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These Minutes were confirmed by City Council on May 21, 2002.

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

**TUESDAY, APRIL 16, 2002,
WEDNESDAY, APRIL 17, 2002, AND
THURSDAY, APRIL 18, 2002**

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

CALL TO ORDER

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

The meeting opened with O Canada.

3.2 **CONFIRMATION OF MINUTES**

Councillor Tziretas, seconded by Councillor Cho, moved that the Minutes of the regular Council meeting held on the 13th, 14th and 15th days of February, 2002, be confirmed in the form supplied to the Members, which carried.

3.3 **PETITIONS**

The following petitions were submitted by Members of Council:

- (a) a petition containing approximately 523 signatures in opposition to the proposed development of 1430 Yonge Street, submitted by Councillor Walker;
- (b) a petition containing approximately 788 signatures in opposition to the proposed development of 2195 Yonge Street submitted by Councillor Walker;

- (c) a petition containing approximately 314 signatures in support of the Hunger Strike being held at Nathan Phillips Square by the Canadians for Palestinian Human Rights, submitted by Councillor Rae; and
- (d) a petition containing approximately 8,639 signatures in opposition to the proposal to move festivals from Kew Gardens to Woodbine Park, submitted by Councillor Korwin-Kuczynski.

The aforementioned petitions were filed with the City Clerk.

3.4 ENQUIRIES AND ANSWERS

- (1) Council had before it the following regarding a review of the City of Toronto's spending associated with the City of Toronto's Bid for the 2008 Olympics:
 - (a) Enquiry dated December 13, 2001, from Councillor Walker (See Attachment No. 1, Page 196); and
 - (b) Answer to the foregoing Enquiry dated February 12, 2002, from Mayor Lastman (See Attachment No. 2, Page 197).

Disposition:

The foregoing Enquiry, together with the Answer thereto, was received.

- (2) Council had before it the following regarding the 2008 Toronto Olympic and Paralympic Games Bid:
 - (a) Enquiry dated February 19, 2002, from Councillor Walker (See Attachment No. 3, Page 198); and
 - (b) Answer to the foregoing Enquiry dated April 5, 2002, from the Commissioner of Economic Development, Culture and Tourism (See Attachment No. 4, Page 200.)

Disposition:

Consideration of the foregoing Enquiry, together with the Answer thereto, was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2002.

PRESENTATION OF REPORTS

3.5 Councillor Sutherland presented the following Reports for consideration by Council:

Report No. 5 of The Policy and Finance Committee,
Report No. 3 of The Administration Committee,
Report No. 2 of The Community Services Committee,
Report No. 2 of The Economic Development and Parks Committee,
Report No. 3 of The Planning and Transportation Committee,
Report No. 4 of The Works Committee,
Joint Report No. 2 of The Planning and Transportation Committee and
The Community Services Committee,
Report No. 4 of The Etobicoke Community Council,
Report No. 4 of The Humber York Community Council,
Report No. 3 of The Toronto East York Community Council,
Report No. 5 of The Toronto East York Community Council,
Report No. 6 of The Policy and Finance Committee,
Report No. 3 of The Community Services Committee,
Report No. 3 of The Economic Development and Parks Committee,
Report No. 4 of The Planning and Transportation Committee,
Report No. 5 of The Works Committee,
Report No. 4 of The Administration Committee,
Report No. 5 of The Humber York Community Council,
Report No. 3 of The Midtown Community Council,
Report No. 3 of The North York Community Council,
Report No. 3 of The Scarborough Community Council,
Report No. 4 of The Toronto East York Community Council,
Report No. 5 of The Etobicoke Community Council,
Report No. 3 of The Board of Health, and
Report No. 2 of The Striking Committee,

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

3.6 Councillor Sutherland, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 4 of The Audit Committee,

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

3.7 DECLARATIONS OF INTEREST

Councillor Chow declared her interest in Clause No. 15 of Report No. 6 of The Policy and Finance Committee, headed “245 College Street and 39 Glasgow Street, Appeal to Ontario Municipal Board - Request for Reimbursement of Legal Expenses (Ward 20 - Trinity Spadina)”, in that she lives in the vicinity of the proposed development.

Councillor Disero declared her interest in Clause No. 15 of Report No. 5 of The Etobicoke Community Council, headed “Appointment of Citizen to Fill a Vacancy on the Etobicoke Community Preservation Panel”, in that her landlord is a member of the Preservation Board; and in Clause No. 3 of Report No. 4 of The Toronto East York Community Council, headed “Draft By-laws – Official Plan Amendment and Rezoning - 1280 and 1290 Bay Street and 79 Scollard Street (Toronto Centre-Rosedale, Ward 27)”, in that she owns property within the subject area.

Councillor Feldman declared his interest in Item (k), entitled “Lease of the Jolly Miller – 3885 Yonge Street (Ward 25 – Don Valley West)”, as embodied in Clause No. 47 of Report No. 4 of The Administration Committee, headed “Other Items Considered by the Committee”, in that he lives in the vicinity of the subject property.

Councillor Flint declared her interest in Motion J(29), moved by Councillor Rae, seconded by Councillor Chow, respecting the Designation of the University of Toronto Greenhouse, in that her son-in-law is an employee of the Medical Sciences Division of the University of Toronto.

Councillor Korwin-Kuczynski declared his interest in Clause No. 7 of Report No. 3 of The Community Services Committee, headed “Update on the Emergency Shelter System”, in that he is an honorary member of the Canadian Naval Services.

