law No. 438-86 of the former City of

Bill No. 705	By-law No. 709-2001	Toronto with respect to the lands known as Nos. 3 and 6 Windermere Avenue. To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code with respect to parking machines on certain streets within the City of Toronto.
Bill No. 706	By-law No. 710-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 707	By-law No. 711-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Robertson Crescent.
Bill No. 708	By-law No. 712-2001	To amend City of North York By-law No. 7625 in respect of lands municipally known as 3 Wallasey Avenue.
Bill No. 709	By-law No. 713-2001	To adopt an amendment to the South East Spadina Part II Plan for the former City of Toronto respecting certain lands of the Ontario College of Art and Design located at 74, 76, 80 and 100 McCaul Street.
Bill No. 710	By-law No. 714-2001	To amend Zoning By-law No. 438-86, of the former City of Toronto, as amended, respecting certain lands of the Ontario College of Art and Design located at 74, 76, 80 and 100 McCaul Street.
Bill No. 711	By-law No. 715-2001	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 354 and 404 Jarvis Street.
Bill No. 712	By-law No. 716-2001	To amend By-law No. 438-86, the Zoning By-law of the former City of Toronto, respecting lands known in the year 2000 as 354 and 404 Jarvis Street.
Bill No. 713	By-law No. 717-2001	To amend further By-law No. 20-96, a By-law “To provide for overnight permit

		parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 714	By-law No. 718-2001	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. 715	By-law No. 719-2001	To amend former City of Toronto Municipal Code Ch. 400, Traffic and Parking, Schedule XXVI (Permit Parking), by adding a new Part AE respecting Ryding Avenue and by adding a new Part AG respecting McMaster Avenue and by making a technical amendment to references to hours of parking in Part N.
Bill No. 716	By-law No. 720-2001	To amend By-law No. 30518, as amended, of the former City of North York.
Bill No. 717	By-law No. 721-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 718	By-law No. 722-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 719	By-law No. 723-2001	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 720	By-law No. 724-2001	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 721	By-law No. 725-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 722 By-law No. 726-2001 To amend City of Toronto Municipal Code Chapter 910, Parking Machines, with respect to Bus Parking Spaces,

the vote upon which was taken as follows:

Yes - 30	
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Rae

Carried by a majority of 29.

7.128 On July 26, 2001, at 5:45 p.m., Councillor Jones, seconded by Councillor Flint, 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. 726 By-law No. 727-2001 To confirm the proceedings of the Council at its Meeting held on the 24th, 25th and 26th days of July, 2001,

the vote upon which was taken as follows:

Yes - 31	
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shiner, Silva, Soknacki, Sutherland, Walker
No - 1	
Councillor:	Rae

Carried by a majority of 30.

- 7.129 On July 26, 2001, at 6:05 p.m., Councillor Berardinetti, seconded by Councillor Silva, 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. 727	By-law No. 728-2001	To confirm the proceedings of the Council at its Meeting held on the 24th, 25th and 26th days of July, 2001.
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- 7.130 On July 26, 2001, at 6:55 p.m., Councillor Shaw, seconded by Councillor Berardinetti, 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. 728	By-law No. 729-2001	To confirm the proceedings of the Council at its Meeting held on the 24th, 25th and 26th days of July, 2001,
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the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Duguid, Flint, Hall, Holyday, Kelly, Layton, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No – 0	

Carried, without dissent.

- 7.131 On July 26, 2001, at 6:59 p.m., Councillor Duguid, seconded by Councillor Holyday, 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. 729	By-law No. 730-2001	To confirm the proceedings of the Council at its Meeting held on the 24th, 25th and 26th days of July, 2001,
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the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Duguid, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Walker
No – 0	

Carried, without dissent.

OFFICIAL RECOGNITIONS:

7.132 Presentations/Introductions/Announcements:

July 24, 2001:

Councillor Mammoliti, during the morning session of the meeting, advised the Council that the attendance at the Toronto Zoo had increased during 2001.

Mayor Lastman, during the morning session of the meeting, extended, on behalf of Council, the appreciation of Council to the Toronto 2008 Olympic Bid Team, led by Mr. John Bitove, Mr. David Crombie, Ms. Karen Pitre and Mr. Bob Richardson, who, together with athletes from the City of Toronto and the Commissioner of Economic Development, Culture and Tourism, put together the best technical bid in the world, an Olympics designed by and for athletes; further advised the Council that the members of the team would be presented with scrolls of thanks at a reception to be held, today, in the Members Lounge; and requested the Commissioner of Economic Development, Culture and Tourism to deliver a copy of the video of the Toronto 2008 Olympic Bid presentation to each Member of Council.

Deputy Mayor Ootes, during the afternoon session of the meeting, invited Councillor Cho to the podium. Councillor Cho addressed the Council and introduced David Grey Eagle, the fifth generation grandson of Chief White Cloud of the Upper New York State Mohawks. David Grey Eagle presented a “Sacred Feather” to Mayor Lastman and proclaimed that “Mayor Lastman is the greatest Mayor Toronto has ever had!”

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students from the College Street Secondary School, present at the meeting.

July 25, 2001:

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

July 26, 2001:

Councillor Johnston, with the permission of Council, during the morning session of the meeting, introduced the following representatives of the Canadian Forces College, on a City of Toronto tour, present at the meeting:

- Captain Keenlside, Chief of Staff,
- Rune Bjerkaas, Royal Norwegian Air Force,
- Oliver Dunant, French Army,
- Henning Faltin, German Navy,
- Rodney Francisco, Australian Army,
- David Hill, British Army,
- Seong-Jin Hwang, Korean Air Force,
- Karol Jurga, Slovak Air Force,
- Fernando Ros, Argentine Army, and
- Robert Vokac, United States Army.

7.133 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

July 24, 2001:

Mayor Lastman, at 9:50 a.m., moved that Council vary the order of its proceedings to now consider Notice of Motion J(7), moved by Mayor Lastman, seconded by Councillor Shiner, respecting the issuance of debentures, which carried.

Councillor Bussin, at 10:15 a.m., moved that Council vary the order of its proceedings to consider Clauses Nos. 4, 5, 6, 7 and 8 of Report No. 11 of The Works Committee, and Clause No. 3 of Report No. 12 of The Works Committee, pertaining to Drain Grants, at 9:30 a.m. on Wednesday, July 25, 2001, and that such Clauses be considered concurrently, which carried.

Councillor Ford, at 10:16 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 6 of The Etobicoke Community Council, headed "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)”, on Wednesday, July 25, 2001, immediately after Drain Grants, which carried.

Councillor Chow, at 2:30 p.m., moved that Council vary the order of its proceedings to consider the following matters on the Order Paper for this meeting of Council at the times specified, which carried:

- Clause No. 4 of Report No. 7 of The Economic Development and Parks Committee, headed “Naming of the Pierre Elliott Trudeau Pedestrian Bridge and Establishment of a Process to Approve Official Gifts”, on Wednesday, July 25, 2001, immediately after Notices of Motions; and
- Clause No. 3 of Report No. 8 of The Planning and Transportation Committee, headed “Strategic Plan for Cycling in Toronto: The ‘Toronto Bike Plan - Shifting Gears’ (All Wards)”, on Thursday, July 26, 2001, at 10:00 a.m., or immediately after Council has concluded its consideration of all time sensitive matters on the Order Paper for this meeting of Council.

Councillor Prue, at 5:50 p.m., moved that Council vary the order of its proceedings to consider Clause No. 14 of Report No. 8 of The Community Services Committee, headed “Shelter Proposal at 2714 Danforth Avenue”, at 5:00 p.m. on Wednesday, July 25, 2001, which carried.

July 25, 2001:

Mayor Lastman, at 11:45 a.m., moved that Council vary the order of its proceedings to now consider Notice of Motion J(4), moved by Councillor Pantalone, seconded by Councillor Shiner, respecting the Appointment of a Chair of the Waterfront Revitalization Corporation, which carried.

July 26, 2001:

Councillor Chow, at 6:16 p.m., moved that Council vary the order of its proceedings to now consider Clause No. 3 of Report No. 8 of The Planning and Transportation Committee, headed “Strategic Plan for Cycling in Toronto: The ‘Toronto Bike Plan - Shifting Gears’ (All Wards)”, the vote upon which was taken as follows:

Yes - 23
Councillors: Altobello, Ashton, Berardinetti, Cho, Chow, Duguid, Flint, Ford, Hall, Holyday, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 4

Councillors: Korwin-Kuczynski, Minnan-Wong, Ootes, Sutherland

Carried by a majority of 19.

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

July 24, 2001:

Deputy Mayor Ootes, at 12:22 p.m., proposed that Council now recess and reconvene at 2:00 p.m.

Council concurred in the proposal by the Deputy Mayor.

Councillor Chow, at 7:27 p.m., during the in-camera portion of the meeting, 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 Notice of Motion I, moved by Councillor Johnston, seconded by Councillor Walker, respecting 39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters, which carried, without dissent.

July 25, 2001:

Councillor Soknacki, at 7:27 p.m., during the in-camera portion of the meeting, 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 Notice of Motion J(34), moved by Councillor Ootes, seconded by Councillor Berardinetti, respecting the appointment of a new City Clerk, which carried, without dissent.

Councillor Soknacki, at 8:07 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 to now recess and that Council continue in session, in order to conclude consideration of Clause No. 1 of Report No. 8 of The Community Services Committee, headed “Request for Proposal for the Manufacture, Supply and Maintenance of Firefighter Protective Clothing (Bunker Suits)”, the vote upon which was taken as follows:

Yes - 20	Councillors: Altobello, Balkissoon, Berardinetti, Chow, Duguid, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Pantalone, Shaw, Shiner, Soknacki, Sutherland
No - 8	Mayor: Lastman

Councillors: Bussin, Cho, Di Giorgio, Feldman, Milczyn, Rae, Walker

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

July 26, 2001:

Councillor Chow, at 12:30 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 permit her to conclude her remarks with respect to Clause No. 2 of Report No. 11 of The Works Committee, headed “City-Wide Service Levels of Sidewalk Snow Clearing, Leaf Collection and City Cleanliness (All Wards)”, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Flint, at 5:40 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, and that Council continue in session, in order to conclude consideration of all matters remaining on the Order Paper for this meeting, the vote upon which was taken as follows:

Yes - 22
Councillors: Ashton, Berardinetti, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Pitfield, Rae, Silva, Soknacki, Sutherland
No - 7
Councillors: Cho, Feldman, Jones, Ootes, Prue, Shiner, Walker

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

Councillor Flint, at 6:15 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 to adjourn and that Council continue in session until 7:00 p.m., in order to conclude consideration of all matters remaining on the Order Paper for this meeting, the vote upon which was taken as follows:

Yes - 25
Councillors: Altobello, Ashton, Berardinetti, Chow, Duguid, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Walker

No - 2 Councillors: Cho, Minnan-Wong

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

Councillor Altobello, at 6:55 p.m., moved that, in accordance with the provisions of §27-40D, Procedural Motions, of Chapter 27 of the City of Toronto Municipal Code, Council now adjourn, the vote upon which was taken as follows:

Yes - 12 Mayor: Lastman Councillors: Altobello, Berardinetti, Cho, Milczyn, Minnan-Wong, Ootes, Pantalone, Pitfield, Rae, Silva, Walker
No - 15 Councillors: Ashton, Chow, Duguid, Flint, Hall, Holyday, Kelly, Layton, Lindsay Luby, Mihevc, Moscoe, Nunziata, Shaw, Soknacki, Sutherland

Lost by a majority of 3.

Councillor Pantalone, at 6:56 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 to now adjourn and that Council continue in session until 7:30 p.m., the vote upon which was taken as follows:

Yes - 18 Councillors: Ashton, Chow, Duguid, Flint, Hall, Holyday, Kelly, Layton, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Rae, Shaw, Silva, Soknacki, Walker
No - 9 Mayor: Lastman Councillors: Altobello, Berardinetti, Cho, Lindsay Luby, Minnan-Wong, Pantalone, Pitfield, Sutherland

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

7.134 ATTENDANCE

Councillor Di Giorgio, seconded by Councillor Pantalone, moved that the absence of Councillors Disero and McConnell from this meeting of Council be excused, which carried.

