

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Report No. 10 of The Planning and Transportation Committee, Clauses Nos. 3a and 5a  
Report No. 10 of The Works Committee, Clause No. 8a  
Report No. 11 of The Humber York Community Council, Clause No. 59a

New Reports:

Report No. 13 of The Administration Committee  
Report No. 9 of The Community Services Committee  
Report No. 9 of The Economic Development and Parks Committee  
Report No. 11 of The Planning and Transportation Committee  
Report No. 12 of The Planning and Transportation Committee  
Report No. 14 of The Policy and Finance Committee  
Report No. 11 of The Works Committee  
Report No. 12 of The Etobicoke Community Council  
Report No. 12 of The Humber York Community Council  
Report No. 8 of The Midtown Community Council  
Report No. 11 of The North York Community Council  
Report No. 9 of The Scarborough Community Council  
Report No. 11 of The Toronto East York Community Council

and Notices of Motions as adopted by the Council of the City of Toronto at its regular meeting held on October 29, 30 and 31, 2002.

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

**DEFERRED CLAUSE FROM REPORT NO. 10 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 3a - "Leslie Sheppard Gateway Project".**

The Clause was received.

**DEFERRED CLAUSE FROM REPORT NO. 10 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 5a - "Further Report Development Approval Process - File: UDOZ-DRA - All Wards".**

The Clause was amended by deleting Recommendations Nos. (4) and (5) of the Planning and Transportation Committee, and inserting in lieu thereof the following new Recommendation No. (4):

"(4) if an Official Plan or Zoning Bill is amended in the time between the Community Council meeting and the enactment of the By-law, the Ward Councillor be provided with an opportunity to review the Bill prior to its enactment by City Council."

**DEFERRED CLAUSE FROM REPORT NO. 10 OF THE WORKS COMMITTEE**

**Clause No. 8a - "Eligibility Under Voluntary Home Isolation Program for 1300/1320 Islington Avenue, Barclay Terrace Condominium Complex (Ward 5 – Etobicoke-Lakeshore)".**

The Clause was amended:

- (1) to provide that the grant to Barclay Terrace Condominium Complex be conditional on the provision of a holding tank by the Condominium Corporation; and
- (2) by adding thereto the following:

"It is further recommended that in future, multi-residential buildings be ineligible for grants under the Voluntary Home Isolation Program."

**DEFERRED CLAUSE FROM REPORT NO. 11 OF THE HUMBER YORK COMMUNITY COUNCIL**

**Clause No. 59a - "Refusal and Directions Report - 1245 and 1301 Dupont Street and 213 and 215 Emerson Avenue; Application to Amend the Official Plan and Zoning By-law to Permit a Phased Mixed-Use Development at the Galleria Mall; Harzuz Holdings Ltd. and Ontario Potato Distributing Ltd. (Davenport, Ward 18)".**

The Clause was struck out and referred back to the Humber York Community Council for further consideration, and the Director, Community Planning, West District, was requested to continue to meet with the applicant to discuss outstanding issues.

**NEW REPORTS**

**REPORT NO. 13 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1 - “Municipal Campaign Finance Reform”.**

The Clause was amended by:

- (1) amending Recommendation No. (A)(IV) of the Administration Committee by:
  - (i) deleting from Part (a) the words ‘if allowed’, so that Part (a) now reads as follows:

“(a) that rebates only be issued for contributions of legal tender; and”;
  - (ii) striking out Part (b); and
  - (iii) inserting the following new Parts (b) and (c):

“(b) inclusion of factors in the rebate program that will provide adjustments for inflation; and

(c) the adequacy of limits on campaign expenditures and adjustments that will account for inflationary increases in costs;”,

so that such recommendation now reads as follows:

- “(IV) as part of the considerations of the Municipal Campaign Finance Reform, the Toronto Election Finance Review Task Force be requested to consider:
  - (a) that rebates only be issued for contributions of legal tender;
  - (b) inclusion of factors in the rebate program that will provide adjustments for inflation; and
  - (c) the adequacy of limits on campaign expenditures and adjustments that will account for inflationary increases in costs;”;
- (2) amending the Proposed Terms of Reference for the Toronto Election Finance Review Task Force, embodied in Appendix “C” to the joint report dated June 11, 2002, from the Chief Administrative Officer, the City Solicitor and the City Clerk:
  - (i) to provide that Part (4), headed “Membership”, include an additional member representing the law community; and
  - (ii) by adding to Part (6), headed “Chair”, the words “and the Chair shall not be a Member of Council”, so that such part now reads as follows:

“The Task Force will select a Chair from amongst its members at its first meeting, and the Chair shall not be a Member of Council.”; and

(3) adding thereto the following:

“It is further recommended that:

- (i) the Striking Committee be requested to give consideration, at the appropriate time, to appointing Councillor Anne Johnston as a member of the Toronto Election Finance Review Task Force;
- (ii) the Toronto Election Finance Review Task Force be requested to:
  - (a) report on the appropriate distribution of remaining election funds left over from candidates or elected officials who are not running for elected office in the future;
  - (b) review the process of enforcing municipal, provincial and federal laws which may be broken during the election period; and
  - (c) review and respond to the Discussion Paper on Municipal Elections Act Reform 2002, at the same time as the Task Force reviews the 19 issues raised in the joint report dated June 11, 2002, from the Chief Administrative Officer, the City Solicitor and the City Clerk; and
- (iii) the following motions be referred to the Toronto Election Finance Review Task Force for consideration:

Moved by Councillor Moscoe:

‘That the Clause be amended to provide that the composition of the Toronto Election Finance Review Task Force include the originator of the municipal election rebate plan, Bernard Nayman, C.A., and the Nayman Report, originally submitted to the former City of North York Council, be provided to the Task Force.’; and

Moved by Councillor Soknacki:

‘That candidates be allowed to fundraise to any limit. Any amounts greater than twice the allowable election limit will be forfeit to the municipality’s Treasurer, at the time of filing the election financial return.’”

**Clause No. 2 - “Use of Corporate Resources for Election Purposes Especially during a Municipal Election Year”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on a process for allowing Members of Council to communicate with their constituents in the event emergency situations arise between August 1, 2002 and Election Day.”

**Clause No. 3 - “Recovery of Election Costs from the School Boards”.**

The Clause was received.

**Clause No. 5 - “2003 Contribution Rebate Program”.**

The Clause was amended:

- (1) by amending Recommendation No. (2) of the Administration Committee to now read as follows:

“(2) the Contribution Rebate Program pay for monetary donations and goods and services in-kind; and”;

- (2) to provide that the \$50.00 contribution level be reduced to \$25.00;

- (3) by amending Appendix “A”, entitled “Proposed Contribution Rebate Program”, embodied in the report dated August 7, 2002, from the City Clerk:

- (i) to provide that the words “Corporations and Trade Unions” be added thereto, mutatis mutandis; and

- (ii) by deleting therefrom, the following Part 13:

“13. In accordance with subsection 82(5) of the Act, any campaign surplus paid by a candidate to the Clerk under section 79 of the Act will become the property of the City of Toronto.”; and

- (4) by adding thereto the following:

“It is further recommended that all rebate cheques issued by the City Clerk identify the candidate(s) for whom the contribution was made.”

**Clause No. 6 - “Card Access for Councillors’ Staff at Toronto City Hall”.**

The Clause was amended by deleting from Recommendation No. (2) embodied in the report dated September 17, 2002, from the Commissioner of Corporate Services, as amended by the Administration Committee, the word “three” and inserting in lieu thereof the word “four”, so that such recommendation now reads as follows:

“(2) that a maximum of four Councillor’s staff members per office be provided with elevator access only for all floors, except mechanical levels, from 7:00 a.m. to 7:00 p.m., Monday to Friday; and”.

**Clause No. 17** - **“Declaration as Surplus - Parcel of Vacant Land South Side of Rane Avenue, East of 255 Rane Avenue (Ward 15 - Eglinton -Lawrence)”**.

The Clause was struck out and referred back to the Administration Committee for further consideration at its meeting scheduled to be held on January 10, 2003.

**Clause No. 23** - **“Toronto Fire Department Superannuation and Benefit Fund Actuarial Valuation Results as of December 31, 2001”**.

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 30** - **“Process for the Evaluation of Proposals for The Provision of Telecommunications Infrastructure for the City of Toronto (Request for Proposals No. 9155-02-07293)”**.

The Clause was struck out and referred back to the Administration Committee for further consideration at its meeting scheduled to be held on November 5, 2002.

**Clause No. 31** - **“Tax Adjustment - Municipal Act Section 442 and 443”**.

The Clause was amended by striking out and referring Recommendation No. (2) of the Administration Committee, together with the following motion by Councillor Holyday, back to the Administration Committee for further consideration:

Moved by Councillor Holyday:

**“WHEREAS** the Administration Committee at its meeting held on October 8, 2002, considered 212 appeal applications for the reduction and/or cancellation of property taxes pursuant to the provisions of section 442 and 443 of the Municipal Act; and

**WHEREAS** 90 of these 212 appeal applications relate to section 442(1)(c) of the Municipal Act; and

**WHEREAS** the Administration Committee approved tax reductions for 89 of the 90 applications before it, based on staff’s recommendations, calculated on an assessment value pertaining to the damaged area of the building (as determined by the Municipal Property Assessment Corporation) and the appropriate tax rates as levied by City Council, being the methodology applied to all similar section 442 applications since 1998 (and consistently applied by the six former municipalities for many years prior to amalgamation), and being the method employed by municipalities across the Province of Ontario; and

**WHEREAS** the Administration Committee approved a reduction for the property located at 206 Shaughnessy Boulevard (regarding Application No. 20020104) based on a different formula that grants a full cancellation in taxes (for both the building and the land value) for the period of time that the property was not being lived in; and

**WHEREAS** the use of the term ‘building’ in section 442(1)(c) of the Municipal Act suggests that only the ‘building’ portion of the taxes should be considered for a tax reduction; and

**WHEREAS** the motion adopted by Administration Committee at its meeting held on October 8, 2002, with respect to 206 Shaughnessy Boulevard, is unfair to the 3,000 taxpayers that have applied for and been granted tax reductions under section 442(1)(c) of the Municipal Act since 1998 based on the methodology consistently employed by City staff and other municipalities across the province; and

**WHEREAS** granting a tax reduction for 206 Shaughnessy Boulevard based on a different formula sets a precedent for the calculation of future tax reductions on a go forward basis, and if Council continued to use this alternate methodology, it is estimated that an additional \$2.5 million per year would be required to cover the City’s portion of annual tax reductions resulting from section 442(1)(c) tax appeals;

**NOW THEREFORE BE IT RESOLVED THAT** a tax reduction of \$300.75, as recommended by the Chief Financial Officer and Treasurer in his report dated September 23, 2002, be approved for the property located at 206 Shaughnessy Boulevard (regarding Application No. 20020104), and that Recommendation No. (2) of the Administration Committee be deleted; and

**AND BE IT FURTHER RESOLVED THAT** the Chief Financial Officer and Treasurer be requested to submit a report to the Administration Committee, on the methodology used by staff since 1998 (and by the six former area municipalities prior to 1998) to calculate tax reductions as a result of a section 442(1)(c) tax appeal.”

#### **REPORT NO. 9 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 9** - **“Update on Additional Grants of \$10,000.00 or More Under the Tenant Support Grants Program - Decisions of the Ontario Municipal Board and the Divisional Court”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 10** - **“Other Items Considered by the Committee”.**

The Clause was received as information, subject to deferring Item (h), entitled “Emergency Homelessness Pilot Project - Process for Focus Group and Eligibility Criteria”, embodied therein, to the next regular meeting of City Council scheduled to be held on November 26, 2002.