Mayor Lastman declared his interest in Clause No. 1 of Report No. 4 of The Planning and Transportation Committee, headed “Harmonization of the Sign By-law Concerning Posters on Utility Poles”, in that his son is employed by the same law firm as one of the lawyers representing an interested party on this issue; and in Clause No. 15 of Report No. 5 of The Works Committee, headed “F.G. Gardiner Expressway and Don Valley Parkway Closure – Heart and Stroke Foundation of Ontario ‘2002 Ride for Heart’ ”, with respect to a motion moved by Councillor Lindsay Luby, in that he is on the Board of Directors of the Molson Indy.

Councillor Layton declared his interest in Clause No. 15 of Report No. 6 of The Policy and Finance Committee, headed “245 College Street and 39 Glasgow Street, Appeal to Ontario Municipal Board - Request for Reimbursement of Legal Expenses (Ward 20 - Trinity Spadina)”, in that he lives in the vicinity of the proposed development.

Councillor Lindsay Luby declared her interest in Clause No. 2 of Report No. 5 of The Policy and Finance Committee, headed “SAP Implementation Final Report”, and Clause No. 4 of Report No. 4 of The Audit Committee, headed “Processes Followed in Relation to the Upgrade to SAP Version 4.6”, respectively, in that her husband is an employee of the company named in such Clauses.

Councillor McConnell declared her interest in Clause No. 15 of Report No. 6 of The Policy and Finance Committee, headed “245 College Street and 39 Glasgow Street, Appeal to Ontario Municipal Board - Request for Reimbursement of Legal Expenses (Ward 20 - Trinity Spadina)”, in that she is a member of the Metro Credit Union.

Councillor Miller declared his interest in Item (i), entitled “Spadina and Thelma (Municipal Carpark No. 164) Amendment to Purchase and Sale Agreement – Ward 22”, as embodied in Clause No. 47 of Report No. 4 of The Administration Committee, headed “Other Items Considered by the Committee”, in that his family owns property in close proximity to the subject site; and in Clause No. 10 of Report No. 4 of The Planning and Transportation Committee, headed “Divisional Court Decision Upholds Official Plan Amendment No. 2 (OPA2)”, in that members of his family purchased property from one of the parties named in the litigation.

Councillor Ootes declared his interest in Clause No. 6 of Report No. 4 of The Audit Committee, headed “MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Inquiry”, in that he has shares in Clarica Life Insurance Company.

Councillor Shaw declared her interest in Clause No. 20 of Report No. 3 of The Scarborough Community Council, headed “Final Report - Combined Application TF CMB 2001 0016, Forest Vista Inc., 61-77 Town Centre Court, Progress Employment District (Ward 38 - Scarborough Centre)”, in that she and her family own property within the subject area.

Councillor Walker advised that he no longer has an interest in the proposed development at 1430 Yonge Street.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 5 of The Policy and Finance Committee, Clauses Nos. 1, 2 and 3.

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

Report No. 2 of The Community Services Committee, Clause No. 1.

Report No. 2 of The Economic Development and Parks Committee, Clause No. 1.

Report No. 3 of The Planning and Transportation Committee, Clauses Nos. 1 and 2.

Report No. 4 of The Works Committee, Clauses Nos. 1 and 2.

Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, Clause No. 1.

Report No. 4 of The Etobicoke Community Council, Clause No. 1.

Report No. 4 of The Humber York Community Council, Clause No. 1.

Report No. 3 of The Toronto East York Community Council, Clauses Nos. 1 and 2.

Report No. 5 of The Toronto East York Community Council, Clause No. 1.

Report No. 6 of The Policy and Finance Committee, Clauses Nos. 1, 2, 3, 5, 8, 10, 12 and 16.

Report No. 3 of The Community Services Committee, Clauses Nos. 2, 5, 6, 7, 8, 9, 10, 11 and 24.

Report No. 3 of The Economic Development and Parks Committee, Clauses Nos. 1, 2, 5, 7, 8, 9, 11, 12 and 14.

Report No. 4 of The Planning and Transportation Committee, Clauses Nos. 1, 4, 5, 7, 11 and 13.

Report No. 5 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 7, 9, 13 and 15.

Report No. 4 of The Administration Committee, Clauses Nos. 1, 2, 3, 7, 14, 16, 20, 21, 22, 23, 24, 25, 27, 28, 31, 35, 36, 39, 40, 41, 42, 43 and 47.

Report No. 5 of The Humber York Community Council, Clauses Nos. 1, 17, 21, 32 and 36.

Report No. 3 of The Midtown Community Council, Clauses Nos. 1, 12, 15, 18, 23, 34 and 45.

Report No. 3 of The North York Community Council, Clauses Nos. 7, 12, 20 and 26.

Report No. 3 of The Scarborough Community Council, Clauses Nos. 15 and 24.

Report No. 4 of The Toronto East York Community Council, Clauses Nos. 1, 3, 4, 5, 27, 30, 36, 40, 44 and 58.

Report No. 5 of The Etobicoke Community Council, Clauses Nos. 7, 23, 24 and 25.

Report No. 4 of The Audit Committee, Clauses Nos. 1, 2, 4, 5, 6, 9 and 11.

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

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

Report No. 3 of The Planning and Transportation Committee, Clause No. 2.

- Report No. 4 of The Works Committee, Clause No. 2.
- Report No. 6 of The Policy and Finance Committee, Clauses Nos. 3 and 16.
- Report No. 3 of The Community Services Committee, Clauses Nos. 5, 8 and 11.
- Report No. 3 of The Economic Development and Parks Committee, Clause No. 9.
- Report No. 4 of The Planning and Transportation Committee, Clause No. 5.
- Report No. 5 of The Works Committee, Clauses Nos. 1, 4 and 9.
- Report No. 4 of The Administration Committee, Clauses Nos. 35, 39, 41 and 42.
- Report No. 3 of The Midtown Community Council, Clause No. 23.
- Report No. 4 of The Toronto East York Community Council, Clauses Nos. 1, 4 and 40.
- Report No. 4 of The Audit Committee, Clause No. 9.