Minutes of the Council of the City of Toronto
July 24, 25 and 26, 2001

July 24, 2001	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 5:55 p.m.	Roll Call 3:39 p.m.	Ctte. of the Whole in-Camera 6:05 p.m.	7:40 p.m. to 7:50 p.m.
Lastman	x	x	x	-	-
Altobello	x	x	-	x	x
Ashton	x	x	x	x	x
Augimeri	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	x
Chow	x	x	-	x	x
Di Giorgio	x	x	-	x	x
Disero	-	-	-	-	-
Duguid	x	x	-	x	x
Feldman	x	x	-	x	x
Filion	x	x	x	-	-
Flint	x	x	x	x	x
Ford	x	x	x	x	x
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	-	x	-	x	x
Jones	x	x	-	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	x	x	x	x
Layton	x	x	-	x	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	-	-	-
McConnell	-	-	-	-	-
Mihevc	x	x	x	x	x
Milczyn	x	x	-	x	x
Miller	x	x	-	-	-
Minnan-Wong	x	x		x	x
Moeser	x	x	x	x	x
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x

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July 24, 25 and 26, 2001

July 24, 2001	9:40 a.m. to 12:30 p.m.*	2:10 p.m. to 5:55 p.m.	Roll Call 3:39 p.m.	Ctte. of the Whole in-Camera 6:05 p.m.	7:40 p.m. to 7:50 p.m.
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
Shaw	x	x	-	x	x
Shiner	x	x	-	-	-
Silva	x	x	-	x	x
Soknacki	x	x	-	x	x
Sutherland	x	x	x	x	x
Walker	x	x	x	x	x
Total	42	43	26	36	36

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

July 25, 2001	Roll Call 9:43 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 10:44 a.m.	Roll Call 12:15 p.m.	Roll Call 2:13 p.m.
Lastman	x	x	x	x	-
Altobello	x	x	-	-	x
Ashton	-	-	-	-	-
Augimeri	x	x	x	-	x
Balkissoon	-	x	-	-	x
Berardinetti	x	x	-	-	-
Bussin	x	x	x	x	x
Cho	-	x	x	x	-
Chow	x	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	-	-	-	-	-
Duguid	x	x	x	-	-
Feldman	-	x	x	x	x
Filion	-	x	-	-	-
Flint	-	x	x	x	x
Ford	x	x	x	x	-
Hall	x	x	x	x	-
Holyday	x	x	x	x	-
Johnston	-	-	-	-	-

Minutes of the Council of the City of Toronto
July 24, 25 and 26, 2001

July 25, 2001	Roll Call 9:43 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 10:44 a.m.	Roll Call 12:15 p.m.	Roll Call 2:13 p.m.
Jones	x	x	x	-	x
Kelly	x	x	x	x	-
Korwin-Kuczynski	-	x	-	x	x
Layton	x	x	x	x	x
Li Preti	x	x	x	-	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	x	-
McConnell	-	-	-	-	-
Mihevc	-	x	x	x	-
Milczyn	-	x	x	x	x
Miller	-	x	-	x	x
Minnan-Wong	-	x	-	-	-
Moeser	-	x	-	x	x
Moscoe	-	x	-	x	-
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x
Pitfield	-	x	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	x	x
Soknacki	x	x	x	x	x
Sutherland	-	x	-	x	-
Walker	x	x	-	x	x
Total	26	42	29	32	27

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

July 25, 2001	2:14 p.m. to 5:25 p.m.*	Roll Call 3:16 p.m.	Roll Call 3:25 p.m.	Ctte. of the Whole in-Camera 5:30 p.m.	7:20 p.m. to 7:30 p.m.*
Lastman	x	-	-	x	x
Altobello	x	-	x	x	x
Ashton	-	-	-	-	-

Minutes of the Council of the City of Toronto
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July 25, 2001	2:14 p.m. to 5:25 p.m.*	Roll Call 3:16 p.m.	Roll Call 3:25 p.m.	Ctte. of the Whole in-Camera 5:30 p.m.	7:20 p.m. to 7:30 p.m.*
Augimeri	x	-	x	-	-
Balkissoon	x	x	x	x	x
Berardinetti	x	-	x	-	-
Bussin	x	-	-	x	x
Cho	x	x	x	x	x
Chow	x	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	-	-	-	-	-
Duguid	x	x	x	x	x
Feldman	x	x	-	-	-
Filion	x	-	-	-	-
Flint	x	x	x	x	x
Ford	x	x	x	x	x
Hall	x	x	x	x	x
Holyday	x	x	-	x	x
Johnston	x	-	x	x	x
Jones	x	-	x	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	x	x	-	-
Layton	x	x	x	x	x
Li Preti	x	x	-	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	x	x
McConnell	-	-	-	-	-
Mihevc	x	x	x	x	x
Milczyn	x	x	x	x	x
Miller	x	-	x	-	-
Minnan-Wong	x	-	-	x	x
Moeser	x	x	-	x	x
Moscoe	x	-	x	x	x
Nunziata	x	-	-	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	x	x

Minutes of the Council of the City of Toronto
July 24, 25 and 26, 2001

July 25, 2001	2:14 p.m. to 5:25 p.m.*	Roll Call 3:16 p.m.	Roll Call 3:25 p.m.	Ctte. of the Whole in-Camera 5:30 p.m.	7:20 p.m. to 7:30 p.m.*
Pitfield	x	-	x	-	-
Prue	x	x	x	x	x
Rae	x	x	x	x	x
Shaw	x	-	-	x	x
Shiner	x	-	-	x	x
Silva	x	x	-	-	-
Soknacki	x	-	-	x	x
Sutherland	x	-	-	x	x
Walker	x	-	x	x	x
Total	42	23	27	34	34

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

July 26, 2001	9:45 a.m. to 12:35 p.m.*	Roll Call 10:58 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 7:00 p.m.*
Lastman	x	x	-	x
Altobello	x	x	x	x
Ashton	x	x	-	x
Augimeri	x	x	x	x
Balkissoon	x	x	-	x
Berardinetti	x	x	x	x
Bussin	-	-	-	-
Cho	x	-	x	x
Chow	x	-	x	x
Di Giorgio	x	x	x	x
Disero	-	-	-	-
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	x	-	-	x
Flint	x	x	x	x
Ford	x	x	x	x
Hall	x	x	x	x
Holyday	x	x	x	x
	x	x	x	x

Minutes of the Council of the City of Toronto
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July 26, 2001	9:45 a.m. to 12:35 p.m.*	Roll Call 10:58 a.m.	Roll Call 2:14 p.m.	2:14 p.m. to 7:00 p.m.*
Johnston				
Jones	x	x	x	x
Kelly	x	x	x	x
Korwin-Kuczynski	x	x	-	x
Layton	x	-	-	x
Li Preti	x	x	x	x
Lindsay Luby	x	x	x	x
Mammoliti	x	x	x	x
McConnell	-	-	-	-
Mihevc	x	x	-	x
Milczyn	x	x	-	x
Miller	x	x	-	x
Minnan-Wong	x	-	x	x
Moeser	x	-	x	x
Moscoe	x	-	-	x
Nunziata	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	-	x
Shiner	x	x	x	x
Silva	x	x	x	x
Soknacki	x	-	x	x
Sutherland	x	x	-	x
Walker	x	-	x	x
Total	42	31	28	42

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

July 26, 2001	Roll Call 3:37 p.m.	Roll Call 5:09 p.m.	Roll Call 6:03 p.m.	Roll Call 6:14 p.m.	Roll Call 6:45 p.m.
Lastman	-	-	-	-	x

Minutes of the Council of the City of Toronto
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July 26, 2001	Roll Call 3:37 p.m.	Roll Call 5:09 p.m.	Roll Call 6:03 p.m.	Roll Call 6:14 p.m.	Roll Call 6:45 p.m.
Altobello	x	x	x	x	x
Ashton	-	x	x	x	x
Augimeri	x	-	-	-	-
Balkissoon	-	-	-	-	-
Berardinetti	x	x	x	x	x
Bussin	-	-	-	-	-
Cho	x	x	x	x	x
Chow	x	x	x	x	-
Di Giorgio	-	x	-	-	-
Disero	-	-	-	-	-
Duguid	x	x	x	x	x
Feldman	x	x	-	-	-
Filion	x	-	-	-	-
Flint	x	x	x	x	x
Ford	x	x	x	-	-
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	-	-	-	-	-
Jones	-	x	x	-	-
Kelly	x	x	-	-	x
Korwin-Kuczynski	x	x	x	-	-
Layton	-	x	-	x	x
Li Preti	x	-	x	x	-
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	-	-
McConnell	-	-	-	-	-
Mihevc	-	x	x	-	-
Milczyn	x	x	x	x	x
Miller	-	-	-	-	-
Minnan-Wong	-	x	x	x	-

Minutes of the Council of the City of Toronto
July 24, 25 and 26, 2001

July 26, 2001	Roll Call 3:37 p.m.	Roll Call 5:09 p.m.	Roll Call 6:03 p.m.	Roll Call 6:14 p.m.	Roll Call 6:45 p.m.
Moeser	-	-	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	-	x	x	x
Pitfield	x	x	x	x	x
Prue	-	x	-	-	-
Rae	-	-	x	x	x
Shaw	x	-	-	-	x
Shiner	-	-	-	-	-
Silva	x	-	x	x	x
Soknacki	x	x	-	x	x
Sutherland	-	x	-	x	-
Walker	-	x	-	x	x
Total	26	28	24	24	23

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

MEL LASTMAN,
Mayor

ULLI S. WATKISS,
City Clerk

ATTACHMENT NO. 1 [Enquiry No. 1]

Enquiry dated June 15, 2001, from Councillor Walker, regarding position titles and salary ranges in the Mayor's Office. (See Minute No. 7.3, Page 1):

Further to an earlier inquiry to Mayor Lastman dated March 15, 2001, which, in part, requested the salaries paid to members of his staff and to which I received no reply, I am requesting from you, as the Chief Administrative Officer of the Corporation of the City of Toronto, the following information:

- (1) the job or position title for each position in the Mayor's office; and
- (2) the salary range associated with each of these jobs/positions.

ATTACHMENT NO. 2 [Enquiry No. 1]

Answer dated July 16, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, to the Enquiry dated June 15, 2001, from Councillor Walker, regarding position titles and salary ranges in the Mayor's Office. (See Minute No. 7.3, Page 1):

Purpose:

To respond to an enquiry from a Member of Council.

Financial Implications and Impact Statement:

There are no financial implications.

Recommendation:

It is recommended that this report be received for information.

Background:

This report is in response to an Enquiry from Councillor Michael Walker to the City Clerk's office. The Enquiry was submitted to the City Clerk's Office on June 18, 2001, in accordance with Section 58 of Chapter 27 of the City of Toronto Municipal Code.

Comments:

The following is in response to the request of Councillor Michael Walker in respect of:

- (1) the job or position titles for each position in the Mayor's office, and
- (2) the salary range associated with each of these jobs/positions.

Mayor's Office – Staff Salary Range

Position Title	Salary Range
Chief of Staff	\$113,520 - \$140,765
Deputy Chief of Staff	\$84,314 - \$104,645
Executive Assistant, Council Liaison	\$84,314 - \$104,645
Special Assistant, Council Liaison (2)	\$72,756 - \$90,197
Special Assistant, Communications	\$72,756 - \$90,197
Administrative Assistant/Office Manager	\$46,543 - \$57,689
Secretary to the Mayor	\$46,543 - \$57,689
Special Assistant, Scheduling	\$46,543 - \$57,689
Driver & Special Projects Assistant	\$40,145 - \$49,742
Customer Service Assistant (5)	\$34,882 - \$43,241
Communications Assistant	\$34,882 - \$43,241
Receptionist	\$28,896 - \$35,810

Customer Service Clerk	\$28,896 - \$35,810
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ATTACHMENT NO. 3 [Enquiry No. 2]

Enquiry dated July 3, 2001, from Councillor Walker, regarding the response received from the Ontario Provincial Police (OPP) with respect to the TEDCO investigation. (See Minute No. 7.3, Page 1):

The purpose of this letter is to request your help and assistance with regard to the TEDCO lands investigation by the Ontario Provincial Police (O.P.P.)

In an O.P.P. news release dated May 8, 2001, (see attached) which I find surprising, the OPP indicates it "...has concluded its investigation ..." and further, "...the lease in question was negotiated in the same manner as other similar leases and that no criminal offences were committed".

This press release dated May 8, 2001, makes other comments as well, all of which raise a number of questions in my mind. My questions are as follows:

- (1) The O.P.P., in its May 8, 2001 news release, stated that it received a request from the Toronto Police Service...
 - (a) What was the date of that request?
 - (b) What was the exact nature of the request?
 - (c) Have you, the Mayor or any other City official received, officially or unofficially, a copy of the request, and, if not, will you obtain a copy of the request?
 - (d) If you did receive a copy of this request, when did you receive it?
 - (e) If you did receive a copy of this request, will you please release it, along with any other correspondence or notes of telephone discussions between the O.P.P. and the Toronto Police Service on this matter?
 - (f) If you did receive a copy of this request, have you compared it with the original Resolution of Toronto City Council to ensure that Council's will was fully and completely communicated to the O.P.P.?
- (2) The O.P.P., in its May 8, 2001 news release, states that the request was "...to investigate possible misconduct by TEDCO staff in negotiating a lease on four properties". It is noteworthy that the request did not ask for investigation of TEDCO staff, officer and directors, including the Chair of TEDCO. Why was this scope limitation imposed on the OPP investigation?
- (3) The O.P.P. news release is silent on the nature and extent of any reporting on this matter. Can you please advise:
 - (a) what written and oral reporting, in any form, was provided, formally

- or informally by the O.P.P. to the Toronto Police Service?
 - (b) what written and oral reporting, in any form, was provided, formally or informally, to you, the Mayor or any other City of Toronto employee by the O.P.P., the Toronto Police Service or any other intermediary?
 - (c) to whom, if anyone, was such reporting addressed?
 - (d) when any reporting or other correspondence was received by the Toronto Police Service and by any representative of the City of Toronto?
 - (e) when will you provide to Toronto City Council copies of all reportings and other material received from the Toronto Police Service or the OPP on this matter?
- (4) The request of Toronto City Council authorized the OPP to engage, at the expense of the City of Toronto, outside forensic accountants to assist the OPP in its investigation. This provision was made to ensure that the OPP would have the resources to review the documentation and other information relevant to this matter. Please advise:
 - (a) if the Toronto Police Service request did stipulate the engagement of outside forensic accountants;
 - (b) if the OPP did indeed engage outside forensic accountants to assist on this matter;
 - (c) what investigative and review activities were undertaken by the forensic accountants;
 - (d) what reporting did they provide on this matter; and
 - (e) what was the cost of the review and have the professional fees been paid.
- (5) What documents were reviewed by the OPP in conducting its investigation and in writing its final report and arriving at its conclusions? Were the following documents reviewed:
 - (a) Mr. Rust D'Eye's files and working papers;
 - (b) TEDCO corporate files and the proposed new lease;
 - (c) Mr. Eisen's files;
 - (d) Sevendon Holdings Limited's files; and
 - (e) Air Canada Centre files.
- (6) Are you, as the Acting Chief Administrative Officer of the City of Toronto, professionally and personally satisfied that this matter has been fully, completely, objectively and expeditiously investigated by the OPP and that there has been full and complete disclosure of the findings from the

investigation?

