

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Report No. 7 of The Administration Committee,
Report No. 8 of The Administration Committee,
Report No. 6 of The Community Services Committee,
Report No. 6 of The Economic Development and Parks Committee,
Report No. 7 of The Planning and Transportation Committee,
Report No. 8 of The Planning and Transportation Committee,
Report No. 9 of The Policy and Finance Committee,
Report No. 10 of The Policy and Finance Committee,
Report No. 7 of The Works Committee,
Joint Report No. 1 of The Policy and Finance Committee and The Works Committee,
Report No. 8 of The Etobicoke Community Council,
Report No. 8 of The Humber York Community Council,
Report No. 9 of The Humber York Community Council,
Report No. 5 of The Midtown Community Council,
Report No. 6 of The Midtown Community Council,
Report No. 6 of The North York Community Council,
Report No. 7 of The North York Community Council,
Report No. 5 of The Scarborough Community Council,
Report No. 6 of The Scarborough Community Council,
Report No. 8 of The Toronto East York Community Council,
Report No. 6 of The Audit Committee,
Report No. 5 of The Board of Health, and
Report No. 4 of The Striking Committee,

and Notices of Motions, Enquiry and Answer as adopted by the Council of the City of Toronto at its regular meeting held on June 18, 19 and 20, 2002.

Unless otherwise noted in this document, the Clauses contained in the aforementioned Reports were approved in the form presented to Council.

REPORT NO. 7 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - "Fair Wage Policy Enhancements and Procedure Review".

The Clause was amended by deleting from Recommendation No. (8) embodied in the joint report dated March 1, 2002, from the Commissioner of Corporate Services and the Manager of Fair Wage and Labour Trades Office, as embodied in the Clause, the word "Contracting", and

inserting in lieu thereof the word "Wage", so that such recommendation shall now read as follows:

- "(8) the Commissioner of Corporate Services and the Manager, Fair Wage and Labour Trades Office, take the necessary steps to change the name of the Fair Wage and Labour Trades Office to 'Fair Wage Office' and to ensure that the job functions and titles of the office are clearly defined to reflect the new name enhancement;"

Clause No. 2 - "Privacy Legislation Compliance and Technology Systems".

The Clause was struck out and referred to the Audit Committee, with a request that the City Auditor conduct a risk analysis, such analysis to address the concerns outlined in the following motion, and report thereon to the Audit Committee by September 2002:

Moved by Councillor Moscoe:

"It is recommended that:

- (1) the process include provision for peer review and input from Members of Council; and
- (2) there be an appeal mechanism established that involves Members of Council, and the Chief Administrative Officer be requested to report thereon to the Administration Committee."

Clause No. 3 - "Sweatshop Abuses in the Garment Industry, Development of An Anti-Sweatshop Procurement Policy".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

REPORT NO. 8 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - "Harmonization of Mandatory Retirement Policy".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 2 - "Workforce Reduction Costs in 2002".

The Clause was amended by:

- (a) adding to Part (1) of the signature approval process for separation, under the heading "Conditions of Accessing the Reserve Fund for Workforce Reduction", the words "based on the organizational charts produced during the 2002 budget process and approved by the Chief Administrative Officer", so that such Part shall now read as follows:

- "(1) the department head who confirms and identifies whether the separating employee's position or an equivalent position will be deleted from the department, based on the organizational charts produced during the

2002 budget process and approved by the Chief Administrative Officer;”;
and

(b) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer be requested to confirm that the appropriate agency, board, commission or department’s budget has been amended to reflect the change in complement, advise the year it impacts and further report on these expenditures to the Budget Advisory Committee in the fall of 2002.”

Clause No. 7 - “Supply and Delivery of Polyethylene Garbage Bags Request for Quotation No. 0406-00-1103 ”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council:

- (1) receive the supplementary report dated June 17, 2002, from the Chief Financial Officer and Treasurer; and
- (2) direct that a copy thereof be forwarded to the Toronto Transit Commission for consideration.”

REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 7 - “Children and Youth Advocate Annual Report 2002”.

The Clause was amended by striking out and referring the following Recommendation No. (1) embodied in the Children and Youth Advocate Report, 2002, under the heading “Children’s Recommendations”, to the Chief Financial Officer and Treasurer for report thereon to the Budget Advisory Committee:

“(1) Approve funding for the initiatives outlined in the Action Plan for Children 2002.”

Clause No. 15 - “Local Access Priorities for Geared-to-Income Units in Social Housing”.

The Clause was amended by:

(1) adding the following to Recommendation No. (5) of the Community Services Committee:

“and further, that such report include the following issues:

- (a) applicants who owe money to a social housing provider being eligible to be placed back on the rent-geared-to-income (RGI) waiting list;
- (b) a review of local access priorities as they relate to market rent householders who suddenly require RGI assistance; and

- (c) a system where residents applying for RGI assistance who are in market units have a fair start date assigned to them.”,

so that such recommendation shall now read as follows:

- “(5) the Commissioner of Community and Neighbourhood Services report back, as soon as possible, on ways to monitor and review access and equity issues in social housing in the context of devolution, such review to take place no later than the spring of 2003, and further, that such report include the following issues:
 - (a) applicants who owe money to a social housing provider being eligible to be placed back on the rent-geared-to-income (RGI) waiting list;
 - (b) a review of local access priorities as they relate to market rent householders who suddenly require RGI assistance; and
 - (c) a system where residents applying for RGI assistance who are in market units have a fair start date assigned to them;”;

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on how units for the disabled and artists will be protected; and
- (b) consideration of the following motion be deferred until the end of 2003, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, at that time, on the effects of this new policy:

Moved by Councillor Mihevc:

‘That the Clause be amended by deleting the following Recommendation No. (1)(ii) of the Community Services Committee:

- “(1) the Local Access Priorities for Geared-to-Income Units in Social Housing, as approved by Council on April 16, 17 and 18, 2002, on an interim basis, be confirmed, subject to amending:
 - (ii) Local Access Priority No. (4)(c) by deleting the words ‘newcomers to Canada’ and replacing them with the words ‘newcomers who are homeless, as defined in the report’, so that such priority reads as follows:

- ‘(c) newcomers who are homeless, as defined in the report – recent immigrants, including refugee claimants, who apply for housing within one year of entry into Canada;.’”

Clause No. 16 - “City of Toronto Response to the Gillian Hadley and Ralph Hadley Coroner's Inquest Recommendations”.

The Clause was amended in accordance with the following recommendation of the Task Force on Community Safety embodied in the communication dated June 17, 2002, from the City Clerk:

“The Task Force on Community Safety endorsed the recommendations contained in the report (May 15, 2002) from the Acting Commissioner of Community and Neighbourhood Services, subject to Recommendation No. (9) being amended by adding thereto the following:

‘and further that staff, following consultation, report back to the Task Force on Community Safety with a mandate and a clear rationale for the work group’,

so that Recommendation No. (9) now reads as follows:

- ‘(9) the Task Force on Community Safety establish a work group specifically for woman abuse issues with a mandate to develop ongoing strategies, in collaboration with community stakeholders such as the Woman Abuse Council, to strengthen the network of services and supports for abused women and children in Toronto and further that staff, following consultation, report back to the Task Force on Community Safety with a mandate and a clear rationale for the work group; and”.

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

The Clause was received as information, subject to striking out and referring Item (b), entitled ‘Multi-Agency Response Plans and Procedures’, embodied therein, back to the Community Services Committee for further consideration.

REPORT NO. 6 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 6 - “2002 Cultural Grants Recommendations - Major Cultural Organizations (All Wards)”.

The Clause was amended by adding thereto the following:

“It is further recommended that, in light of the recent Federal and Provincial Superbuild announcements that recognized the George Gardiner Museum of Ceramic Art, along with institutions such as the Art Gallery of Ontario and the Royal Ontario Museum, as a cultural institution of national and provincial significance, and in recognition of the fact that ‘The Gardiner’ has received international acclaim and is acknowledged to be a

fiscally responsible and attractive tourist destination that contributes to the City of Toronto economy, the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the various performing and exhibiting arts organizations and museums in the City of Toronto, with particular regard to their size, economic and educational impact, and the degree of support they receive from the City of Toronto.”

Clause No. 10 - **“City of Toronto Art Collection Management Policy and Historical Collection Management and Development Policies (All Wards)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the following motion be referred to the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism for report thereon to the Economic Development and Parks Committee, such report to address the development of a strategy for ongoing enhancement of the City of Toronto’s art collection:

Moved by Councillor Moscoe:

‘It is recommended that the City art collection apply for an annual major cultural grant approximately equivalent to grants provided to each of the “Big 5” cultural organizations, for the acquisition of art for the City of Toronto’s permanent art collection.’ ”

Clause No. 16 - **“Business Improvement Area Capital Cost-Sharing Program Review (All Wards)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Economic Development, Culture and Tourism be directed to consult with the Toronto Association of Business Improvement Areas and other necessary City departments regarding application permit and hoisting fees, and report thereon to the September 2002 meeting of the Economic Development and Parks Committee; and
- (2) in the interim, staff be directed to hold any enforcement activities pending receipt of the report.”

Clause No. 18 - **“Attendance at Cineposium 2002 (All Wards)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit reports to the Economic Development and Parks Committee:

- (1) on detailed sales activities of previous trips in this regard, with a quantification of benefits; and
- (2) providing the same details outlined in Recommendation No. (1), above, upon completion of this year's attendance at Cineposium 2002."

REPORT NO. 8 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - "All City of Toronto Licensed Taxicabs to be the Same Colour".

The Clause was received.

Clause No. 2 - "Leslie/Sheppard Gateway Project - West Corner of Sheppard Avenue East and Leslie Street".

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

REPORT NO. 9 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - "Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-Owned Real Property".

The Clause was amended adding thereto the following:

"It is further recommended that Council adopt the following motion:

'WHEREAS the City of Toronto is the owner of a 1.32 acre (5,397 square metre) parcel of land at 2756 Old Leslie Street (Ward 24 – Willowdale); and

WHEREAS a December 2000 decision by the City's Property Management Committee granted jurisdiction of the south portion of the site (approximately 30,000 square feet) to Works and Emergency Services for Fire Services purposes, and the north portion of the site (approximately 27,700 square feet) to the TTC for a commuter parking lot; and

WHEREAS the Works and Emergency Services Division (WES) has re-evaluated its facility requirements, and has identified a potential alternative that would allow the Works and Emergency Services Division to more effectively utilize an existing WES property adjacent to 2756 Old Leslie Street (the Oriole Yard site), by combining certain operations and relocating others, thereby making lands available on the Oriole Yard site for a future Fire Services facility; and

WHEREAS this alternative would free up the southerly portion of 2756 Old Leslie Street currently under the jurisdiction of WES – Fire Services, allowing it to be utilized for other municipal purposes or sold as surplus to the City’s requirements; and

WHEREAS Council has previously directed that all City departments, agencies, boards and commissions undertake to identify lands no longer needed for operations, and that the City actively pursue selling properties surplus to municipal requirements, as a means of generating revenue; and

WHEREAS the southerly portion of 2756 Old Leslie Street has considerable potential market value as a site for possible redevelopment and intensification of land use, given its proximity to the Sheppard Subway Line, the new Leslie Street Station and the intersection of Leslie Street and Sheppard Avenue; and

WHEREAS under the City’s current procedures for the sale of surplus lands, and the procedures contemplated by the proposed “Policy Governing Land Transactions among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-Owned Real Property”, net proceeds from the sale of 2756 Old Leslie Street would be deposited to the City’s Land Acquisition Reserve Fund, a reserve fund established to fund future land acquisitions or capital needs;

NOW THEREFORE BE IT RESOLVED THAT Council undertake to pursue the severance and declaration as surplus of the south portion of 2756 Old Leslie Street, through the Property Management Committee process;

AND BE IT FURTHER RESOLVED THAT in so doing, the Property Management Committee be directed to seek alternatives that would see the south portion of 2756 Old Leslie Street developed to its highest and best use, to maximize the potential value from the sale of this parcel for redevelopment, giving due consideration to proposals that may involve the shared use of the site for redevelopment and City purposes;

AND BE IT FURTHER RESOLVED THAT in the Property Management Committee’s subsequent review of this site, the Toronto Transit Commission be requested to consider the potential for redevelopment of the entire site, subject to maintaining an equivalent parking capacity to that proposed for the TTC’s currently planned commuter parking facility on the north half of the site;

AND BE IT FURTHER RESOLVED THAT, in recognition of the efforts made by Works and Emergency Services Division to increase the efficiency of operations, thereby allowing Fire Services to release this parcel for its significant revenue generating potential, and in consideration of the capital costs associated with the consolidation and/or relocation of WES operations and facilities, including the construction of a new Fire Station facility, Council make an appropriate allocation of funds from the Land Acquisition Reserve Fund, based on forthcoming business plans to be submitted by WES - Fire Services;

AND BE IT FURTHER RESOLVED THAT the supplementary report dated May 15, 2002, from the Chief Administrative Officer, be received.’ ”

REPORT NO. 10 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - “Service Improvement and Alternative Service Delivery Work Program”.