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

**CONSIDERATION OF REPORTS
CLAUSES WITH MOTIONS, VOTES, ETC.**

- 3.9 **Clause No. 21 of Report No. 4 of The Administration Committee, headed “Sheppard Subway and Sheppard Road Widening, Restoration Costs Standard Life, 2 Sheppard Avenue East (Ward 23 – Willowdale)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Johnston requested that her opposition to this Clause be noted in the Minutes of this meeting.

- 3.10 **Clause No. 15 of Report No. 3 of The Scarborough Community Council, headed “Sale of a Parcel of Land - Southwest Corner of Coronation Drive and Beechgrove Drive (Ward 44 - Scarborough East)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary report dated April 15, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendation:

‘It is recommended that net proceeds from the sale of the subject property be deposited to the Parkland Acquisition Reserve fund pre-1999 (Scarborough), in accordance with the City’s Reserve and Reserve Fund By-law.’ ”

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

3.11 **Clause No. 24 of Report No. 3 of The Scarborough Community Council, headed “Disposition of a Parcel of Vacant Land, South Side of Holmcrest Trail (Ward 44 - Scarborough East)”.**

Motion:

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

“It is further recommended that Council adopt the report dated April 4, 2002, from the Commissioner of Corporate Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Offer to Purchase submitted by Antonio Rodrigues Pereira, in trust, to purchase the parcel of vacant land on south side of Holmcrest Trail comprised of a triangular parcel along the east side of Centennial Road (closed), a portion of Centennial Road (closed) and a one-foot reserve strip along the west limit of Centennial Road (closed) be accepted on the terms and conditions outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and

amending the closing date to such earlier or later date as she considers reasonable; and

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

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

3.12 **Clause No. 30 of Report No. 4 of The Toronto East York Community Council, headed “Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 794 Bathurst Street (Trinity-Spadina, Ward 20)”.**

Motion:

Councillor Chow moved that the Clause be struck out and referred back to the Toronto East York Community Council for further consideration.

Vote:

The motion by Councillor Chow carried.

3.13 **Clause No. 27 of Report No. 4 of The Toronto East York Community Council, headed “Draft By-laws - Installation of Bicycle Lanes on Both Sides of Gerrard Street East, Between River Street and 30.5 Metres East; River Street, between King Street East and 50 Metres North of Gerrard Street East; and Shuter Street, between Yonge Street and River Street (Toronto Centre-Rosedale, Wards 27 and 28)”.**

Motion:

Councillor McConnell moved that the Clause be amended to incorporate changes to the configuration of the bicycle lanes and parking arising from the community consultation meeting held on April 3, 2002, as follows:

- (1) the Draft By-law to amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, to establish bicycle lanes on Gerrard Street, between River Street and a point east of River Street, River Street between King Street East and a point north of Gerrard Street East, and Shuter Street between Yonge Street and River Street, be amended by striking out:

“Shuter Street; North adjacent to the curb; Parliament Street and River Street”;

and inserting in lieu thereof:

“Shuter Street; North, adjacent to curb lane used for parking; Parliament Street and Sackville Green” and “Shuter Street; North, adjacent to the curb; Sackville Green and River Street”; and

- (2) Appendix B as embodied in the Clause be replaced with the revised Appendix B, entitled “Regulations to be Amended in Order to Implement Bicycle Lanes”, as follows:

APPENDIX B
Regulations to be Amended in order
to Implement Bicycle Lanes

- (a) Delete the following:

400 – 77 – Schedule XXIV – No Stopping

Highway	Side	Between	Prohibited Times or Days
River Street	East	King Street East and Gerrard Street East	4:00 p.m. to 6:00 p.m., except Sat., Sun. and public holidays
River Street	West	A point 38 metres south of Dundas Street East and Gerrard Street East	7:00 a.m. to 9:00 a.m., except Sat., Sun. and public holidays
River Street	West	King Street East and a point 71.5 metres south of Dundas Street East	7:00 a.m. to 9:00 a.m., except Sat., Sun. and public holidays
Shuter Street	North	Bond Street and Jarvis Street	7:30 a.m. to 9:30 a.m., except Sat., Sun. and public holidays
Shuter Street	North	Sherbourne Street and River Street	7:00 a.m. to 9:00 a.m., except Sat., Sun. and public holidays
Shuter Street	North	Victoria Street and Bond Street	Anytime
Shuter Street	North	Yonge Street and Victoria Street	7:30 a.m. to 9:30 a.m., except Sat., Sun. and public holidays
Shuter Street	South	Jarvis Street and River Street	4:00 p.m. to 6:00 p.m., except Sat., Sun. and public holidays
Shuter Street	South	Yonge Street and Jarvis Street	3:30 p.m. to 6:30 p.m., except Sat., Sun. and public holidays

- (b) Add the following:

400 – 77 – Schedule XXIV – No Stopping

Highway	Side	Between	Prohibited Times
River Street	East	King Street East and a point 57 metres north of Queen Street	Anytime
River Street	East	A point 45 metres south of Shuter Street and Shuter Street	Anytime
River Street	East	Mark Street and Cornwall Street	Anytime