#### **REPORT NO. 9 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 1** - **“Toronto Tourism Sector 2002 Performance Update (Various Wards)”.**

The Clause was amended to provide that the following Members of Council be appointed to the Tourism Sector Advisory Committee:

- Councillor Brian Ashton;
- Councillor David Miller;
- Councillor Denzil Minnan-Wong;
- Councillor Joe Pantalone; and
- Councillor Kyle Rae.

**Clause No. 2** - **“Meeting Place: Toronto as a Leading Financial Centre Report to the Toronto Financial Services Alliance (TFSA) Leaders’ Forum (All Wards)”**.

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 5** - **“ ‘Our Future Together - A Community Based Revitalization Strategy for St. Clair West’ (Ward 17 Davenport)”**.

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 develop a Community Revitalization Plan for the section of St. Clair Avenue West, between Winona Drive and the St. Clair West subway station.

**Clause No. 11** - **“Goose Control Program (All Wards)”**.

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 13** - **“An Interim Strategy to Retain Aquatic and Community Programming at Toronto District School Board Pools (All Wards)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendation of the Policy and Finance Committee, as embodied in the communication dated October 17, 2002, from the City Clerk:

‘The Policy and Finance Committee recommends the adoption of the following Recommendations Nos. (2) and (3) embodied in the report (October 10, 2002) from the Commissioner of Economic Development, Culture and Tourism respecting an Interim Strategy to Retain Aquatic and Community Programming at Toronto District School Board Pools:



- “(2) the City of Toronto conduct a state of good repair audit of the 47 selected pool facilities in a cost sharing arrangement with the Toronto District School Board (TDSB) for a total of \$470,000.00 to be shared equally with the TDSB; and
- (3) every effort be made to absorb the City’s share of \$235,000.00 within the Economic Development, Culture and Tourism departmental budget through under-expenditures; if this approach is not possible, the Chief Financial Officer and Treasurer will recommend a reallocation of funding in the year end variance report;”.

**REPORT NO. 11 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 1 - “Proposed New Official Plan for the City of Toronto and Repeal of the Official Plans for the Former Municipalities of Metropolitan Toronto, East York, Etobicoke, North York, Scarborough, Toronto and York”.**

The Clause was amended:

- (1) in accordance with the following supplementary reports from the Commissioner of Urban Development Services:
  - (i) (October 21, 2002) wherein it is recommended that:
    - “(1) the proposed Official Plan, dated May 2002, as revised by Planning and Transportation Committee at its meeting of September 24, 2002, be further revised as shown in Appendix 1 and 2 of this report; and
    - (2) the Official Plan for the City of Toronto dated May 2002, as further revised, be adopted.”; and
  - (ii) (October 26, 2002) wherein it is recommended that:
    - “(1) the proposed Official Plan, dated May 2002, as revised by Planning and Transportation Committee at its meeting of September 24, 2002, be further revised as proposed by the modifications detailed in Appendix 1 and 2 of the staff reports dated October 21 and 26, 2002; and
    - (2) the Official Plan for the City of Toronto dated May 2002, as further revised, be adopted.”,

subject to amending Maps Nos. 10 and 14 contained therein, with respect to the lands located on the northwest corner of Mortimer Avenue and Coxwell Avenue, to designate Memorial Gardens as *Parks and Open Space Areas*, and that Councillors Ootes, Pitfield and Tziretas be requested to inform the community of this designation;

## Chapter One - Making Choices

- (2) by adding the following new bullet point to Section 2, under the heading “A City of Diversity and Opportunity” (Page 3):
- “people enjoy freedom of conscience and religion and opportunities for such enjoyment are supported.”;

## Chapter Two - Shaping the City

- (3) by deleting from the first sentence in Policy No. 3(b), embodied in Section 2.2, “Structuring Growth in the City: Integrating Land Use and Transportation” (Page 11), the words “improve visibility in certain locations”, and inserting in lieu thereof the words “provide for necessary improvements in visibility in certain locations”, so that such policy now reads as follows:
- “(b) acquiring lands beyond the right-of-way widths shown on Map No. 3 and Schedule 1 to accommodate necessary features such as embankments, grade separations, additional pavement or sidewalk widths at intersections, transit facilitates or to provide for necessary improvements in visibility in certain locations. The conveyance of land for such widenings may be required for nominal consideration from abutting property owners as a condition of subdivision, severance, minor variance, condominium or site plan approvals;”;
- (4) by amending Section 2.4, “Bringing the City Together: A Progressive Agenda of Transportation Change”, by:
- (i) adding the following new Part (e) to Policy No. 4 (Page 31), embodied therein:
- “(e) the development, retention and replacement of commuter parking spaces.”; and
- (ii) adding the following new Policies Nos. 12 and 13 (Page 32):
- “(12) All large commercial and office buildings and hotels shall make provision for taxi stands on private property.
- (13) All new transportation terminals shall require facilities for inter-modal connections, including those for:
- (a) taxis;
  - (b) buses; and
  - (c) other public transit modes,
- and further that existing transportation terminals shall be retrofitted when re-development occurs.”;

- (5) by amending Map No. 2, headed “Urban Structure”, by adding as an *Employment District*, those lands identified as *Employment Areas* on Map No. 12, entitled “Land Use Plan”, located between Mimico Creek and Humber River north of Lake Shore Boulevard West and the Queensway;
- (6) by amending Map No. 3, headed “Right-of-Way Widths Associated with Existing Major Streets”, to provide that Drewry Avenue, Cummer Avenue, Willowdale Avenue, and Senlac Road be deleted, and that their current rights-of-way be maintained, except within 150 metres of intersections, where the future rights-of-way shall be 27 metres;

### **Chapter Three - Building a Successful City**

- (7) by inserting at the end of the final sentence of Section 3.1, “The Built Environment” (Page 34), the words “consistent with energy efficiency standards”, so that such sentence now reads as follows:

“This Plan demands that both the public and private sectors commit to high quality architecture, landscape architecture and urban design, consistent with energy efficiency standards.”;

- (8) by adding the following new Policy No. 6 to Section 3.1.2, “Built Form” (Page 39):

“6. New multi-residential development will provide indoor and outdoor amenity space for the residents of the new development. Each resident will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces.”;

- (9) by adding the following words to Policy No. 10, embodied in Section 3.1.5, “Heritage Resources (Page 43):

“All significant aboriginal cultural heritage and archaeological sites should be identified, mapped and where feasible, protected and preserved. Exhumation and re-burial of human remains for the purpose of facilitating development should be strictly prohibited.”;

- (10) by amending Section 3.2.2, “Community Services and Facilities” (Pages 48-49), by:

- (i) adding thereto the following:

“School lands be specifically identified and appropriately designated on the land use maps and related policy statements and noted in the text as potential additions to the City’s parklands should they no longer be need as learning institutions.”;

- (ii) deleting from Policy No. 4(f) the words “City’s capital budget”, and inserting in lieu thereof the words “City’s capital and operating budgets”, so that such policy now reads as follows:

“(f) identification of funding strategies including, but not limited to, funds secured through the development approval process, the City’s capital and operating budgets, and public/private partnerships.”;

- (iii) by amending Policy No. 5, so that it now reads as follows:
  - “5. Community services strategies and implementation mechanisms will be required for residential or mixed use sites generally larger than 5 hectares and all new neighbourhoods, in order to inform the range of facilities needed to support development.”; and
- (iv) by adding thereto the following new Policy No. 6:
  - “6. Encourage the inclusion of community services facilities in all significant private sector development across the City through development incentives and public initiatives.”;
- (11) by adding to Policy No. 2(d), embodied in Section 3.3, “Building New Neighbourhoods” (Page 52), the words “community recreation centres”, so that such policy now reads as follows:
  - “(d) high quality parks, community recreation centres, open space and public buildings; and”;
- (12) by amending Section 3.4, “The Natural Environment” (Pages 53-57):
  - (i) to provide that the natural environment policies, embodied therein, be reformulated in accordance with Amendment No. (28)(vi) [as contained in this Document]; and
  - (ii) by adding to Policy No. 15(e), the words “that are consistent with high energy efficiency standards”, so that such policy now reads as follows:
    - “(e) the use of energy-efficient technologies that are consistent with high energy efficiency standards, design features and construction practices; and”;
- (13) by amending Map No. 7, headed “Natural Heritage”, to illustrate the natural heritage connection between the Leslie Street Spit and the Don River Valley based on representation found in maps associated with the Waterfront Plans;

#### **Chapter Four - Land Use Designations**

- (14) by adding to Section 4.1, “Neighbourhoods” (Page 64), the following new sidebar:

##### “Prevailing Building Types

Many zoning by-laws currently permit only single detached houses. The type of dwellings permitted varies among neighbourhoods and these detailed residential use lists are in the established zoning by-laws which will remain in place and establish the benchmark for what is to be permitted in the future. If, for example, an existing zoning by-law permits only single detached houses in a particular neighbourhood, and the

prevailing building type in that neighbourhood is single detached dwellings, then the Plan's policies are to be interpreted to approve single detached dwellings in order to respect and reinforce the established physical character of the neighbourhood, except where the infill development polices of Section 4.1.7 would be applicable.”;

- (15) by deleting from the preamble to Policy No. 5, embodied in Section 4.1 (Page 66), the word “general”, so that such preamble now reads as follows:

“Development will respect and reinforce the physical patterns and character of established *Neighbourhoods*, with particular regard to:”;

- (16) to provide that the policies embodied in Section 4.3, “Parks and Open Space Areas” (Page 69), be amended to incorporate appropriate land use provisions, in accordance with Amendment No. (28)(vi) [as contained in this Document];

- (17) by amending Map 13, headed “Land Use Plan”, by:

- (i) showing the former CN spur line as parkland; and
- (ii) showing that Lawrence Avenue East, west of Leslie Street, does not connect with Bayview Avenue;

- (18) by amending Map No. 15, headed “Land Use Plan”, to designate as “*Neighbourhoods*”, the Scarborough Transportation Corridor lands located south of the CN Rail lines, bordering the Kingston Road overpass to the east, and designated as “*Parks and Open Space Areas*” to the west;

### **Chapter Five - Implementation: Making Things Happen**

- (19) by adding to Policy No. 1, embodied in Section 5.3.1, “The Official Plan Guides City Actions” (Page 92), the words “and public undertakings”, so that such policy, as ultimately amended, reads as follows:

“1. Municipal by-laws, including zoning by-laws, public works and public undertakings will conform to this Plan.”;

- (20) by deleting from the first sentence of the sidebar embodied in Section 5.3.5, “Great City Campaigns” (Page 96), the word “citizen’s”, so that such sentence now reads as follows:

“The Task Force to Bring Back the Don is a group working with the support of the City of Toronto to achieve a clean, green and accessible Don River watershed.”;

### **Chapter Six - Secondary Plans**

- (21) by amending the North York Centre Secondary Plan (No. 8), by:

- (i) deleting from Section 5.4.2, the references to North York Centre Secondary Plan “Section 1.18” and “Section 1.15”, and inserting in lieu thereof, references to “Section 1.17” and “Section 1.14”, respectively; and

- (ii) adding to Section 10.5, the following statement:

“The provisions of this secondary plan pertaining to Section 37 will prevail over the policies embodied in Section 5.1.1 of the Official Plan.”;

- (22) to provide that the appendices from the existing North York Centre Secondary Plan (of the Official Plan of the former City of North York), after modification for nomenclature as necessary, be adopted and form appendices to this new North York Centre Secondary Plan;
- (23) to provide that the Swansea Area (presently Section 19.4 of the former City of Toronto Official Plan) continue in force by the re-enactment of the Swansea Secondary Plan within the new Official Plan, including the appropriate modifications in the language to fit with the new Plan;
- (24) to provide that the Don Mills Secondary Plan of the former City of North York be included in the new Official Plan;

#### **Chapter Seven - Site and Area Specific Policies**

- (25) by adding to the end of Policy No. 62, “South Side of Lawrence Avenue West, West of Marlee Avenue” (Page 42), the following:

“Area 62 shall be extended westward to Bolingbroke Road.”;

- (26) by adding to the beginning of Policy No. 90, “Northwest of Wilson Avenue and Yonge Street, and Southeast of York Mills and Yonge Street” (Page 53), the words “For the lands located at the north side of Wilson Avenue, west of Yonge Street, shown as Parcel A, a maximum density of 2 times the lot area is permitted. For Parcels A and B”, so that such policy now reads as follows:

“For the lands located at the northwest corner of Wilson Avenue and Yonge Street, a maximum density of 2 times the lot area is permitted. For Parcels A and B, a maximum building height, inclusive of superstructures, pipes and chimneys, of 163 metres above sea level is permitted, provided the building height does not obstruct sight lines across the valley, from top of bank to top of bank.”;

#### **General**

- (27) by deleting the words “citizens” or “citizenry”, wherever they appear in the Plan, and inserting in lieu thereof the word “Torontonians”, and making any grammatical adjustments necessary;
- (28) to provide that:
- (i) all employment districts are protected under the new Official Plan;
  - (ii) the rights of Torontonians to be heard, are enshrined in the new Official Plan;

(iii) the following statements be included in the new Official Plan:

“Development, redevelopment and infrastructure that will assist in achieving green house gas emissions reduction consistent with international, national and municipal targets will be encouraged.”;

“Building renovation and redevelopment to incorporate advanced energy and water efficiency practices will be encouraged.”;

“Redevelopment of large industrial sites, including brownfield sites, should receive special attention to achieve high standards of pollution abatement, green roof technology and/or alternative energy production, such as co-generation, hydrogen energy or renewable energy.”;

(iv) a set of parks planning area maps be added to the Plan identifying neighbourhoods which are deficient in parkland, so that this data can be used in an effort to require, wherever possible, that new parkland be provided when development occurs in under-serviced areas;

(v) when land use Maps Nos. 9, 11, 12, 13, 14, 15 and 19 are refined to include additional street names (as outlined in Section (r), headed “Refining Land Use Maps 10, 11 through 16 of the Plan to Include Street Names”, embodied in the report dated October 21, 2002, from the Commissioner of Urban Development Services), the streets that border different land uses be identified;

(vi) *Natural Areas, Environmentally Significant Areas* and *Ravines* be defined, identified and distinguished on the land use maps from other *Parks and Open Space Areas* and protected in a manner equivalent to the best practices of the City’s existing Official Plans for the former area municipalities, and parkland be likewise distinguished from other *Parks and Open Space Areas* such as golf courses and cemeteries;

(vii) the two land areas of Milliken Wells Shopping Centre and Woodside Square Mall be designated a special study area, and the existing Official Plan designation be retained until the area studies are completed; and

(viii) the Bloor Street Urban Design Guidelines for the Kingsway District, be included in the appropriate companion documents to the Official Plan, as an equivalent to an Avenue Study; and

(29) by adding thereto the following:

“It is further recommended that:

(i) all zoning by-laws shall remain in place and be adhered to until such time as they are amended by Council, after consultation with the affected community and statutory hearings at Community Council;

- (ii) no lanes be reserved for transit on roadways with four lanes or less without appropriate technical study by Transportation Services and Toronto Transit Commission staff, detailing impacts on transit operations, traffic operations, neighbourhood protection and costs, and further that such studies be reported to Council for a decision before any action is taken with respect to the implementation of such lanes;
- (iii) the Commissioner of Urban Development Services be requested to:
  - (a) convene a meeting, in consultation with the Ward Councillor, with the representative of the Coronation Drive Employment District, as soon as possible, and submit a report thereon, to the Planning and Transportation Committee, through the Scarborough Community Council;
  - (b) submit a report to the Planning and Transportation Committee on designating and undertaking the following for priority Avenue Study:
    - College Street;
    - a subway-related street (e.g. Danforth Avenue); and
    - an arterial road (e.g. Finch Avenue, or Lake Shore Boulevard West);
  - (c) submit a report to the Midtown Community Council on a means of ensuring that the flood plain will be restored to its natural state in the year 2015, or as soon as the purchase price has been recouped, as was intended (further to Policy No. 81, "Northeast of Mill Street and Yonge Street" (Page 50), Chapter 7);
  - (d) submit a report to the January 13, 2003 meeting of the Planning and Transportation Committee on a workplan to implement zoning by-law changes in areas covered by the Bloor Street Urban Design Guidelines, and by the Queensway Incremental Growth Study;
  - (e) submit a report to the Planning and Transportation Committee in one year's time, on the technical amendments that may be required to fine-tune the new Official Plan as a result of its practical application to the development process; and
  - (f) as part of the 'Five Year Review':
    - (1) evaluate the availability of government funding to maintain the Toronto Transit Commission's State-of-Good Repair and affordable transit;
    - (2) evaluate the government commitment to fund the transit infrastructure necessary to support the goals and objectives of the new Official Plan; and



- (3) adjust the new Official Plan's population goals to reflect transit capacity;
- (iv) the Chief General Manager, Toronto Transit Commission, be requested to investigate ways to implement streetcar service on Don Mills Road without eliminating any current traffic lanes, as a means of fulfilling the intent of the new Official Plan to designate Don Mills Road as a major transit route, and further, that partnerships with York Region be explored in this regard;
- (v) the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee and the Toronto Transit Commission, on mechanisms available to the City to achieve funding from development sources for the Don Mills Road streetcar services project, outlined in Amendment No. (29)(iv), above;
- (vi) the following motion be referred to the Commissioner of Urban Development Services for consideration during the Avenues planning process:

Moved by Councillor Layton:

'That Section 2.2.3, "Avenues: Reurbanizing Arterial Corridors" (Page 21), of the new Official Plan be amended by:

- (1) adding the following to Policy No. 1, embodied therein:
  - "The height limit of 20 metres be established in each *Avenue* designated on Map No. 2, and it is Council's intention that as-of-right zoning be implemented to permit this height throughout the Avenues."; and
- (2) adding to the preamble to Policy No. 2(a), the words "as site specific refinements to the general height limit of 20 metres", so that such policy now reads as follows:
  - "(a) contextually appropriate as-of-right zoning as site specific refinements to the general height limit of 20 metres, and other regulations designed to achieve high quality development along the Avenue which establishes:'.'; and
- (vii) the following motions be referred to the Commissioner of Urban Development Services for consideration:

Moved by Councillor Layton:

- (a) 'It is recommended that Section 2.3.1, "Healthy Neighbourhoods" (Page 26), of the Official Plan, be amended by:
  - (1) adding to Policy No. 1, the words "and reinforce", after the word "respect", so that such policy now reads as follows:

“(1) Development within *Neighbourhoods* and *Apartment Neighbourhoods* will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in the community.”; and

(2) by adding the following sentence to the end of Policy No. 2:

“The height limit of 13 meters be established on properties abutting each arterial shown on Map No. 2 and not designated as an *Avenue* or *Centre*, and it is Council’s intention that as-of-right zoning be implemented to permit this height throughout these areas.”; and

(b) ‘It is recommended that Council commit to establishing an implementation strategy for Modification No. 98 (respecting the Planning Process), embodied in the supplementary report dated October 21, 2002, from the Commissioner of Urban Development Services, in order to provide effective mechanisms for citizen involvement in sustainable City building and planning based upon best practices. This policy should enshrine citizen involvement beyond the limited provisions of the Planning Act.’ ”

## **REPORT NO. 12 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

### **Clause No. 2 - “Conditional Building Permit Agreement Procedures”.**

The Clause was amended by adding after the word “approve”, in Recommendation No. (1), embodied in the report dated September 19, 2002, from the Commissioner of Urban Development Services, the words “only after consultation with the Ward Councillor”, so that such recommendation now reads as follows:

“(1) authority be granted to introduce a bill in Council to amend the Municipal Code, substantially in the form of the draft by-law in Appendix 1, to authorize the Chief Building Official and Deputy Chief Building Officials to approve, only after consultation with the Ward Councillor, the entering into conditional permit agreements, consents to assignments of the agreements, and releases of registered agreements and to execute the agreements, consents and releases on behalf of the City; and”.

### **Clause No. 4 - “Progress Report - Streamlining the Application Review (STAR) Process - All Wards”.**

The Clause was amended by:

(1) deleting from Recommendation No. (1) of the Planning and Transportation Committee, the words “4 weeks”, and inserting in lieu thereof the words “6 weeks”, so that Recommendation No. (1), embodied in the report dated September 23, 2002, from the Development Review Task Force, as further amended, now reads as follows:

- “(1) Council endorse the process of continued reform to the existing service model for the review of development applications and the issuance of building permits, in keeping with the approach outlined in this report subject to amending Attachment No. 1 by deleting the words ‘8 weeks’ under the category ‘Complex – Revisions and Resubmissions by Applicant’, and inserting the words ‘6 weeks’, and deleting the words ‘8 weeks’ under the category ‘Complex – Recirculation and Finalised Comments’, and inserting the words ‘6 weeks’;”;
- (2) striking out and referring Recommendation No. (4) embodied in the report dated September 23, 2002, from the Development Review Task Force, as amended by the Planning and Transportation Committee, back to the Planning and Transportation Committee for further consideration; and
- (3) adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the option of an applicant having an Official Plan Amendment, Zoning By-law and a Site Plan Control application considered at the same statutory hearing.”

**Clause No. 5 - “Other Items Considered by the Committee”.**

The Clause was received as information, subject to striking out and referring Item (a), entitled “Stakeholder Satisfaction with Committee of Adjustment Hearing Times”, embodied therein, back to the Planning and Transportation Committee for further consideration.

**REPORT NO. 14 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 1 - “Governance Structure and Board Appointments In Lieu of Lease - Board of Directors of the Hummingbird Centre for the Performing Arts”.**

The Clause was amended by:

- (1) deleting the name “Connie Sugiyama” from Recommendation No. (1) embodied in the report dated October 11, 2002, from the Chief Administrative Officer, and inserting in lieu thereof the name “Michael Pittana”; and
- (2) adding thereto the following:

“It is further recommended that:

- (i) Council adopt the report dated October 25, 2002, from the City Solicitor, subject to inserting in Recommendation No. (2), the words “as well as Section 106 of Chapter 27 of the City of Toronto Municipal Code, respecting appointment of Members of Council to committees, agencies, boards and commissions”, so that the recommendations embodied therein, as amended, now read as follows:

‘It is recommended that:

- (1) By-law No. 133-96 be amended to give effect to such appointments and authority be granted to introduce any Bill necessary for this purpose;
  - (2) the City’s Nominating Procedure for appointing citizens to the City’s agencies, boards and commissions, as well as Section 106 of Chapter 27 of the City of Toronto Municipal Code, respecting appointment of Members of Council to committees, agencies, boards and commissions, be waived; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (ii) a Liaison Committee be established, comprising a representative of the National Ballet Company, a representative of the Canadian Opera Company and the members of a Sub-Committee of the Hummingbird Board of Directors, to deal with transition issues, such as bookings.”

**Clause No. 4 - “Second Quarter 2002 Operating Variance Report”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 5 - “Second Quarter 2002 Capital Variance Report”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not held by Council for further discussion or amendment.

**Clause No. 6 - “Pre-Approval Request for 2003-2007 Capital Projects”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the next meeting of City Council scheduled to be held on November 26, 2002, through the Policy and Finance Committee, on whether there are any pre-approvals necessary for the Business Improvement Areas.”

**Clause No. 8 - “Toronto Police Service - 2001 Annual Report”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 10 - “Toronto Computer Leasing Inquiry, Funding for Parties with Standing”.**

Council adopted the following recommendations embodied in the confidential report dated September 20, 2002, from the City Solicitor, such report now public in its entirety:

“It is recommended that:

- (1) Council approve funding to the two individuals who were granted standing at the Inquiry, based on the terms set out in this report; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**Clause No. 12 - “Enhancement of the City of Toronto’s Art Collection (All Wards)”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 13 - “Water Metering and Meter Reading Technology Options for the City of Toronto”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to immediately initiate discussions with the appropriate officials from Toronto Hydro and Enbridge Gas to explore partnerships in sharing meter reading technology.”