The Clause was amended:

(1) by striking out and referring the following Recommendation No. (3) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, to the Chief Administrative Officer for further review; such recommendation to be brought forward with an itemized list of expenditures, and that such expenditures be justified in the 2003 budget process:

“(3) estimated resources to implement the 2003 phase of the ASD and service improvement work program, of approximately \$3.0 million, be further refined and included in the 2003 Operating Budget estimates;”;

(2) to provide that, before finalization of the turf maintenance Request for Proposal, such Proposal be subject to a further report, following consultation with employees who will be given every opportunity to provide in-house services in a competitive manner, and, where applicable, who will be encouraged to bid on City Requests for Proposals; and

(3) by adding thereto the following:

“It is further recommended that:

(a) the front line workers in each program be invited to advise as to how their work experience and services to citizens can be improved; and

(b) the following motion be referred to the Chief Administrative Officer, with a request that she submit a report to the Policy and Finance Committee on the establishment of a formal consultation protocol with representatives of Locals 416 and 79, and COTAPSAI, in the analysis and development of the recommended options for Alternative Service Delivery implementation:

Moved by Councillor McConnell:

‘It is further recommended that:

(1) staff be required to consult with the Unions at each step of the ASD process;

- (2) staff be requested to report back to Council before taking any steps to implement ASD measures on any of the services named in the report; and
- (3) staff be requested to work with the Unions, as part of the ASD review of these services, to determine whether internal service improvements and efficiencies can be made; and that they report back to Council on the results of this work.’ ”

Clause No. 2 - **“City of Toronto Economic Development Corporation – (TEDCO) – City Wide”.**

The Clause was amended by:

- (1) amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by inserting in Recommendation No. (8), after the words “arms-length corporation”, the words “as long as it is consistent with the City of Toronto’s emerging directions and objectives for the Waterfront”, so that such recommendation shall now read as follows:

“(8) TEDCO be directed to comply with the Reporting and Communications Protocol for Waterfront Revitalization, as appropriate to the mandate of TEDCO as an arms-length corporation, as long as it is consistent with the City of Toronto’s emerging directions and objectives for the Waterfront, and this report be forwarded for information to the Waterfront Reference Group through the Executive Lead for the Waterfront;”;

- (2) amending the Shareholder Direction embodied in Attachment No. 2 to the joint report dated May 1, 2002, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, by:
 - (a) adding to Article (4.2), the words “The Board shall not act in any manner contrary to the policies of the Shareholder.”, so that such Article shall now read as follows:

“(4.2) Matters Requiring Shareholder Approval

Notwithstanding section 4.1, the Board shall obtain the Shareholder’s approval in respect of any matters requiring approval of the Shareholder pursuant to this Direction, the OBCA, the TEDCO Arm’s Length Agreement (II) or otherwise, all as more particularly described in Article 7. The Board shall not act in any manner contrary to the policies of the Shareholder.”; and

- (b) adding to Article (6.1), the words “and City Council policies with respect to conflict of interest”, so that such Article shall now read as follows:

“(6.1) Conflict of Interest Policy

The Directors shall strictly abide by the requirements of the OBCA and any TEDCO policies in respect of conflicts of interest, including any requirements for disclosure and abstention from voting and City Council policies with respect to conflict of interest.”; and

(3) adding thereto the following:

“It is further recommended that:

- (a) the procedural by-law governing meetings of the TEDCO Board of Directors be modelled as closely as possible after Chapter 27, Council Procedures, of the City of Toronto Municipal Code; and
- (b) Members of City Council shall be entitled to obtain copies of the minutes of the meetings of the TEDCO Board of Directors, on request, subject to the confidentiality provisions outlined in Article (8.4).”

Clause No. 9 - “City-Wide Program for Provision of Essential Sidewalk Links (All Wards)”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 10 - “Waste Collection at the Home Depot Site Located on Cherry Street”.

The Clause was amended by deleting from Recommendation No. (1) of the Policy and Finance Committee, the words “within five working days”, and inserting in lieu thereof the words “within forty-five (45) working days”, so that such recommendation shall now read as follows:

“The Policy and Finance Committee recommends that:

- (1) the Commissioner of Urban Development Services be requested to notify the owners of the Home Depot on Cherry Street, that if the site currently occupied by the homeless is not cleaned-up within forty-five (45) working days, the Commissioner of Works and Emergency Services is directed to provide for the collection of waste from the area on a one time basis only; and the Home Depot be charged for the waste collection service accordingly;”.

Clause No. 16 - “Funding for the Port Union Waterfront Improvement Project”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Mimico Linear Park project be considered during the 2003 budget process.”

Clause No. 17 - “Update on the Toronto Waterfront Revitalization Project Reporting and Communications Protocol”.

The Clause was struck out and referred back to the Policy and Finance Committee for further consideration, together with the following motion:

Moved by Councillor Moscoe:

“It is further recommended that:

- (1) as plans for the Waterfront proceed, the Commissioner of Urban Development Services be requested to prepare a one-page chart detailing reports that have been commissioned and their intended flow through the various departments, agencies, boards and commissions; and
- (2) this chart be updated on a regular basis.”

Clause No. 18 - “Update on the Toronto Waterfront Revitalization Initiatives”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to reiterate, to the Provincial and Federal Governments, previous positions taken by City Council with respect to this matter.”

Clause No. 20 - “Yonge/Dundas Redevelopment Project - Payment of Mortgages”.

The Clause was received.

Council adopted the following motion:

Moved by Councillor Rae, seconded by Councillor Moscoe:

“It is recommended that the City Solicitor, in consultation with the Chief Financial Officer and Treasurer and the Commissioner of Urban Development Services, be requested to submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on July 4, 2002, on options for the City of Toronto to ensure collection on its mortgages and to protect its financial interests, and the implications thereof on the project’s viability.”

Clause No. 22 - “Other Items Considered by the Committee”.

The Clause was received as information, subject to deferring Item (d), entitled “Potential Sale of Hydro One – Legal Considerations”, to the next regular meeting of City Council scheduled to be held on July 16, 2002.

REPORT NO. 7 OF THE WORKS COMMITTEE

Clause No. 1 - "Solid Waste Collection By-law - Commercial Properties".

The Clause was amended:

- (1) in accordance with the supplementary report dated June 14, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

"It is recommended that:

- (1) the amended City of Toronto Municipal Code Chapter 841, Waste Collection – Commercial Properties provided as Attachment 1 in this report replace the original proposed City of Toronto Municipal Code, Chapter 841, Waste Collection – Commercial Properties presented to Works Committee in the report dated May 17, 2002, from the Commissioner of Works and Emergency Services, entitled 'Solid Waste Collection By-law – Commercial Properties'; and
- (2) Item 13 - 'Failure to set out item eligible for collection for more than one collection period.', be deleted."; and

- (2) by adding thereto the following:

"It is further recommended that:

- (a) in those areas that have been previously designated as pilot project areas by the City of Toronto, provision be made for the phase-in over a six-month period; and
- (b) in previously designated pilot project areas, where changes have been made in the collection system during this term of City Council, provision be made for local Councillors, supported by staff, to conduct public meetings to explain the new system."

Clause No. 2 - "Scadding Court Community Centre - Composting Pilot Project".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 3 - “Re-use Centres”.

The Clause was amended:

- (1) to provide that the Business Case include, but not be limited to, the feasibility of conducting a semi-annual curbside collection of textiles, the sale of the collected textiles, and the donation of unsold textiles to genuine non-profit organizations and charities, with the overall objective being that of attaining the City of Toronto’s solid waste diversion goals; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to meet with representatives of the Habitat for Humanity Re-Store, in order to co-ordinate the re-use efforts.”

Clause No. 5 - “Development Review Process: Harmonized Site Remediation Peer Review for Contaminated Sites”.

The Clause was amended by:

- (1) amending the report dated May 13, 2002, from the Commissioner of Works and Emergency Services, as embodied in the Clause, by:
 - (a) adding to Recommendation No. (3), the words “subject to limiting the Toronto Public Health Development Review Team’s monitoring and evaluation procedure as outlined in Appendix ‘A’ and Appendix ‘B’ to a period commencing September 2, 2002, and ending December 31, 2002, or until the review is completed”, so that such recommendation shall now read as follows:
 - “(3) staff be authorized to implement the proposed Harmonized Site Remediation Review Process outlined in Appendix ‘A’ of this report for new applications effective September 2, 2002, subject to limiting the Toronto Public Health Development Review Team’s monitoring and evaluation procedure as outlined in Appendix ‘A’ and Appendix ‘B’ to a period commencing September 2, 2002, and ending December 31, 2002, or until the review is completed; and”;
 - (b) adding the following new recommendations:
 - “(5) staff report to the January 2003 meeting of the Works Committee on the efficacy of the new development review process;
 - (6) this report be forwarded to the Budget Advisory Committee for consideration with the 2003 Public Health Budget; and
 - (7) all Peer Reviewers be professional Engineers or other certified experts in environmental remediation.”; and

- (2) 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, by November 2002, on mechanisms and opportunities to recover municipal costs related to non-development contamination issues.”

Clause No. 10 - “Temporary Traffic By-law Adjustments Related to World Youth Day 2002 Events (Wards 8, 9, 10, 12, 14, 15, 16, 18, 19 and 23)”.

The Clause was amended by amending the report dated May 7, 2002, from the Commissioner of Works and Emergency Services, as embodied in the Clause, by:

- (1) amending the recommendations by:

- (a) deleting from Recommendation No. (2), the words “to begin at 9:00 p.m. instead of 12:01 a.m., from July 22, 2002 to July 27, 2002”, and inserting in lieu thereof the words “to begin at 9:00 p.m. instead of 12:01 a.m. and end at 10:00 a.m. daily, commencing at 9:00 p.m. on July 22, 2002, and ending at 10:00 a.m. on July 28, 2002”;
- (b) renumbering Recommendation No. (3) as Recommendation No. (4); and
- (c) inserting a new Recommendation No. (3) to read as follows:
- “(3) the Allen Road be closed to vehicular traffic from Eglinton Avenue to Sheppard Avenue (full closure) for World Youth Day 2002 from 8:00 p.m., Friday, July 26, 2002, to 11:59 p.m., Sunday, July 28, 2002;”

so that such recommendations shall now read as follows:

“It is recommended that:

- (1) the temporary by-law amendments itemized in Appendix ‘A’ of this report be approved for the time limits specified during the World Youth Day 2002 event;
- (2) a newly created Schedule AI of the former City of Toronto Municipal Code Chapter 400 (Traffic and Parking) be introduced to temporarily extend the permit parking hours on the streets listed in Appendix ‘B’ of this report to begin at 9:00 p.m. instead of 12:01 a.m. and end at 10:00 a.m. daily, commencing at 9:00 p.m. on July 22, 2002, and ending at 10:00 a.m. on July 28, 2002;
- (3) Allen Road be closed to vehicular traffic from Eglinton Avenue to Sheppard Avenue (full closure) for World Youth Day 2002 from 8:00 p.m., Friday, July 26, 2002, to 11:59 p.m., Sunday, July 28, 2002; and

- (4) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”; and
- (2) amending Appendix “B” to such report as follows:
 - (a) revising the heading for Column 4 to read “Authorized Period of Use”, in lieu of “Prohibited Times and Days”;
 - (b) deleting from the third column for the Lakeview Avenue entry, the words “Harrison Street and Churchill Avenue”, and inserting in lieu thereof the words “Harrison Street and Churchill Avenue”;
 - (c) deleting from the third column for the Heydon Park Road entry the words “North Leg of Heydon Park Road and North Leg of Rusholme Rod”, and inserting in lieu thereof the words “North Leg of Heydon Park Road and North Leg of Rusholme Road”; and
 - (d) deleting from the third column for the first Rusholme Road entry the words “Dundas Street West and 30.0 South of College Street”, and inserting in lieu thereof the words “Dundas Street West and 30.0 metres South of College Street”.

JOINT REPORT NO. 1 OF THE POLICY AND FINANCE COMMITTEE AND THE WORKS COMMITTEE

Clause No. 1 - “Other Item Considered by the Committees”.

The Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

REPORT NO. 8 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 13 - “Reconstruction of Haliburton Avenue, Mulvey Avenue, Random Street, Tasker Road and Burrows Avenue (Ward 3 - Etobicoke Centre)”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

REPORT NO. 8 OF THE HUMBER YORK COMMUNITY COUNCIL

Clause No. 1 - “Installation of Speed Humps on the Section of Northcliffe Boulevard between Rosemount Avenue and St. Clair Avenue West (Davenport, Ward 17)”.

Consideration of the Clause was deferred to the regular meeting of City Council scheduled to be held on October 1, 2002.

REPORT NO. 9 OF THE HUMBER YORK COMMUNITY COUNCIL

Clause No. 6 - “Final Report – 2525 to 2535 St. Clair Avenue West (South Side of St. Clair Avenue West, Between Runnymede Road and Mould Avenue); Application to Amend Zoning By-law No. 1-83 of the (former) City of York; Zelinka Priamo Ltd. for 3916987 Canada Inc. (York South-Weston, Ward 11)”.

The Clause was amended in accordance with the supplementary report dated June 14, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the recommendations contained in the final report dated May 17, 2002 be modified as follows:
 - (a) that Recommendation No. (4) be deleted and the following substituted in lieu thereof:
 - “(4) prior to the introduction of the necessary Bill to City Council for enactment, The Building Box (Reno Depot Inc.) shall provide an undertaking satisfactory to the Director of Community Planning which indicates that prior to site plan approval The Building Box (Reno Depot Inc.):
 - (i) agrees to provide the City of Toronto with an irrevocable Letter of Credit for \$50,000.00 for the purchase and installation of signal priority technology for transit vehicles at two intersections in the vicinity of the proposed development, on the understanding that the Letter of Credit cannot be drawn upon until the building permit has been issued;
 - (ii) agrees that signal priority technology for transit vehicles will be incorporated in the design of the new traffic control signals proposed at the entrance to the development at the intersection of St. Clair Avenue West and Mould Avenue and that all costs associated with the purchase and installation of this signal priority technology for transit vehicles, to a maximum of \$25,000.00, will be borne by The Building Box (Reno Depot Inc.); and
 - (iii) agrees that the Letter of Credit will be provided to the City of Toronto for a period not to exceed 90 days subsequent to the opening of The Building Box (Reno Depot Inc.) retail store at the subject site. If the signal priority equipment is not installed and operational at the two intersections in the

vicinity of the proposed new development within that time period, then the Letter of Credit will be returned to The Building Box (Reno Depot Inc.).”;

- (b) that Recommendation No. (5) of the final report dated May 17, 2002, be modified as follows:

- (i) Recommendation No. (5)(f):

that this recommendation be deleted and the following substituted in lieu thereof:

“(5)(f) provide a Letter of Credit to be held for one year from the occupancy of the home improvement store, in the amount of \$25,000.00, to cover the costs associated with the following measures, as deemed appropriate by the Commissioner of Works and Emergency Services:

- (i) implementing neighbourhood traffic calming measures, if any, as identified in Recommendation No. 5(e), above;
- (ii) implementing the signal timing modifications identified in the iTRANS report dated April 2002, which are attributable to this development, if any;”;

- (ii) Recommendation No. (5)(p):

that this recommendation be deleted and the following substituted in lieu thereof:

“(5)(p)(1) The proponent must submit all environmental information related to on-site contamination, off-site contamination/impact or lands to be dedicated to the City for road or parkland purposes to the Works and Emergency Services Department for the peer review process. Please note that the cost of the peer review will be borne by the developer.