Both other Councillors and I look forward to your full and frank reply on this matter. Corruption, or even the hint of corruption, reflects badly on the City of Toronto as a place to do business. Transparency in investigating such matters provides investors and taxpayers with the assurance that there is a level playing field.

Given the above, I am surprised that the OPP was so quick to conclude their investigation which, on the surface, appears to have been limited in scope. My understanding of Council's intent was clearly the opposite, as evidenced by our offer to assume the costs of any consultants, such as forensic auditors, that were necessary to assist in the investigation. From what I have seen so far, I have reservations as to whether Council's will has been fully carried out on this matter.

ATTACHMENT NO. 4 [Enquiry No. 2]

Joint Answer dated July 18, 2001, from the Acting Chief Administrative Officer and the City Solicitor to the Enquiry dated July 3, 2001, from Councillor Walker, regarding the response received from the Ontario Provincial Police (OPP) with respect to the TEDCO investigation. (See Minute No. 7.3, Page 1):

Purpose:

To respond to an Enquiry dated July 3, 2001 from Councillor Michael Walker concerning the adequacy of the investigation by the Ontario Provincial Police (OPP) into the lease between the City of Toronto Economic Development Corporation (TEDCO) and Sevendon Holdings Limited.

Financial Implications and Impact Statement:

Not applicable.

Recommendation:

It is recommended that this report be received for information.

Background:

City Council at its meeting of April 11, 12 and 13, 2000, adopted the recommendations in the confidential joint report dated April 7, 2000, from the Chief Administrative Officer, the City Auditor and the City Solicitor, respecting the City's internal investigation into issues surrounding a new lease provided to Sevendon Holdings Limited by the Toronto Economic Development Corporation (TEDCO).

At its meeting held on May 9, 10 and 11, 2000, City Council requested the OPP to conduct an investigation of all aspects of the lease transaction referred to above. In so doing, Council also forwarded to the OPP certain confidential communications from TEDCO and from Mr. George Rust-D'Eye, external legal counsel for TEDCO, in respect of this matter.

At its meeting held on January 30, 31 and February 1, 2001, City Council authorized City staff to take all actions possible to assist the OPP in their investigation, including the provision of all documentation, confidential and otherwise, and participation in interviews. Council also requested the City Solicitor and the Chief Administrative Officer to submit periodic reports to the Administration Committee on the progress of the OPP investigation.

City Council, at its regular meeting held on April 23, 24, 25, 26, 27 and its special meeting held on April 30, May 1 and 2, 2001, had before it Clause No. 1 of Report No. 4 of The Administration Committee, headed "Status of the TEDCO Investigation". Council deferred the Clause to its May 30, 2001 meeting for consideration in conjunction with a report into the current status of the OPP investigation that Council requested the Chief Administrative Officer to submit, in consultation with appropriate staff.

At its May 30, 31 and June 1, 2001 meeting, Council had before it Clause No. 2 of Report No. 6 of The Administration Committee, headed "Status of the TEDCO Investigation". During consideration of the Clause, City Council also had before it a joint report dated May 24, 2001, from the Chief Administrative Officer and the City Solicitor, which responded to the request made by Council at its previous meeting for a report on the current status of the OPP investigation. The joint report informed Council that on May 8, 2001, the OPP had issued a press release announcing that the OPP had concluded its investigation in the action of TEDCO concerning the lease. The press release stated that the OPP investigation had revealed no basis for criminal charges.

Council deferred consideration of the matter until its June 26, 27 and 28, 2001 meeting. At that meeting, Council also had before it a joint report dated June 19 2001, from the Chief Administrative Officer and the City Solicitor, responding to a request from Council for clarification of certain aspects of the OPP press release. The joint report commented on the OPP's conclusion that there was no basis for criminal charges and the consistency of this finding with the City's internal investigation and that of TEDCO's external legal counsel. The report also gave information about contacts between the OPP and the City on the conclusion of the OPP investigation. In addition, the report discussed the provisions of the Police Services Act that required the request for the OPP investigation to originate with the Toronto Police Service.

Comments:

By Enquiry letter dated July 3 2001, Councillor Walker asked a number of questions about the OPP investigation. This report is in response to Councillor Walker's enquiry letter.

Most of the issues raised by Councillor Walker's enquiry relate to particulars of the Toronto Police Service's request to the OPP for an investigation of the TEDCO lease with Sevendon Holdings and to particulars of the OPP investigation. City staff is not privy to such particulars, which are within the knowledge of the Toronto Police Services and/or the OPP.

Where Councillor Walker's questions relate to direct City involvement, however, City

staff is able to provide the following information.

City staff is not aware that anyone at the City received a copy of the Toronto Police Service's request for the OPP to investigate. As indicated in the joint report dated June 19 2001, from the Chief Administrative Officer and the City Solicitor, the City's contact person on this matter was Mary Ellen Bench, then a Director of Municipal Law with the City. Ms Bench did not receive a copy of the Toronto Police Service's request to the OPP. Nor are City staff aware of anyone at the City receiving any other correspondence or notes of telephone discussions between the OPP and the Toronto Police Service on this matter. If such correspondence or notes exist, they would be the property of the OPP or the Toronto Police Service.

Since City staff did not receive a copy of the Toronto Police Service's request, City staff does not know whether the request conformed with Council's Resolution when it authorized the request that the OPP conduct an investigation. However, the City Clerk forwarded a copy of Council's resolution to the OPP when the City Clerk communicated Council's request for an investigation to the OPP in correspondence dated April 18 and May 19 2000.

With respect to the OPP's reporting of the investigation, the joint report to Council dated June 19 2001, from the Chief Administrative Officer and the City Solicitor, advised as follows:

During the week of May 7, 2001, and before the press release was issued, Detective Inspector Cliff Strachan of the OPP Criminal Investigation Branch, called Mary Ellen Bench and was told by her office that she was on vacation. Upon her return from vacation, Mary Ellen Bench found a message from Detective Inspector Strachan on her voice mail informing her of the press release and asking her to call him.

Mary Ellen Bench spoke with Detective Inspector Strachan by telephone on May 16, 2001. Detective Inspector Strachan confirmed that the OPP had found no grounds for criminal charges: while there may have been questionable business practices, there had been no breach of the Criminal Code. Detective Inspector Strachan said that the OPP had conducted wide-ranging interviews with all key people involved in the lease transaction and with the people who investigated the transaction for TEDCO and the City.

The telephone communications described immediately above are the only communications received by the City with respect to the OPP's findings. The City received no written reports from the OPP or the TPS on the results of the OPP investigation.

With respect to Councillor Walker's question No. 7 as to the Chief Administrative Officer's level of satisfaction with the OPP investigation and with the disclosure of the findings, the statutory scheme relating to police files, including the Freedom of Information and Protection of Privacy Act, does not permit full and complete disclosure of the matter. The Chief Administrative Officer and the City Solicitor have no reason to believe that the OPP investigation was inadequate, particularly since the OPP's conclusion that there was no basis for criminal charges was consistent with two previous investigations of the matter: the internal City investigation and the investigation conducted by Mr. George Rust D'Eye, external counsel for TEDCO.

As stated above, the information needed to answer the majority of the questions raised in Councillor Walker's letter is within the knowledge of either or both of the OPP and the Toronto Police Service, not of City staff. Therefore, City Council may wish to refer the questions to the OPP and the Toronto Police Service and request those organizations to provide answers and further information. Alternatively, Councillor Walker may wish to approach these organizations for further information.

If such a request is to be made to the Toronto Police Service, it is appropriate to address the request to the Police Services Board, since the Board has responsibility for the Toronto Police Service under section 31(1) of the Police Services Act. If a request is to be made to the OPP, it is appropriate to address the request to the Commissioner of the OPP, since the Commissioner has responsibility for the OPP under section 17(2) of the Police Services Act.

Conclusion:

This report answers the questions raised in Councillor Walker's July 3 2001 enquiry letter to the extent that City staff have the necessary information. Most of the information given in this report reiterates information contained in previous staff reports to Council. There is no further information available to City staff. Answers to most of the questions raised by Councillor Walker are within the knowledge of the OPP and/or the Toronto Police Service. Council or, alternatively, Councillor Walker, may, therefore, wish to contact the Commissioner of the OPP and/or the Police Services Board to request further information about the OPP investigation.

Contact:

Ossie Doyle
City Solicitor
Tel.: 416-392-8040
Fax: 416-397-5624
e-mail: odoyle@city.toronto.on.ca.

ATTACHMENT NO. 5 [Enquiry No. 3]

Enquiry dated June 15, 2001, from Councillor Milczyn, regarding the City's purchase of cigarettes and alcohol for use in City shelter. (See Minute No. 7.3, Page 1):

This is a request to report on the referenced matter, as soon as possible.

In response to news stories today commenting on our Finance Department's Request For Quotations for cigarettes, on behalf of Community and Neighbourhood Services, Shelter Housing and Support, I would like you to confirm the following:

- (1) the amount of money the new City of Toronto has spent on cigarettes and alcohol to be given, free of charge, to residents throughout Neighbourhood Services, Shelter Housing and Support programs;
- (2) what City By-laws have allowed for the dispensation and consumption of alcohol and cigarettes on City property?
- (3) with specific reference to the City's new No Smoking By-law, what amount of consultation did Community and Neighbourhood Services, Shelter Housing and Support staff undertake with the Toronto Health Department?
- (4) on the current cigarette Request for Quotations, would you please confirm why a specific brand manufacturer was required, and how and if this requirement complies with the City's Purchasing By-law?

The taxpayers of this City view this as a highly questionable practice. So, I would appreciate your immediate attention to this matter and your best efforts to report separately to City Council on June 26, 2001.

ATTACHMENT NO. 6 [Enquiry No. 3]

Answer dated July 12, 2001, from the Acting Commissioner of Community and Neighbourhood Services, to the Enquiry dated June 15, 2001, from Councillor Milczyn, regarding the City's purchase of cigarettes and alcohol for use in City shelter. (See Minute No. 7.3, Page 1):

I am writing in response to the June 15, 2001 communication submitted by Councillor Peter Milczyn, Etobicoke-Lakeshore, asking for an Answer on the above subject. Councillor Milczyn raised four specific questions, which I will respond to in the same order.

- (1) The annual cost of cigarettes is expected to be \$25,000.00 in 2001, and the cost of wine is \$50,000.00. This works out to a combined cost of \$75,000.00 or \$1.43 per person, per day. To the extent they are able, clients contribute to these costs. At the end of June 2001, we had received client reimbursement of \$9,980.00. We expect an annual recovery of \$20,000.00. This reduces the net cost to \$55,000.00 or \$1.03 per person, per day. Overall, about two-thirds of our expenditures in hostels are covered by direct provincial subsidies.
- (2) Any consumption of alcohol is regulated by the specific policies and rules of the shelter operator. A City by-law is not required to allow the consumption of alcohol in a shelter, since this is a residential premise.

With respect to the use of tobacco products, residents of shelters are only permitted to smoke in designated areas that are separately ventilated.

- (3) The Toronto Health Department supports the specific use of tobacco and alcohol at the Annex Harm Reduction Program located on the third floor of Seaton House. While any use of tobacco at any level is always harmful, it can be justified when a program is focused on preventing a much greater harm. The Annex works with transient men who are profoundly alcoholic and who had been living outdoors for an average of 14 years.

Our objective is to encourage this group of men to come indoors. Our experience shows that not only does their consumption of alcohol drop, but by supplying a small amount of wine through the program, many of the men stop drinking mouthwashes, cleaning fluids, salty cooking wines, and after-shave lotions. These products are extremely harmful and often cause skin ulcers, mental agitation, kidney failure and gastric disorders.

- (4) The specification of a particular brand of cigarettes is unnecessary and was done in error. This specific brand was awarded the contract previously. While some clients may not wish to switch brands, staff have indicated that most residents have no brand loyalty or preference. Any brand of cigarettes would be acceptable.

Other Comments:

Within a 10-day period in the winter of 1996, three homeless men froze to death on the streets of Toronto. A Coroner's Inquest was called, and severe mental illness and alcoholism were identified, as factors in this tragedy. All of the deceased were living outdoors.

One of the recommendations of the Coroner's Jury was to establish a "wet hostel", to reach this group of profoundly alcoholic men. Seaton House took up the challenge and opened the Annex Harm Reduction Program. It was immediately successful.

The Annex has 140 beds and cares for Toronto's highest risk homeless men. These men have lived outdoors for many years and have developed severe health problems. Their need for food, shelter, hygiene, and health care has become greater than our concern about the damage caused by their continued smoking and drinking.

The Shelter, Housing and Support Division is conducting a major study on the impact and benefits of the Annex Harm Reduction Program. This study is headed by Dr. T. Svoboda who is the Medical Director of Seaton House and a physician at St. Michael's Hospital. This study will also examine the impact of this program on police services, ambulances and hospital emergencies. We know, for example, of one client who was picked up, by ambulance, 37 times off the streets, prior to his admission to the Annex Harm Reduction Program.