River Street	East	A point 73 metres south of Gerrard Street East and Gerrard Street East	Anytime
River Street	West	King Street East and Gerrard Street East	Anytime
Shuter Street	North	Yonge Street and Victoria Street	Anytime
Shuter Street	North	Church Street and Dalhousie Street	Anytime
Shuter Street	North	Sackville Green and River Street	Anytime
Shuter Street	South	Yonge Street and Victoria Street	Anytime
Shuter Street	South	Church Street and Dalhousie Street	Anytime

(c) Delete the following:

400 – 76 – Schedule XXV – Time Limited Parking

Highway	Side	Between	Times or Days	Maximum Period Permitted
River Street	East	Queen Street East and Gerrard Street East	Anytime	60 mins
River Street	West	King Street East and Shuter Street	Anytime	60 mins
River Street	West	Dundas Street East and Gerrard Street East	Anytime	60 mins

(d) Delete the following:

400 – 76– Schedule XXIII – No Parking

Highway	Side	Between	Prohibited Times
River Street	East	King Street East and Gerrard Street East	7:00 a.m. to 9:00 a.m., except Sat., Sun. and public holidays
River Street	West	Gerrard Street East and Spruce Street	Anytime
River Street	West	King Street East and Gerrard Street East	4:00 p.m. to 6:00 p.m., except Sat., Sun. and public holidays
River Street	West	Shuter Street and Dundas Street East	Anytime
Shuter Street	North	A point 45.7 metres west of Regent Street and Parliament Street	8:30 a.m. to 6:00 p.m.
Shuter Street	North	Church Street and Dalhousie Street	Anytime
Shuter Street	North	Sutton Avenue and River Street	Anytime
Shuter Street	North	Yonge Street and Victoria Street	Anytime
Shuter Street	South	Bond Street and Jarvis Street	7:30 a.m. to 9:30 a.m., except Sat., Sun. and public holidays
Shuter Street	South	Jarvis Street and Parliament Street	Anytime
Shuter Street	South	Jarvis Street and River Street	7:00 a.m. to 9:00 a.m., except Sat., Sun. and public holidays
Shuter Street	South	Sackville Street and Sumach Street	8:00 a.m. to 6:00 p.m., Mon. to Fri.
Shuter Street	South	Yonge Street and Bond Street	Anytime

(e) Add the following:

400 – 76– Schedule XXIII – No Parking

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Highway	Side	Between	Prohibited Times
Shuter Street	South	Victoria Street and Bond Street	Anytime

(f) Add the following:

Metro Bylaw 32-92 – Schedule XIII – One Way Traffic Lanes

Highway	Between	Lanes	Times or Days	Direction
River Street and Gerrard Street	Gerrard Street and a point 30.5 metres north thereof	Centre Southbound	Anytime	Southbound left-turning
River Street and Gerrard Street	Gerrard Street and a point 30.5 metres south thereof	Centre Northbound	Anytime	Northbound left-turning
River Street and Dundas Street	Dundas Street and a point 30.5 metres north thereof	Centre Southbound	Anytime	Southbound left-turning
River Street and Dundas Street	Dundas Street and a point 30.5 metres south thereof	Centre Northbound	Anytime	Northbound left-turning
River Street and Dundas Street	Dundas Street and a point 30.5 metres south thereof	Curb northbound	Anytime	Northbound right-turning
River Street and Shuter Street	Shuter Street and a point 30.5 metres south thereof	Centre Northbound	Anytime	Northbound left-turning
Shuter Street and River Street	River Street and a point 30.5 metres west thereof	Centre Eastbound	Anytime	Eastbound left-turning
River Street and Queen Street	Queen Street and a point 30.5 metres north thereof	Centre Southbound	Anytime	Southbound left-turning
River Street and Queen Street	Queen Street and a point 30.5 metres south thereof	Centre Northbound	Anytime	Northbound left-turning
Shuter Street and River Street	River Street and a point 30.5 metres west thereof	Curb Eastbound	Anytime	Eastbound right-turning
Shuter Street and Parliament Street	Parliament Street and a point 30.5 metres west thereof	Centre Eastbound	Anytime	Eastbound left-turning
Shuter Street and Parliament Street	Parliament Street and a point 30.5 metres east thereof	Centre Westbound	Anytime	Westbound left-turning
Shuter Street and Sherbourne Street	Sherbourne Street and a point 30.5 metres west thereof	Centre Eastbound	Anytime	Eastbound left-turning
Shuter Street and Sherbourne Street	Sherbourne Street and a point 30.5 metres east thereof	Centre Westbound	Anytime	Westbound left-turning
Shuter Street and Jarvis Street	Jarvis Street and a point 30.5 metres west thereof	Centre Eastbound	Anytime	Eastbound left-turning
Shuter Street and Jarvis Street	Jarvis Street and a point 30.5 metres east thereof	Centre Westbound	Anytime	Westbound left-turning
Shuter Street and Church Street	Church Street and a point 30.5 metres west thereof	Centre Eastbound	Anytime	Eastbound left-turning
Shuter Street and Church Street	Church Street and a point 30.5 metres east thereof	Centre Westbound	Anytime	Westbound left-turning

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

3.14 **Clause No. 36 of Report No. 4 of The Toronto East York Community Council, headed “Residential Demolition – 11 and 13 Glen Morris Street (Trinity-Spadina, Ward 20)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary confidential report dated April 12, 2002, from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendation embodied therein:

‘It is recommended that the Commissioner of Urban Development Services be authorized and directed to issue the demolition permit for the buildings at 11 and 13 Glen Morris Street, once the building permit for a replacement structure has been issued and subject to the conditions recommended by the Toronto East York Community Council.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

3.15 **Clause No. 44 of Report No. 4 of The Toronto East York Community Council, headed “Temporary Display of Vehicle – Dundas Street/Roxton Road Flankage of 1106 Dundas Street West (Trinity-Spadina, Ward 19)”.**

Motion:

Councillor Pantalone moved that the Clause be received.