**Clause No. 16 - “Update on Bill 151 - The Toronto Waterfront Revitalization Corporation Act, 2001”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 18 - “Development Charges By-law Review”.**

The Clause was amended by adding to the end of Recommendation No. (2) of the Policy and Finance Committee, the words “such new updated development charges by-law to include provisions for the inclusion of child care centres and affordable housing”, so that such recommendation now reads as follows:

- “(2) that the Chief Financial Officer and Treasurer be requested to meet with the General Manager of the Toronto Transit Commission and the Commissioner of Works and Emergency Services to better define the infrastructure requirements arising from the new Official Plan with the intent of providing a financing tool to fund these improvements and this be reported with the introduction of the new Development Charges by-law, such new updated Development Charges by-law to include provisions for the inclusion of child care centres and affordable housing.”

**Clause No. 19 - “Short-Term Credit Requirements of Toronto Hydro-Electric System Limited”.**

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 convene a meeting with representatives of the Toronto Association of Business Improvement Areas (TABIA), the Better Building Partnership, the Financial Services Cluster, and the Biotech Cluster, in order to begin to develop a strategy to deal with the current significant increase in Hydro rates, such strategy to be undertaken in consultation with Toronto Hydro.”

**Clause No. 20 - “Public Briefing Sessions with Members of Council (All Wards)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the Chief Administrative Officer for consideration as part of the Council-Committee review process.”

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

**Clause No. 1 - “Development of Sustainable Transportation Event and Continuation of the Better Transportation Partnership”.**

The Clause was amended:

- (1) to provide that the City shall reserve and retain the benefit and ownership of all intellectual property rights in the commercial exploitation of any inventions, innovations, software applications, and all other matters and things resulting from the demonstration project, and any agreements that the City enters into for the demonstration project shall include the explicit agreement and consent of other parties involved in the demonstration project, that the City shall own the intellectual property derived from the demonstration; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services be requested to work, in consultation with the Commissioner of Economic Development, Culture and Tourism, to promote the Sustainable Transportation Event.”

**Clause No. 3 - “Steeles Avenue Sub-Committee”.**

The Clause was amended by:

- (1) deleting from Recommendation No. (3) of the Works Committee the name “Flint”; and
- (2) adding thereto the following:

“It is further recommended that Councillor Raymond Cho be appointed to the Steeles Avenue Sub-Committee.”

**Clause No. 7 - “Street Lighting Maintenance - 2003 and 2004”.**

The Clause was amended by adding thereto the following:

“**WHEREAS** the Commissioner of Works and Emergency Services is recommending that Toronto Hydro Streetlighting Company Inc. be retained to continue to provide services related to street lighting maintenance for the City of Toronto excluding District 4 (Scarborough) for 2003 and 2004 commencing January 1, 2003; and

**WHEREAS** at its meeting to be held on November 6, 2002, the Works Committee will be considering a report from the Commissioner of Works and Emergency Services recommending the award of a contract to a private sector contractor to maintain street lighting in District 4 (Scarborough) for a period of three years, as a pilot project commencing February 1, 2003; and

**WHEREAS** the Commissioner of Works and Emergency Services will be reporting to the Works Committee at the end of the second year of the District 4 pilot project on the project results; and

**WHEREAS** the pilot project results will determine the recommended course of action for future delivery of street lighting maintenance services;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Works and Emergency Services be requested to submit an interim status report to the Works Committee after the first year of the pilot project, outlining the preliminary benefits and disadvantages of the District 4 (Scarborough) Street Lighting contract.”

**REPORT NO. 12 OF THE ETOBICOKE COMMUNITY COUNCIL**

**Clause No. 16 - “Application for Exemption from Part-Lot Control 51 Renown Road; File No. TA PLC 2002 0004 (Ward 5, Etobicoke - Lakeshore)”.**

The Clause was amended to provide that the following parts be added to the proposed Part Lot Control Exemption By-law:

“Parts 3, 4, 5, 7, 10, 11, 12, 13, 14, 15 and 16 on the draft reference plan prepared by Rabideau & Czerwinski, Ontario Land Surveyors, being Plan No. RC4599-12, dated October 10, 2002.”

**REPORT NO. 12 OF THE HUMBER YORK COMMUNITY COUNCIL**

**Clause No. 2 - “Draft By-law - Ellis Park Road - Proposed Improvements (Parkdale-High Park, Ward 13)”.**

The Clause was amended by rescinding the following action taken by the Humber York Community Council, and referring such action back to the Humber York Community Council for further consideration:

“The Humber York Community Council reports, for the information of Council, having:

- (i) requested the Director, Transportation services, District 1, to report to its January 21, 2003 meeting on Recommendation No. (2) in the report (August 29, 2002) from the Director, Transportation Services, District 1, viz:

‘(2) That eastbound left turns be prohibited at all times at the intersection of Ellis Park Road and The Pallisades; and’.

**Clause No. 8 - “Site Plan Control Application No. 301082 to Permit a 7-Storey Apartment Building Containing 126 Residential Units at 2477 and 2505 Dundas Street West (Parkdale-High Park, Ward 14)”.**

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

“(2) the vehicle entrance to the residential site be located on Dundas Street West, as indicated on the applicant’s plan; and”.

**Clause No. 24 - “Other Items Considered by the Community Council”.**

The Clause was received as information, subject to striking out and referring Item (b), entitled “Poll Results – No Parking Anytime Prohibition on the East Side of Gooch Avenue between Gooch Court and Skylark Road (Parkdale-High Park, Ward 13)”, embodied therein, back to the Humber York Community Council for further consideration.

#### **REPORT NO. 9 OF THE SCARBOROUGH COMMUNITY COUNCIL**

**Clause No. 2 - “Amendment to Cap on Third Party Advertising Signs”.**

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

#### **REPORT NO. 11 OF THE TORONTO EAST YORK COMMUNITY COUNCIL**

**Clause No. 8 - “Draft Zoning By-law Amendment - Eldebron Holdings Limited - 201 Carlaw Avenue (Toronto-Danforth, Ward 30)”.**

The Clause was amended in accordance with the following recommendations embodied in the supplementary report dated October 25, 2002, from the Commissioner of Urban Development Services:



“It is recommended that:

- (1) the draft by-law be revised to provide for the two changes indicated in the body of this report; and
- (2) no further notice be given pursuant to Section 34 (17) of the Planning Act as the matters referred to in Recommendation No. (1) above are technical in nature.”

**Clause No. 10 - “Draft Zoning By-law Amendments - 381-411 Richmond Street East, 366 Adelaide Street East, 424-460 Adelaide Street East and 69-75 Sherbourne Street (Toronto Centre-Rosedale, Ward 28)”.**

The Clause was amended in accordance with the following recommendations embodied in the report dated October 30, 2002, from the Commissioner of Urban Development Services:

“It is recommended that City Council amend the June 21, 2002 report from the Director, Community Planning, South District, by deleting conditions (h), (i) and (j) of Attachment 9, entitled ‘Collateral Matters to be Secured in the Section 37 Agreement’ and adding the following new conditions:

- ‘(q) that the owner submit, prior to the issuance of a building permit, a Statement from an environmental consultant based on supporting documents, that it is unlikely that there is any offsite contamination on the adjacent right-of-ways that would exceed applicable MOE Guideline Objectives or regulation resulting from past land uses. The supporting documents will be confirmed by the City’s peer review consultant at the owner’s cost; and
- (r) that the owner enter into an agreement with the City, should it be determined that remediation of the adjacent right-of-ways be required, in which the owner, or the party responsible for the off-site contamination, commit to carrying out a remedial work plan acceptable to the City.’ ”

**Clause No. 23 - “Appeal of Denial of Application for Boulevard Cafe - 119 Harbord Street Major Street Flankage (Trinity-Spadina, Ward 20)”.**

Consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.

**Clause No. 35 - “Installation of On-Street Parking Spaces for Persons with Disabilities (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)”.**

The Clause was amended by deleting from Table “A”, appended to the report dated September 30, 2002, from the Director, Transportation Services, District 1, the word “east” as it appears in the first entry, and inserting in lieu thereof the word “west”, so that such first entry under Table “A” now reads as follows:

“30 Curzon Street, west side, between a point 63.0 metres north of Queen Street East and a point 5.5 metres further north.”.

**Clause No. 43 - “Provision of ‘Daycare Pick-up/Drop-off Zone’ - fronting Premises No. 12 McMurrich Street, west side, between McAlpine Street and Davenport Road (Toronto Centre - Rosedale, Ward 27)”.**

The Clause was amended by adding to Recommendation No. (2) embodied in the report dated September 18, 2002, from the Director, Transportation Services, District 1, the word “north” after the word “further”, so that such recommendation now reads as follows:

“(2) parking be prohibited from 9:30 a.m. to 4:00 p.m. and from 6:00 p.m. of one day to 8:30 a.m. the next following day, Monday to Friday, on the west side of McMurrich Street, from a point approximately 45.0 metres north of Davenport Road to a point 6.0 metres further north; and”.

#### **NOTICES OF MOTION APPEARING UNDER ITEM F**

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

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Li Preti**

“**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 Avenue 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 being 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 affected;

**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 November 26, 2002.*

(2) **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 defence 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 defence 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: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on November 26, 2002.*

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

(1) **Addressing Rent Hikes Due to Unfair Rent Increases**

**Moved by: Councillor Minnan-Wong**

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** City Council established the Tenant Defence Sub-Committee to monitor tenant issues and to recommend to the Community Services Committee actions, in defence of tenants, in the City of Toronto; and

**WHEREAS** the vast majority of above-guideline applications filed in the last two years involved utility costs; and

**WHEREAS** a one-time spike in the cost of natural gas has resulted in a permanent increase to tenants, creating a windfall for landlords at the expense of tenants, many of which are seniors, the disabled, low-income earners or those on fixed incomes; and

**WHEREAS** the protection afforded to tenants under the Tenant Protection Act statutes are in conflict with the regulations, leaving the defence available to tenants lacking under the current legislation; and

**WHEREAS** removing obstacles which inhibit tenants disputing landlords’ applications can assist in the preservation and maintenance of the affordable housing supply and is therefore in the interests of the City; and

**WHEREAS** it is within the purview of the Provincial Government to introduce a Bill in the Ontario legislature to correct this situation;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council demand that the Provincial Government introduce legislation to correct the imbalance that has been created by the deficiency in the Tenant Protection Act, which permits landlords to increase rents unfairly.”

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

(2) **Liquor Licence - Pakaraima Restaurant and Bar, 2938 Eglinton Avenue East**

**Moved by: Councillor Duguid**

**Seconded by: Councillor Ashton**

“**WHEREAS** the Liquor Licence Board of Ontario (LLBO) will be considering the licence of Pakaraima Restaurant and Bar at 2938 Eglinton Avenue East, in an upcoming disciplinary hearing; and

**WHEREAS** local residents, businesses, police and the Ward Councillor’s office have significant concerns with respect to instances of drunkenness and disorderly conduct being permitted, failure to report crimes and interference with the criminal justice system, minors attending the premises and failure to request and/or verify the identification of minors, sexual assault, supply of liquor not in accordance with conditions of the licence, and lack of supervision by an experienced employee or owner; and

**WHEREAS** a total of no less than 14 charges have been laid against the premises, with both the licence holder and company being charged, in at least five separate instances between June 1, 2002 and September 14, 2002; and

**WHEREAS** the Liquor Licence Act provides that a member of the LLBO may direct that a Notice of Proposal be issued to revoke or suspend the liquor licence on any grounds under Subsection 6(2) of the Act that would disentitle an applicant to a licence; and

**WHEREAS** Subsection 6(2)(h) of the Act provides that an applicant is entitled to be issued a licence to sell liquor, except if the licence is not in the public interest, having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

**WHEREAS** Section 7.1 of Regulation 719 under the Liquor Licence Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a resolution of the Council of the municipality, in which is located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the need and wishes of the residents of the municipality for the purposes of Clause 6(2)(h) of the Act;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council advise the Liquor Licence Board of Ontario that the liquor licence, currently issued with respect to Pakaraima Restaurant and Bar at 2938 Eglinton Avenue East, is not in the public interest, having regard to the needs and wishes of the residents of the municipality, and request the issuance of a Notice of Proposal by the LLBO to revoke the Licence;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor, in the event a hearing is scheduled, be authorized to attend on behalf of the City.”