The issuance of tobacco and alcohol is very modest. First of all, these products are not supplied in the other 68 shelters across the City. The Annex Harm Reduction Program makes up less than 3 percent of all hostel clients. Secondly, on average, the men receive 6-8 ounces of wine and 4-5 cigarettes. The wine is diluted by mixing one ounce with five ounces of water.

ATTACHMENT NO. 7 [Notice of Motion J(34)]

Report dated July 19, 2001, from the Acting Chief Administrative Officer, entitled "Appointment – City Clerk". (See Minute No. 7.74, Page 96):

Purpose:

The purpose of this report is to recommend to Council an appointment to the position of City Clerk.

Financial Implications and Impact Statement:

Funding for the position is included in the divisional operating budget.

The Acting Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) Ulli S. Watkiss be appointed to the position of City Clerk and that such appointment be effective September 4, 2001, provided that she has entered into an employment contract with the City on or before September 3, 2001;
- (2) the Commissioner, Corporate Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;
- (3) By-law No. 342-2001 being "A By-law to appoint an Acting City Clerk" be amended to provide that such appointment will remain in full force and effect until a by-law appointing a new City Clerk comes into effect; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction in Council of any necessary bills.

Background:

At its meeting held on April 23, 24, 25, 26, 27, 30 and May 1 and 2, 2001, Council established a recruitment and selection process for the hiring of a City Clerk, including the recommendation of the selection decision for the approval and appointment by

Council.

The members of the selection panel were the Deputy Mayor, Chair of Administration Committee, Chair of Personnel Sub-committee and Commissioner, Corporate Services.

Comments:

Consistent with the approved process, the selection panel has concluded its interviews of the short list of qualified candidates for the position of City Clerk referred by the executive search consultant. Reference checks have been conducted. Preliminary discussions have occurred related to salary and other general terms of employment, conditional on Council approval of the recommended candidate.

A summary of the curriculum vitae of the candidate is attached.

Subject to the execution of an employment contract with the recommended candidate on or before September 3, 2001, the appointment of Ulli S. Watkiss as City Clerk should come into effect on September 4, 2001.

In order to avoid a situation which could arise if an employment contract with the recommended candidate is not executed on or before September 3, 2001, it is recommended that the by-law appointing the Acting City Clerk be amended to provide that such appointment remain in full force and effect until a by-law appointing a new City Clerk comes into effect.

Conclusion:

The selection process for the City Clerk has been thorough and comprehensive, open, fair and objective. It created the opportunity for Council and Management to provide input and advice. The recommendation of the selection panel is presented for the consideration of Council.

Contact:

M. Joan Anderton,
Commissioner, Corporate Services
Telephone: 416-397-4000

List of Attachments:

Summary of curriculum vitae of candidate.

(The curriculum vitae, referred to in the foregoing report, remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that

it contains personal information about an identifiable individual).

ATTACHMENT NO. 8 [Notice of Motion J(7)]

Report dated July 18, 2001, from the Acting Chief Financial Officer and Acting Treasurer, entitled "Issuance of Debentures". (See Minute No. 7.83, Page 113):

Purpose:

This report requests that the necessary Bills be introduced in Council at its meeting on July 24, 2001, to give effect to the issuance of debentures.

Financial Implications and Impact Statement:

The level of debt issuance undertaken, \$250 million on July 16, 2001, in the Canadian domestic market, is required to finance previously approved capital expenditures of the City of Toronto. The debt charges associated with this issue have been included in the City's 2001 Operating Budget and will also be included in the 2002 budget on an annualized basis.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on July 24, 2001, to give effect to the issuance of debentures as described in this report; and
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Background:

By-law No. 30-2001, as adopted by Council on January 30, 31 and February 1, 2001, authorizes the Mayor and Treasurer to enter into agreements for the issue and sale of debentures, during the year 2001, to provide an aggregate amount not exceeding \$600,000,000.00 for purposes of the City and including the purposes of any former municipality, the former municipality of Metropolitan Toronto and a board of education.

Any such agreement must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money by-laws required to carry out the agreement.

Comments:

Acting in accordance with the aforementioned authorities and the unanimous advice of our investment syndicate lead managers (Scotia Capital Inc., RBC Dominion Securities Inc., CIBC World Markets Inc.), negotiations were completed on July 16, 2001, for a public issue of debentures in the Canadian domestic market.

This transaction was the City's first debenture issue in 2001 and received an excellent reception in a stable market. The debentures were issued for a par value of \$250 million in two branches consisting of \$100 million offered for sale with an interest coupon of 6.40 percent for a 10-year term and \$150 million with an interest coupon of 6.80 percent for a 20-year term.

Since the total issue size exceeded \$100 million, the City was able to achieve commission savings by negotiating lower rates with the investment syndicate which are comparable with the Province of Ontario. The structure and pricing of the transaction represented the lowest cost of funds available relative to other potential structures, markets and currencies as provided by legislation.

Regarding the 20-year maturity, it was decided to include a clause in the debenture by-law that allows the City to raise an additional amount at a later date, depending upon capital market conditions, since the financing is dedicated to the Sheppard Subway. This clause provides the City with additional flexibility by streamlining the process to complete the financing of this project.

Delivery of the debentures and the receipt of proceeds will occur on July 26, 2001. The issue will be book-based only with no physical certificates as were previous debenture issues. This process continues to generate savings related to the printing, registration and distribution of the securities.

Conclusion:

As the capital projects to be financed with the proceeds of this issue were previously approved, it is now appropriate to approve the issuance of debentures to permanently finance these undertakings, given current capital market conditions.

Contact Names and Telephone Numbers:

Len Brittain, Director, Treasury and Financial Services
Tel: 392-5380, Fax: 397-4555, E-mail: lbrittai@city.toronto.on.ca

Martin Willschick, Manager, Treasury Services

Tel: 392-8072, Fax: 397-4555, E-mail: mwillsch@city.toronto.on.ca

ATTACHMENT NO. 9 [Notice of Motion J(9)]

Report dated July 20, 2001, from the Acting Chief Financial Officer, entitled "Contract for Insurance Adjusting Services". (See Minute No. 7.85, Page 115):

Purpose:

To request authority to extend the Insurance Adjusting Services' contract to McLarens Toplis Canada for a one year term and to conduct a Request for Proposals tendering for this service.

Financial Implications and Impact Statement:

Annual insurance adjusting service fees are funded through contributions from the Operating Budgets of insured City agencies, boards, commissions and departments as one component of their overall insurance charge. The estimated fees for a one-year extension of the McLarens Toplis Canada contract is \$1,200,000.00, including all charges and taxes.

Recommendations:

It is recommended that:

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

Background:

On May 1, 1998, a new insurance program started for the amalgamated City of Toronto which required the public tendering of insurance adjusting services. Pursuant to the authority granted under By-law No. 57-1998, the Bid Committee at its meeting held on July 22, 1998, adopted the recommendations that the proposal for Insurance Adjusting Services be awarded to the lowest proponent, McLarens Toplis Canada, on August 1, 1998, and that the City enter into a 3-year contract, with an option for an

additional 2 years.

The City entered into an agreement with McLarens Toplis Canada for the provision of insurance adjusting services for the term from August 1, 1998, to July 31, 2001. Section 3B of the agreement provides that the City shall have an option to extend the term of this Agreement for a period ending no later than July 31, 2003.

City Staff have recently clarified that City Council authority is required to exercise the extension option of the Agreement.

Comments:

The City of Toronto relies on a full service insurance adjusting firm for public liability, automobile and property damage insurance claims from first dollar or in accordance with established procedures. Claim volumes are reflective of the size and complexity of the City of Toronto. In the years 1999 and 2000, the City incurred an average total of 6,577 claims. This equates to 18 claims made each day of the year. The incumbent claims adjusting firm currently dedicates 25 staff adjusters to handling this volume. The fee for this service and the contract to provide it is the subject of this report.

It is imperative that insurance claims adjusting services extend beyond July 31, 2001, because the City must continue to respond to the daily flow of incoming claims. In addition, contractual provisions contained within the City's insurance policies obligate the City to specific claims reporting requirements that can only be met through established claims adjusting service.

The City's current insurance adjusting service provider has performed in full compliance with the terms and conditions of the Agreement and to the satisfaction of staff. The current service provider was the lowest priced proposal and fees charged continue to be fair and equitable in relation to the market for insurance adjusting service.

It is necessary to extend the current insurance adjusting service, without interruption, beyond July 31, 2001, at the same terms, conditions and fees. It is also necessary to conduct a full public tendering for this service for contractual reasons and because staff now has a much more comprehensive understanding of the volumes and types of insurance claims incurred by the City. The City's existing detailed information database of insurance claims information will help to ensure that the City obtains the most cost-effective insurance adjusting service arrangement.

Conclusions:

It is imperative that insurance adjusting services extend beyond July 31, 2001, because of insurance policy conditions and to attend to the ongoing continuous daily flow of claims. It is recommended that City Council authorize a one year extension to the existing insurance adjusting service contract as part of the contract extension contained within the contract approved in 1998, to allow staff the opportunity to conduct a full public tendering of this service.

Contact:

Len Brittain, Director, Treasury and Financial Services

Tel: 416-392-5380, Fax: 416-397-4555, E-mail: lbrittai@city.toronto.on.ca

Lou Pagano, Director, Purchasing & Materials Management

Tel: 416-392-8072, Fax: 416-397-4555, E-mail: lpagano@city.toronto.on.ca

Jeff Madeley, Manager, Insurance & Risk Management, Treasury & Financial Services

Tel: 416-392-6301, Fax: 416-397-4555, E-mail: jmadeley@city.toronto.on.ca

ATTACHMENT NO. 10 [Notice of Motion J(11)]

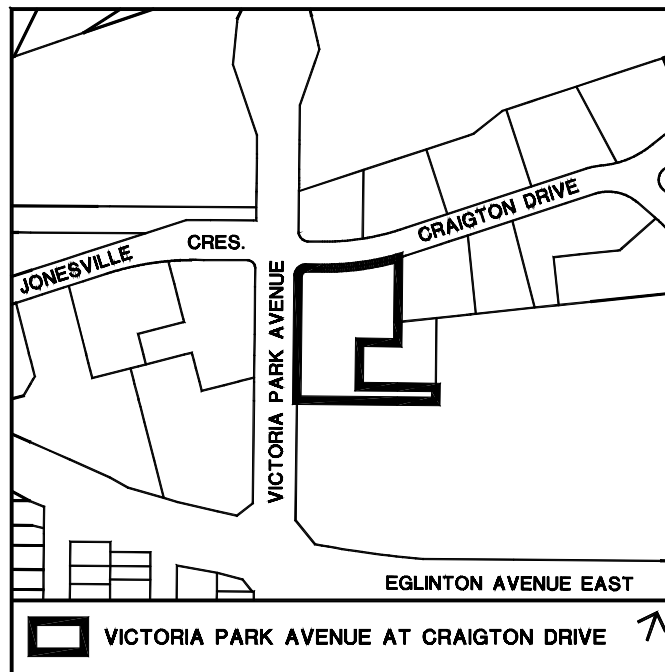
Report dated July 16, 2001, from the Commissioner of Urban Development Services, entitled "Request for Direction, Ontario Municipal Board Appeal, Zoning By-law Amendment Application SZ19970046, Deep Pocket Investments Inc. 1533 Victoria Park Avenue, Clairlea Community – Ward 37". (See Minute No. 7.87, Page 118):

Purpose:

To seek Council's concurrence on the position taken by Planning staff on the above development application and to obtain Council direction to the City Solicitor to appear before the Ontario Municipal Board in support of this position.

Financial Implications and Impact Statement:

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



Recommendations:

It is recommended that Council:

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

support of this position.

Background:

The subject property is located at the southeast corner of Victoria Park Avenue and Craigton Drive. It has been developed with a 2-storey building containing retail uses at grade and a pool hall on the second level. The building is located at the easterly limit of the property and is physically attached to the retail building to the south, being 1525 Victoria Park Avenue. The two properties are the remnants of the larger Golden Mile Plaza, which was constructed in the early 1950's.

1525 Victoria Park Avenue is landlocked and is owned by Premium Properties Ltd. Premium Properties enjoys easement rights for vehicular parking and access across the Deep Pocket lands. The two parties went to court to determine the extent of these rights in 1989. The court ruled that Premium's rights extended over the entire Deep Pocket property, with the exception of the existing building footplate. This ruling was upheld upon appeal.

In 1990, the owner filed Official Plan and Zoning By-law amendment applications seeking to redevelop the property with a mix of commercial and residential uses. These applications envisaged the development of a 20-storey tower over the existing 2,000 square metre (21,600 square foot) retail building. After discussions with staff, the proposal was revised to an 18-storey tower located on the Victoria Park Avenue frontage containing 1,858 square metres (20,000 square feet) of retail space and 225 residential apartments. These applications were closed in March of 1993, after more than a year of inactivity from the applicant.

The owner subsequently filed new Official Plan and Zoning By-law amendment applications in September of 1997. Despite prior consultations with staff, the applications again sought approval for the development of a residential apartment building over the existing 2-storey retail building. This proposal envisaged 120 apartment units in a 10-storey tower and four levels of underground parking.

Planning staff responded to the applications by advising the applicant that, while a mixed-use development was an appropriate land use initiative, staff had significant concerns with the design and form of the specific proposal. In particular, its lack of relationship to the two streets and its location only 5 metres (16 feet) from the 2-storey residential buildings immediately to the east. It was our view that a commercial/residential redevelopment of the property should be undertaken with a more mid-rise building form that makes greater use of its frontage on both streets. Staff concluded by advising the applicant that, in the interest of making appropriate use of scarce municipal resources, the applications would not be advanced unless significant revisions were undertaken.