- (2) If the proposal involves lands to be dedicated to the City for road or parkland purposes, the lands must meet Ministry of the Environment (MOE) soil and groundwater criteria listed in the current MOE Guidelines. Where different land uses occur on opposite sides of a road, the more stringent criteria must be met. The City will not accept ownership of

any parcel of land where contamination exceeds criteria listed in the current MOE Guidelines.

- (3) If migration of contaminants from the site is indicated during the environmental site assessment, and the migration affects City property and/or utilities, the proponent or the polluter is required to address the issue by either:
 - (a) cleaning up the affected area to meet MOE soil and groundwater criteria listed in the current MOE Guidelines, or
 - (b) ensuring that the contamination, if left at the affected area, will not have a negative impact on the proposed development or the affected off-site area. If the City's peer reviewer concurs with the proponent's consultant that contamination may be left at the affected area, the proponent or the polluter shall sign an indemnity agreement with the City.
- (4) All correspondence from the proponent's consultant(s) to the City must state that the City and its peer reviewer can rely on the information. The proponent should contact Works staff to clarify submission requirements, costs and timeframe associated with the review, and the clearance process.”;

- (iii) Recommendation No. (5)(v)(iii):

that this recommendation be deleted and the following substituted in lieu thereof:

“(5)(v)(iii) a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;”;

- (iv) Recommendation No. (5)(v)(vi):

that this recommendation be deleted, and the following substituted in lieu thereof:

“(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of

special pavers, bricks, scored concrete or other surfacing materials acceptable to the Commissioner of Urban Design so as to promote pedestrian safety;”;

(v) add a new Recommendation No. (5)(v)(xi) as follows:

“(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the satisfaction of the Director of Community Planning, West District and the Director of Urban Design;”;

(2) Zoning By-law No. 1-83 be amended generally in accordance with the revised draft Zoning By-law appended to this report as Attachment 1, and worded to the satisfaction of the City Solicitor to reflect the following:

(a) that section (b) be deleted and the following substituted in lieu thereof:

“(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.”;

(b) that section (c) be deleted and the following substituted in lieu thereof:

“(c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:

(i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or

(ii) interfere with the use of a driveway required for access to a parking or loading area.”;

(c) that section (d) be deleted and the following substituted in lieu thereof:

“(d) The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.”;

(d) that section (f) be deleted and the following substituted in lieu thereof:

- “(f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, ‘front yard’ shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.”;
 - (e) that section (g) be deleted;
 - (f) that section (h) be deleted and the following substituted in lieu thereof:
 - “(h) Vehicular access to St. Clair Avenue West shall be restricted to one full-turn access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.”;
 - (g) that section (i) be deleted and the following substituted in lieu thereof:
 - “(i) For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;”;
 - (h) that section (l)(b) be deleted and the following substituted in lieu thereof:
 - “(l)(b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;”;
 - (i) that section (l)(d) be deleted and the following substituted in lieu thereof:
 - “(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;”;
 - (j) that section (l)(e) be added as follows:
 - “(l)(e) all loose building materials that are not packaged and are stored on site be fully enclosed, excluding lumber;”;
 - (k) that section (m) be deleted;
- (3) the City Solicitor be authorized to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (4) in consideration of the by-law revisions noted in this report, it is recommended that no further notice of a public meeting be given in respect of the revised draft Zoning By-law.”

Clause No. 7 - “2525-2535 St. Clair Avenue West - Application for Demolition Approval; Owner: 3916987 Canada Inc. Applicant: Stantec Consulting (York South-Weston, Ward 11)”.

The Clause was amended by deleting Recommendation No. (3)(b) embodied in the report dated May 27, 2002, from the Director, Community Planning, West District, as embodied in the Clause, and inserting in lieu thereof the following:

“(3)(b) pay a fee to an upset limit of \$5,000.00, prior to the issuance of a building permit, for the cost of City staff to conduct television inspections of the existing sanitary sewer bisecting the site, both before and after completion of construction activities associated with this project.”

Clause No. 18 - “Cardell Avenue and Fairglen Crescent, Implementation of 40 km/h Speed Limit; and North and Southbound Turn Prohibitions on Weston Road (York South-Weston, Ward 11)”.

The Clause was amended by deleting the new Recommendation No. (3) proposed by the Humber York Community Council and inserting in lieu thereof the following:

“(3) Schedule XV of By-law No. 31001 of the former City of North York be amended to prohibit southbound right turns from the first driveway west of Weston Road on the north side of Fairglen Crescent and northbound left turns from the first driveway west of Weston Road on the south side of Fairglen Crescent, at any time;”.

Clause No. 21 - “South Kingsway - Minor Road Alterations at Morningside Avenue and Riverside Drive (Parkdale-High Park, Ward 13)”.

The Clause was amended by deleting the following Recommendation No. (1) embodied in the report dated May 16, 2002, from the Director, Transportation Services, District 1:

“(1) a by-law be prepared and advertising commence for the alteration of the roadway on South Kingsway at Riverside Drive generally as shown on attached Drawing Nos. P4422SK1 and P4422SK2 dated May 2002 and described as follows:

‘realignment of the curb on the southwest corner of the intersection of Riverside Drive at South Kingsway to eliminate the exclusive right-turn lane and create a simple “T” intersection, and creation of a parallel parking bay on the west side of South Kingsway, south of Riverside Drive’;”.

Clause No. 28 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to amending Item (e) entitled “Preliminary Report – 46 Halford Avenue (West Side of Halford Avenue, East of Old Mill Drive), Application to Amend Zoning By-law No. 1-83 of the (former) City of York and Application for Site Plan Approval (Parkdale-High Park, Ward 13)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, by striking out Recommendation No. (2) contained in the report dated May 17, 2002, from the Director, Community Planning, West District, and inserting in lieu thereof the following new Recommendation No. (2):

“(2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and also be given to landowners and residents on the following streets:

Riverside Drive north of Bloor Street West;
all of Old Mill Drive;
all of Traymore Crescent;
all of Riverview Gardens;
all of Orchard Crest Road;
all of Langmuir Crescent; and
all of Bridgeview Road;”.

REPORT NO. 5 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 1 - “Other Item Considered by the Community Council”.

The Clause, consisting of Item (m), entitled “2195 Yonge Street - OMB Case”, was struck out and referred back to the Midtown Community Council for further consideration.

REPORT NO. 6 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 1 - “Special Occasion Permit - Community Event - Quattro Communications Inc. - Canada Day Celebration - Parc Downsview Park - Monday, July 1, 2002 - 11:00 a.m. to 11:00 p.m.”.

The Clause was struck out and referred to the Parc Downsview Park Operating Protocol Committee for further consideration.

REPORT NO. 7 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 19 - “Final Report - Application to Amend the Zoning By-law - TB ZBL 2001 0016 - Blooming Forest Bhikkhuni Buddhist Association of Canada - 960-962 Wilson Avenue at Murray Road - Ward 9 - York Centre”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

REPORT NO. 5 OF THE SCARBOROUGH COMMUNITY COUNCIL

Clause No. 1 - "Phase 4 Scarborough Transportation Corridor Land Use Study - SC-W19990005 (Ward 36 - Scarborough Southwest)".

The Clause was struck out and referred back to the Scarborough Community Council for further consideration at its meeting scheduled to be held on September 17, 2002; and the Director, Community Planning, East District, was requested to submit a further report to the Scarborough Community Council, at that time, outlining the outcome of discussions with the General Manager of Shelter, Housing and Support, the Director of Real Estate and the Director of Policy and Planning, Parks Division.

REPORT NO. 8 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

Clause No. 8 - "Programmed Capital Works in Connection with Development of a Streetscape Concept - College Street, from Spadina Avenue to Bathurst Street (Trinity-Spadina, Ward 20)".

The Clause was amended by amending the recommendations of the Toronto East York Community Council by:

(1) adding to Recommendation No. (3), the words "on the condition that no cycling infrastructure be reduced", so that such recommendation shall now read as follows:

"(3) the City support the College Street streetscape plan as proposed, on the condition that no cycling infrastructure be reduced;" and

(2) inserting in Recommendation No. (4), after the words "Commissioner of Urban Development Services", the words "the Commissioner of Economic Development, Culture and Tourism", so that such recommendation shall now read as follows:

"(4) the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Services, the Commissioner of Economic Development, Culture and Tourism and the local community, develop and finalize a streetscape design based on the proposal from the Harbord Village Residents Association (HVRA) and report on the plan to the Toronto East York Community Council by September, 2002;"

Clause No. 11 - "Draft By-laws - Official Plan Amendment and Rezoning – 507 College Street (Trinity-Spadina, Ward 19)".

Council adopted the following recommendations:

"It is recommended that Council adopt the report dated May 15, 2002, from the Director, Community Planning, South District, as embodied in the Clause, subject to:

- (1) adding the following new Recommendation No. (5)(f):

‘(5)(f) complete the following additional measures:

- (i) contribute \$100,000.00 to the City of Toronto to be redistributed to Sistering, a non-profit charitable organization providing services to women 16 years of age and over who are homeless, socially isolated or have low incomes, for the purpose of funding capital costs (which may include facilities) and/or operating costs (which may include programming);
- (ii) pay these funds immediately on the final execution of a Site Plan Agreement or Undertaking related to the proposed development;
- (iii) pay these funds to flow through the Finance and Administration Account of the Shelter, Housing and Support Division of Community and Neighbourhood Services, in total, for redistribution to Sistering; and
- (iv) confirm in writing that the premises will be available to the existing tenants until the Spring of 2004, when demolition is expected to start;’;

- (2) deleting the following Recommendation No. (6)(g):

‘(6) that the owner be advised:

- (g) that with the implementation of the proposed project, the parking lot at 296 Palmerston Avenue would no longer be permitted by the Zoning By-law as varied by the minor variance of June 14, 1989.’; and

- (3) adding the following requirement of Site Plan Approval to Recommendation No. (5)(e):

‘(xv) provide knock-out panels or a similar connection mechanism on the south sides of the P1, P2 and P3 parking levels, to facilitate a possible future below-grade connection with these parking levels to the lands at 296 Palmerston Avenue, and revise Plans 5, 6 and 7 (Parking Levels P1, P2 and P3, respectively) to incorporate these features;’.”

- Clause No. 16** - **“Ontario Municipal Board Hearing - SkyDome Charter-Bus Parking Requirements and Related Court Application to Close and Convey a Portion of Van de Water Crescent (Trinity-Spadina, Ward 20)”**.

Council adopted the following recommendation:

“It is recommended that City Council accept the proposed settlement offer in accordance with the terms and conditions as set out in the following Option No. (3) embodied in the confidential report dated June 20, 2002, from the City Solicitor, the balance of such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege:

‘It is recommended that:

- (3) upon receipt of a written settlement offer generally as set out in the June 20, 2002 report of the City Solicitor, the City of Toronto accept the settlement proposal and:
 - (a) the City Solicitor be directed to attend and advise the Ontario Municipal Board that the City of Toronto supports the amendments to the Railway Lands Central Zoning-law to reduce the number of bus parking spaces required by By-law No. 1994-0806, as amended, from 125 to 50 bus parking spaces to serve the SkyDome and to permit a surface bus parking facility to be located on the Block 18C Lands generally as depicted in the latest plans included in the site plan application filed with the City as No. 302002; and
 - (b) the appropriate City staff be directed to take the necessary steps to stop up, close and convey to the owner of Block 18C those portions of Van de Water Crescent set out in Appendix B of the June 20, 2002 report of the City Solicitor.’ ”

- Clause No. 17** - **“Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 11 Bloor Street West (Toronto Centre-Rosedale, Ward 27)”**.

The Clause was amended by striking out the recommendation of the Toronto East York Community Council and inserting in lieu thereof the following:

“It is recommended that Council adopt the report dated May 14, 2002, from the Director, Community Planning, South District, as embodied in the Clause.”

Clause No. 29 - "Removal of Disabled Parking Spaces and Replacement with Regular Parking - 559 College Street (Trinity-Spadina, Ward 19)".

Council adopted the following recommendation:

"It is recommended that Council adopt the report dated June 19, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

'It is recommended that:

- (1) the existing "No Parking Anytime" prohibition on the south side of College Street, between Manning Avenue and a point 23 metres east thereof, be rescinded and replaced with "No Parking Anytime" from Manning Avenue to a point 17.5 metres east thereof and from a point 36.0 metres east of Manning Avenue to a point 11.6 metres further east thereof;
- (2) the Toronto Parking Authority be requested to install a parking machine on the south side of College Street, between a point 17.5 metres east of Manning Avenue and a point 18.5 metres further east thereof, to operate for a maximum period of two hours from 8:00 a.m. to 6:00 p.m., Monday to Saturday, and for a maximum period of three hours from 6:00 p.m. to 9:00 p.m., Monday to Saturday, and from 1:00 p.m. to 9:00 p.m., Sunday, at a rate of \$1.00 per hour; and
- (3) the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that maybe required.' "

Clause No. 30 - "Requests for Endorsement of Events for Liquor Licensing Purposes".

The Clause was amended by amending the recommendations of the Toronto East York Community Council by:

- (1) adding the following events to Recommendation No. (2):

- “(f) Reception to celebrate the 226th Independence Day of the United States, hosted by the Consul General of the United States, to be held in the Blue Barracks Assembly Room at Historic Fort York, on July 4, 2002, between the hours of 4:00 p.m. and 7:00 p.m.; and
- (g) the Closing Night Party for the Idea City Conference, hosted by Chum Television, to be held on Friday, June 21, 2002, at the Chum/City building located at 299 Queen Street West, on the main and second floor of the building, including the lobby, orientation and main floor hallway;” and

(2) adding the following new recommendations:

- “(8) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Sheraton Centre Toronto Hotel to permit extension of alcoholic service until 3:00 a.m. in conjunction with the Pan-Icarian Brotherhood dances to be held on Saturday, August 31, 2002, and Sunday, September 1, 2002, in the Sheraton Centre’s Ballroom; and has no objection to the granting of such extension;
- (9) declare the 27th Toronto International Film Festival taking place at various locations from September 5, 2002, to September 14, 2002, 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, 21 Avenue Road and the Windsor Arms Hotel, 18 St. Thomas Street (the film festival host hotels) for the duration of the festival; and
- (10) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Le Petit Liban Restaurant, 580 Church Street to permit an extension of the patio area for June 27, 28, 29 and 30, 2002 in conjunction with the 2002 Pride Celebrations and has no objection to the granting of such extension.”