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

(3) **Technical Amendments to and New Authority for the Harmonized Noise By-law**

**Moved by: Councillor Pantalone**

**Seconded by: Councillor Mihevc**

“**WHEREAS** on May 21, 22 and 23, 2002, City of Toronto Council adopted, as amended, Planning and Transportation Committee Report No. 5, Clause No.1, headed ‘Harmonization of the Noise By-law’, and on June 20, 2002, Council passed a By-law (No. 476-2002) to replace the existing noise by-laws with Chapter 591, Noise, of the City of Toronto Municipal Code; and

**WHEREAS**, by statute, the By-law requires the approval of the Minister of the Environment before it comes into force; and

**WHEREAS** upon submission of the By-law to the Minister for approval, Ministry staff indicated that two amendments to Chapter 591, Noise, were required before they would recommend approval of the by-law to the Minister; and

**WHEREAS** these amendments are technical in nature and correct unintended inconsistencies in Chapter 591, Noise; and

**WHEREAS** the first amendment is required to ensure that devices or vehicles that are used to transport persons or goods within the premises of a person are included when determining sound levels from stationary sources under §591-5 of Chapter 591, Noise; and

**WHEREAS** the second amendment is required to ensure that the general limitations on sound levels from stationary sources contained in §591-5 do not override the specific limitations on sound levels for residential air conditioners contained in §591-6; and

**WHEREAS**, as of January 1, 2003, the current statutory authority for the By-law will be repealed and replaced by section 129 of the Municipal Act, 2001, and the Minister’s approval will no longer be required;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 1 of Report No. 5 of The Planning and Transportation Committee be re-opened for further consideration, only insofar as it pertains to the definition of ‘conveyance’ in §591-1 of the Municipal Code, §591-5, and the statutory authority for the by-law and the need for the Minister’s approval;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) the definition of ‘conveyance’ in §591-1 of the Municipal Code be amended by adding the words ‘but does not include any such device or vehicle if operated within the premises of a person’ to the end of the definition, so that it will now read:

‘CONVEYANCE - includes a vehicle and any other device employed to transport a person or persons or goods from place to place, but does not include any such device or vehicle if operated within the premises of a person;’;

- (2) §591-5 (general limitations on sound levels due to stationary sources) be amended so as not to override §591-6 (limitation on sound levels for residential air conditioners); and
- (3) By-law No. 476-2002 be repealed and re-enacted under the authority of the Municipal Act, 2001, thereby removing the need for the Minister’s approval;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor be authorized to introduce the necessary bill(s) to give effect to the foregoing at the first meeting of Council in 2003.”

*Disposition: Council re-opened Clause No. 1 of Report No. 5 of The Planning and Transportation Committee, headed “Harmonization of the Noise By-law”, for further consideration, only insofar as it pertains to the definition of “conveyance” in §591-1 of the Municipal Code, §591-5, and the statutory authority for the by-law and the need for the Minister’s approval, and adopted the balance of the Motion, without amendment.*

- (4) **Hybrid Vehicles - Fleet Services Target**

**Moved by: Councillor Sutherland**

**Seconded by: Councillor Soknacki**

“**WHEREAS** the City of Toronto currently has four gasoline electric hybrid vehicles in its fleet; and

**WHEREAS** there are approximately 200 light vehicle sedans in the City’s Fleet; and

**WHEREAS** New York City currently has 231 gasoline electric hybrid vehicles in its fleet; and

**WHEREAS** gasoline electric hybrid vehicles are approximately twice as fuel efficient, compared to standard gasoline powered vehicles; and

**WHEREAS** hybrid vehicles, therefore, emit approximately half the emissions compared to standard gasoline powered vehicles; and

**WHEREAS** light fleet service vehicles, are primarily driven in the City and are involved with a high amount of stop and go traffic; and

**WHEREAS** hybrid vehicles contain a special feature which automatically turns off the engine when the vehicle comes to a complete stop, eliminating idling emissions; and

**WHEREAS** the automotive manufacturers have automobile hybrids currently available for purchase and have indicated progress on the development of hybrid technology for vans, pickups and SUVs;

**NOW THEREFORE BE IT RESOLVED** that City Council request the Commissioner of Corporate Services to submit a report to the Administration Committee, no later than March 2003, outlining the feasibility of converting the City of Toronto's entire light vehicle fleet into hybrid vehicles by 2006."

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

*"AND BE IT FURTHER RESOLVED THAT the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on:*

- (1) current initiatives and discussions at the staff level with respect to alternative fuel options;*
- (2) hybrid technology achieved through retrofits; and*
- (3) existing or new Provincial or Federal programs with respect to alternative fuels."*

**(5) Request for the Federal Government to Extend the Renewable Energy Grant to Hybrid and Fuel Cell vehicles**

**Moved by:** Councillor Sutherland

**Seconded by:** Councillor Berardinetti

**WHEREAS** the Federal Government currently provides a \$2,000.00 grant to purchasers of Natural Gas vehicles through the Natural Gas for Vehicles Program administered by Natural Resources Canada; and

**WHEREAS** the \$2,000.00 grant excludes other alternative fuel vehicles such as gasoline electric hybrids vehicles; and

**WHEREAS** the Provincial Government will soon extend its \$1,000.00 Retail Sales Tax rebate program to include purchasers of hybrid vehicles retroactive to May 9, 2001; and



**WHEREAS** the Federal Government plans to ratify the Kyoto Protocol; and

**WHEREAS** hybrid technology will assist Canada in meeting the environmental goals set out in the Kyoto Protocol; and

**WHEREAS** the emission levels of a hybrid vehicle are approximately half compared to a standard gasoline-powered vehicle, resulting in a substantial reduction in overall pollution levels; and

**WHEREAS** hybrid vehicles allow motorists to maintain the convenience of driving a vehicle, along with the environmental significance of lowered emissions and significant fuel conservation; and

**WHEREAS** the capital cost to purchase a hybrid vehicle is approximately \$4,000.00 more, compared to a gasoline-powered vehicle of the same make and model; and

**WHEREAS** the Federal Government must promote and provide incentives to motorists to purchase environmentally-friendly vehicles, in order to meet the Kyoto Protocol objectives;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council request the Federal Government to provide a \$2,000.00 grant for purchasers of hybrid vehicles matching the grant available to purchasers of Natural Gas vehicles.”

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

(6) **Toronto Computer Leasing Inquiry and Toronto External Contracts Inquiry - Clarification**

**Moved by: Councillor Miller**

**Seconded by: Councillor Johnston**

“**WHEREAS** at its meeting of October 1, 2 and 3, 2002, City Council approved the terms of reference for an Inquiry (subsequent or concurrent to the Toronto Computer Leasing Inquiry) concerning the Beacon and Remarkable Contracts and the external contracts being Ball HSU-Associates Inc. and the contracts for the purchase of the computer hardware and software that subsequently formed the basis for the computer leasing Request For Quotations (RFQ) that is the subject of the Toronto Computer Leasing Inquiry; and

**WHEREAS** Madame Justice Bellamy has been designated as the Commissioner for the Inquiry, known as the Toronto External Contracts Inquiry or ‘TECI’; and

**WHEREAS** Standing Hearings will be held on November 5, 2002, in respect of the TECI; and

**WHEREAS** Commission Counsel have written to our outside solicitors clarifying one aspect of the terms of reference of the TECI. They have identified that it is the Commission's intention to investigate and inquire into the supply of Dell desktops and servers which were referred to in the leasing RFQ, but not the other hardware and software listed in the RFQ; and

**WHEREAS** Commission Counsel seek the clarification so that all parties are clear as to the scope of the terms of reference for the TECI;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated October 28, 2002, from the City Solicitor, and that such report be adopted."

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

*"AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to apply for standing at the Toronto External Contracts Inquiry on behalf of the City of Toronto."*

*Council, by its adoption of the Motion, as amended, adopted, without amendment, the report dated October 28, 2002, from the City Solicitor, embodying the following recommendation:*

*"It is recommended that City Council approve the clarification sought by Commission Counsel with respect to the scope of the Toronto External Contracts Inquiry, namely, that they will investigate and inquire into the supply of Dell desktops and servers which were referred to in the leasing RFQ, but not the other hardware and software listed in the RFQ."*

(7) **Removal of Private Tree - 50 Portland Street**

**Moved by: Councillor Chow**

**Seconded by: Councillor Layton**

**WHEREAS** City Council at its meeting held on October 1, 2 and 3, 2002, gave consideration to Clause No. 40 of Report No. 10 of The Toronto East York Community Council, headed 'Removal of Private Tree – 50 Portland Street'; and

**WHEREAS** Council amended and adopted the Clause, and, in so doing, denied the request for a permit for tree removal at 50 Portland Street;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 40 of Report No. 10 of The Toronto East York Community Council, headed 'Removal of Private Tree – 50 Portland Street', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the Clause be struck out and referred back to the Toronto East York Community Council, for further consideration.”

*Disposition: Council re-opened Clause No. 40 of Report No. 10 of The Toronto East York Community Council, headed “Removal of Private Tree – 50 Portland Street”, and adopted the balance of the Motion, without amendment.*

(8) **Liquor Licence - Lion on the Beach, 1958 Queen Street East**

**Moved by: Councillor Bussin**

**Seconded by: Councillor Jones**

“**WHEREAS** the City Solicitor was authorized by Toronto City Council to attend at the hearing of the Alcohol and Gaming Commission of Ontario (‘the Commission’) on May 4, 1999, to consider imposing an early closing requirement condition on the liquor licence held by the Lion on the Beach, 1958 Queen Street East (‘the Lion’), on service of liquor on the westerly patio area; and

**WHEREAS** the Commission, in a decision dated March 1, 2000, imposed conditions (‘the Conditions’) on the Lion’s liquor licence that the sale and service of all alcoholic beverages on the Lion’s outdoor premises shall cease at 11:00 p.m., Sunday through Thursday, and at 2:00 a.m. on the following morning on Friday and Saturday; and

**WHEREAS** the Lion appealed the decision to the Superior Court of Ontario (Divisional Court), requesting that the decision of the Commission be set aside; and

**WHEREAS** the Appeal was dismissed without a hearing on November 6, 2001, because of delay by the Lion; and

**WHEREAS** the Lion has since submitted an Application to remove the Conditions from their liquor licence; and

**WHEREAS** on September 9, 2002, a member of the Commission directed that a Notice of Proposal be issued to refuse the removal of the Conditions, and a hearing in that regard has been scheduled for November 28, 2002; and

**WHEREAS** it is vital to retain the Conditions in the public interest;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be instructed to attend before the Alcohol and Gaming Commission on November 28, 2002, to support the Commission’s Notice of Proposal to refuse to remove the Conditions on the liquor licence held by Lion on the Beach, 1958 Queen Street East.”