In July 1998, the applicant appealed both the Official Plan and the Zoning By-law amendment applications to the Ontario Municipal Board, citing Council's refusal or neglect to enact the proposed amendments. These applications were consolidated with a number of other appeals from other property owners in the quadrant formed by Pharmacy, Eglinton and Victoria Park Avenues and Craigton Drive, most of which were seeking some level of expanded permissions for residential uses. At a Pre-Hearing Conference, the Board ruled that it would be appropriate to adjudicate the Official Plan matters, while setting aside the By-law matters until such time as property rights disputes between individual owners were resolved in court. The Hearing on the Official Plan was held in late 1999 and the Board implemented a Commercial Mixed-Use land use designation across all lands in the quadrant.

As the property rights issues have been adjudicated on its property, Deep Pocket Investments requested that the Board proceed to a hearing on its zoning. A Pre-Hearing Conference in this regard has been ordered for August 27 and 28, 2001, with the full Hearing scheduled for November 5-9, 2001.

Comments:

In support of the proposed Zoning By-law presently before the Ontario Municipal Board, the applicant has revised the development proposal. The applicant is now seeking approval of 60 residential apartment units on the Deep Pocket property. While no formal Site Plan Control application has been submitted, a conceptual plan has been filed with the Board illustrating the development of an 8-storey residential tower over the existing 2-storey retail building, with three levels of underground parking.

Notwithstanding the reduction in the height of the proposed building, Planning staff continue to have significant issues with the proposal. We are still of the opinion that the design and location of the building is being driven by the easement rights enjoyed by Premium Properties, and not by good planning. The building continues to have no connection to the public realm and is too tall, given the size and location of the abutting apartment building to the east.

While the subject application has been at the Board for some time, and has been involved in previous Pre-Hearing Conferences of the Board, staff are concerned that Council has not provided a formal position on this proposal. Therefore, out of an abundance of caution, and in consultation with the Legal Division, Planning staff are seeking Council's concurrence with our position. In addition, we are recommending that Council direct the City Solicitor to appear before the Board in support of this position.

Conclusions:

Planning staff continue to have significant concerns with the height, design and form of the revised proposal. As such, it is our position that the proposal should be opposed at the Ontario Municipal Board. It is our recommendation that the City Solicitor should be directed to appear at the Board in support of this position.

Contact:

Neil Cresswell, MCIP, RPP
Manager, Community Planning, East District
Scarborough Civic Centre
Telephone: (416) 396-4927
Fax: (416) 396-4265
E-Mail: cresswel@city.toronto.on.ca

ATTACHMENT NO. 11 [Notice of Motion J(14)]

Report dated July 18, 2001, from Mayor Lastman, entitled "Recruitment and Selection Process for the Chief Administrative Officer". (See Minute No. 7.90, Page 121):

Purpose:

This report amends and further defines the recruitment and selection process for the position of Chief Administrative Officer.

Financial Implications and Impact Statement:

The costs associated with engaging external executive search consulting services will be charged to the Chief Administrator's Office Operating Budget.

The Acting Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

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

Council Reference:

At its meeting held on June 26, 27, and 28, 2001, Council considered the matter of the recruitment of a Chief Administrative Officer. It is suggested that there be some further definition of roles and responsibility and agreement by Council on the principles to be satisfied in achieving success at this most senior level of executive staffing. The original recommendations included the following:

- 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;
- 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;
- the Personnel Sub-Committee and the selection panel jointly establish a new job description for the Chief Administrative Officer; and
- 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.

Background:

The City has previously undertaken a very comprehensive Request for Proposals (RFP) process, in accordance with established purchasing policy, to identify a slate of external executive search consulting firms with the appropriate expertise and qualifications to conduct thorough and comprehensive senior level recruitment which is open to scrutiny, fair and objective. Accessing the slate of firms will ensure that the recruitment for the CAO commences immediately.

Comments:

The following principles are fundamental to identifying the best candidate possible in executive recruitment:

- input by key stakeholders, concerning role and critical issues;
- honesty, integrity and strict confidentiality in responding to all interested candidates;
- a process which is open, comprehensive, fair and objective, as well as ensures employment equity; and
- final selection by the appropriate authority (i.e. City of Toronto Council).

NOTE:

Of utmost significance is the strict confidentiality in respect of candidates who wish to be considered for the position. Any breach may have a severe negative consequence to the employment status of the individual with their present organization. The best candidates will not permit their names to be put forward unless absolute confidentiality is assured.

In respect of the recent hiring of Commissioners, i.e. Corporate Services and Urban Development Services, the selection panel was composed primarily of the Administration Committee, having responsibility generally for human resources

matters and to which the Corporate Services Department reports, and the Chair of the Planning and Transportation Committee concerning Urban Development Services.

For the recruitment of the Chief Administrative Officer, the panel should bring a corporate-wide perspective of the broad range of City programs and services, to the process. To achieve this, it is proposed that the selection panel consist of the Mayor or designate, Deputy Mayor Ootes, the Chairs of the Standing Committees, Councillors Berardinetti, Duguid, Feldman, Pantalone and Disero and the Chair of the Personnel Sub-Committee, Councillor Miller.

The same members of the selection panel will participate in the interviews of all candidates.

It is intended that the Council will have considerable opportunity to provide input and advice in directing the consultant and will approve the final selection decision based on steps which include:

- (a) development of a job description, as well as competencies and selection criteria, based on consultation with those Councillors who wish to contribute to this stage in the process;
- (b) concurrent internal/external (national) candidate search;
- (c) identify/source potential best candidates using search experience;
- (d) initial screening of candidates and preparation of a preliminary list of candidates for review by the selection panel to identify an appropriate short list of candidates to be invited for interview;
- (e) interviews which will ensure fairness and consistency while maintaining the utmost confidentiality of candidates being considered;
- (f) conditional offer of employment, including terms and conditions, subject to satisfactory reference checks and Council approval;
- (g) recommendation by the selection panel of the preferred candidate for consideration of Council and appointment, as appropriate; and
- (h) 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.

Conclusions:

The recruitment process is proposed to commence immediately following Council approval, with the objective that Council will make a selection decision prior to the end of October.

The selection of the best available candidate for the position of Chief Administrative Officer is critical to the successful operation of Council and the Administration. The proposed selection panel is representative and the recruitment process, comprehensive, fair and objective.

Contact:

Mel Lastman, Mayor

ATTACHMENT NO. 12 [Notice of Motion J(15)]

Report dated July 20, 2001, from the Commissioner of Economic Development, Culture and Tourism, entitled "444 Yonge Street (College Park) – Alteration to a Designated Heritage Property (Toronto Centre-Rosedale – Ward 27)". (See Minute No. 7.91, Page 123):

Purpose:

To report as directed by Council June 26, 27, 28, 2001, Notice of Motion J(3), to seek approval for the proposed alterations to 444 Yonge Street (College Park).

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) approval be granted by Council for the proposed alterations to the Seventh Floor at 444 Yonge Street (College Park) as set out in Attachment No. 1, Statement of Heritage Intent, prepared by E.R.A. Architects Inc., dated July 11, 2001, and on file with Heritage Preservation Services;
- (2) the drawings submitted by the applicant for building permit be substantially in accordance with the Statement of Heritage Intent prepared by E.R.A. Architects Inc., dated July 11, 2001, on file with Heritage Preservation Services;
- (3) prior to the issuance of a building permit, the applicant prepare a Restoration Plan providing a detailed description of the proposed alterations to the Eaton Auditorium, back of house, Round Room, and private dining rooms on the seventh floor of the subject property, to the satisfaction of the Commissioner Economic Development, Culture and Tourism; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

College Park (444 Yonge Street) was included on the City of Toronto's Inventory of Heritage Properties in 1973 and designated under the Ontario Heritage Act in 1975 (By-law No. 510-75). Built in 1928-33 by Ross and MacDonald, Sproatt and

Rolph Associates to house the Eaton's College Street store, it remains a fine example of early twentieth century classical commercial building design and an important landmark within the City. Examples of the fine materials and workmanship displayed on the exterior elevations are evident, as well in the major interiors of the building. Most notable among these is the seventh floor Eaton Auditorium (theatre/concert hall), the Round Room (restaurant), and their adjoining foyer designed by French Architect Jacques Carlu. This portion of the building has been closed to the public for almost 25 years and is in need of considerable restoration work. This report requests approval for restoration work to the Eaton Auditorium and back of house, the Round Room and its adjoining private dining rooms on the seventh floor.

The recommendations of this report were endorsed by the Toronto Preservation Board at its meeting held on July 19, 2001.

Comments:

Intent of Current Request for Approval

At the April 19, 2001 meeting of the Toronto Preservation Board, E.R.A. Architects Inc. presented proposed alterations to the ground floor and market level of College Park as part of a larger initiative by the owner to establish four to five major retail spaces on the ground floor directly connecting to Yonge Street. The applicant also proposed to restore the public foyer on the seventh floor. This restoration work was proposed in preparation for the tenancing of the Eaton Auditorium and the Round Room. The Toronto Preservation Board endorsed the staff recommendations as set out in the report dated April 5, 2001.

The owner has since determined the need to increase the scope of restoration work on the seventh floor from that approved by the Board at its meeting on April 19, 2001, to make the space more attractive to prospective tenants and to allow for earlier occupancy of the space. Not all of the proposed restoration work will be undertaken immediately. However, to avoid the need for repeated applications to the Board and to City Council, the owner is requesting approval for the restoration work on the seventh floor outlined under General Description of the Work (Attachment No. 1).

Proposed Seventh Floor Restoration

The current request encompasses restoration work in the Eaton Auditorium and back of house space, the Round Room and the adjoining private dining rooms (Attachment No. 2). The majority of the work is restorative in nature and specific to particular elements within these spaces. The applicant is committed to conserving as much of the original heritage fabric on the seventh floor as possible and to replicate original fabric where necessary. Other work, like asbestos abatement and mechanical

upgrades, are more functional in nature, necessary to meet current building code requirements and to support the utilization of these spaces.

Within the Eaton Auditorium, the proposed restoration work generally involves the painting of the walls, the restoration of all existing lighting, the cleaning and repair of the existing seats, and the replacement of carpeting in the aisles. Any additional restoration work would be difficult for the applicant to undertake in advance of securing a tenant. For this reason as well, the back of stage space will be repaired and painted only. Additional restoration work to this space that may be necessary to accommodate a tenant or which the owner wishes to undertake, will be outlined at a later date.

In the Round Room and the private dining rooms, the applicant is proposing to replicate the original 1930 paint colours on all walls. In addition, the applicant is requesting approval to: clean and repair the Natacha Carlu murals; fully restore and make operable the glass fountain; replace the carpet to match the original based on archival photographs and any other documentary evidence; and to restore the original lighting including the concealed lighting and the center chandelier.

Heritage Preservation Services staff have met with the applicant and the Friends of the Seventh Floor to discuss the proposed changes. The Friends are enthusiastic in their support of the restoration work to be undertaken, and are eager to be involved in the development of the detailed Restoration Plan. The applicant has agreed to involve the Friends in further discussions regarding the specific selection of materials and colours. In addition, staff has agreed to review the building permit drawings with the Friends prior to staff approval. The drawings submitted for building permit approval constitute the Restoration Plan for the proposed work.

Conclusions:

It has long been the desire of the City and the heritage community to see the seventh floor of College Park restored to its former glory. Staff commends the applicant's commitment to undertake the proposed restoration work and acknowledges the considerable financial investment that is being made by the owner to preserve this important heritage resource.

Contact:

Rita Davies, Managing Director of Culture
Telephone: 416 397-5323
Fax: 416 395-0278
E-mail: rdavies@city.toronto.on.ca

List of Attachments:

Attachment No.1 Statement of Heritage Intent 444 Yonge Street, E.R.A.
Architects, July 11, 2001

Attachment No.2 College Park 7th Floor Plan, July 4, 2001

(A copy of the Attachments referred to in the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 13 [Notice of Motion J(15)]

Report dated July 20, 2001, from the Commissioner of Economic Development, Culture and Tourism, entitled "354 and 404 Jarvis Street – Alterations to Designated Property and Authority to Enter into a Heritage Easement Agreement (Toronto Centre-Rosedale, Ward 27)". (See Minute No. 7.91, Page 123):

Purpose:

To respond to the Council directive to report directly on 354 and 404 Jarvis Street and to approve the proposed alterations at 354 Jarvis Street and to authorize the entering into of Heritage Easement Agreement(s). In addition, The National Ballet School (NBS), located at 404 Jarvis Street, is currently proposing to develop the eastern side of the former Canadian Broadcasting Corporation (CBC) lands at 354 Jarvis Street.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

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

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

Background:

The National Ballet School (NBS), located at 404 Jarvis Street, is currently proposing to develop the eastern side of the former Canadian Broadcasting Corporation (CBC) lands at 354 Jarvis Street to provide for new administrative, academic and studio space to meet the growing needs of the institution. The proposal involves the restoration and adaptive reuse of two historic buildings, Havergal College and Northfield House (Attachment No.1). Demolition of the rear (west) wings of these buildings is required to facilitate this development and a proposed residential

development by Context Incorporated (Context) on the western half of the CBC lands. The NBS has agreed to enter into a Heritage Easement Agreement with the City and to undertake the restoration of the exterior of the two historic buildings as well as the restoration of the interior of the ground floor of the Northfield House which has numerous surviving features including the central stairhall.