REPORT NO. 6 OF THE AUDIT COMMITTEE

Clause No. 1 - “Corporate Accountability Framework - Implementation Plan and Status Update on the Use of Consultants”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the next meeting of City Council advising when the report requested in Recommendation No. (1) of the report dated May 31, 2002, from the Chief Administrative Officer, as embodied in the Clause, will be submitted, and outlining what information will be available to be used during the 2003 budget process.”

Clause No. 4 - “Environment Issues and Audit Plan”.

The Clause was amended by adding to Recommendation No. (1)(e) embodied in the report dated May 30, 2002, from the City Auditor, as embodied in the Clause, the words “and, where

appropriate, a pollution prevention strategy be considered”, so that such recommendation shall now read as follows:

- “(1) the Chief Administrative Officer, in consultation with the Chair of the Toronto Inter-departmental Environment Team (TIE), review the recommendations of the Environmental Plan and:
- (e) develop a process for incorporating environmental initiatives into departmental business plans and the annual budget process and, where appropriate, a pollution prevention strategy be considered; and”.

Clause No. 7 - “Consolidated Financial Statements For the Year Ended December 31, 2001”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 8 - “Ernst and Young - Audit Results - December 31, 2001”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 11 - “Auditor’s Report and Financial Statements of the Toronto Atmospheric Fund for the Year Ended December 31, 2001”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 12 - “Toronto Computer Leasing Inquiry – Document Production, Preliminary Budget and Standing Issues/MFP Financial Services Ltd. - Status of Litigation and Litigation Costs”.

Council adopted the following recommendations:

“It is recommended that:

- (a) City Council instruct the City Solicitor to seek standing at the Public Inquiry and to retain outside counsel to represent the City at the Inquiry on the terms set out in the joint report dated June 10, 2002, from the Chief Administrative Officer and the City Solicitor, as embodied in the Clause, save and except the following process:

‘If standing is sought, it will be City Council who provides direction to the outside counsel. It is our view that it would not be manageable or timely for the whole of Council to provide legal direction throughout the Inquiry.

Therefore, it is recommended that Council delegate the authority to provide direction to the Chairs of the Standing Committees and the Chair of the Audit Committee, who, as a whole, shall provide overall direction to the outside counsel.

The day-to-day instructions would be the responsibility of the City Solicitor and the Chief Administrative Office. It is apparent that the City Auditor will likely be a witness at the Inquiry as being involved in the implementation of the City's Y2K administrative processes and it is not appropriate that he be responsible for providing instructions to any external counsel. The Auditor has been consulted and concurs.

Further, it is recommended that the City Solicitor and the Chief Administrative Officer report from time to time to the Chairs of the Standing Committees and the Chair of the Audit Committee, and then onto Council, on the status of the Inquiry.';

(b) the following recommendations embodied in the joint report dated June 10, 2002, from the City Solicitor and the Chief Administrative Officer, pertaining to the preliminary budget for the Public Inquiry, as embodied in the Clause, be adopted:

'(1) staff or the City's outside counsel be directed to invite the Inquiry Commissioner to order legal funding for witnesses and persons with standing, subject to the limits set out in this report, where the Inquiry Commissioner is of the opinion that it is appropriate for the City to be responsible for a portion of those costs;

(2) Council approve, in principle, an estimated budget of \$3,975,000.00 for costs relating to or associated with the Public Inquiry as set out in this report, to be funded from the computer leasing liability account;

(3) staff monitor the budget estimates set out in this report and report back with any substantial changes to the estimated budget set out herein; and

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

(c) the confidential joint report dated June 19, 2002, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor, entitled 'MFP Motion for Possession of Computer Equipment', be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) City Council provide instructions to the City’s external solicitors not to appeal the decision of Master MacLeod; and
- (2) City Council instruct City staff to comply with the conditions set out in the decision of Master MacLeod, in order for the City to remain in possession of the computer equipment, which requires the City to make the following payments:
 - (a) a payment of approximately \$440,000.00 to MFP or its assignee for arrears, to be paid from the City’s capital financing reserve fund;
 - (b) a payment of \$9.0 million into court, to be paid from the City’s computer liability account and capital financing reserve fund;
 - (c) a payment of approximately \$3,900,000.00 to MFP or its assignee to purchase certain equipment, to be paid from the City’s capital financing reserve fund; and
 - (d) all future lease payments going forward as they fall due under the leases.’ ”

City Council, at its in-camera session, also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they pertain to litigation or potential litigation.

Clause No. 13 - “Forensic Audits on Various Consulting Contracts”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Clause No. 14 - “Competition Bureau Investigation - Supply of Liquid Chlorine”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

ENQUIRY AND ANSWER:

Enquiry from Councillor Walker regarding any negotiated settlement pertaining to 2195 Yonge Street.

The Enquiry dated May 8, 2002, from Councillor Walker, together with the Answer thereto dated May 17, 2002, from the Chief Administrative Officer, was received.

NOTICES OF MOTION APPEARING UNDER ITEM F

(1) **Parc Downsview Park Operating Protocol Committee - Reconstitution and Terms of Reference**

Moved by: Councillor Moscoe

Seconded by: Councillor Feldman

“**WHEREAS** City Council, at its meeting held on November 6, 7 and 8, 2001, by its adoption, as amended, of Clause No. 3 of Report No. 11 of The Planning and Transportation Committee, headed ‘Parc Downsview Park Inc. Operating Protocol Agreement File UD03 PDP (Ward 9 - York Centre)’, established the ad hoc Parc Downsview Park Operating Protocol Committee (PDP), comprised of Councillors Augimeri, Feldman, Li Preti and Moscoe; and

WHEREAS it is necessary, in order to respond to the implications of Federal paramountcy, to address municipal issues pertaining to Parc Downsview Park Inc. through a single Committee; and

WHEREAS to date, the Committee has been unable to meet, because Council neglected to assign administrative support to the Committee; and

WHEREAS it is necessary to convene a meeting, in order to process a recent application;

NOW THEREFORE BE IT RESOLVED THAT the Parc Downsview Park Operating Protocol Committee be reconstituted with the same composition, as a special Committee of Council, reporting through the Planning and Transportation Committee;

AND BE IT FURTHER RESOLVED THAT the Terms of Reference of the PDP Committee be as follows:

- (1) to receive and review all applications for municipal services, approvals or consents (including applications for municipal consent to the issuance of a liquor licence) related to the lands within the Downsview Lands Secondary Plan;
- (2) to meet with the Board of the Downsview Park and other Federal Officials to discuss issues related to the Downsview Park and other Federal lands within the Downsview Lands Secondary Plan;

- (3) to address issues relating to the lands within the Downsview Lands Secondary Plan, including land use and development, servicing and operating and maintenance of the lands within the Downsview Lands Secondary Plan; and
- (4) to report to Council, through the Planning and Transportation Committee;

AND BE IT FURTHER RESOLVED THAT the City Clerk provide Secretariat support to the Parc Downsview Park Operating Protocol Committee, in accordance with Council's rules of procedure;

AND BE IT FURTHER RESOLVED THAT reconsideration of the continuing need for the Committee be given in January 2004."

Disposition: The Motion was adopted, without amendment.

(2) **Introduction of Parking Meters on Tweedsmuir Avenue, West Side, South of Tichester Road**

Moved by: Councillor Mihevc

Seconded by: Councillor Walker

"WHEREAS City Council at its meeting of April 16, 17 and 18, 2002, adopted, without amendment, Midtown Community Council Report No. 3, Clause No. 23, headed 'Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)'; and

WHEREAS Recommendations Nos. (1) and (2) of the aforementioned Clause contain errors which require correction;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 3, Clause No. 23, headed 'Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Recommendations Nos. (1) and (2) of the aforesaid Clause be amended by deleting the words 'Tichester Road' and replacing same with the words 'Heath Street West', so that such recommendations shall read as follows:

- '(1) the existing "No Parking Anytime" prohibition on the west side of Tweedsmuir Avenue, from a point 27.8 metres south of Heath Street West to a point 55.7 metres further south, be rescinded; and
- (2) the former City of York Municipal Code, Chapter 982, Street Parking Meters, be amended to include parking for a maximum period of four hours, from 8:00 a.m. to 6:00 p.m., Monday to Saturday, at a rate of \$1.00 per hour, on the west side of Tweedsmuir Avenue, from a point 27.8 metres south of Heath Street West to a point 55.7 metres further south.' "

Disposition: Council at its meeting held on May 21, 22 and 23, 2002, re-opened Clause No. 23 of Report No. 3 of The Midtown Community Council, headed "Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)", for further consideration. Council, at this meeting, adopted the balance of the Motion, without amendment.

(3) **Information and Documents Pertaining to Public Inquiry – MFP Financial Services**

Moved by: Councillor Miller

Seconded by: Councillor Balkissoon

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, had before it Audit Committee Report No. 4, Clause No. 5, headed ‘Public Inquiry in Relation to MFP Financial Services Equipment Leases’; and

WHEREAS Council amended this Clause and requested the Chief Administrative Officer to submit a confidential report to the next meeting of City Council on all information and records proposed to be withheld from the Inquiry Commissioner and Legal Counsel for Council’s direction with respect thereto;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, and that such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, embodying the following recommendation:

“It is recommended that this report be received for information.”

NOTICES OF MOTION APPEARING UNDER ITEM I

(1) **Residential On-Street Permit Parking By-law**

Moved by: Councillor Disero

Seconded by: Councillor Bussin

“**WHEREAS** City Council at its meeting held on November 6, 7 and 8, 2001, adopted, as amended, Policy and Finance Committee Report No. 14, Clause No. 6, headed ‘Residential On-Street Permit Parking By-law’; and

WHEREAS, in so doing, City Council authorized a premium annual fee of \$216.00 (\$18.00/month) for residential on-street permit parking for a vehicle owner with a second or subsequent vehicle(s) with no on-site parking or no access to on-site parking;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 14, Clause No. 6, headed 'Residential On-Street Permit Parking By-law', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council authorize the annual fee for residential on-street parking for a vehicle owner with a second or subsequent vehicle(s) with no on-site parking or no access to on-site parking to remain at \$102.00 (\$8.50/month).”

Disposition: Having regard that a motion to re-open Clause No. 6 of Report No. 14 of The Policy and Finance Committee, headed “Residential On-Street Permit Parking By-law”, did not carry, the Motion was not adopted.

(2) **Appeal to Ontario Municipal Board and Settlement – 2195 Yonge Street**

Moved by: Councillor Moscoe

Seconded by: Councillor Altobello

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, adopted, as amended, Midtown Community Council Report No. 3, Clause No. 15, headed 'Refusal Report - Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul's - Ward 22)'; and

WHEREAS the stated intent of the mover was that an open negotiation, including all interested parties, would occur prior to the commencement of the Ontario Municipal Board hearing; and

WHEREAS Council neglected to include local residents or the local Councillor as participants in the negotiations to achieve a compromise proposal; and

WHEREAS typical Section 37 benefits for an increase of density as outlined in Applications No. 100034 and No. 301056 would entitle the City to between \$6.0 and \$10.0 million dollars; and

WHEREAS Part (2)(c) of the motions moved by Councillor Johnston erroneously implied that a courtyard was a new element being achieved in exchange for the bonus in density; and

WHEREAS adopting the recommendations of the Midtown Community Council, while directing the Solicitor to enter into an agreement prior to the Ontario Municipal Board hearing, is contradictory; and

WHEREAS many Members of Council believed that they were supporting a refusal, while trying to find a middle ground; and anticipated that City Council would have a chance to review the proposed settlement and resultant development proposal; and

WHEREAS area Resident Associations' financial costs at the Ontario Municipal Board are significantly higher as a result of the Council's decision on April 16, 17 and 18, 2002;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 3, Clause No. 15, headed 'Refusal Report - Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul's - Ward 22)', be re-opened for further consideration, to allow a more clear debate about the facts relating to this application; and for Councillors that were confused by the Councillor's motion to vote against a compromise at 53 and 39 storeys;

AND BE IT FURTHER RESOLVED THAT, if necessary, Toronto City Council rescind its actions of April 16, 17 and, 18, 2002;

AND BE FURTHER BE RESOLVED THAT Toronto City Council support the following recommendations embodied in the report dated February 11, 2002, from the Commissioner of Urban Development Services and adopted by the Midtown Community Council:

- '(1) City Council refuse Official Plan and Zoning By-law Amendment Application No. 100034 as revised on January 24, 2002, and Site Plan Application No. 301056;
- (2) City Council request the City Solicitor, Commissioner of Urban Development Services and any other appropriate staff to oppose the Ontario Municipal Board appeal and referral made by the applicant on Application No. 100034 and authorize staff to oppose any future appeal of Site Plan Application No. 301056; and
- (3) City Council authorize staff to finalize its focused planning review, organize a community consultation process to discuss the proposed directions and bring forward final recommendations to amend and refine the Official Plan and Zoning By-law for the Yonge-Eglinton Mixed Commercial-Residential Area "A".';

AND BE IT FURTHER RESOLVED THAT City Council adopt the following recommendation embodied in the report dated April 12, 2002, from the Commissioner of Urban Development Services:

‘(1) City Council endorse the planning process set out in this report.’”