Vote:

The motion by Councillor Pantalone carried.

3.16 Clause No. 58 of Report No. 4 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.

Motions:

- (a) Councillor Rae moved that the Clause be amended by striking out Recommendation No. (3) of the Toronto East York Community Council, and inserting in lieu thereof the following new Recommendation No. (3):

“(3) advise the Alcohol and Gaming Commission of Ontario that it has no objection to the granting of the extension of the following liquor licences to permit the operation of an outdoor patio in front of these establishments on June 14 and 15, 2002, from 6:00 p.m. to 11:00 p.m., in conjunction with the Taste of Little Italy Festival:

- Café Diplomatico, 594 College Street
- Midtown, 552 College Street
- Kalendar, 546 College Street
- Marlowe Restaurant, 558 College Street
- Sicilian Sidewalk Café, 712 College Street
- South Side Louie’s, 583 College Street
- Alto Basso Bar, 718 College Street
- Brasserie Aix, 584 College Street; and”.

- (b) Councillor Layton moved that the Clause be amended by adding the following event to Recommendation No. (1) of the Toronto East York Community Council:

“(k) Environment Day being held in Riverdale Park on Canada Day, July 1, 2002, from noon to 6:00 p.m.”

Votes:

Motion (a) by Councillor Rae carried.

Motion (b) by Councillor Layton carried.

The Clause, as amended, carried.

3.17 Clause No. 25 of Report No. 5 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”.

Motion:

Councillor Milczyn moved that the Clause be received as information, subject to striking out and referring Item (c), entitled “Request for Full Movement Driveway Access to The

Queensway; 1750 The Queensway (Ward 5 - Etobicoke-Lakeshore)”, embodied therein, back to the Etobicoke Community Council for further consideration and the hearing of deputations.
Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, was received as information.

3.18 Clause No. 24 of Report No. 5 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Zoning Code; Allerton Investments Ltd. (Shell Canada Ltd.), 230 Lloyd Manor Road; File No. TA ZBL 2001 0010 (Ward 3 - Etobicoke Centre)”.

Motion:

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

“It is further recommended that:

- (1) prior to the enactment of the amending Draft By-law to permit the redevelopment of the new gasoline service station building containing a convenience retail store, City Council require the applicant to provide a noise attenuation barrier abutting the residential property situated along the south property line or a Letter of Credit to secure the noise attenuation barrier; and
- (2) no further notice be given in respect of the proposed By-law.”

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Jones, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 36
Councillors: Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Ford, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Soknacki, Tziretas, Walker
No - 5

Councillors: Holyday, Minnan-Wong, Shiner, Silva, Sutherland

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

Motion:

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

“It is further recommended that:

- (1) prior to the enactment of the amending Draft By-law to permit the redevelopment of the new gasoline service station building containing a convenience retail store, City Council require the applicant to provide a noise attenuation barrier abutting the residential property situated along the south property line, the design of which is to be compatible with the neighbourhood, or a Letter of Credit to secure the noise attenuation barrier; and
- (2) no further notice be given in respect of the proposed By-law.”

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

3.19 Clause No. 3 of Report No. 5 of The Works Committee, headed “Designation of Industrial Waste Surcharge Agreement and Sanitary Discharge Agreement Forms”.

Motion:

Councillor Disero moved that the Clause be struck out and referred back to the Works Committee for further consideration, in order to permit further review of legal issues pertinent to the Industrial Waste Surcharge Agreement.

Vote:

The motion by Councillor Disero carried.

3.20 Clause No. 34 of Report No. 3 of The Midtown Community Council, headed “Variance for Roof Sign - 1670 Avenue Road (Eglinton-Lawrence – Ward 16)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Johnston moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the report dated March 15, 2002, from the Director and Deputy Chief Building Official, as embodied in the Clause, be received; and
- (2) the request for a variance from the Sign By-law, to permit the construction of a third party roof sign on the existing two storey building at 1670 Avenue Road, be granted.”

Votes:

The motion by Councillor Johnston carried.

The Clause, as amended, carried.

Councillor Disero in the Chair.

3.21 Clause No. 1 of Report No. 4 of The Administration Committee, headed “Future Direction for Master Accommodation Plan (MAP) for 2002 and Beyond”.

Procedural Motion:

Councillor Layton moved that the previous decision of Council pertaining to the conduct of the debate on this Clause be re-opened for further consideration, in order to permit Councillors Ootes, Pitfield and Tziretas to address Council in this regard prior to the presentation by staff, the vote upon which was taken as follows:

Yes - 28 Councillors: Altobello, Balkissoon, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Johnston, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 6 Councillors: Berardinetti, Disero, Jones, Kelly, Moscoe, Shaw

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

Motions:

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

“It is further recommended that:

- (1) the East York Civic Centre not be sold in the year 2002 and beyond, and that community access, Councillors' office space and the Council Chamber be retained at the East York Civic Centre; and
 - (2) the Commissioner of Corporate Services be instructed to contact the appropriate Federal Department in Ottawa to secure arrangements to have the Cenotaph at the East York Civic Centre declared as a War Memorial, in perpetuity.”
- (b) Councillor Pitfield moved that the Clause be amended by referring back to the Administration Committee those portions of the Clause pertaining to the East York Civic Centre, together with the February 23, 1997 Proclamation by the Council of the former Borough of East York, with a request that the Commissioner of Corporate Services, in consultation with Councillors Ootes, Pitfield and Tziretas, arrange a public evening meeting at the Council Chamber in the East York Civic Centre, in order to allow input from the community on the future use for the East York Civic Centre, and submit a report thereon to the Administration Committee.
- (c) Councillor Tziretas moved that the Clause be amended to provide that, as part of the consultation process with stakeholders on possible lease opportunities, private sector organizations not be considered as stakeholders.