The recommendations were endorsed by the Toronto Preservation Board at its meeting held on July 19, 2001.

Comments:

Designation

Havergal College and Northfield House were included on the City of Toronto's Inventory of Heritage Properties in 1973 and designated under the Ontario Heritage Act in 1976. Schedule A of the Designation By-law No. 120-76 illustrates the full extent of the property covered by the designation and referred to in the by-law as 354 Jarvis Street (Attachment No.2).

Havergal Ladies' College was completed in 1898 according to the designs of Toronto Architect George M. Miller. The College was opened the same year as a boarding and day school and was extended in 1902. Havergal College displays elements of the Gothic style favoured for educational buildings in the late 19th century. The building is designated for architectural and historic reasons.

Northfield House was constructed in 1856 for politician Oliver Mowat according to the designs of Toronto Architect Joseph Sheard. Sir Oliver Mowat (1820-1903) was a Father of Confederation who served as the Premier of Ontario from 1872 to 1896 and as the Lieutenant Governor of the Province for 1897 to 1903. In 1913 Havergal College acquired the site and used it as a students' residence. The RCAF occupied the property during World War II, after which the Canadian Broadcasting Corporation (CBC) acquired the site.

Northfield is a rare surviving example of the Greek Revival style in Toronto. It is one of the first houses built on Jarvis Street following the division of the street into lots.

Planning Approvals

Context and the NBS jointly filed for amendments to the City of Toronto's Official Plan and Zoning By-law to construct new facilities for the National Ballet School and a condominium development to be known as Radio City on lands municipally known as 354 and 404 Jarvis Street (Attachment No.4). The lands are currently owned by the CBC. City Council approved the OPA and Rezoning application at their meeting on

June 26, 27, and 28, 2001. The site is to be severed and sold to Context and the NBS after which site plan applications will be submitted to the City for each of the two discrete development parcels. Context has recently submitted an application on behalf of the CBC for consent under the Ontario Heritage Act to demolish existing structures within the larger development site, in order to facilitate the proposed new development by Context and the NBS (Attachment No.3).

Proposed NBS Development

The NBS proposal focuses on the retention and restoration of the entire Jarvis Street portion of Havergal College for academic space associated with the NBS. This includes the restoration of the exterior of the building on the south, east and north elevations and the creation of an elevation on the west face that will combine conserved exterior with new material where the existing wings are removed. The CBC has significantly altered the interior of Havergal over the years. The proposal for the interior includes the retention and restoration of two historic staircases and the incorporation, where possible, of other found elements such as columns or relieving arches. Generally, the interior will be adapted to the needs of the school, renovated and repartitioned.

The proposal for the reuse of Northfield House is to conserve the building as the school's ceremonial frontispiece and the executive administration centre. Although the main entrance of the house will not be used as the daily entrance for the school, it will be used to welcome guests to special events or board meetings. The exterior of the building will be restored on its north, south and east faces. The west wing of Northfield house is proposed to be removed to allow for the creation of the dance training centre. The new west wall of Northfield House will open onto an interior court. Glazing enclosing the court will touch the side walls of the house on either side such that Northfield will retain an historic three-dimensional form mostly exterior and partly interior.

The original main floor drawing room is proposed to be the school's main boardroom. A new lift will be added to the building for accessibility. This will be located off the historic stairhall in the northwest corner of the main floor where the existing rooms have been the most altered, avoiding any impact on historic features. The second floor layout is proposed to be retained and new office uses inserted into the existing rooms.

The proposal also involves the construction of a new multi-level building framing the Northfield House along its north, south and west sides (Attachment No. 5). This 'c-shaped' structure is intended to contain studios, a new main entrance from Jarvis Street, cafeteria, change facilities, office space and common space. Heritage Preservation Services staff has worked with the applicant to ensure appropriate setbacks for each of the two new wings proposed on either side of Northfield House

adjacent to Jarvis Street to ensure that Northfield House retains a position of prominence as part of this new composition of building structures.

Heritage Easement Agreement

The NBS has agreed to enter into a Heritage Easement Agreement with the City for Havergal College and Northfield House. This will be secured through the Section 37 agreement required as a condition of Council's approval of the OPA and Rezoning application. Staff is recommending that the Heritage Easement Agreement require a Restoration Plan for the two heritage properties be provided to the satisfaction of the Manager of Heritage Preservation Services, prior to the issuance of a building permit for development on the lands to be conveyed to the NBS. Philip Goldsmith and Company Limited will be preparing the Restoration Plan for staff review.

Staff is also recommending that, prior to the issuance of a building permit, a letter of credit be provided by the owner to the satisfaction of the Manager of Heritage Preservation Services equal to the amount required to execute the Restoration Plan for the two historic buildings.

Partial Demolition

Demolition of the rear wings of the historic structures as identified on Attachment No. 3 may need to occur in advance of the execution of the Heritage Easement Agreement between the City and the NBS, in order to allow the Context development to proceed. Staff is recommending that the demolition of these wings be approved, subject to a letter of credit or other type of security being provided to the City in sufficient amount to cover the cost of ensuring the stability and safety of the historic buildings, as well as to secure the west façades until such time as the restoration work begins. Staff is also recommending that the wings not be demolished until a building permit has been issued for (a) new building(s).

There are no conditions attached to the demolition of the remaining buildings to be demolished illustrated on Attachment No. 3 of this report. These buildings are of no heritage value to the designated property.

Conclusions:

The proposed redevelopment of the CBC lands by the National Ballet School includes the restoration of two important heritage buildings. Staff are pleased with the considerable investment that will be made by the applicant to conserve these heritage resources and the sensitivity with which they have been incorporated as part of the school's redevelopment. Staff view this initiative as providing an important precedent for the restoration of heritage resources along Jarvis Street.

Contact:

Rita Davies
Managing Director of Culture
Tel: 416-392-5323
Fax: 416-395-0278
rdavies@city.toronto.on.ca

List of Attachments:

Attachment No. 1	Location Map
Attachment No. 2	Schedule A, Designation By-law 120-76 (354 Jarvis Street)
Attachment No. 3	Buildings to be Demolished, 354 Jarvis Street, June 26, 2001
Attachment No. 4	Site Plan, 354 and 404 Jarvis Street, May 24, 2001
Attachment No. 5	Jarvis Street Elevation, 354 and 404 Jarvis Street, May 24, 2001

(A copy of the Attachments referred to in the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 14 [Notice of Motion J(15)]

Report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled "Conclusion of Planning Matters and a Minor Revision to the Proposed Official Plan and Zoning By-law Amendments, Application No. 100028 – 354 and 404 Jarvis Street - National Ballet School and Context Development Inc. (Downtown Community Council, Report No. 5, Clause 6) (Toronto Centre - Rosedale, Ward 27)". (See Minute No. 7.91, Page 123):

Purpose:

The purpose of this report is to provide Toronto City Council with information about the conclusion of the planning matters for the redevelopment of 354 and 404 Jarvis Street and a minor change to the proposed Official Plan and Zoning By-law Amendments, prior to the adoption of Bills.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

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

Background:

1.0 Heritage

At its meeting of June 26, 27, and 28, 2001, Toronto City Council adopted my report entitled "Final Report - 354 and 404 Jarvis Street" (May 19, 2001) recommending approval of the development of the National Ballet School and two residential towers on the Jarvis Street CBC property. A further planning report dated June 25, 2001, included a recommendation that the Commissioner of Economic Development, Culture and Tourism be requested to consult with the Toronto Preservation Board at its meeting of July 19, 2001, and to report directly back to City Council on July 24, 25 and 26, 2001, on the application to alter or demolish a part of the buildings on the

site, as well as the matters to be secured in the heritage easement agreement.

I have now been advised that the Toronto Preservation Board at its meeting of July 19, 2001, unanimously supported the recommendations of the Commissioner of Economic Development, Culture and Tourism and that this matter has been reported on directly to this meeting of Council under separate cover.

2.0 Minor Change to the Official Plan and Zoning By-law Amendments

The applicant is now in the process of preparing site plan drawings for this application. In the course of refining the design of the development, it became apparent that there was an opportunity to extend the depth of the southern bank of townhouses which front onto Mutual Street. This would extend the depth of the townhouses 1.4 metres, from 9.8 metres to 11.2 metres, and would result in an increase in the proposed total non-residential gross floor area of 510 square metres. The Draft By-laws before Toronto City Council anticipated an overall residential gross floor area of 32,515 square metres. Approval of the proposed additional residential gross floor area would increase the total to 33,025 square metres.

I believe that this is a minor change which would not have a significant impact on the overall proposal. There will be a slight reduction in private outdoor amenity space for the residential component. This fact remains offset by a contribution the developer has agreed to make to the City for improvements to the adjacent Church Street schoolyard, as set out in my previous report.

The Bills to be adopted at this session of City Council have been amended to include this minor change proposed by the applicant.

Contact:

Elyse Parker, Senior Planner
Phone: (416) 392-7363
Fax: (416) 392-1330
Email: eparker@city.toronto.on.ca

ATTACHMENT NO. 15 [Notice of Motion J(16)]

Report dated July 20, 2001, from the Commissioner of Corporate Services, entitled “Use of Nathan Phillips Square: World Youth Day – Saturday, July 28, 2001”. (See Minute No. 7.92, Page 127):

Purpose:

The purpose of this report is to seek City Council’s approval for the World Youth Day to float open flame candles in the reflecting pool on Nathan Phillips Square on Sunday, July 28, 2001.

Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that:

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

Background:

Municipal Code Chapter 237 “Nathan Phillips Square” prohibits the entering or placing of objects in the reflecting pool and any form of open flame on Nathan Phillips Square without the approval of Council.

Comments:

An application has been received by the Special Events Division of the Economic Development, Culture and Tourism Department from the World Youth Day for the use of Nathan Phillips Square on Sunday, July 28, 2001, to host the World Youth Day.

The event organizers are requesting permission to place candles with open flame in the reflecting pool on Nathan Phillips Square during the event.

Conclusions:

It is recommended that Council approve the recommendations embodied in this report to enable Nathan Phillips Square to host the World Youth Day on Sunday, July 28, 2001.

Contact:

Nelson Elliott,
Manager Customer Support
Corporate Services Department
Facilities and Real Estate Division
Ph: (416) 397-0808

Bruce Bowes, P.Eng.
Executive Director
Corporate Services Department
Facilities and Real Estate Division
Ph: (416) 397-4156

ATTACHMENT NO. 16 [Notice of Motion J(21)]

Report dated July 24, 2001, from the Commissioner of Works and Emergency Services, entitled "Assignment of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility". (See Minute No. 7.97, Page 133):

Purpose:

The purpose of this report is to obtain Council's:

- (a) consent to the assignment by Stone and Webster Canada Limited of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility to the joint venture group of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc.;
- (b) authorization to enter into an Amending Agreement with the group as set out in this report; and
- (c) authorization to amend the consulting agreement with MacViro Consulting Inc. to allow for continued on-site construction and project management services, to provide assistance in negotiating the technical details of the assignment and to assist the City in negotiating an operating agreement with Canada Composting Inc.

Financial Implications and Impact Statement:

Funding is available in the 2001–2005 Approved Capital Works Program (CWP) Sub-project Account No. CSW004-5, Mixed Waste Processing Facility #1 in the amount of \$7.774 million.

Recommendations:

It is recommended that:

- (1) Council consent to the request by Stone and Webster Canada Limited for the assignment from it to the joint venture group of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc. of its obligations and benefits:
 - (a) under the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility; and

- (b) in respect of the operation of the Facility,
- such consent to be subject to successful negotiation, to the satisfaction of the Commissioner of Works and Emergency Services, of the amending agreement to the Design-Build contract, as referred to in Recommendation No. (2) of this report, and effective upon written notice from the City Solicitor to Stone and Webster Limited to that effect;
- (2) the Commissioner of Works and Emergency Services be authorized to enter into an amending agreement to the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility, as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with the assignees, Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd., and W. S. Nicholls Construction Inc., as follows:
- (a) delineating the respective responsibilities of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineering Ltd. and W. S. Nicholls Construction Inc. for the project;
- (b) restructuring the performance test holdbacks and revising the payment breakdown and schedule accordingly, all within the previously authorized total contract amount;
- (c) revising the initial operation and acceptance test protocol to accelerate the performance test phases;
- (d) removing the contractual obligation to supply and install a cogeneration system as part of the Design-Build Contract; and
- (e) providing for such other provisions in respect of replacement bonds and insurance as necessary to protect the interests of the City;
- (3) the Consulting Agreement between the City and MacViro Consultants Inc. for project management services related to the Design and Construction of the Dufferin Mixed Waste Recycling and Organics Processing Facility be amended to allow for an increase of \$92,000.00, including all charges and taxes, to meet costs associated with an extended project schedule, to provide technical assistance in relation to the proposed assignment and to assist in negotiating the terms and conditions of the operating agreement between the City and Canada Composting Inc.; and

- (4) authority be granted to the Commissioner of Works and Emergency Services to report back to the September 2001 meetings of the Works, Budget Advisory and Policy and Finance Committees with the details of an operating agreement with Canada Composting Inc. and recommendations on the proposed expansion of the Dufferin facility as part of the Task Force 2010 Implementation report.