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

(9) **Principle of Zero Tolerance of Racial Profiling for Policing in the City of Toronto**

**Moved by: Councillor Shaw**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** the City of Toronto has in place policies on non-discrimination, human rights and access and equity to ensure the equal treatment and full participation of all residents regardless of their ethno-racial, social and economic backgrounds; and

**WHEREAS** the Ontario Police Services Act (1990) requires that policing be provided in accordance with ‘safeguarding the fundamental rights guaranteed by the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code’; and

**WHEREAS** the Ontario Police Services Act (1990) requires that policing services ‘be sensitive to the pluralistic, multiracial and multicultural character of Ontario’; and

**WHEREAS** in 1992, the Metro Toronto Review of Race Relations Practices of the Metropolitan Toronto Police Force by (then) Metro Toronto Auditor Allan Andrews recommended strategic directions for systemic changes in policing policies and practices; and

**WHEREAS** in 1995, the Report of the Commission on Systemic Racism in the Ontario Criminal Justice System provided conclusions that members of the Black community are more at risk in Toronto of experiencing systemic discrimination in their dealings with the police and the criminal courts and made extensive recommendations for systemic changes in policing; and

**WHEREAS** reports from the Toronto Star investigative articles on October 19, 20 and 21, 2002, state that ‘police have indeed been targeting black drivers in Toronto’ and ‘shows a disproportionate number of blacks ticketed for violations that routinely surface only after a stop has been made’ (October 20, 2002, Page D1); and

**WHEREAS** this is only one of the growing bodies of evidence in Toronto that shows that members of the black community, as compared to whites, are at a higher risk in experiencing discretionary police traffic stops and searches; this evidence includes previous reports such as that of the Commission on Systemic Racism in the Ontario Criminal Justice System, the Metro Toronto Police audit, and recent research by University of Toronto criminologist Scot Wortley, regarding treatment by police officers; and

**WHEREAS** there have been many concerns and complaints that the current responses of denial and defensiveness to the Toronto Star articles, and the criticism of the messenger, the Toronto Star, is unwarranted and undermines the opportunity to truly address the agonizing concerns experienced by many Black families in our City;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto recognizes the community crisis created by the findings of Toronto Star investigative articles regarding fairness, impartiality and credibility of policing activity in Toronto, and that there is an urgent need for all involved (Minister of Public Safety and Security, City of Toronto Council, Toronto Police Services Board, Canadian Race Relations Foundation, and other interested stakeholders) to come together to review this current situation and pursue positive, measurable, and corrective action in an open, sensitive and non-judgmental manner;

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto adopt a principle of zero tolerance of racial profiling for policing within the boundaries of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto strongly request the Toronto Police Services Board immediately review its operational practices and guidelines; recruitment policies; promotional practices; and diversity training programs to ensure police officers have the appropriate skills and training for policing within our diverse communities in light of the changing demographics of our City; and

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto express its strong support for, and request the establishment of the Toronto Police Services Board Race Relations Policy Advisory Committee, reporting directly to the Toronto Police Services Board on policing issues within the Toronto Community, and that this Race Relations Policy Advisory Committee comprise members of the diverse communities, members of the Toronto Police Services Board, and members of Toronto City Council;

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto direct the City Auditor to undertake an updated audit of Police policies, procedures, programs and practices that impact on racial minorities similar to that undertaken by the former Metro Auditor, Allan Andrews, in 1992, including an audit of the implementation of recommendations made at that time, and to report back to the Council of the City of Toronto, through the Policy and Finance Committee, on its findings;

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto express its concerns to the Ontario Public Safety Minister, The Honourable Bob Runciman, regarding the implementation of the recommendations of the Report of the Commission on Systemic Racism in the Ontario Criminal Justice System (1995) which reported the evidence that members of the black community are more at risk in Toronto of experiencing systemic discrimination in their dealings with the police and criminal courts;

**AND BE IT FURTHER RESOLVED THAT** the Council of the City of Toronto request that the Ontario Minister of Public Safety and Security, The Honourable Bob Runciman, review and amend existing legislation governing civilian complaints regarding police conduct, in light of the current audit conducted by the City of Toronto Auditor which was presented to the Toronto Police Services Board on October 24, 2002, noting that members of the public 'did not, for the most part, view the complaints process

to be impartial or fair' and also noting that 'the lack of an investigative process independent of the Police is regarded as a significant impediment in regard to public confidence in the system' (Page 29)."

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

- (1) *adding to the second Operative Paragraph, the words "and the Toronto Police Services Board be requested to also adopt this principle", so that such Operative Paragraph shall now read as follows:*

*"AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto adopt a principle of zero tolerance of racial profiling for policing within the boundaries of Toronto and the Toronto Police Services Board be requested to also adopt this principle;"*;

- (2) *amending the fifth Operative Paragraph by inserting, after the word "Auditor", the words "within his mandate to the Toronto Police Services Board", and adding at the end thereof the words "and request the Board's co-operation in this audit", so that such Operative Paragraph shall now read as follows:*

*"AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto direct the City Auditor, within his mandate to the Toronto Police Services Board, to undertake an updated audit of Police policies, procedures, programs and practices that impact on racial minorities similar to that undertaken by the former Metro Auditor, Allan Andrews, in 1992, including an audit of the implementation of recommendations made at that time, and to report back to the Council of the City of Toronto, through the Policy and Finance Committee, on its findings and request the Board's co-operation in this audit;"*; and

- (3) *adding thereto the following new Operative Paragraphs:*

*"AND BE IT FURTHER RESOLVED THAT City Council request the Dubin Inquiry, the Toronto Police Services Board and the former Lieutenant Governor Lincoln Alexander's Task Force to include, in their analysis, the education and training of officers in relation to the exercise of discretion;*

**AND BE IT FURTHER RESOLVED THAT the Chairman of the Toronto Police Services Board be requested, with the co-operation of the Toronto Police Services Board, to submit a report to Council, through the Policy and Finance Committee, on:**

- (1) the extent to which the Board has complied with the recommendations of the 1992 report of the Metro Auditor which documented systemic racism within the Toronto Police Force;**
- (2) the extent to which the Board has complied with the 1975 report of the late Authur Maloney to the Metropolitan Toronto Police;**
- (3) the extent to which the Board has complied with the 1976 Morand Commission report on Metropolitan Toronto Police Practices;**
- (4) the extent to which the Board has complied with the 1997 Walter Pitman report on incidents of conflict between Blacks and the Police;**
- (5) the extent to which the Board has complied with the 1980 Report of the Task Force on the Racial and Ethnic Implications of Police Hiring, Training, Promotion and Career Development by Dr. Reva Gerstein;**
- (6) the extent to which the Board has complied with the 1989 Report of the Race Relations and Policing Task Force, chaired by Clare Lewis;**
- (7) the extent to which the Board has complied with the 1992 Stephen Lewis Report to the Premier on Race Relations;**
- (8) the extent to which the Board has complied with the 1995 Studies for the Commission on Systemic Racism in the Ontario Criminal Justice System which found that Black men were particularly vulnerable to being stopped by the Police;**
- (9) the extent to which the Board has heeded the 1999 research undertaken by Professor Scott Wortley; and**

- (10) *the extent to which the Board has taken into the account the 1999 Goldfarb Survey which indicated that only 38 percent of respondents in the Black community felt that their community had been treated fairly by the Police;*

**AND BE IT FURTHER RESOLVED THAT:**

- (1) *the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee, in January 2003, summarizing the outstanding recommendations from the following studies and reports, as listed in the Backgrounder document prepared by staff of the Strategic and Corporate Policy Division, Healthy City Office, Chief Administrator's Office, and distributed to all Members of Council by Councillor Shaw, and the steps which can be taken to implement such recommendations:*
- (a) *1975 - The Ontario Human Rights Commission report, "The Black Presence in the Canadian Mosaic: A Study of Perception and the Practice of Discrimination Against Blacks in Metropolitan Toronto", (reported on discriminatory treatment by the police);*
  - (b) *1975 - The report of the late Arthur Maloney to the Metropolitan Toronto Police;*
  - (c) *1976 - The report to the "Royal Commission into Metropolitan Toronto Police Practices", conducted by Justice Donald R. Morand;*
  - (d) *1977 - A number of incidents of conflict between Blacks and the police were documented and confirmed by Walter Pitman in his report, "Now Is Not Too Late", to the former Municipality of Metropolitan Toronto;*
  - (e) *1979 - The "Report to the Civic Authorities of Metropolitan Toronto", on race and policing, was submitted by Cardinal G. Emmett Carter;*



- (f) *1980 - The “Report of the Task Force on the Racial and Ethnic Implications of Police Hiring, Training, Promotion and Career Development”, by Dr. Reva Gerstein, for the Ontario Ministry of the Solicitor General addressed the issues of the credibility of the police to effectively provide fair and just services in their contacts with members of the Black community;*
- (g) *1989 - The “Report of the Race Relations and Policing Task Force”, chaired by Clare Lewis, was submitted to the Ontario Solicitor General;*
- (h) *1992 - Allan Andrews, Metro Auditor, submitted his “Review of Race Relations Practices of the Metropolitan Toronto Police Force”, to Metro Council;*
- (i) *1992 - Clare Lewis submitted a further “Report of the Task Force on Race Relations and Policing”, to the Government of Ontario;*
- (j) *1992 - Stephen Lewis submitted his “Report to the Premier on Race Relations”;*
- (k) *1995 - Studies for the “Commission on Systemic Racism in the Ontario Criminal Justice System”, found that Black men were particularly vulnerable to being stopped by the police. About 43 percent of Black male residents, but only 25 percent of White and 19 percent of Chinese male residents reported being stopped by the police in the previous two years;*
- (l) *1999 - These results are also consistent with further research undertaken by Professor Scott Wortley, Centre for Criminology, University of Toronto who also found that when they are stopped, Black people are more likely to be subject to rude or hostile police treatment;*

- (m) *1999 - In a Goldfarb Survey undertaken for the Toronto Star, 83 percent of all Torontonians felt that they had been treated fairly by the police. However, only 38 percent of respondents in the Black community felt their community had been treated fairly by the police. The above evidence is an indication of why there exists solid grounds for this disturbingly low level of regard and trust for the police by members of the Black community; and*
- (n) *2002 - The present City Auditor (Audit of the Toronto Police Service's Public Complaints Process, September 10, 2002) notes that "discipline imposed against police officers is not being monitored. In two out of the ten files we reviewed where complaints were substantiated, discipline as adjudicated was not imposed". In addition, the impartiality of the Public Complaints Process is generally seen as being severely compromised (it entails the police investigating the police). The present City Auditor notes "that civilian oversight provides a more thorough and objective investigation of complaints than those conducted by the police".';*
- (2) *City Council request the Chairman of the Toronto Police Services Board to ensure that, at such time as this matter is debated by the Toronto Police Services Board, the meeting is held in public; and*
- (3) *City Council instruct the representatives of the City of Toronto on the Toronto Police Services Board to identify what methods are currently in place respecting employment equity, given that the numbers of visible minority in the Toronto Police Service is 11 percent, and how the Toronto Police Services Board proposes to accomplish hiring the required number of Police officers to reflect the ethnic compilation of the City of Toronto;*

**AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on:**

- (1) *current youth initiatives, projects and programs, particularly with respect to effectiveness, equitable distribution and funding sustainability; and*
- (2) *current partnerships of the Federal and Provincial Governments in the area of youth programs;*

**AND BE IT FURTHER RESOLVED THAT** *the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee, no later than January 2003, on the progress in implementing the Council-approved recommendations of the January 2000 Report of the Task Force on Access and Equity;*

**AND BE IT FURTHER RESOLVED THAT** *City Council, when making its appointments to the Toronto Police Services Board, give consideration to including representation of the entire community on the Toronto Police Services Board.”*

(10) **Sign Variance Application - 329 and 333 Yonge Street**

**Moved by:** Councillor Rae

**Seconded by:** Councillor McConnell

**“WHEREAS** the applicant is proposing to erect one non-illuminated vinyl sign to identify the ‘HMV’ store at 329 and 333 Yonge Street; and

**WHEREAS** the store is under renovation and will be completed during the month of November 2002; and

**WHEREAS** the proposed sign does not comply with Chapter 297, Signs, of the former City of Toronto Municipal Code, and is the subject of a minor variance application;

**NOW THEREFORE BE IT RESOLVED THAT** City Council give consideration to the attached report dated October 24, 2002, from the Commissioner of Urban Development Services, and that Recommendations Nos. (1) and (2) embodied in such report be adopted.”