Disposition: ***Having regard that a motion to re-open Clause No. 15 of Report No. 3 of The Midtown Community Council, headed “Refusal Report - Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul’s - Ward 22)”, did not carry, the Motion was not adopted.***

- (3) **McDonald's Restaurants of Canada Limited - Lawsuit in the Ontario Superior Court of Justice to Quash Interim Control By-laws No. 2-2002 and No. 3-2002 and to Compel Ann Borooah, as Chief Building Official, to Issue a Building Permit for a Drive-Through Restaurant at 710 St. Clair Avenue West**

Moved by: Councillor Flint

Seconded by: Councillor Altobello

“**WHEREAS** McDonald's Restaurants of Canada Limited has commenced litigation by way of Application against the City of Toronto and Ann Borooah, Chief Building Official; and

WHEREAS the matter is to be heard in Court on May 28 and May 31, 2002; and

WHEREAS the City needs to respond to the Court Application commenced by McDonald's Restaurants of Canada Limited; and

WHEREAS the City Solicitor wishes to report to City Council with respect to this matter;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report of the City Solicitor dated May 22, 2002.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

NOTICES OF MOTION APPEARING UNDER ITEM J

- (1) **Community Festival Application - Annual Sorauren Park Festival**

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Rae

“**WHEREAS** the Annual Sorauren Park Festival is an important activity within the City of Toronto and will be held in Sorauren Park on July 20, 2002, from 7:30 a.m. to 11:00 p.m.; and

WHEREAS the Annual Sorauren Park Festival is an enriching event, providing the community with many opportunities for sharing; and

WHEREAS the Annual Sorauren Park Festival is seeking, on behalf of its participants, a special occasion permit under the Community Festival section of the Ontario Liquor Licence Act; and

WHEREAS pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival

must be accompanied by a Resolution approving an event as a community festival made by the local Council for the Municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the Annual Sorauren Park Festival to be a community festival and the Alcohol and Gaming Commission be so advised.”

Disposition: The Motion was adopted, without amendment.

(2) **Delegation of Site Plan Approval - 3000 to 3078 Lake Shore Boulevard West**

Moved by: Councillor Jones

Seconded by: Councillor Milczyn

“**WHEREAS** Etobicoke Community Council at its meeting held February 26, 2002, approved the Official Plan and Zoning By-law Amendments respecting the development of 168 townhouse units along the Lakeshore frontage of the Lakeshore Village Development; and

WHEREAS, at the February 26, 2002 meeting, Etobicoke Community Council amended the recommendations of the final report of the Director of Community Planning, West District, by adding a new Recommendation No. (6)(b), which was moved by Councillor Milczyn, requesting that the Director ‘submit the site plan to the Etobicoke Community Council for review’, thereby removing the delegated power to approve site plan approval from the Chief Planner; and

WHEREAS Toronto City Council, at its meeting held on March 4, 5, 6, 7, and 8, 2002, adopted, without amendment, Etobicoke Community Council Report 3, Clause No. 3, headed ‘Final Report - Applications to Amend the Etobicoke Official Plan and Zoning Code, Lakeshore Village Development Corporation, Renaissance (Lakeshore) Community Corporation, 3000 to 3078 Lake Shore Boulevard West, File No. TA CMB 2001 0019 (Ward 6 - Etobicoke-Lakeshore)’, respecting the approval of the Final Report and the recommendations of Etobicoke Community Council; and

WHEREAS the Official Plan and Zoning By-law Amendments were enacted by Toronto City Council on April 16, 17, and 18, 2002; and

WHEREAS the Official Plan and Zoning By-law Amendments passed by Council were appealed to the Ontario Municipal Board; and

WHEREAS staff of the Urban Development Services, Planning Division and the applicant met with the appellant to discuss details of the proposed design and the appellant subsequently withdrew their appeal; and

WHEREAS the local Councillor and Councillor Milczyn are in agreement that this site plan approval be re-delegated to the Chief Planner or his designate;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 3, Clause No. 3, headed ‘Final Report - Applications to Amend the Etobicoke Official Plan and Zoning Code, Lakeshore Village Development Corporation, Renaissance (Lakeshore) Community Corporation, 3000 to 3078 Lake Shore Boulevard West, File No. TA CMB 2001 0019 (Ward 6 - Etobicoke-Lakeshore)’, be re-opened for further consideration, only insofar as it pertains to the delegation of site plan approval;

AND BE IT FURTHER RESOLVED THAT the site plan approval for the 168-unit townhouse development at 3000-3078 Lake Shore Boulevard West be re-delegated to the Chief Planner or his designate for review and approval.”

Disposition: Council re-opened Clause No. 3 of Report No. 3 of The Etobicoke Community Council, headed “Final Report - Applications to Amend the Etobicoke Official Plan and Zoning Code, Lakeshore Village Development Corporation, Renaissance (Lakeshore) Community Corporation, 3000 to 3078 Lake Shore Boulevard West, File No. TA CMB 2001 0019 (Ward 6 - Etobicoke-Lakeshore)”, for further consideration, only insofar as it pertains to the delegation of site plan approval, and adopted the balance of the Motion, without amendment.

(3) **Amendment to 2002 Schedule of Meetings**

Moved by: Councillor Jones

Seconded by: Councillor Chow

“**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted Striking Committee Report No. 3, Clause No. 2, headed ‘Revised Fall Portion of the 2002 Schedule and the 2003 Schedule of Meetings’; and

WHEREAS there are only two scheduled meetings of the Community Councils in the revised fall portion of the 2002 Schedule of Meetings;

NOW THEREFORE BE IT RESOLVED THAT Community Council meetings be scheduled on Tuesday, December 3, 2002, if required, so that the respective Community Councils may meet if deemed necessary.”

Disposition: The Motion was adopted, without amendment.

(4) **Community Festival Application - Annual Roncesvalles Village Harvest Festival**

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Rae

“**WHEREAS** the Annual Roncesvalles Village Harvest Festival is an important festival activity within the City of Toronto and will be held on Saturday, September 21, 2002,

from 9:00 a.m. to 8:00 p.m. and Sunday, September 22, 2002, from 10:00 a.m. to 6:00 p.m.; and

WHEREAS the Annual Roncesvalles Village Harvest Festival is an enriching event, providing the community with many opportunities for sharing and is organized in co-operation with the Roncesvalles Village Business Association; and

WHEREAS the Annual Roncesvalles Village Harvest Festival is seeking, on behalf of its participants, a special occasion permit under the Community Festival section of the Ontario Liquor License Act; and

WHEREAS pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival must be accompanied by a Resolution approving an event as a community festival made by the local Council for the Municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the Annual Roncesvalles Village Harvest Festival to be a community festival and the Alcohol and Gaming Commission be so advised.”

Disposition: The Motion was adopted, without amendment.

(5) **Set Fines for Private Property and Municipal Property Parking Offences**

Moved by: Councillor Ootes

Seconded by: Councillor Kelly

“**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted, as amended, Administration Committee Report No. 5, Clause No. 3, headed ‘Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities and Amendment to By-law Respecting Parking on Private Property’; and

WHEREAS, in adopting the Clause, as amended, City Council has directed the City Solicitor to apply to the Regional Senior Justice of the Ontario Court of Justice for a set fine of \$30.00, with a voluntary payment of \$20.00, for violations to the recommended new harmonized by-law prohibiting unauthorized parking on private or municipal property; and

WHEREAS, if all parking fines for both Private Property and Municipal Property offences are decreased from \$40/\$60 (Voluntary/Set Fine Amount) to \$20/\$30 (Voluntary/Set Fine Amount), this will result in an annual revenue loss of approximately \$4.75 million; and

WHEREAS, if parking fines for Municipal Property offences only are harmonized across the City at \$20/\$30 (Voluntary/Set Fine Amount), this will result in an annual revenue loss of approximately \$860,000.00; and

WHEREAS, if only parking fines for offences committed on Toronto Transit Commission commuter parking lots are set at a fine level of \$20/\$30 (Voluntary/Set Fine Amount) this will result in an annual revenue loss of approximately \$153,000.00; and

WHEREAS, if only parking fines for offences committed on Economic Development, Culture and Tourism Department parking lots are set at a fine level of \$20/\$30 (Voluntary/Set Fine Amount) this will result in an annual revenue loss of approximately \$44,555.00; and

WHEREAS, during the debate of this issue the Chief Administrative Officer and the Chief Financial Officer and Treasurer clarified the intent and impact of reducing the fines for municipal parking lots, Toronto Transit Commission computer parking lots and Economic Development, Culture and Tourism Department parking lots only (approximately \$1.0 million loss annual), exclusive of the private property lots;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 5, Clause No. 3, headed 'Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities and Amendment to By-law Respecting Parking on Private Property', be re-opened for further consideration, only insofar as it pertains to the set fines for Private Property and Municipal Property parking offences;

AND BE IT FURTHER RESOLVED THAT Council direct the City Solicitor to apply to the Regional Senior Justice of the Ontario Court of Justice for a set fine of \$30.00, with a voluntary payment of \$20.00, for violations on municipal property, including Toronto Transit Commission commuter parking lots and Economic Development, Culture and Tourism Department parking lots;

AND BE IT FURTHER RESOLVED THAT the set fine of \$60.00, with a voluntary payment of \$40.00, for violations on private property be maintained;

AND BE IT FURTHER RESOLVED THAT the report dated May 7, 2002 from the Chief Financial Officer and Treasurer be referred to the Planning and Transportation Committee for a review of all set fines for parking, including both on-street and off-street fines."

Disposition: The Motion was withdrawn.

- (6) **Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue.**

Moved by: Councillor Ootes

Seconded by: Councillor Tziretas

"WHEREAS City Council, at its meeting on May 21, 22 and 23, 2002, considered Clause No. 5 of Report No. 4 of The Toronto East York Community Council, headed

‘Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue (Toronto Danforth, Ward 29)’; and

WHEREAS the Director of Building and Deputy Chief Building Official, East District, in the report dated January 7, 2002, recommends that a request for a variance from the former Borough of East York Sign By-law be approved with respect to a retail grocery store at 1015 Broadview Avenue; and

WHEREAS there is uncertainty as to the status of Council’s decision in this regard;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto East York Community Council Report No. 4, Clause No. 5, headed ‘Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue (Toronto Danforth, Ward 29)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the request for sign variance at 1015 Broadview Avenue be approved and the applicant be advised of the requirement to obtain the necessary sign permit.”

Disposition: Council re-opened Clause No. 5 of Report No. 4 of The Toronto East York Community Council, headed “Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue (Toronto Danforth, Ward 29)”, for further consideration, and adopted the balance of the Motion, without amendment.

(7) **Road Access and Disruption Management System (ROADMAP) Contribution Agreement**

Moved by: Councillor Disero

Seconded by: Councillor Duguid

“**WHEREAS** the Works Committee at its meeting held on January 15, 22 and 25, 2002, recommended to the Budget Advisory Committee the adoption of a report regarding the Road Access and Disruption Management System; and

WHEREAS City Council at its meeting held on March 4, 5, 6, 7 and 8, 2002, in adopting, as amended, Policy and Finance Committee Report No. 3, Clause No. 1, headed ‘City of Toronto 2002-2006 Recommended Capital Budget and Program’, granted approval to implement the Road Access and Disruption Management System (ROADMAP); and

WHEREAS the project was the development of a ROADMAP system to track information regarding all types of permits to occupy road space; and

WHEREAS Transport Canada has agreed to contribute up to a maximum of \$250,000.00 towards the development of the ROADMAP system; and

WHEREAS Transport Canada requires the City to enter into a contribution agreement before it will release these funds to the City; and

WHEREAS the original report to the Works Committee headed 'Road Access and Disruption Management System', referred to above, inadvertently omitted the recommendation that authority be granted to the City to enter into such a contribution agreement with Transport Canada with terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 3, Clause No. 1, headed headed 'City of Toronto 2002-2006 Recommended Capital Budget and Program', be re-opened for further consideration, only insofar as it pertains to the ROADMAP system;

AND BE IT FURTHER RESOLVED THAT:

- (1) the City be authorized to enter into a contribution agreement with Her Majesty The Queen In Right Of Canada as represented by the Minister of Transport Canada for the purpose of achieving the objectives of the work program contained in the report 'Road Access and Disruption Management System';
- (2) such an agreement have terms and conditions that are satisfactory to the Commissioner of Works and Emergency Services and be in a form satisfactory to the City Solicitor; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto and to take any action required to be taken thereunder."

Disposition: *Council re-opened Clause No. 1 of Report No. 3 of The Policy and Finance Committee, headed "City of Toronto 2002-2006 Recommended Capital Budget and Program", for further consideration, only insofar as it pertains to the ROADMAP system, and adopted the balance of the Motion, without amendment.*

(8) **Alteration of Dervock Crescent, East of Rean Drive**

Moved by: Councillor Shiner

Seconded by: Councillor Sutherland

“**WHEREAS** City Council at its meeting of May 21, 22 and 23, 2002 adopted, without amendment, North York Community Council Report No. 5, Clause No. 14, headed ‘Draft By-Law - To authorize the alteration of Dervock Crescent, east of Rean Drive by the Construction of a new Cul-de-sac and Draft By-Law - To stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to Authorize the erection of barricades to enforce the due observance thereof (Willowdale, Ward 24)’; and

WHEREAS the request for a report to be submitted to the North York Community Council from the Director, Transportation Services, District 3, Works and Emergency Services, to assess the impacts of the closing of Dervock Crescent if improvements are required at the intersection of Dervock Crescent and Greenbriar Road, after the closure of Dervock Crescent, requires a correction in order to include an additional intersection;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report No. 5, Clause No. 14, headed ‘Draft By-Law - To authorize the alteration of Dervock Crescent, east of Rean Drive by the Construction of a new Cul-de-sac and Draft By-Law - To stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to Authorize the erection of barricades to enforce the due observance thereof (Willowdale, Ward 24)’, be re-opened for further consideration, only insofar as it pertains to the request for a report to be submitted to the North York Community Council from the Director, Transportation Services, District 3, Work and Emergency Services;

AND BE IT FURTHER RESOLVED THAT the request for a report in the aforementioned Clause be amended by adding thereto, the words ‘Greenbriar Road and Sheppard Avenue’, so that the request shall read as follows:

‘The North York Community Council also reports for the information of Council, having requested the Director, Transportation Services, District 3, Works and Emergency Services, to assess the impacts of the closing of Dervock Crescent and to report to the North York Community Council if improvements are required at the intersection of Dervock Crescent and Greenbriar Road as well as Greenbriar Road and Sheppard Avenue.’”