Background:

At its meeting held on June 26, 27 and 28, 2001, City Council adopted, as amended, Clause No 1 of Report No. 10 of The Works Committee, headed "Report of the City of Toronto Waste Diversion Task Force 2010". During consideration of the foregoing Clause, City Council had before it a confidential report (June 27, 2001) from the Commissioner of Works and Emergency Services, entitled "Dufferin Mixed Waste Recycling and Organics Processing Facility". The confidential report recommended that:

- (1) 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
- (2) 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.

Comments:

Solid Waste Management Services staff have met with representatives from Canada Composting Inc. (CCI), Biotechnische Abfallverwertung GmbH & Co KG (BTA), Trow Consulting Engineers Ltd. (Trow) and W. S. Nicholls Construction Inc. (the assignment team) on several occasions since the June 2001 Council meeting, in an effort to negotiate terms and conditions in respect of Stone and Webster Canada Limited's (Stone and Webster) proposal for an assignment to them of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility. The assignment team has indicated that they anticipate using the existing Stone and Webster construction management team, as well as the Stone and Webster engineering group, where required, to provide continuity and expedite completion of the design-build project. The responsibilities of the assignment team

will be as follows:

- (1) CCI will be responsible for overall project management and co-ordination, liaising directly with the City project team, training operating personnel and conducting the necessary performance testing;
- (2) W. S. Nicholls will provide on-site construction management support to the various trades and subcontractors as well as expediting any additional work or changes to the project scope;
- (3) Trow will assist in addressing environmental issues such as obtaining the necessary environmental approvals and provide front-end MRF operations and engineering support; and
- (4) BTA will be responsible for process optimization and will provide technical assistance with respect to the anaerobic digestion process during performance testing.

In addition, all four members of the assignment team will be signatory to the Design-Build Contract, as well as the Performance and Labour and Materials Payment Bonds required by the City.

Upon review of the assignment team and the qualifications and responsibilities of the individual members, staff are confident that CCI and its partners are capable of completing the Design-Build Contract. Furthermore, the assignment of the Design-Build Contract to CCI and its partners restores continuity to the project and enables staff to negotiate an operation agreement directly with CCI, who were expected to commission and operate the facility on behalf of Stone and Webster originally. CCI has always maintained its desire to operate a state-of-the-art facility, on behalf of the City of Toronto, in order to best showcase its anaerobic digestion processing technology.

In order to take on the assignment of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility, CCI and its partners have requested a few changes to the existing Contract. The Design-Build Contract requires that the contractor provide a Performance Bond and a Labour and Materials Payment Bond each in the amount of 50 percent of the contract price to guarantee the design and construction of the work and the payment of labour and materials by the contractor. It also provides for a holdback of 25 percent of the contract price that is scheduled to be released subject to successful completion of the initial operation phase (10 percent) and the acceptance testing phase (15 percent) for mixed waste. The assignment team has requested that the 25 percent holdback related to performance testing be reduced to 5 percent to allow for the more timely release of

monies owed to the contractor for completed work.

The assignment team has indicated that it will provide bonding in a form and amount required under the existing Design-Build Contract. With respect to the proposed 5 percent holdback, the assignment team has indicated that it can be held until successful completion of acceptance testing for source separated organics, which is currently scheduled to occur approximately six (6) months after the mixed waste acceptance testing phase. The 20 percent reduction in the holdback will enable the project team to increase the cash flow available to the contractor to more equitably cover its project costs, while maintaining the same total contract price.

The 25 percent holdback was originally intended to act as an incentive, in the absence of any liquidated damages clauses, for the contractor to complete the work in a timely fashion and to accelerate initial operation of the facility. Given the financial uncertainty of the current contractor, Stone and Webster, and its stated desire not to enter into an operating agreement, there is substantially less incentive to complete the work as originally envisioned. The assignment team has a greater incentive to complete the work and showcase their anaerobic digestion technology. Furthermore, the construction work is approximately 70 percent complete and any security the City might require is adequately covered in the performance and labour and materials payment bonds and the proposed 5 percent acceptance test holdback. Solid Waste Management Services staff support the request of the assignment team to amend the existing Design-Build Contract to reflect these changes.

The assignment team has also requested a number of minor changes to the contract wording related to the performance test requirements. The majority of the proposed changes focus on shortening the duration of the initial operation and acceptance testing phases of the performance test in an effort to accelerate the project schedule. The performance testing protocol was originally established during the RFP process when the City's preferred processing technology had yet to be determined. As a result, the duration of the initial operation and acceptance test phases needed to be relatively flexible to accommodate any number of possible processes. With this in mind, we vetted these proposed changes through our project management consultant, MacViro Consulting Engineers Ltd. (MacViro). After some discussion with MacViro and further negotiation with the assignment team, Solid Waste Management staff are comfortable that the proposed changes do not compromise our ability to effectively test the performance of the process and we, therefore, support these proposed changes to the contract wording.

The Design-Build Contract currently requires that the contractor construct and install a biogas utilization plant on a portion of the site. Stone and Webster had proposed to contract with Toromont Energy for the construction, installation, operation and maintenance of a cogeneration system that would convert the biogas from the

anaerobic digestion process into power and heat which would then be used in the facility and/or in other Toronto-owned properties. Unfortunately, due to the financial instability of Stone and Webster, the Toromont proposal has not come to fruition. The assignment team has indicated that it is prepared to meet a construction schedule whereby first waste would be received by the fall of 2001, provided it is not required to supply and install a cogeneration system as per the Design-Build Contract. Instead, temporary heat would be used to heat the digester during the performance test phases, until such time as a cogeneration system could be acquired by the City through discussions/negotiations with Toromont or some other supplier.

The notion of “green power” has always been an attractive feature of anaerobic digestion technology. However, in light of the proposed new programs and schedules presented in the Task Force 2010 Report, it is imperative that the Dufferin facility be commissioned and operating as soon as possible. Removing the Contractor of its obligations to supply and install a cogeneration system as part of the Design-Build Contract will accelerate the construction schedule and performance testing phases. This is not to say that we abandon the idea of producing “green power”. It merely provides the project team with the necessary flexibility to commence initial operation and acceptance testing, as early as possible, using temporary heat, while we attempt to secure a contract for the supply and installation of a cogeneration system. To this end, discussions are currently underway with Toronto Hydro to partner with the City in securing a cogeneration system for the Dufferin facility. Therefore, Solid Waste Management Services staff support the assignment team’s request to remove the requirement to supply and install a cogeneration system from the Design-Build Contract.

The fact that the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility is currently being completed by the bankruptcy estate of Stone and Webster Incorporated has caused several delays to the construction schedule. Although these delays have not resulted in increases to the contract price for the construction work, they have impacted the work of the City’s project consultants, MacViro. MacViro’s project management duties under the existing agreement were originally scheduled to be completed by the end of August, 2001. With the delays in the construction schedule, staff anticipate that MacViro’s services will be required for an additional six (6) months at an approximate cost of \$12,000.00 per month, \$72,000.00 in total, including all charges and taxes. In addition, MacViro has provided (and is providing) technical assistance in relation to the proposed assignment and they are required to be involved, with the City, in negotiating the operating agreement with Canada Composting Inc. at a combined estimated cost of \$20,000.00 including all charges and taxes. Both of these activities are outside the original scope of work of their consulting agreement. We recommend that the consulting agreement between the City and MacViro Consultants Inc. for project management services related to the design and construction of the Dufferin Mixed

Waste Recycling and Organics Processing Facility be amended to allow for an increase of \$92,000.00 including all charges and taxes.

Staff recommend Council consent to the request by Stone and Webster Canada Limited for the assignment from it to the joint venture group of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc. of its obligations and benefits:

- (a) under the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility; and
- (b) in respect of the operation of the Facility;

such consent to be subject to successful negotiation, to the satisfaction of the Commissioner of Works and Emergency Services, of the amending agreement to the Design-Build contract as referred to in Recommendation No. (2) of this report and effective upon written notice from the City Solicitor to Stone and Webster Limited to that effect.

We further recommend that the Commissioner of Works and Emergency Services be authorized to enter into an amending agreement to the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility, as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with the assignees, Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineers Ltd., and W. S. Nicholls Construction Inc., as follows:

- (a) delineating the respective responsibilities of Canada Composting Inc., Biotechnische Abfallverwertung GmbH & Co KG, Trow Consulting Engineering Ltd. and W. S. Nicholls Construction Inc. for the project;
- (b) restructuring the performance test holdbacks and revising the payment breakdown and schedule accordingly, all within the previously authorized total contract amount;
- (c) revising the initial operation and acceptance test protocol to accelerate the performance test phases;
- (d) removing the contractual obligation to supply and install a cogeneration system as part of the Design-Build Contract; and
- (e) providing for such other provisions in respect of replacement bonds and insurance as necessary to protect the interests of the City.

Staff also recommend that the consulting agreement between the City and MacViro Consultants Inc. for project management services related to the design and construction of the Dufferin Mixed Waste Recycling and Organics Processing Facility be amended to allow for an increase of \$92,000.00 including all charges and taxes.

Finally, with respect to the issue of negotiating an operating agreement with Canada Composting Inc. and the proposed expansion of the Dufferin facility, staff recommend that authority be granted to the Commissioner of Works and Emergency Services to report back to the September 2001 meetings of the Works, Budget Advisory, and Policy and Finance Committees with the details of an operating agreement with Canada Composting Inc. and recommendations on the proposed expansion of the Dufferin facility as part of the Task Force 2010 Implementation report.

Conclusions:

The assignment proposal submitted by Canada Composting Inc. and its partners in respect to the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility provides the City with the best opportunity to ensure project continuity, to complete construction of the plant and begin performance testing in a timely fashion and to link the Design-Build team to the operating agreement. These three elements are not present in the existing contract, due to the filed bankruptcy of Stone and Webster, and they are crucial to the successful completion of the project, in order to secure the necessary organic processing capacity to begin to roll out the programs presented in the Task Force 2010 Report.

Contact:

Geoff Rathbone, Director, Policy and Planning
Solid Waste Management Services
Phone: (416) 302-4715; Fax (416) 392-4754
Email: grathbo@city.toronto.on.ca

ATTACHMENT NO. 17 [Notice of Motion J(27)]

Report dated July 19, 2001, from the Acting Chief Administrative Officer and Acting Chief Financial Officer, entitled "Additional Costs SAP Implementation – Police Services". (See Minute No. 7.103, Page 143):

Purpose:

To request approval for funding of increased costs to be incurred by Toronto Police Services to provide for the implementation of SAP release 4.6 instead of the originally proposed 4.0 version.

Financial Implications and Impact Statement:

If approved, the request from Police Services for additional funding of \$1,165,000.00 would result in an increase of \$1,165,000.00 in the Capital Budget and require an increase of the same amount in the debenture requirements for 2001. An increase of approximately \$120,000.00 in debt charges would be incurred as a result of the increase in debt.

Recommendations:

It is recommended that:

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

Background:

Council approved the implementation of SAP Financial Information and Human Resources/Payroll Systems in December 1998 and, at that time, suggested that all the City's agencies, boards and commissions be encouraged to implement these systems

as soon as possible.

Council, as part of its approval of the 2000 Capital Budget, approved funding in the amount of \$2.75 million in Toronto Police Services Capital Program for the implementation of the SAP Financial Information System.

The Toronto Police Services issued a Request for Proposal (RFP) in June 2000 to implement SAP 4.0. A fixed fee contract for \$1,883,200.00 was signed with the successful proponent, Deloitte Consulting, in the fall of 2000. The implementation commenced in November 2000, with a project team consisting of Police Services and City of Toronto staff in addition to the Deloitte consultants. Subsequent to the commencement of the implementation at Police Services, the Service and the City identified changes in the scope of the project. The SAP 4.0 implementation at Police Services was to be completed at the end of June 2001. The City was proceeding to implement the latest version of SAP (4.6). This upgrade was necessitated because SAP would not support the 4.0 payroll/human resources components beyond June 2001. The City's upgrade plan scheduled the upgrade to be completed Labour Day weekend. In discussions with the City's CFO & Treasurer it was determined that it would be more cost effective if Police Services revised its plan and worked with the City to implement 4.6 in the fall of 2001.

Comments:

The change in dates for the Police Services implementation requires additional funding beyond that originally approved in the Police Capital Budget. Since it was anticipated that it would be more cost effective for Police Services to implement 4.6 rather than implement 4.0 and then immediately upgrade to 4.6, the City's CFO & Treasurer agreed to consider funding some incremental costs of the Police SAP implementation from the City's SAP budget.

The increased complexity of implementing the 4.6 upgrade and the Police Services functionality resulted in costs that were not originally anticipated. The Police Services implementation is the first ABC to join the City in implementing SAP. As a result there were growing pains that resulted in additional costs. Lessons learned from this implementation will be useful in achieving economies in future ABC implementations. City staff have worked with the Deloitte consultants to increase the knowledge of the SAP system and will need to rely less on the expertise of consultants in the future.

The additional costs as a result of the change in scope requested by Toronto Police Services are estimated to be \$1,437,000.00. \$272,000.00 of this additional cost is directly related to Police Services requirements not directly attributable to the change in dates and is proposed to be financed through the Police Services Operating Budget.

The Police Services Board has approved the increase in the contract and has requested that \$1,165,000.00 of the increase be funded by the City. Since no other funding sources are identified, debenture financing would be required to provide any additional funding. At this time it is premature to recommend debenture financing. Finance staff will continue to work with Police Services staff to identify opportunities to reduce the proposed increased cost. There may be opportunities for the additional costs to be absorbed within the Finance Department and Police Services budgets. A report will be submitted in the fall on the SAP implementation, including comments on any funding implications of the Police SAP implementation.