Deputy Mayor Ootes in the Chair.

- (d) Councillor Nunziata moved that the Clause be amended by adding thereto the following:
- “It is further recommended that, in the event that the York Civic Centre is retained for the use of Court Services, a review be undertaken of the feasibility of relocating all staff and services from the York Civic Centre to the York Hydro Building, with the exception of meetings of the Humber York Community Council.”
- (e) Councillor Mihevc moved that Part (1) of motion (a) by Councillor Ootes be amended by inserting the words “and the York Civic Centre”, after the words “East York Civic Centre”, wherever they occur in the paragraph.
- (f) Councillor Moscoe moved that the Clause be amended:
- (1) by striking out and referring those portions of the Clause pertaining to the York Civic Centre back to the Administration Committee, with a request that the Commissioner of Corporate Services, in consultation with the Members of the Humber York Community Council, arrange a public evening meeting to be held in the Council Chamber of the York Civic Centre, in order to allow

input from the public on the future use of the York Civic Centre, and report thereon to the Administration Committee;

- (2) to provide that the City continue to provide at least the following functions to York/Humber residents in York/Humber:
 - (a) Humber York Community Council services;
 - (b) Committee of Adjustment;
 - (c) over-the-counter services presently provided;
 - (d) payment of parking tickets and fines;
 - (e) the Wedding Chapel; and
 - (f) some community meeting space; and
- (3) by deleting from Recommendation No. (1)(a) embodied in the report dated March 21, 2002, from the Commissioner of Corporate Services, as embodied in the Clause, the words “in the short term”, so that such recommendation shall now read as follows:

“It is recommended that:

- (1) Scenario No. 1 dealing with the following MAP buildings as described in this report be approved:
 - (a) the retention and full utilization of Metro Hall for City staff office space accommodation;”.
- (g) Councillor Cho moved that the Clause be amended:
- (1) by deleting Recommendation No. (7) embodied in the report dated March 21, 2002, from the Commissioner of Corporate Services, as embodied in the Clause, viz.:
 - “(7) the City-owned property at 1530 Markham Road, formerly known as the Scarborough Public Utility Commission building (SPUC), be declared surplus to the City’s requirements and offered for sale on the open market, subject to the appropriate leaseback as identified in the body of this report, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;”;
 - or
 - (2) should Part (1) fail, by referring back to the Administration Committee those portions of the Clause pertaining to 1530 Markham Road, with a request that the Commissioner of Corporate Services, in consultation with Members of the

Scarborough Community Council, arrange a public evening meeting, in order to allow input from the community on the future use of the building, and report thereon to the Administration Committee.

- (h) Councillor Kelly moved that Part (1) of motion (a) by Councillor Ootes be amended by deleting the words “and beyond”.
- (i) Councillor Miller moved that the Clause be amended by:
 - (1) amending the report dated March 21, 2002, from the Commissioner of Corporate Services, as embodied in the Clause, by:
 - (a) deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):

“(3) Head Office and South District operations continue to be interchangeably located at City Hall, Metro Hall, 75-81 Elizabeth Street and 112 Elizabeth Street, until such time as a further report in this regard is considered by Council;”; and
 - (b) deleting Recommendation No. (4) and inserting in lieu thereof the following new Recommendation No. (4):

“(4) the Commissioner of Corporate Services await further direction from Council, to be given when a pending report on the improvements to the Four District Model (based on the experience, to date, with the district boundaries in the planning, transportation planning and parks and recreation programs) is brought forward;”; and
 - (2) adding thereto the following:

“It is further recommended that:

 - (a) the Chief Administrative Officer and the Commissioner of Corporate Services be requested to finalize the outstanding report on the possibility of residents accessing services, such as parking permits, at libraries and community centres; and

- (b) the Master Accommodation Plan be reviewed with specific consideration to be given to public transit access to various workplaces.”

Councillor Disero in the Chair.

Deputy Mayor Ootes in the Chair.

- (j) Councillor Chow moved that Part (1) of motion (a) by Councillor Ootes be amended by adding thereto the words “and that the existing counter services be maintained at the East York Civic Centre”.

Permission to Withdraw Motion:

Councillor Moscoe, with the permission of Council, withdrew Part (1) of his motion (f).

Permission to Revise Motion:

Councillor Pitfield, with the permission of Council, revised her motion (b) to read as follows:

“That the Clause be amended by adding thereto the following:

‘It is further recommended that the Commissioner of Corporate Services, in consultation with Councillors Ootes, Pitfield and Tziretas, be requested to arrange a public evening meeting at the Council Chamber in the East York Civic Centre, in order to allow input from the community on the future use for the East York Civic Centre; and submit a report thereon to the Administration Committee.’ ”

Votes:

Adoption of motion (e) by Councillor Mihevc:

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

Carried by a majority of 5.

Adoption of motion (h) by Councillor Kelly:

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

Carried by a majority of 1.

Adoption of motion (j) by Councillor Chow:

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

Carried by a majority of 13.

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

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

Carried by a majority of 19.

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

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Di Giorgio, Pantalone

Carried by a majority of 39.

Motion (b) by Councillor Pitfield, as revised, carried.

Adoption of motion (c) by Councillor Tziretas:

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

Carried by a majority of 5.

Motion (d) by Councillor Nunziata carried.

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

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

Carried by a majority of 31.

Adoption of Part (3) of motion (f) by Councillor Moscoe:

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

Lost by a majority of 3.