Disposition: *Council re-opened Clause No. 14 of Report No. 5 of The North York Community Council, headed “Draft By-Law - To authorize the alteration of Dervock Crescent, east of Rean Drive by the Construction of a new Cul-de-sac and Draft By-Law - To stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to Authorize the erection of barricades to enforce the due observance thereof (Willowdale, Ward 24)”, for further consideration, only insofar as it pertains to the request for a report to be submitted to the North York Community Council from the Director, Transportation Services, District 3, Work and Emergency Services, and adopted the balance of the Motion, without amendment.*

(9) **Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent**

Moved by: Councillor Flint

Seconded by: Councillor Walker

“**WHEREAS** on City Council at its meeting held on October 2, 3 and 4, 2001, adopted, without amendment, Midtown Community Council Report No. 7, Clause No. 32, headed ‘Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent (Don Valley West - Ward 25)’ (See Schedule ‘A’); and

WHEREAS there are 18 directly affected households on the portion of Birchwood Avenue to be reconstructed between Highland Crescent and Beechwood Avenue; and

WHEREAS a recent poll conducted by residents on this portion indicates that 13 households wish the road to be reconstructed with no sidewalks (1 is opposed and no response was received from 4). Of the 13, 7 do not want the road reconstructed if sidewalks are included; 3 wish to proceed nevertheless; and 3 offer no second choice because they are strongly opposed to doing nothing (see attached Schedule ‘B’); and

WHEREAS some of these residents feel that their opinions (see attached Schedule ‘C’), were not adequately considered at the September 12, 2001, Midtown Community Council meeting and would like to appeal the Toronto City Council decision to construct a sidewalk; and

WHEREAS in order for an appeal to be considered the matter must be re-opened at Toronto City Council;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 7, Clause No. 32, headed ‘Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent (Don Valley West - Ward 25)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council give further consideration to the reconstruction of the road and sidewalk on Birchwood Avenue, between Highland Crescent and Beechwood Avenue.”

Disposition: *Having regard that a motion to waive notice did not carry, Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on July 16, 2002.*

(10) **Community Festival Application - Bloor West Village Ukrainian Festival**

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“**WHEREAS** the Bloor West Village Ukrainian Festival will hold their Street Festival on July 19, 2002 to July 20, 2002, from 6:00 p.m. to 12:00 midnight and from 12:00 noon to 12:00 midnight, 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 on a section of Bloor Street West, closed to vehicular traffic and encompassing the centre two lanes between Beresford Avenue where it meets the north side of Bloor Street West and Durie Street where it meets the south side of Bloor Street West be approved; and

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

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

Disposition: The Motion was adopted, without amendment.

(11) **Community Festival Application – Junction Arts Festival**

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“**WHEREAS** the Junction Arts Festival will hold their Street Festival on September 14, 2002 and September 15, 2002 from 12:00 noon to 12:00 midnight and from 12:00 noon to 5:00 p.m. respectively; and

WHEREAS the two outside lanes on Dundas Street West from Keele Street to Quebec Avenue will be closed to vehicular traffic for the duration of the Festival; and

WHEREAS the Junction Arts Festival and the Junction Gardens BIA have requested that an extension onto City property of the liquor licences for the following licensed establishments – Vesuvio Pizzeria & Spaghetti House, 3010 Dundas Street West; Axis Gallery and Grill, 3048 Dundas Street West, Caramba Restaurant, 394 Pacific Avenue; The Vegetarian Restaurant, 2849 Dundas Street West, Shox Billiards Café, 2827 Dundas Street West; Curry Twist, 3034 Dundas Street West; Celts, 2872 Dundas Street West; North of Bombay, 2996 Dundas Street West; Somporn, 2961 Dundas Street West; Songha, 2998 Dundas Street West; Concourse Restaurant, 2853 Dundas Street West; El Cmino, 2858 Dundas Street West; Pho Gia Long, 2883 Dundas Street West;

Just 4 the Halibut, 3020 Dundas Street West; and Via Anglatia, 395 Keele Street, be approved; and

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

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

Disposition: The Motion was adopted, without amendment.

(12) **Ontario Municipal Board Hearing – 222 Centennial Road and 35 Acheson Boulevard**

Moved by: Councillor Moeser

Seconded by: Councillor Sutherland

“**WHEREAS** the Committee of Adjustment, in a decision with respect to a consent application for property located at 222 Centennial Road and 35 Acheson Boulevard, approved the application without imposing a condition requiring a Conservation Easement; and

WHEREAS this condition is required to protect the portion of Centennial Creek passing through this property; and

WHEREAS staff recommended this condition to preserve the creek system; and

WHEREAS the community has supported the highest level of protection for the ravines in the community;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor appeal the consent decision of the Committee of Adjustment to the Ontario Municipal Board in order to request the imposition of a condition requiring the granting of a conservation easement at 35 Acheson Boulevard and 222 Centennial Road, as follows:

- (1) two copies of a Registered Reference Plan of Survey integrated with the Ontario Coordinate System and clearly delineating the parcels of land approved by the Committee of Adjustment be submitted to the Deputy Secretary-Treasurer. A listing of the parts and their respective areas is required; and
- (2) the Owner to make satisfactory arrangements with the Toronto and Region Conservation Authority to have lands within the stream corridor (such lands to be

identified to the satisfaction of the City and the TRCA) subject to a conservation easement to be registered on title;

AND BE IT FURTHER RESOLVED THAT staff continue to negotiate with the applicant to reach an agreement in this regard.”

Disposition: The Motion was adopted, without amendment.

(13) **Utilization of Fire Services Logo on Products to Generate Revenue**

Moved by: Councillor Duguid

Seconded by: Councillor Kelly

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, adopted, without amendment, Community Services Committee Report No. 3, Clause No. 5, headed ‘Utilization of Fire Services Logo on Products to Generate Revenue’; and

WHEREAS the City Solicitor has advised that appropriate wording to provide the authority required for the staff to issue a Request for Expressions of Interest was not included in the following Recommendation No. (1) of the Community Services Committee:

- ‘(1) that the Commissioner of Works and Emergency Services and the Fire Chief, in consultation with the Chief Financial Officer and Treasurer, the Director of Purchasing and Materials Management, and the City Solicitor, be requested to draft a Request for Expressions of Interest from marketing and retail firms that would seek partnerships to market appropriate products containing the Toronto Fire Services’ logo;’; and

WHEREAS the City Solicitor has also advised that, having regard that at this time there is no statutory authority for the City to enter into private/public partnerships for these purposes, Recommendation No. (1) of the Community Services Committee should be further amended by deleting the word ‘partnerships’ and replacing it with the words ‘licensing opportunities’;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Community Services Committee Report No. 3, Clause No. 5, headed ‘Utilization of Fire Services Logo on Products to Generate Revenue’, be re-opened for further consideration, only insofar as it relates to the revisions recommended by the City Solicitor;

AND BE IT FURTHER RESOLVED THAT the Clause be amended by rewording Recommendation No. (1) of the Community Services Committee to read as follows:

- ‘(1) that the Commissioner of Works and Emergency Services and the Fire Chief, in consultation with the Chief Financial Officer and Treasurer, the Director of Purchasing and Materials Management, and the City

Solicitor, be requested to draft and issue a Request for Expressions of Interest from marketing and retail firms that would seek licensing opportunities to market appropriate products displaying the Toronto Fire Services' logo;';

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

Disposition: Council re-opened Clause No. 5 of Report No. 3 of The Community Services Committee, headed "Utilization of Fire Services Logo on Products to Generate Revenue", for further consideration, only insofar as it relates to the revisions recommended by the City Solicitor, and adopted the balance of the Motion, without amendment.

(14) **Enforcement of Smoking By-law**

Moved by: Councillor Sutherland

Seconded by: Councillor Pitfield

"**WHEREAS** it has been observed by restaurant and bar owners that enforcement of the City's Smoking By-law is uneven and sporadic; and

WHEREAS some restaurant and bar owners are abiding by the City's Smoking By-law; and

WHEREAS other restaurant and bar owners are not abiding by the Smoking By-law; and

WHEREAS some restaurant and bar patrons intentionally frequent establishments where the Smoking By-law is not adhered to, and/or where the By-law is not regularly enforced; and

WHEREAS this creates an uneven playing field in terms of patronage to restaurants and bars and, in some cases, restaurants and bars that willingly comply with the Smoking By-law now experience a fall-off of customers;

NOW THEREFORE BE IT RESOLVED THAT the Medical Officer of Health be requested to report to the Board of Health, as soon as possible, on mechanisms to ensure that the Smoking By-law is enforced on an egalitarian basis, and that all establishments are treated fairly; and

AND BE IT FURTHER RESOLVED THAT the necessary enforcement is carried out through the existing Board of Health 2002/2003 budget."

Disposition: Having regard that a motion to waive notice did not carry, Notice of the foregoing Motion was given to permit consideration at the

*next regular meeting of City Council scheduled to be held on
July 16, 2002.*

(15) **Proposed ‘Super Hospital’ – Keele Street and Sheppard Avenue**

Moved by: Councillor Nunziata

Seconded by: Councillor Di Giorgio

“**WHEREAS** the Humber River Regional Hospital has put forward a proposal to build a new ‘Super Hospital’ at Keele Street and Sheppard Avenue, on the former DND lands in Downsview, to replace services currently provided at the Church Street and Finch Street sites and at the former Northwestern General Hospital; and

WHEREAS the Toronto District Health Council has, at the Ontario Provincial Government’s request, reviewed this proposal and rejected it as not in the best interest of the Community; and

WHEREAS the closure of Northwestern General Hospital has resulted in above average time in the transfer of patients by the Toronto EMS paramedics to the Church Street and Finch Street sites; and

WHEREAS despite the rejection of this proposal by the Toronto District Health Council, the Ontario Provincial Government appears set to proceed with this proposal without having conducted appropriate public consultations on the impact of the delivery of Health Care and of this development on the communities effected;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council formally request the Ontario Provincial Government to commit to a public consultation process on this proposal, prior to any formal decisions being made;

AND BE IT FURTHER RESOLVED THAT the Ontario Provincial Government be requested to commit to public disclosure of all information relevant to this proposal and of all correspondence between the Minister of Health and the Humber River Regional Hospital.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

(16) **Ontario Superior Court of Justice Decision – 2714 Danforth Avenue**

Moved by: Councillor Bussin

Seconded by: Councillor Tziretas

“**WHEREAS** a recent decision of the Ontario Superior Court of Justice allowed the City of Toronto Chief Building Official’s appeal of an earlier court decision that ruled the establishment of a shelter at 2714 Danforth Avenue violated the City’s Building Code; and

WHEREAS the local resident and merchant association that launched the court challenge regarding the shelter at 2714 Danforth Avenue has had the City's and Dixon Hall's Court costs awarded against them in the appeal decision; and

WHEREAS the merchants and residents who launched the court challenge did so out of the sincere belief, based on sound legal advice, that the City had failed to protect their interest in its application of the Building Code in this matter; and

WHEREAS it is appropriate and necessary that the City make every effort to help heal the deep wounds and sense of distress felt in this community regarding the shelter and the City process which permitted its establishment in their neighbourhood;

NOW THEREFORE BE IT RESOLVED THAT, in the interest of good community relations and to prevent the impression that the City practices punitive behaviour toward resident groups who challenge City Hall, Council request the Chief Building Official to waive her claim to court costs awarded by the Ontario Superior Court of Justice in the matter regarding 2714 Danforth Avenue."

Disposition: The Motion was adopted, subject to adding to the Operative Paragraph, the words "subject to no further appeal", so that such Operative Paragraph now reads as follows:

"NOW THEREFORE BE IT RESOLVED THAT, in the interest of good community relations and to prevent the impression that the City practices punitive behaviour toward resident groups who challenge City Hall, Council request the Chief Building Official to waive her claim to court costs awarded by the Ontario Superior Court of Justice in the matter regarding 2714 Danforth Avenue, subject to no further appeal."

(17) **Authority to Enter into Agreements with the Federation of Canadian Municipalities Respecting the Green Municipal Funds**

Moved by: Councillor Layton

Seconded by: Councillor Berardinetti

"WHEREAS Toronto City Council at its meeting held on October 2, 3 and 4, 2001, in adopting Policy and Finance Committee Report No. 7, Clause No. 12, headed 'Authority to Submit Applications to the FCM's Green Municipal Funds Program', delegated standing authority to the Chief Administrative Officer to submit City applications to the Federation of Canadian Municipalities 'Green Municipal Funds'; and

WHEREAS the authority granted the Chief Administrative Officer did not include the authority necessary to allow the City to enter into grant and loan agreements that result from successful application; and

WHEREAS there are several agreements awaiting signature and this authority needs to be established for the projects to proceed and waiting until the next City Council cycle will have financial implications for the projects; and

WHEREAS having regard of the urgency of this matter it must be considered by City Council at its meeting held on June 18, 19, and 20, 2002;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 7, Clause No. 12, headed ‘Authority to Submit Applications to the FCM’s Green Municipal Funds Program’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council consider the attached report dated June 5, 2002 from the Chief Administrative Officer and that such report be adopted.”

Disposition: Council re-opened Clause No. 12 of Report No. 7 of The Policy and Finance Committee, headed “Authority to Submit Applications to the FCM’s Green Municipal Funds Program”, for further consideration, and adopted the balance of the Motion, without amendment.

In so doing, Council adopted, without amendment, the report dated June 5, 2002, from the Chief Administrative Officer, embodying the following recommendations:

“It is recommended that:

- (1) the City be authorized to enter into grant and loan agreements as required with the Federation of Canadian Municipalities (‘FCM’) in respect of funding awards made under its Green Municipal Funds program, satisfactory in form and content to the City Solicitor; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(18) **Payment in-lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue (Ward 5 – Etobicoke-Lakeshore)**

Moved by: Councillor Milczyn

Seconded by: Councillor Lindsay Luby

“WHEREAS Etobicoke Community Council at its meeting of May 8, 2002, considered a motion to accept the offer of Port Royal Place Developments Inc., subject to the satisfaction of Council, to pay \$150,000.00 for improvements to Dundas Street West to

such local BIA as Council considers appropriate in return for a release from the owner's obligation to provide the aforementioned pedestrian connection; and

WHEREAS Etobicoke Community Council resolved that the Chief Financial Officer and Treasurer report, in consultation with the City Solicitor and the Commissioner of Economic Development, Culture and Tourism, to the next meeting of the Etobicoke Community Council on an appropriate method for ensuring, if possible, the payment of the said monies to such board of management of a local Improvement Area as Council considers appropriate; and

WHEREAS the aforementioned staff report was not prepared in time for the consideration of Etobicoke Community Council at its meeting held on June 5, 2002;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated June 12, 2002 from the Chief Financial Officer and Treasurer, and that such report be adopted."