Conclusions:

The change in scope of the Police Services project to adopt the 4.6 implementation schedule planned for the City's upgrade has resulted in additional costs. City and Police Services staff have worked with the Deloitte consultants in an attempt to identify cost efficiencies by using City staff where possible. These efforts are continuing and should result in further cost savings.

Since increased debenture funding should only be used when no other sources of funding are available, the funding for this additional cost should be provided from other funding in the Police Services and Finance Departments' budgets. At this time, it is premature to recommend debenture financing. Finance staff will continue to work with Police Services staff to identify opportunities to reduce the proposed increased cost. There may be opportunities for the additional costs to be absorbed within the Finance Department and Police Services budgets.

Contact:

Al Shultz
Acting Treasurer &
Director, Accounting Services
Tel: 397-5240 Fax: 397-0834

ATTACHMENT NO. 18 [Notice of Motion J(35)]

Report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled "Extension for a Further Year and Certain Exemptions to the Waterfront Interim Control By-law No. 627-2000 (Trinity-Spadina, Toronto Centre-Rosedale, Toronto-Danforth, Wards 19, 20, 28 and 30)". (See Minute No. 7.110, Page 155):

Purpose:

The purpose of this report is to amend the Waterfront Interim Control By-law No. 627-2000 for the Central Waterfront and surrounding areas to exempt certain sites and to extend the By-law for the balance of the lands for another year, while at the same time setting conditions for the potential exemption of sites and development proposals which are consistent with the evolving planning direction for the Central Waterfront.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

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

Background:

Waterfront Interim Control By-law

On October 4, 2000, City Council adopted Interim Control By-law No. 627-2000 for the Central Waterfront and certain nearby sites for a period of one year. The By-law

expires on October 4, 2001, but may be extended for a second year. The By-law prohibits the creation of new uses of land and/or the erection of permanent new buildings or structures on certain sites. The By-law was put in place to allow for the completion of studies required to develop a new Central Waterfront Part II Plan and Zoning By-law, building on the work of the Waterfront Revitalization Task Force and the 2008 Olympic Bid initiatives. The By-law was put in place to protect future options to realize a waterfront with improved public access and a reconfigured transportation network.

The Waterfront Interim Control By-law was appealed to the Ontario Municipal Board by eight appellants. One appeal has been resolved and withdrawn. The first pre-hearing conference pertaining to the Interim Control By-law was held on April 30, 2001. A further pre-hearing conference is scheduled for July 26, 2001. Seven weeks have been set aside for the Ontario Municipal Board hearing scheduled to begin on October 9, 2001.

As the Interim Control By-law expires on October 4, 2001, and the next Council meeting is scheduled for October 2 and 3, 2001, it is important that Council deal with this matter at this Council meeting.

Comments:

Central Waterfront Part II Plan

As directed by Council in August 2000, City staff and consultants have worked intensively on a new Central Waterfront Part II Plan. It will provide the planning framework for the waterfront vision first articulated in the Waterfront Revitalization Task Force and Building Momentum reports. The Part II Plan will identify key public infrastructure and open space priorities, revitalization opportunities and an implementation process which will be co-ordinated with the Toronto Waterfront Revitalization Corporation. However, this work is not yet complete. Public consultation on the Plan is targeted for the fall, after which Council may adopt the Plan. Precinct development strategies will have to be prepared, in consultation with major stakeholders, the Revitalization Corporation and the general public, and adopted by Council, providing more detailed direction for the implementation of the Central Waterfront Part II Plan.

Interim Control By-law Sites

The lands included in the Interim Control By-law (ICBL) have been reviewed in the context of the emerging Part II Plan. It is recommended that certain sites be exempted immediately, while the By-law should be renewed for a second year as it pertains to the balance of the lands as shown on Map 1. For the balance of the lands, some sites

are recommended to be exempted subject to conditions, while other sites will remain in the ICBL.

Exempting certain sites will not have an adverse impact on the City's ability to implement the emerging planning principles for the Central Waterfront. On other sites the proponents will need to demonstrate to the City's satisfaction that any proposed development will not negatively impact these planning objectives. Once the appropriate studies have been completed for these sites, it may be possible to remove the controls of By-law 627-2000 on a site by site basis through application to the Committee of Adjustment.

(a) Lands Proposed to be Exempted from the ICBL (Sites 1 to 3)

Site 1: H & R Developments Limited (640 and 650 Fleet Street)

The owner of this property has filed applications to amend the Official Plan and Zoning By-law and an application for site plan approval for the development of this site. Council adopted my report dated February 12, 2001, dealing with a land exchange between the City and the owner. A Preliminary Report respecting the Official Plan and Zoning By-law amendment applications dated May 25, 2001, was adopted by the Downtown Community Council. Staff is currently reviewing these applications. The applicant is seeking to have these matters heard by the Ontario Municipal Board on a private appeal in conjunction with the ICBL hearing. The transportation network issues affecting this site have been resolved.

Site 2: Redpath Sugars (95 Queens Quay East)

This site contains an active industrial use which will be recognized in the Central Waterfront Part II Plan. No development of this property is currently proposed and it has been determined that the transportation network proposals will not affect this site. It is reasonable to exempt this site from the ICBL.

Site 3: Canada Post and Marathon Lands (45 Bay Street)

Studies pertaining to the transportation requirements for the Central Waterfront have determined that the currently contemplated alignments would have minimal impact on the development of these sites. Any necessary development conditions are already secured through the existing precinct agreements. Any further conditions may be obtained through the site plan approval process if deemed necessary in the future.

(b) Conditional Release from Interim Control By-law (Sites 4 to 8)

It is recommended that the By-law be extended for an additional year as it pertains to

these lands, but development be able to proceed provided the applicant meets the requirements outlined below.

Site 4: Standard Life (33 Bay Street)

Site 5: LCBO (55 to 95 Lake Shore Blvd.)

Site 6: Osmington (1 Yonge Street)

The new Central Waterfront transportation network which will be identified in the Part II Plan shows a reduced impact on these sites. The proponents for development of these sites may apply for exemption from By-law No. 627-2000, as amended, through application to the Committee of Adjustment, or further ICBL amendments by City Council, upon demonstration that the specific development proposal will be able to address the impact of any future changes to the road and transit network. The applicants also must clearly show, through the presentation of a concept plan, site access and servicing analysis, proposals for the treatment of the street edges and any necessary road widenings, that the proposed development will be flexible enough to accommodate the changes that may arise from the Part II planning process.

Conclusions:

Extending the Interim Control By-law while releasing certain sites will allow development to proceed on the waterfront, yet not compromise the work associated with the Central Waterfront Part II Plan and precinct development strategies. The recommendations are an attempt to minimize the impact of this planning process on private development and still achieve significant public benefit.

Contact:

Brenda Stan Waterfront Section
Telephone: (416) 392-7216
Fax: (416) 392-1330
E-Mail: bstan@city.toronto.on.ca

Attachment:

Attachment No. 1: Sites Within Waterfront Interim Control By-law No. 627-2000

(A copy of the Attachment referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 19 [Notice of Motion J(36)]

Report dated July 23, 2001, from the Commissioner of Urban Development Services, entitled "Proposed Interim Control By-law to Prohibit the New Use of Land, Buildings or Structures for Land Adjacent to the North Side of the CN Lakeshore Rail Corridor, File No. 701002 (Trinity-Spadina, Parkdale-High Park, Wards 13, 14, 19 and 20)". (See Minute No. 7.111, Page 156):

Purpose:

The proposed Interim Control By-law pertains to lands possibly required for the construction of the Front Street Extension, between Bathurst Street and Dufferin Street. These lands are generally adjacent to the north side of the CN Lakeshore Rail Corridor. The enactment of the by-law would allow time for a study to be undertaken to further define the actual lands required.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

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

Background:

The Front Street Extension Project has been a fundamental component of the transportation plan for the central core of the City of Toronto for nearly 20 years. The extension was first proposed as part of the Central Waterfront Transportation Study conducted in 1983. The need for the facility was reconfirmed in two more recent studies: the 1995 Railway Lands Transportation Review and the Central Area Transportation Review conducted in 1996. All of these studies determined that the transportation network serving the downtown from the west required improvements to serve the ongoing and planned new development proposed in the waterfront and

railway lands areas.

In 1989, the former Metro Toronto Transportation Department received Environmental Assessment (EA) approval for the Front Street Extension, together with a new interchange with the F. G. Gardiner Expressway. The approved alignment extended Front Street from its current terminus at Bathurst Street west to Strachan Avenue with the expressway interchange immediately west of Strachan Avenue. Upon receiving this approval, Metro proceeded to detailed design with an estimated construction completion date of 1996/97. However, shortly after receiving EA approval, a number of constraints along the Front Street Extension corridor changed, primarily the closure of the Inglis plant, which allowed for the development and evaluation of alternative alignments. These alternative alignments were carried forward in an Addendum to the original Environmental Assessment Study that was approved in 1997. Two alignments were approved: one that provided for the relocation of the North West rail corridor, and one that did not allow for rail relocation. After receiving approval of the Addendum, the construction of the Front Street Extension did not proceed due to budget constraints.

In 2000 the Toronto Waterfront Revitalization Task Force identified the reconfiguration of the Gardiner Expressway as a key component for the renewal of the City's waterfront. The construction of the Front Street Extension was one of the recommendations which would allow for this reconfiguration.

In March 2001, the City of Toronto, together with the Ontario and Federal Governments, announced funding for four initial waterfront revitalization projects. City Council formally approved the projects in May 2001. The extension of Front Street from Bathurst Street to Dufferin Street, including a new interchange with the F. G. Gardiner Expressway, is one of these four initial projects.

Comments:

Changes to the Alignment of the Front Street Extension

Background studies for both the Central Waterfront Plan and the redevelopment of the Inglis lands have proposed changes to the EA approved alignment for the Front Street Extension. These changes include:

- (1) the portion of the extension north of Fort York is proposed to be located in an underpass beneath the North West rail corridor, rather than an overpass; this alignment improves the potential for connections to the Fort and the waterfront and results from the work undertaken by the Front Street Review Committee established by City Council last year as part of the approvals for the Inglis Lands development;

- (2) immediately west of Strachan Avenue, the proposed alignment stays close to the property limits of the existing Lake Shore Rail Corridor, rather than sweeping slightly north to gain the required height to clear the rail corridors; the land requirements between Strachan Avenue and Atlantic Avenue are reduced as a result of this modification; and
- (3) the Extension is also proposed to continue beyond the new interchange with the Gardiner Expressway, providing a four -lane connection to Dufferin Street; this portion of the Front Street Extension will require the acquisition of some private property.

Current Status

Staff are preparing to submit an addendum to the approved environmental assessment which will take the alterations referred to above into consideration. This process will include a public consultation component, during which discussions will be held with potentially affected property owners.

Rationale for an Interim Control By-law

Section 38 of the Planning Act authorizes City Council to pass Resolutions directing that a review or study be undertaken in respect of land use policies. Interim Control By-laws enable Council to temporarily restrict the use of land while the City studies/reviews the land use policies for the affected properties.

With the recent changes in the proposed alignment for the Front Street Extension, there is a clearer concept of the lands required to provide for construction of the roadway. Accordingly, it would be appropriate for Council to pass an Interim Control By-law prohibiting the use of land, buildings or structures on the lands that may be required for the roadway.

Conclusions:

The land requirements for the proposed Front Street Extension have changed as a result of recent developments in the vicinity of Strachan Avenue. Coupled with recent planning and transportation policies evolving through the waterfront planning process, the new alignment offers considerable benefit to the neighbourhood and wider community. The proposed Front Street Extension forms an integral part of the transportation network proposed by the Toronto Waterfront Revitalization Task Force.

The enactment of an Interim Control By-law for the lands identified on the attached maps will allow the City to undertake the necessary review of the land use policies

related to the affected properties.

Contact:

Rollin Stanley	West Section
Telephone:	(416) 392-0424
Fax:	(416) 392-1330
E-Mail:	rstanley@city.toronto.on.ca

List of Attachments:

Maps (1-3)

(A copy of the Maps referred to in the foregoing report are on file in the Office of the City Clerk.)

ATTACHMENT NO. 20 [Notice of Motion J(38)]

Report dated July 25, 2001, from the Commissioner of Corporate Services, entitled “Use of Nathan Phillips Square: Special Events WWF Rally – Tentative between August 27, 2001, and September 8, 2001”. (See Minute No. 7.113, Page 159):

Purpose:

The purpose of this report is to seek City Council’s approval for the Special Events Division to set off pyrotechnics within the boundaries of Nathan Phillips Square.

Financial Implications and Impact Statement:

None.

Recommendations:

It is recommended that:

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

Background:

Municipal Code Chapter 237 “Nathan Phillips Square” prohibits the setting off of pyrotechnics within the boundaries of Nathan Phillips Square.

Comments:

In anticipation of a possible WWF rally, the Special Events Division of the Economic Development, Culture and Tourism Department is requesting permission to set off pyrotechnics on Nathan Phillips Square on/or between possible dates of August 27, 2001, and September 8, 2001.

Conclusion:

It is recommended that Council approve the recommendations embodied in this report to enable Nathan Phillips Square to host the WWF Rally on/or between August 27, 2001, and September 8, 2001.

Contact:

Nelson Elliott,
Manager Customer Support
Corporate Services Department
Facilities and Real Estate Division
Ph: (416) 397-0808

Bruce Bowes, P.Eng.
Executive Director
Corporate Services Department
Facilities and Real Estate Division
Ph: (416) 397-4156