**Disposition:** *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated October 24, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:*

**“It is recommended that:**

- (1) *the request for variances be approved to permit one vinyl sign at 329-333 Yonge Street; and*

(2) *the applicant be advised, upon approval of variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.”*

(11) **Partnership Initiatives Between City Agencies, Boards and Commissions and Performing Arts Organizations Funded by City of Toronto Grants**

**Moved by:** Councillor Korwin-Kuczynski

**Seconded by:** Councillor Chow

“**WHEREAS** Toronto City Council provides cultural grants to performing arts organizations, the Art Gallery of Ontario, the National Ballet of Canada, the Royal Ontario Museum, the Toronto Symphony Orchestra, and many smaller cultural institutions; and

**WHEREAS** Toronto City Council provides these grants to enhance the lives of the citizens of Toronto and to encourage excellence in the cultural field; and

**WHEREAS** the cultural institutions being funded are dedicated to serve the citizens of Toronto; and

**WHEREAS** Toronto City Council’s Agencies, Boards and Commissions also serve the same citizens; and

**WHEREAS** the Board of Management of the Toronto Zoo on October 22, 2002, requested the Chair of the Board to forward this motion to Toronto City Council for consideration;

**NOW THEREFORE BE IT RESOLVED THAT**, as part of the City’s grants programs, performing arts organizations, such as the Art Gallery of Ontario, the National Ballet of Canada, the Royal Ontario Museum, the Toronto Symphony Orchestra, etc., be encouraged to enter into partnerships with various City-run programs, such as the Toronto Zoo and Parks and Recreation facilities, etc., to exchange various initiatives.”

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

(12) **Federal Residential Rehabilitation Assistance Program (RRAP)**

**Moved by:** Councillor Chow

**Seconded by:** Councillor Soknacki

“**WHEREAS** the Federal Residential Rehabilitation Assistance Program (RRAP) has financially supported the rehabilitation of housing for low-income Canadians since 1974; and

**WHEREAS** RRAP is set to expire in the Spring of 2003; and

**WHEREAS** the Federal Government is in the final stages of completing a review of RRAP and making a decision on the future of the program; and

**WHEREAS** over 2,900 units of affordable housing has been rehabilitated or created in the City of Toronto, since January 1998, under the RRAP initiative; and

**WHEREAS** the need for RRAP funding for repairs and rehabilitation of rooming houses, rental housing, and conversions to rental housing exceeds available Federal funding;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council urge the Government of Canada to establish the Residential Rehabilitation Assistance Program (RRAP) as a permanent Federal housing initiative;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council urge the Government of Canada to provide increased annual funding under the RRAP to address the growing housing rehabilitation needs of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the Chair of the Community Services Committee be requested to write to the Minister Responsible for Canada Mortgage and Housing Corporation and Toronto area MP's to express the interest of the City of Toronto in these matters."

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

*“AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to the Federation of Canadian Municipalities, with a request that they indicate their support of such Motion.”*

(13) **Appointment of Deputy Chief Building Officials**

**Moved by:                    Councillor Altobello**

**Seconded by:                Councillor Ootes**

**“WHEREAS** the Building Division of the Urban Development Services Department has been organized, since 1998, with four operational districts with a Director/Deputy Chief Building Official appointed to lead each district operation; and

**WHEREAS** the Building Division, since amalgamation in 1998, continues to work to integrate staff across the division City wide, to assist in the harmonization of its operations, and wishes to re-assign three of the Deputy Chief Building Officials to new districts;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) subsection 3(2) of By-law No. 226-1998 be deleted and the following substituted in its place:

‘3. (2) Each Deputy Chief Building Official named in Column 1 has all of the powers and duties of the Chief Building Official within the assigned area of the City set out in Column 2 opposite the Deputy’s name:

Column 1 – Deputy	Column 2 – Assigned Area
Bruce Ashton	East District comprising the former Borough of East York and the former City of Scarborough
Steve Franklin	North District comprising the former City of North York
James K. Laughlin	South District comprising the former City of Toronto
Ted Tipping	West District comprising the former Cities of Etobicoke and York’; and

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

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

**(14) Appointment to Task Force on Gardiner-Lake Shore Corridor**

**Moved by: Councillor Layton**

**Seconded by: Councillor Chow**

**“WHEREAS** City Council at its meeting held on July 30, 31 and August 1, 2002, re-established the Task Force on the Gardiner-Lake Shore Corridor with a composition of up to eight (8) Members of Council, to include the Chair of the Works Committee and Members from Wards adjacent to the waterfront and Lake Shore Boulevard corridor; and

**WHEREAS** City Council at its meeting held on October 1, 2 and 3, 2002, in adopting Clause No. 1 of Report No. 6 of The Striking Committee, headed ‘Appointments of Members of Council to Advisory Committees, Special Committees and Task Forces’, appointed to the Task Force on the Gardiner-Lake Shore Corridor the Chair of the Works Committee and the four Members of Council who had indicated their interest in being appointed; and

**WHEREAS** Councillor Jack Layton has been a member and Co-Chair of the Task Force for many years and his name was inadvertently omitted from the list of Members interested in being appointed;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 1 of Report No. 6 of The Striking Committee, headed ‘Appointments of Members of Council to Advisory Committees, Special Committees and Task Forces’, be re-opened for further consideration, only insofar as it pertains to the membership of the Task Force on the Gardiner-Lake Shore Corridor;

**AND BE IT FURTHER RESOLVED THAT** Councillor Jack Layton be appointed to the Task Force for a term of office expiring November 30, 2003, in addition to the Chair of the Works Committee and four other Members already appointed;

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

*Disposition: Council re-opened Clause No. 1 of Report No. 6 of The Striking Committee, headed “Appointments of Members of Council to Advisory Committees, Special Committees and Task Forces”, for further consideration, only insofar as it pertains to the membership of the Task Force on the Gardiner-Lake Shore Corridor, and adopted the balance of the Motion, without amendment.*

(15) **Ambassador and Accessible Taxicab Training Courses – Amendments to Service and Licence Agreements**

**Moved by: Councillor Minnan-Wong**

**Seconded by: Councillor Milczyn**

“**WHEREAS** City Council at its meeting held on June 18, 19, 20, 2002, approved Clause No. 4 of Report 7 of The Planning and Transportation Committee with respect to the Non-exclusive, Non-transferable Service and Licence Agreements for the Use of Customised Ambassador and Accessible Taxicab Training Courses by Municipalities in Canada and Elsewhere (‘Approved Report’); and

**WHEREAS** subsequent negotiations with the City of Ottawa with respect to the specific terms of the Service and Licence Agreement for such Courses resulted in a number of issues being addressed that require amendments, clarifications or additions to the original terms outlined in the Approved Report; and

**WHEREAS** particular terms and conditions of the Service and Licence Agreement between the City and Ottawa require exemption from some of the approved terms and conditions set out in the Approved Report; and

**WHEREAS** the Commissioner of Urban Development Services has submitted the attached report dated October 25, 2002, outlining recommendations pertaining to the Ottawa Agreement and Agreements with other Client Municipalities;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated October 25, 2002, from the Commissioner of Urban Development Services, and that such report be adopted.”

**Disposition:** *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated October 25, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) Schedule 1, Section 2(1) of the Approved Report be amended to provide that for all future Service and Licence Agreements, 50 percent of the customization and licensing fee be paid upon full execution of the Agreement and that the payment schedule for the remaining 50 percent be negotiated with the Client Municipality based on the project’s deliverables, as identified in the Approved Report, and that for this purpose, staff be delegated the necessary authority;*
- (2) Schedule 1, Section 2(2) of the Approved Report be further amended to provide that, for all future Service and Licence Agreements, the annual renewal fee of \$1,000.00 be subject to applicable taxes, and that it be further amended to provide for such renewal fee to be payable on the anniversary of the Effective Date of the Agreement (as defined in the Comments);*
- (3) Schedule 1, Section 2(2) of the Approved Report be further amended to provide that, for all future Service and Licence Agreements, the City supply updates, where and when available, for the generic training modules of a Customized Course, at no additional cost to the Client Municipality, and that this be in addition to the deliverables already established in the Approved Report (i.e., a review of such Course, a proposal recommending changes to client-specific modules, a project schedule to effect the recommended modifications, and a proposed corresponding fee);*
- (4) Schedule 1, Section 6(12) of the Approved Report be deleted and replaced with a provision that, for all future Service and Licence Agreements, the Client Municipality and its Sublicensee be required not to provide to Customized Course*



*participants examinations, quizzes, tests and exercises once taken, or otherwise completed, by participants of the Course;*

- (5) *the following provision be added to Schedule 1, Section 3 of the Approved Report: for all future Service and Licence Agreements, the City, upon submission of the final Customized Course report and subject to approval from the Client Municipality, make such modifications (to be limited to omissions and errors of fact) at no additional cost to the Client Municipality and as identified and deemed necessary by the City;*
- (6) *where the Client Municipality seeks to transfer, assign, or sublicense to a person (other than a Sublicensee as defined in the Approved Report), the City not unreasonably or arbitrarily withhold approval of such transfer, assignment or sublicense, provided that the City may make such approval subject to such terms and conditions as the City in its discretion may impose;*
- (7) *despite Schedule 1, Section 6(4) of the Approved Report, the City permit Ottawa to have the Customized Courses translated into the French language, on the condition that the final draft of such translation be subject to approval by the Commissioner of Urban Development Services or the Executive Director of Municipal Licensing and Standards or their authorized designate, and that such translation be returned to the City of Ottawa upon such final approval;*
- (8) *despite Schedule 1, Sections 1(5), 7(1) and 7(6) of the Approved Report, the City permit Ottawa or Ottawa's Sublicensee to use a subcontractor, if it so chooses, under the condition that such person or persons be approved by the Commissioner of Urban Development Services or Executive Director of Municipal Licensing and Standards or their authorized designate, whose approval may not be unreasonably or arbitrarily withheld, and that such subcontractor or subcontractors enter into a written contract with Ottawa or its Sublicensee, that such contract include the same terms, conditions and limitations as required for a sublicensing agreement with a Sublicensee and otherwise contain terms and conditions*

*satisfactory to the Commissioner of Urban Development Services and the Executive Director of Municipal Licensing and Standards, and that such contract be in a form satisfactory to the City Solicitor, and that any such persons be considered agents of Ottawa and that Ottawa be fully responsible and liable for their acts and omissions in the performance of the delivery of the Customized Courses;*

*(9) despite Schedule 1, Section 2(1) of the Approved Report, and consistent with Recommendation No. (1), Ottawa be required to pay 50 percent of the fee upon full execution of the Agreement, 15 percent upon submission of the Accessible Course train-the-trainer evaluation report, 15 percent upon the submission of the Ambassador Course train-the-trainer evaluation report, 10 percent upon submission of the Accessible Course final report and the final 10 percent upon submission of the Ambassador Course final report; and*

*(10) the appropriate City officials be authorized and directed to take necessary action to give effect thereto and to take any action required to be taken thereunder.”*

**(16) Establishment of Process for the Toronto Community Housing Corporation to Indicate Interest in Surplus City-Owned Property**

**Moved by: Councillor McConnell**

**Seconded by: Councillor Chow**

**“WHEREAS** the Social Housing Reform Act, 2000 deems the Toronto Community Housing Corporation (TCHC) not to be a board of the City; and

**WHEREAS** the terms of the Shareholder Direction governing TCHC, approved, as amended, by City Council at its meeting held on October 2, 3 and 4, 2001, set out TCHC’s mandate and responsibilities to the City as its sole shareholder, recognizing Council’s decision that TCHC shall operate at arms length from the City; and

**WHEREAS** TCHC is circulated on potentially surplus City-owned properties; and

**WHEREAS** the Commissioner of Community and Neighbourhood Services represents housing issues when reviewing a potentially surplus City-owned property; and

**WHEREAS**, should TCHC be interested in a potentially surplus City-owned property, the process for TCHC to express such interest has not yet been established;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Community and Neighbourhood Services, in consultation with the Chief Executive Officer of TCHC and the Commissioner of Corporate Services, be requested to submit a report to the Administration Committee on the appropriate process to be followed should TCHC be interested in a potentially surplus City-owned property.”