Disposition: *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 12, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:*

"It is recommended that:

- (1) Council approve an amendment to Clause 20 of the Section 37 agreement between the City and Port Royal Place Developments Inc. to provide for a cash payment of \$150,000.00 to the City in lieu of the requirement of the developer to provide a public pedestrian connection through the site to lands located between the eastern boundary of the site and Mabelle Avenue;*
- (2) Council establish a discretionary reserve fund called the 'Dundas Street West Streetscape Improvements Reserve Fund' to receive the payment referred to in Recommendation No. (1) above, and to be used for the purposes of funding streetscape improvements along Dundas Street West in proximity to the development;*
- (3) specific streetscape improvements projects up to \$150,000.00, referred to above, be reported upon by the appropriate staff as part of the Capital Budget process commencing in 2003;*
- (4) Municipal Code Chapter 227 be amended by adding the 'Dundas Street West Streetscape*

Improvements Reserve Fund' to Schedule C, Discretionary Reserve Funds; and

- (5) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto."*

(19) **Official Plan Amendment and Zoning By-law Amendment – 45 Dunfield Avenue**

Moved by: Councillor Walker

Seconded by: Councillor Flint

“WHEREAS City Council at its meeting held on April 16, 17 and 18, 2002, adopted Midtown Community Council Report No. 3, Clause No. 14, headed ‘Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment Building at 45 Dunfield Avenue - Shiplake Management Company Limited (St. Paul's - Ward 22)’; and

WHEREAS the applicant has approached City staff requesting amendments to the provisions relating to the public benefits to be provided under Section 37 of the Planning Act related to this proposal; and

WHEREAS the Commissioner of Urban Development Services, in the attached report dated June 17, 2002, has recommended approval of the proposed amendments;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 3, Clause No. 14, headed ‘Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment Building at 45 Dunfield Avenue - Shiplake Management Company Limited (St. Paul's - Ward 22)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council adopt the attached report dated June 17, 2002 from the Commissioner of Urban Development Services, regarding amended public benefits under Section 37 of the Planning Act;

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

Disposition: *Council re-opened Clause No. 14 of Report No. 3 of The Midtown Community Council, headed “Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment Building at 45 Dunfield Avenue - Shiplake Management Company*

Limited (St. Paul's - Ward 22)", for further consideration, and adopted the balance of the Motion, without amendment.

In so doing, Council adopted, without amendment, the report dated June 17, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

"It is recommended that City Council require that, before introducing the necessary bills to City Council for enactment, the applicant enter into an agreement authorized under Section 37 of the Planning Act regarding the provision of public benefits in exchange for the increase in permitted building density on the property, as set out in Clause No. 14, Report No. 3 of The Midtown Community Council, with amendments as set out in the report."

(20) **Temporary Teletheatre Licence – Woodbine Entertainment**

Moved by: Councillor Pantalone

Seconded by: Councillor Silva

“WHEREAS City Council at its meeting held on May 21, 22 and 23, 2002, adopted, without amendment, Toronto East York Community Council Report No. 7, Clause No. 55, headed ‘Requests for Endorsement of Events for Liquor Licensing Purposes’, and in so doing, declared the 2002 CHIN Picnic an event of ‘municipal significance’; and

WHEREAS a request has been received from Woodbine Entertainment to operate a temporary Champions Teletheatre on Saturday, June 29, 2002, Sunday, June 30, 2002 and Monday, July 1, 2002 during the CHIN Picnic, on the CNE grounds in the Better Living Centre, hours for the operation of the teletheatre will be from noon to approximately 10:00 p.m.; and

WHEREAS the Ontario Racing Commission is requesting City Council to indicate whether it has an objection to the granting of the temporary teletheatre licence;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Ontario Racing Commission that it has no objections to the granting of a temporary teletheatre licence to Woodbine Entertainment, for Saturday, June 29, 2002, Sunday, June 30, 2002, and Monday, July 1, 2002, during the CHIN Picnic, on the CNE grounds in the Better Living Centre.”

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

(21) **Tender for Child Care Centre at 5200 Yonge Street**

Moved by: Councillor Filion

Seconded by: Councillor Chow

“**WHEREAS** City Council at its meeting held on March 6, 7 and 8, 2001, adopted, as amended Community Services Committee Report No. 2, Clause No. 7, headed ‘Development of a Child Care Centre at 5200 Yonge Street’ and, in so doing, authorized the issuance of a tender to proceed with the completion of a child care centre at 5200 Yonge Street; and

WHEREAS Council approved a maximum funding amount of \$2.25 million for the project to be provided by Sam-Sor Enterprises Inc. and Imperial Oil Limited; and

WHEREAS there are a number of issues which have arisen with respect to implementing the project with possible links to the Imperial Oil Limited funding; and

WHEREAS there is some urgency to re-tendering the project in order to have it completed by February 2003 to coincide with the expiry of the day care centre’s existing lease; and

WHEREAS it is appropriate to allocate funds in the amount of \$1.25 million from the Child Care Capital Reserve Fund to be able to award the contract to the successful bidder in the event that there are any issues outstanding with Imperial Oil Limited that might impact on the proposed implementation and until such time as those funds can be obtained from Imperial Oil Limited, and/or any other issues are resolved with Sam-Sor Enterprises Inc.; and

WHEREAS staff should be authorized to report back directly to Council at its meeting of July 16, 17 and 18, 2002, if necessary, with respect to any issues that may remain outstanding or to seek Council’s direction, if necessary, respecting the implementation of this project;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Council authorize the reallocation of funds from the Child Care Capital Reserve Fund to the capital project WBS CCS006 5128/5200 Yonge Street – Child Care Centre in the amount of \$1.25 million in the event that there are issues outstanding between Imperial Oil Limited and the City and/or Sam-Sor Enterprises Inc. to permit the contract to be awarded to the successful bidder, if possible, until such time as those funds can be obtained from Imperial Oil Limited and/or any other issues are resolved with Sam-Sor Enterprises Inc.; and
- (2) Council authorize staff to report back directly to Council at its meeting of July 16, 17 and 18, 2002, if necessary, with respect to any issues that may remain outstanding or to seek Council’s direction on the implementation of this project.”

Disposition: The Motion was adopted, without amendment.

(22) **Joint Playground Development in Alexander Park**

Moved by: Councillor Jones

Seconded by: Councillor Milczyn

“WHEREAS the Alexander Park community has been involved in a fundraising campaign to provide a new playground for the young children in their area; and

WHEREAS the Alexander Park playground committee applied for, and has been successful in securing an offer of a partnership with KaBOOM! and Home Depot, Canada; and

WHEREAS KaBOOM! is a unique, non-profit organization based in the United States that provides for a community-built process with a link to corporate sponsorship which in this project is Home Depot; this playground would be the third KaBOOM! partnership of this kind in Canada; and ultimately, the City of Toronto will own, maintain and supervise the use of this playground; and

WHEREAS the community process is scheduled to begin with a community ‘design day’ on June 25, 2002 and conclude with the build day on September 13, 2002; and

WHEREAS to expedite this partnership agreement to meet this time sensitive schedule Council should consider this matter at its meeting to be held on June 18, 2002;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the City enter into a partnership agreement with KaBOOM! to fund, plan, design and build a community playground in Alexander Park;
- (2) the City authorize up to \$23,000.00 for this partnership funded by contributions from the community of \$15,000.00, \$4,655.00 from the 2002 Park and Recreation Capital Budget Playground Rehabilitation to CSA Standards for Alexander Park, and \$3,345.00 from the West District Operating funds set aside for this purpose;
- (3) the partnership agreement in form and content be satisfactory to the Commissioner of Economic Development, Culture and Tourism and the City Solicitor; and
- (4) appropriate city officials be authorized and directed to take necessary action to give effect thereto.”

Disposition: The Motion was adopted, without amendment.

(23) **Support to Defend Against the Appeal With Respect to the Sale of Hydro One**

Moved by: Councillor Layton

Seconded by: Councillor Miller

“WHEREAS City Council on April 16, 17 and 18, 2002, adopted a number of motions as part of Policy and Finance Committee Report No. 6, Clause No. 1, headed ‘Implications of the Sale of Hydro One for the City of Toronto’, calling on the Provincial Government to stop the sale of Hydro One because of the many negative impacts such a sale could have on Torontonians; and

WHEREAS City Council on April 16, 17, and 18, 2002, adopted a motion stating ‘that the Mayor and Members of the Toronto City Council ask the Provincial Government and the new Premier of Ontario, Ernie Eves, to cancel the decision to privatize Hydro One and deregulate the energy market’; and

WHEREAS the Province is appealing the Superior Court decision made on April 19, 2002, that stopped the sale of Hydro One; and

WHEREAS the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees are defending against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS given City Council’s position on the sale of Hydro One, it is in the interest of the City to help the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defense against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS timely support by the City to the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defense against the appeal launched by the Ontario Government will greatly improve their ability to launch a successful defence;

NOW THEREFORE BE IT RESOLVED THAT the City support the action of the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees as they defend against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One at the Ontario Court of Appeal and that this support be 25 percent (or up to a maximum of \$40,000.00) of the legal fees;

AND BE IT FURTHER RESOLVED THAT funds be drawn for this purpose from the Legal Department Account for outside legal advice;

AND BE IT FURTHER RESOLVED THAT the Association of Municipalities of Ontario and Ontario cities with population over 50,000 be requested to consider joining the City of Toronto in providing financial support.”

Disposition: Having regard that a motion to waive notice did not carry, Notice was given to permit consideration of the foregoing Motion at the next regular meeting of City Council scheduled to be held on July 16, 2002.

(24) **Request to the Crown Attorney’s Office for Youth Suspects to be Tried in Adult Court**

Moved by: Councillor Milczyn

Seconded by: Councillor Nunziata

“**WHEREAS** over the course of three days, starting on June 7, 2002, the residents of the City of Toronto were shocked by a series of carjackings; and

WHEREAS during the course of these carjackings firearms were used; and

WHEREAS the victims of these carjackings were threatened, pistol-whipped, held against their will, terrorised and degraded; and

WHEREAS the Toronto Police Service has arrested five suspects in connection with these crimes; and

WHEREAS some of the suspects in custody are 17 years of age;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto express its concern and sympathy to the victims of these crimes; and

AND BE IT FURTHER RESOLVED THAT Council request that the Crown Attorney’s office pursue having the youth suspects in this case tried as Adult Offenders.”

Disposition: Having regard that a motion to waive notice did not carry, Notice was given to permit consideration of the foregoing Motion at the next regular meeting of City Council scheduled to be held on July 16, 2002.

(25) **Community Festival Application - Jamaica Independence Day Celebration**

Moved by: Councillor Di Giorgio

Seconded by: Councillor Nunziata

“**WHEREAS** the annual Jamaica Independence Day Celebration is a much anticipated community event in the City of Toronto; and

WHEREAS the Jamaica Independence Day Celebration 2002 is seeking a resolution from City Council declaring the Jamaica Independence Day Celebration to be held on Saturday, July 20, 2002, from 12:00 noon to 11:00 p.m., to be a community festival of municipal significance; and

WHEREAS this resolution is required by the Alcohol and Gaming Commission of Ontario to issue a Special Occasion Permit for the event at Keelesdale Park, 2801 Eglinton Avenue West;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Alcohol and Gaming Commission of Ontario that it deems the Annual Jamaica Independence Day Celebration to be a community festival of municipal significance, in order to proceed with the application for a Special Occasion Permit for the event at Keelesdale Park, 2801 Eglinton Ave. W., on Saturday, July 20, 2002, from 12:00 noon to 11:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the City Council advise the Alcohol and Gaming Commission that the City of Toronto has no objection to the event taking place, subject to Independent Promotions notifying 12 Division, Toronto Police Service, of the event and complying with their requirements regarding security.”

Disposition: The Motion was adopted, without amendment.

(26) **Proposed Development – 4277 Lawrence Avenue East**

Moved by: Councillor Pitfield

Seconded by: Councillor McConnell

“**WHEREAS** Habitat for Humanity is a non-profit charitable organization which has had many successful years of experience in the development and construction of ownership housing for low income families with children; and

WHEREAS the average sale price of a Toronto home in 2000 was \$243,3000.00 and the average rent of an apartment with three or more units in 2001 was \$1,248.00, meaning that families with lower incomes are having a very difficult time finding suitable housing which they can afford; and

WHEREAS Habitat for Humanity constructs and renovates homes which are then sold to low income families at reduced rates with zero-interest mortgages; and

WHEREAS Habitat for Humanity has previously requested and been granted dispensation from the payment of building permit and planning application fees, consistent with the Council policy supporting the construction of affordable rental housing stock by other non-profit organizations, in order to further reduce housing costs for projects at 2 and 27 Lucy Avenue and the property located at the north-east corner of Lovilla Boulevard and Weston Road; and

WHEREAS Habitat for Humanity is currently evaluating the economic feasibility of constructing and renovating additional houses in Toronto; and

WHEREAS the waiving of building permit and planning application fees would permit the price of these homes to be reduced making them even more affordable to the families who purchase them; and

WHEREAS City staff have been asked to report on the feasibility of waiving fees on Habitat for Humanity housing projects and other similar non-profit ownership housing projects; and

WHEREAS this report has been delayed due to delays in negotiations between the Federal and Provincial governments with respect to the new federal affordable housing program and this program may also provide funding for affordable ownership housing; and

WHEREAS Habitat for Humanity has recently sent out applications to 508 individuals on the City of Toronto's Social Housing list and are receiving back 10 of these applications per day; and

WHEREAS Habitat for Humanity is optimistic that most of the families they will provide homes to this year will be selected from this list;

NOW THEREFORE BE IT RESOLVED THAT City Council agree to waive all building permit and planning application fees for Habitat for Humanity Housing Projects for the development of 15 townhouses at 4277 Lawrence Avenue East, the properties located at the vacant lots at Neilson Road and McLevin Avenue and on all land deemed surplus by the City of Toronto and transferred to Habitat for Humanity to build affordable housing.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