Adoption of Part (1) of motion (g) by Councillor Cho:

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

Lost by a majority of 23.

Adoption of Part (2) of motion (g) by Councillor Cho:

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

Lost by a majority of 19.

Adoption of Part (1)(a) of motion (i) by Councillor Miller:

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

Lost by a majority of 11.

Adoption of Part (1)(b) of motion (i) by Councillor Miller:

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

Carried by a majority of 7.

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

Part (2)(b) of motion (i) by Councillor Miller carried.

Adoption of Clause, as amended:

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

Carried by a majority of 31.

In summary, Council amended this Clause:

(1) to provide that:

- (a) as part of the consultation process with stakeholders on possible lease opportunities, private sector organizations not be considered as stakeholders; and
 - (b) the City continue to provide at least the following functions to York/Humber residents in York/Humber:
 - (i) Humber York Community Council services;
 - (ii) Committee of Adjustment;
 - (iii) over-the-counter services presently provided;
 - (iv) payment of parking tickets and fines;
 - (v) the Wedding Chapel; and
 - (vi) some community meeting space;
- (2) by amending the report dated March 21, 2002, from the Commissioner of Corporate Services by:
- (a) deleting Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):
 - “(3) Head Office and South District operations continue to be interchangeably located at City Hall, Metro Hall, 75-81 Elizabeth Street and 112 Elizabeth Street, until such time as a further report in this regard is considered by Council;” and
 - (b) deleting Recommendation No. (4) and inserting in lieu thereof the following new Recommendation No. (4):
 - “(4) the Commissioner of Corporate Services await further direction from Council, to be given when a pending report on the improvements to the Four District Model (based on the experience, to date, with the district boundaries in the planning, transportation planning and parks and recreation programs) is brought forward;”,

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

“It is recommended that:

- (1) Scenario No. 1 dealing with the following MAP buildings as described in this report be approved:

- (a) the retention and full utilization of Metro Hall for City staff office space accommodation in the short term;
 - (b) the redeployment of the East York Civic Centre and York Civic Centre that are now surplus to MAP's requirements; and
 - (c) the disposal of 1530 Markham Road (the former Scarborough Public Utility Commission building);
- (2) a cash flow of \$5.5 million be advanced in 2002 to the MAP project and be debentured to fund the various components of MAP Phase 2 as outlined in this report, including the relocation of the Commissioner of Community and Neighbourhood Services and related staff from Metro Hall to City Hall;
- (3) Head Office and South District operations continue to be interchangeably located at City Hall, Metro Hall, 75-81 Elizabeth Street and 112 Elizabeth Street, until such time as a further report in this regard is considered by Council;
- (4) the Commissioner of Corporate Services await further direction from Council, to be given when a pending report on the improvements to the Four District Model (based on the experience, to date, with the district boundaries in the planning, transportation planning and parks and recreation programs) is brought forward;
- (5) the Commissioner of Corporate Services, after consultation with affected stakeholders, be requested to report back to the Administration Committee on the future use of the York Civic Centre, if it is not suitable for the purpose of Court Services West District, as part of the West District Office Consolidation Study in Fall 2002;
- (6) the Commissioner of Corporate Services, after consultation with affected stakeholders, be requested to report back to the Administration Committee on the future use of the East York Civic Centre in late Spring 2002;
- (7) the City-owned property at 1530 Markham Road, formerly known as the Scarborough Public Utility Commission building (SPUC), be declared surplus to the City's requirements and offered for sale on the open market, subject to the appropriate leaseback as identified in the body of this report, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;

- (8) the Commissioner of Corporate Services consult with the other Commissioners to determine the needs of any Divisions/Programs with respect to functional adjacencies, and that annually, starting with the 2003 budget process, the Commissioner of Corporate Services request cash flow to fund the required staff relocations from the previously approved funding for MAP, predicated upon business cases incorporating a cost-benefit analysis and confirmation of savings (benefit) from the applicable Commissioner;
 - (9) the Commissioner of Corporate Services be requested to continue monitoring the commercial real estate market for class-A office towers and report back to Administration Committee should the viability of a sale of Metro Hall improve sufficiently to justify its sale;
 - (10) Royal LePage Commercial Inc., which is on the City's roster of real estate brokers, be retained as the City's real estate consultant/broker for the marketing and sale of 1530 Markham Road and that the commission fee for their services be based on 2.5 percent (3 percent if a co-operating broker is involved) of the selling price plus GST and inclusive of expenses;
 - (11) the Commissioner of Corporate Services be directed to continue to monitor the TDSB's ongoing accommodation plans for any future opportunities that may become available to facilitate the City's ongoing accommodation needs; and
 - (12) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”; and
- (3) by adding thereto the following:
- “It is further recommended that:
- (a) the East York Civic Centre and the York Civic Centre not be sold in the year 2002;
 - (b) community access, Councillors' office space and the Council Chamber be retained at the East York Civic Centre and the York Civic Centre;
 - (c) the existing counter services be maintained at the East York Civic Centre and the York Civic Centre;
 - (d) the Commissioner of Corporate Services be instructed to contact the appropriate Federal Department in Ottawa to secure arrangements to have the

- Cenotaph at the East York Civic Centre declared as a War Memorial, in perpetuity;
- (e) the Commissioner of Corporate Services, in consultation with Councillors Ootes, Pitfield and Tziretas, be requested to arrange a public evening meeting at the Council Chamber in the East York Civic Centre, in order to allow input from the community on the future use for the East York Civic Centre; and submit a report thereon to the Administration Committee;
 - (f) in the event that the York Civic Centre is retained for the use of Court Services, a review be undertaken of the feasibility of relocating all staff and services from the York Civic Centre to the York Hydro Building, with the exception of meetings of the Humber York Community Council;
 - (g) the Chief Administrative Officer and the Commissioner of Corporate Services be requested to finalize the outstanding report on the possibility of residents accessing services, such as parking permits, at libraries and community centres; and
 - (h) the Master Accommodation Plan be reviewed with specific consideration to be given to public transit access to various workplaces.”