*Disposition:                   The Motion was adopted, subject to amending the Operative Paragraph to read as follows:*

*“NOW THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services, the Chief Executive Officer of TCHC and the Commissioner of Corporate Services, be requested to submit a report to the Administration Committee on the appropriate process to be followed, should TCHC be interested in a potentially surplus City-owned property.”*

(17) **Request for Direction, Zoning By-law Appeal, Trivest Development Corporation, 66 Byng Avenue**

**Moved by:                   Councillor Altobello**

**Seconded by:               Councillor Berardinetti**

“**WHEREAS** City Council at its meeting held on July 30, 31 and August 1, 2002, adopted, without amendment, Scarborough Community Council Report No. 7, Clause No. 7, headed ‘Preliminary Report - Request for Direction, Zoning By-law Amendment Application TF ZBL 2002 0005, Trivest Development Corporation, 66 Byng Avenue, Oakridge Community, (Ward 35 - Scarborough Southwest)’, and Clause No. 8, headed ‘Request for Direction - OMB Appeal, Zoning By-law Amendment Application TF ZBL 2002 0005, Trivest Development Corporation, 66 Byng Avenue, Oakridge Community, (Ward 35 - Scarborough Southwest)’, and, in so doing, required the submission of a specific development proposal in support of the zoning application; directed staff not to process the application until the information was received and instructed the Solicitor to appear at the Ontario Municipal Board in support of Council’s position; and

**WHEREAS** the owner appealed to the Ontario Municipal Board and now has submitted to the City plans for review; and

**WHEREAS** staff have reviewed the plans and conclude they represent good planning and are consistent with the purpose and intent of the Official Plan; and

**WHEREAS** a second pre-hearing is scheduled for November 20, 2002, and it is desirable for the Solicitor to have further instruction in this regard;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the report dated October 17, 2002, from the Commissioner of Urban Development Services, and that such report be adopted.”

*Disposition: The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated October 17, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:*

*“It is recommended that the City Solicitor be authorized to attend the Ontario Municipal Board in support of the proposed settlement as outlined in this report.”*

(18) **Ontario Regulation 244/02**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Kelly**

“**WHEREAS** the Province of Ontario has read into law Regulation 244/02 which is scheduled to come into force on January 1, 2003; and

**WHEREAS** Regulation 244/02, in part, reads:

- ‘10.(1) A municipality and a local board do not have the power under Part XII of the Act to impose a fee or charge on a person who owns or operates a telecommunications business carrying on business in Ontario for services or activities, costs or the use of property with respect to wires, cables, poles, conduits, equipment, machinery or other works which,
- (a) are or will be located on a municipal highway; and
  - (b) are or will be used as part of the telecommunications business.
- O. Reg. 244/02,s.10(1);’ and

**WHEREAS** the Federation of Canadian Municipalities (FCM) and major Canadian municipalities have been locked in two years of litigation with the Telecom Industry. Municipalities across the country, through the FCM, have won the right to appeal an earlier CRTC decision that denies municipalities the right to charge licence fees for the use of their Rights-of-Ways by telecommunication companies and unduly limits municipalities’ ability to manage their Rights-of-Ways. The main issue in this appeal is the question of whether a federal agency like the CRTC can purport to exercise almost absolute control over the use of municipal (i.e. provincially-regulated) property by the Telecom Industry; and

**WHEREAS** FCM’s case goes to the Appeals Court in Ottawa October 29, 2002; Regulation 244/02, combined with recent amendments to the Municipal Act, effectively cuts the legs out from under municipalities in Ontario, regardless of the court decision; and even if we win the appeal and successfully defend municipal and provincial jurisdiction over municipal property from threatened federal incursions, we still lose; and

**WHEREAS** this Regulation threatens existing municipal agreements with Telecom Companies and also severely limits the ability of municipalities to negotiate future agreements and to effectively manage their road allowances; and

**WHEREAS** the Telecom Industry has a powerful lobby – both at the Provincial and Federal levels - and has, to date, been highly successful in obtaining the legislative changes it wants at the expense of local taxpayers;

**NOW THEREFORE BE IT RESOLVED THAT** Council protest the enactment of this Regulation;

**AND BE IT FURTHER RESOLVED THAT** the Minister of Municipal Affairs and Housing be asked to hold this Regulation in abeyance until such time as the Courts have ruled on this matter;

**AND BE IT FURTHER RESOLVED THAT** the Association of Municipalities of Ontario be requested to take this matter up with the Minister of Municipal Affairs and Housing on an urgent basis, and the Federation of Canadian Municipalities be so advised.”

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

(19) **Interim Control By-law in the Area of Musgrave Street, Victoria Park Avenue and Gerrard Street East, Beaches-East York, Ward 32**

**Moved by: Councillor Bussin**

**Seconded by: Councillor McConnell**

“**WHEREAS** portions of the lands located north of Gerrard Street East, east of Main Street and west of Victoria Park Avenue, are zoned under By-law No. 438-86 of the former City of Toronto for Industrial or Industrial – Commercial use (the Study Area); and

**WHEREAS** currently permitted uses on the Study Area lands include a range from a lumber yard, to self storage warehousing to various automotive-related uses, which may be considered incompatible with the existing and the emerging residential neighbourhood; and

**WHEREAS** there is existing low density residential to the south of the Study Area, and new residential redevelopment, consisting of approximately 500 units on 2.4 hectares of land, generally to the north and northwest of the Study Area; and

**WHEREAS** for the foregoing reasons, it would be appropriate to direct that a review or study in respect of the Study Area be undertaken and to enact an Interim Control By-law for the Study Area;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated October 23, 2002, from the Commissioner of Urban Development Services, recommending the adoption of an Interim Control By-law for lands known municipally in the year 2002 as 1-29 Musgrave Street, 600 Victoria Park Avenue, 2234-2276, 2234-2276 and 2284-2316 Gerrard Street East, for a period of one year, and that such report be adopted;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor be authorized to submit the necessary Bills to Council that are required to give effect to the foregoing.”

*Disposition: The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated October 21, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that:*

*(1) City Council adopt the following resolution:*

*‘Whereas Section 38 of the Planning Act authorizes Council to pass resolutions directing that a review or study be undertaken in respect of land use planning policies within the area of the municipality which is to be the subject of an Interim Control By-law, therefore be it resolved that Council request the Commissioner of Urban Development Services to undertake a review or study in respect of land use policies for those lands in the areas as described above and as shown on Attachment 1.’; and*

*(2) City Council, after adopting the resolution in Recommendation No. (1), above, grant authority for the introduction of the necessary Bills in Council to substantially give effect to the following:*

*‘No person shall, in the area referred to in Recommendation No. (1), above, use any lot or erect or use any building or structure, save the buildings existing or under construction at the time of the passage of these Bills, for any industrial use that is specified in the draft Interim Control By-law for a period of one year.’ ”*

*City Council, on October 30, 2002, subsequently enacted By-law No. 846-2002.*

(20) **Request to Defer the Implementation of the Codified Licensing By-law to January 1, 2003**

**Moved by:** Councillor Altobello

**Seconded by:** Councillor Moscoe

“**WHEREAS** City Council at its meeting held on June 18, 19 and 20, 2002, passed By-law No. 514-2002, ‘A by-law to adopt a new City of Toronto Municipal Code Chapter 545, Licensing’, repealing and replacing Licensing By-law No. 574-2000, as amended; and

**WHEREAS** staff have recently become aware that the appropriate judicial officials have not yet approved set fines to be used in conjunction with the licensing provisions of the Toronto Municipal Code; and

**WHEREAS** the absence of approved set fines and short form wording will prohibit the issuance of tickets under Part I of the Provincial Offences Act to persons or corporations in violation of the licensing provisions of the Toronto Municipal Code;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Committee Report No. 7, Clause No. 3, headed ‘Codification of the Licensing By-law’, be re-opened for further consideration, only insofar as it pertains to the implementation date, in order to utilize approved set fines necessary for its enforcement;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any necessary bills.”

*Disposition: Council re-opened Clause No. 3 of Report No. 7 of The Planning and Transportation Committee, headed “Codification of the Licensing By-law”, for further consideration, only insofar as it pertains to the implementation date, and adopted the balance of the Motion, without amendment.*

**CONDOLENCE MOTIONS**

(1) **Moved by:** Councillor Jones

**Seconded by:** Councillor Miller

“**WHEREAS** Gordon Sykes passed away on August 7, 2002, in his 85th year; and

**WHEREAS** Gordon was a long time resident of the Village of Swansea; and

**WHEREAS** Gordon was actively involved in volunteer work and dedicated even more time to this after his nearly fifty years of service with Stelco, Swansea Works; and

**WHEREAS** Gordon was a founding member of the Swansea Historical Society in 1985, a recipient of the Jean Hibbert Award for Valuable Contributions to the Preservation of Local History, and a long time volunteer at Montgomery's Inn, where he crafted wooden toys among his many volunteer duties since the spring of 1974; and

**WHEREAS** Gordon was a prolific writer, preserving Swansea history with anecdotes, vignettes and articles that told tales of industries, shops and rooming houses and an account of the great train wreck; and

**WHEREAS** Gordon will be remembered for his passion and knowledge of Victorian glass, postage stamps, post cards and many other historical items, his sense of humour and his love for his wife of 58 years;

**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 Gordon Sykes."

*Disposition: The Motion was adopted unanimously.*

(2) **Moved by: Councillor Rae**

**Seconded by: Councillor Layton**

**WHEREAS** the City of Toronto and the gay community lost an active and valued citizen with the death of Robert Trow on October 21, 2002; and

**WHEREAS** Robert was born in East York on November 23, 1948, and was a graduate of the University of Toronto; and

**WHEREAS** Robert was a respected leader and staff member at the Hassle Free Clinic, in downtown Toronto, for 26 years; and

**WHEREAS** Robert was a pioneer advocate for legal anonymous HIV testing across Ontario, and with his guidance, the Province became one of the first jurisdictions in North America to offer anonymous testing. The current protocols are based on the innovative program developed at the Hassle Free Clinic; and

**WHEREAS** Robert developed the Body Positive Support Program for men living with HIV which taught hundreds of people how to take control of their illness; and

**WHEREAS** Robert served on the Ontario Advisory Committee on HIV and AIDS since 1991, advising seven different Ministers of Health; and

**WHEREAS** Robert worked with the City's Department of Public Health and advocated with them to ensure successful and appropriate delivery of sexual health information and clinical practices in the City of Toronto; and



**WHEREAS** Robert and the Hassle Free Clinic provided the vehicle for quickly informing the community about emergency public health issues such as meningitis and TB; and

**WHEREAS** Robert loved opera, food and fun; and

**WHEREAS** Robert Trow made a significant contribution to the public good and to public health that will always be felt and remembered in this City;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of members of City Council, our sincere sympathy to Robert's partner Denis Fontaine, his parents Lucie and Bill Trow and his brothers Phillip and Christopher, his close friends Gerald Hannon, Gerry Oxford, Ed Jackson and his colleagues and friends at the Hassle Free Clinic."

*Disposition:                    The Motion was adopted unanimously.*

Toronto, Ontario  
November 6, 2002

City Clerk