(27) **Official Plan and Zoning By-law Amendments - Lands South of Dundas Street West and West of Kipling Avenue**

Moved by: Councillor Milczyn

Seconded by: Councillor Augimeri

“**WHEREAS** City Council at its meeting held on December 4, 5 and 6, 2001, adopted, without amendment, Etobicoke Community Council Report No. 10, Clause No. 23, headed ‘Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; 1442923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue; File No. Z-2254 (Revised) (Ward 5 - Etobicoke-Lakeshore)’ and in so doing, adopted the recommendations of staff to amend the Official Plan and Zoning Code for the former Etobicoke substantially in accordance with the draft Official Plan

Amendment and draft Zoning By-law attached to the staff report dated November 7, 2001; and

WHEREAS Council authorized the approval of the Official Plan amendment and Zoning By-law conditional upon the owner signing a Section 37 Agreement to secure the provision of public benefits in exchange for increased density on the property; and

WHEREAS the owner has now signed the Section 37 Agreement; and

WHEREAS the submission of a final plan of survey of the property has identified the need for a minor modification to the draft Official Plan Amendment to reflect an increase in the permission of the number of residential units from 1,320 to 1,347; and

WHEREAS the submission of a final plan of survey of the property and more detailed design drawings have identified the need for the following minor modifications to the draft Zoning By-law:

- (a) that the number of permitted units be increased from 1,285 to 1,347;
- (b) that the maximum gross floor area be increased from 109,000 square metres to 111,890;
- (c) that the range of the height of the Build-to-Walls be between 3 and 6 storeys;
- (d) that a new Schedule 'B2' be introduced to separately regulate the building setbacks at the top of the Build-to-Walls for the west façade of the building on Building Envelope 'A';
- (e) that a new Schedule 'B3' be introduced to separately regulate the building setbacks of the Build-to-Walls for the building located on Building Envelope 'D';
- (f) that the minimum linear length of the Build-to-Wall in Building Envelope 'D' shall be 65 percent of the Build-to-Zone rather than 90 percent;
- (g) that Schedule 'B' of the By-law delete the designation of a Main Front Wall along the Dundas Street frontage;
- (h) that the depth of the Build-to-Zone for Building Envelope 'A' range from 3 metres to 10 metres to reflect the angle of the property line adjacent to Dundas Street West; and
- (i) that a new Schedule 'C' be introduced to assist in the regulation of certain areas of the property;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 10, Clause No. 23, headed 'Final Report - Application to Amend the

Etobicoke Official Plan and Zoning Code; 1442923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue; File No. Z 2254 (Revised) (Ward 5 - Etobicoke-Lakeshore)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the foregoing minor modifications be incorporated into the final Official Plan Amendment and Zoning By-law and that Council, pursuant to Section 17 and Section 34 of the Planning Act, hereby determine that no further notice to the public is required of the proposed changes set out in this Motion.”

Disposition: Council re-opened Clause No. 23 of Report No. 10 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; 1442923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue; File No. Z 2254 (Revised) (Ward 5 - Etobicoke-Lakeshore)”, for further consideration, and adopted the balance of the Motion, without amendment.

(28) **Retention of Surplus Schools by Local Boards of Education and/or Municipalities**

Moved by: Councillor McConnell

Seconded by: Councillor Moscoe

“**WHEREAS** Toronto’s schools are an essential component of local social infrastructure, originally paid for through the municipal tax base; and

WHEREAS schools frequently serve as venues for the delivery of local municipal and community-based programs and services; and

WHEREAS the provincial education funding formula for the operation and maintenance of schools has resulted in severe under-funding of Toronto schools and has necessitated several school closures since its implementation in 1998; and

WHEREAS the Toronto Catholic District School Board has recently circulated 19 schools for disposal to a number of public bodies specified in Provincial Regulation No. 444, including the Ontario Realty Corporation; and

WHEREAS the Ontario Realty Corporation has expressed a preliminary interest in several of these sites for the purpose of redevelopment; and

WHEREAS Toronto’s population is forecasted to grow substantially over the next 30 years and these new residents will require access to high quality, publicly-funded education;

NOW THEREFORE BE IT RESOLVED THAT the Minister of Education and Training be requested to make the required amendments to all relevant legislation and regulations to allow for the retention of surplus schools by local boards of education

and/or municipalities for the purpose of fulfilling local community service and educational needs;

AND BE IT FURTHER RESOLVED THAT a meeting be convened between representatives of the City of Toronto, the Toronto Catholic District School Board, the Toronto District School Board, the Ministry of Education and Training and the Ontario Realty Corporation to discuss the implementation of an innovative approach to joint asset management of these important community assets;

AND BE IT FURTHER RESOLVED THAT the Joint Liaison City/School Committee be requested to co-ordinate the meetings recommended above.”

Disposition: The Motion was adopted, without amendment.

(29) **City of Toronto Appointments to the University Health Network Board of Trustees**

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Ootes

“**WHEREAS** the City of Toronto appoints three citizens to the University Health Network Board of Trustees; and

WHEREAS the University Health Network has applied to the Province of Ontario to amend the Toronto Hospital Act with the effect of eliminating the City of Toronto’s three appointees; and

WHEREAS the University Health Network has requested that the City indicate that it does not object to these changes so that legislation may be introduced at the current session of the Legislature of the Province of Ontario; and

WHEREAS the current legislative session is anticipated to end on June 27, 2002, and therefore, this request has an urgent legislative deadline;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated June 12, 2002, from the Chief Administrative Officer entitled ‘City of Toronto Appointments to University Health Network Board of Trustees’ and that such report be adopted;

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

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

(30) **Coliseum Project – Modifications to the Offer to Lease**

Moved by: Councillor Silva

Seconded by: Councillor Pantalone

“**WHEREAS** City Council at its meeting of June 26, 27 and 28, 2001, by its adoption of Policy and Finance Committee Report No. 9, Clause No. 4, headed ‘Coliseum Project - Modifications to the Offer to Lease’, adopted the recommendations embodied in the confidential communication (June 14, 2001) from the Acting City Clerk; and

WHEREAS Council’s approval of the Coliseum Project adopting the recommended lease terms between the Board of Governors of Exhibition Place (the ‘Board’), the Coliseum Renovation Corporation (‘CRC’) and Borealis Funds Management Ltd. (‘Borealis’) and the provision of the City’s \$9.0 million contribution was subject to the CRC obtaining all required permissions and agreement with the AHL and an NHL hockey team to permit an AHL team to play in the renovated Coliseum and further was subject to demonstration of the continued financial feasibility of the project based on the involvement of an AHL team; and

WHEREAS CRC has entered into a 49-year Operating Agreement with the Edmonton Investors Group Limited Partnership to move the AHL franchise presently playing in Hamilton (owned by the Edmonton Investors Group Limited Partnership) to the Toronto Coliseum and giving CRC the right to operate this AHL franchise at the Coliseum as the Toronto Roadrunners for 49 years commencing with the 2003-2004 hockey season; and

WHEREAS CRC has entered into a 49-year Affiliation Agreement with the Edmonton Investors Group Limited Partnership to establish the Toronto team as the primary minor hockey league affiliate of the NHL Edmonton Oilers team commencing with the 2003-2004 hockey season; and

WHEREAS the parties have requested some revisions to the lease terms which are detailed in the confidential report dated June 18, 2002, from the General Manager and CEO of the Board; and

WHEREAS there is some urgency for consideration of this matter so that the project can commence in order to open the renovated Coliseum in time for the 2003-2004 hockey season;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 9, Clause No. 4, headed ‘Coliseum Project – Modifications to the Offer to Lease’, be re-opened for further consideration of the amendment to the lease terms, as detailed in the confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place and that such report be adopted.”

Disposition: *Council re-opened Clause No. 4 of Report No. 9 of The Policy and Finance Committee, headed “Coliseum Project – Modifications to the Offer to Lease”, for further consideration of the amendment to the lease terms, as detailed in the confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place, and adopted the balance of the Motion, without amendment.*

In so doing, Council adopted, without amendment, the confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it concerns matters related to the security of property of the municipality or local board, save and except the following recommendation embodied therein:

“It is recommended that Council approve of the modifications to the lease terms between the Board of Governors of Exhibition Place, Coliseum Renovation Corporation and Borealis Funds Management Ltd. substantially as set out in this report with such modification as may be acceptable to the City’s Chief Financial Officer and Treasurer and to the General Manager and CEO of the Board of Governors of Exhibition Place and otherwise in a form satisfactory to the City Solicitor.”

(31) **Proposed Amendments to the Sewer Use By-law Pertaining to Dental Amalgam Separator Technology**

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Disero

“WHEREAS Council at its meeting held on February 13, 14 and 15, 2002, adopted Notice of Motion J(33), which Motion directed Water and Wastewater staff to immediately write to dentists requesting the make and model of dental amalgam separator technology installed in dentists’ offices and requiring dentists to obtain third party gathered test data on the performance of their separator technology; and

WHEREAS Council at its meeting held on May 21, 22 and 23, 2002, re-opened Motion J(33) and adopted Notice of Motion J(32) which Motion requested the Commissioner of Works and Emergency Services and the City Solicitor to submit a joint report to the Works Committee meeting to be held on June 25, 2002, on the status of all legal and operational issues associated with the Pollution Prevention Plan and Plan Summary with the Royal College of Dental Surgeons of Ontario (‘the College’) including the direction in relation to the gathering of third party test data; and

WHEREAS the College has recently raised a series of additional issues and provided a recent study, concerning the Plans and the Sewer Use By-law (‘the By-law’) as it pertains to the practice of dentistry; and

WHEREAS Works and Emergency Services wishes to review and consider the materials received from the College, the said letter, and certain other potential amendments to the By-law and to provide a comprehensive report with respect thereto; and

WHEREAS certain provisions of the By-law which deal with requirements for discharge into sanitary, combined and storm sewers are scheduled to take effect June 30, 2002, replacing provisions established by the former Municipality of Metropolitan Toronto; and

WHEREAS it is therefore necessary for Council to deal with this matter prior to June 30, 2002;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with § 27-49 of Chapter 27 of the City of Toronto Municipal Code, Notice of Motion J(32) moved by Councillor Lindsay Luby, seconded by Councillor Disero, headed 'Deferral of Communication to Dentists Regarding Dental Amalgam Separator Technology', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council consider the confidential joint report dated June 14, 2002, from the Commissioner of Works and Emergency Services and the City Solicitor and that such joint confidential report be adopted."

Disposition: Council re-opened Motion J(32), moved by Councillor Lindsay Luby, seconded by Councillor Disero, headed "Deferral of Communication to Dentists Regarding Dental Amalgam Separator Technology", which was adopted, without amendment, by Council at its meeting held on May 21, 22 and 23, 2002, for further consideration, and adopted the balance of this Motion, without amendment.

In so doing, Council adopted, without amendment, the confidential joint report dated June 14, 2002, from the Commissioner of Works and Emergency Services and the City Solicitor, such joint report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information that is subject to solicitor/client privilege, save and except the following recommendations embodied therein:

"It is recommended that:

- (1) Section 681-14-C of Article 1 of Municipal Code Chapter 681, Sewers, be amended to provide that section 681-2 and 4 thereof shall come into force on November 1, 2002 (rather than June 30, 2002);*
- (2) Section 681-14-D of Article 1 of Municipal Code Chapter 681, Sewers, be amended to provide that sections 2 and 3 of By-law No. 153-89 of the former Municipality of Metropolitan Toronto continue to be deemed to be in force throughout the City of Toronto until November 1, 2002,*

(rather than June 30, 2002) and be repealed as at that date;

(3) *a communication to dentists previously approved by Council at its February 13, 14 and 15, 2002 meeting, regarding the testing of dental amalgam separator technology, be deferred pending receipt of a staff report on proposed amendments to the By-law; and*

(4) *leave be granted for the introduction of the necessary bill in Council to give effect thereto.”*

(32) **Financial and Purchasing Arrangements for Possible Labour Disruption**

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** the Chief Financial Officer and Treasurer has submitted a confidential report dated June 17, 2002 with respect to special financial and purchasing arrangements to be used in the event of a labour disruption and to establish authorities to fund related expenditures;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned confidential report dated June 17, 2002, from the Chief Financial Officer and Treasurer, and that such confidential report be adopted.”

Disposition: Council, at the in-camera portion of its meeting, amended this Motion by amending the confidential instructions to staff contained in the confidential report dated June 17, 2002, from the Chief Financial Officer and Treasurer, such instructions to remain confidential in accordance with the provisions of the Municipal Act, having regard that this matter relates to the security of the property of the municipality and also pertains to labour relations or employee negotiations.

CONDOLENCE MOTION

Moved by: Councillor Holyday

Seconded by: Councillors Ford, Hall, Jones, Lindsay Luby and Milczyn

“**WHEREAS** Mrs. Norma Anne Carrier passed away on Sunday, June 9, 2002, after a lengthy illness, in her 86th year; and

WHEREAS Mrs. Carrier was a long-time resident of the former City of Etobicoke; and

WHEREAS Mrs. Carrier, following her retirement from her position as a consumer consultant for General Foods Limited, became actively involved in the volunteer community; and

WHEREAS Mrs. Carrier's keen interest in heritage matters led to her active involvement in the Etobicoke Historical Board/LACAC, the Etobicoke Historical Society and the James Shaver Woodsworth Foundation; and

WHEREAS Mrs. Carrier played a significant role in the fundraising for the 'driveshed' expansion of Montgomery's Inn, which now serves as the administration part of Etobicoke's museum, and also the moving and restoration of 'Applewood', the birthplace of James Shaver Woodsworth, which is now the official non-denominational wedding chapel for the Etobicoke Community; and

WHEREAS Mrs. Carrier was also involved with Arts Etobicoke, the Islington Community School Advisory Board, the Etobicoke Social Development Council, Humber Valley United Church, the Ontario Consumers Association, the Canadian UNICEF Committee, the Canadian Standards Association, and the Mental Health Association; and

WHEREAS, in 1987, in recognition of Mrs. Carrier's commitment to volunteerism, she was named 'Citizen of the Year' during Etobicoke's first annual Civic Awards presentations."

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Mrs. Norma Carrier."

Disposition: *The Motion was adopted unanimously.*

Toronto, Ontario
June 25, 2002

City Clerk