3.22 **Clause No. 1 of Report No. 5 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 915 and 1005 King Street West (Trinity-Spadina, Ward 19)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary report dated April 11, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that City Council authorize the City Solicitor to amend the Official Plan, Zoning By-law and Section 37 Agreement for 915 and 1005 King Street West to reflect the following:

- (1) an adjustment to the Economic Development, Culture and Tourism Capital Budget to receive and include the proceeds of the public art contribution, in the amount of \$250,000.00, to be allocated for the creation of public art on the park located between 915 and 1005 King Street West;

- (2) a public art contribution, in the amount of \$30,000.00, to be allocated to the creation of public art on 1005 King Street West, adjacent to the public park;
- (3) a consultative process during the design phase of the public park, including the local community and adjacent land owners, carried out by the Commissioner of Economic Development, Culture and Tourism; and
- (4) technical changes to the Zoning By-law to permit the phased implementation of the residential amenity space and to allow a minor increase in the height of the mechanical penthouse.’ ”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

3.23 Clause No. 8 of Report No. 6 of The Policy and Finance Committee, headed “Progress Report - Diversity Advocate Action Plan”.

Motion:

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

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Administration Committee on staffing levels within Access and Equity and how the current staff complement and vacancies compare with the complement since amalgamation, in 1998, and as approved through the Task Force on Access and Equity.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

3.24 Clause No. 1 of Report No. 3 of The Midtown Community Council, headed “Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Joint Angled Front Yard Parking at 63 and 65 Ellsworth Avenue (St. Paul’s - Ward 21)”.

Motion:

Councillor Mihevc moved that the Clause be received.

Vote:

The motion by Councillor Mihevc carried.

3.25 **Clause No. 1 of Report No. 2 of The Community Services Committee, headed “Toronto Fire Services - Fireground Incident Technicians”.**

Vote:

Adoption of Clause, without amendment:

Yes - 34 Councillors: Altobello, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2 Councillors: Ford, Holyday

Carried by a majority of 32.

3.26 **Clause No. 1 of Report No. 4 of The Etobicoke Community Council, headed “Designation of 2245 Lawrence Avenue West (Humber Heights Consolidated School) (Ward 2 – Etobicoke North)”.**

Motion:

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

“It is recommended that:

- (1) the report dated December 10, 2001, from the City Clerk, as embodied in the Clause, be received; and
- (2) Council adopt the supplementary report dated March 20, 2002, from the City Clerk, embodying the following recommendations:

‘It is recommended that:

- (1) Council authority be granted for the introduction of the necessary Bill in Council to designate 2245 Lawrence Avenue West for architectural and historical reasons under Part IV of the Ontario Heritage Act; and
- (2) the appropriate City officials be directed to take whatever action may be necessary to comply with the provisions of the said Act in respect to such designations.’ ”

Votes:

The motion by Councillor Ford carried.

The Clause, as amended, carried.

3.27 **Clause No. 2 of Report No. 3 of The Economic Development and Parks Committee, headed “Film and Television Industry 2001 Year End Review (All Wards)”.**

Motion:

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

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

- (1) communicate with the existing film studios regarding the City of Toronto’s promotion of the film industry and discuss arrangements to promote the industry and the development of new major film projects; and
- (2) keep Councillor Layton advised accordingly.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

3.28 **Clause No. 3 of Report No. 4 of The Toronto East York Community Council, headed “Draft By-laws – Official Plan Amendment and Rezoning - 1280 and 1290 Bay Street and 79 Scollard Street (Toronto Centre-Rosedale, Ward 27)”.**

Motion:

Councillor Rae moved that the Clause be amended by deleting from the recommendation of the Toronto East York Community Council, all of the words after the words “South District”, and inserting in lieu thereof the words “save and except Recommendation No. (5) embodied therein, and subject to Scollard Street becoming two-way along that portion of Scollard Street between the entrance of the development to Bay Street, and that egress from the site onto Scollard Street be restricted by means of ‘no-left turn’ and any other turning prohibitions and road improvements deemed appropriate; all costs associated with the conversion of this portion of Scollard Street and the turning prohibitions to be paid for by the applicant”, so that the recommendation of the Toronto East York Community Council now reads as follows:

“The Toronto East York Community Council recommends the adoption of the following report (February 7, 2002) from the Director, Community Planning, South District, save and except Recommendation No. (5) embodied therein, and subject to Scollard Street becoming two-way along that portion of Scollard Street between the entrance of the development to Bay Street, and that egress from the site onto Scollard Street be restricted by means of ‘no-left turn’ and any other turning prohibitions and road improvements deemed appropriate; all costs associated with the conversion of this portion of Scollard Street and the turning prohibitions to be paid for by the applicant.”.

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

3.29 **Clause No. 12 of Report No. 3 of The North York Community Council, headed “Special Occasion Beer Garden Permit Requests for Community Events – York West - Ward 7; Willowdale - Ward 23”.**

Motions:

- (a) Councillor Mammoliti moved that the Clause be amended by adding the following event to Attachment No. 1 appended to the report dated February 26, 2002, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause:

“- Rosevalley Community Festival, all day, August 18, 2002, at Plunkett Park in Ward 7.”

- (b) Councillor Li Preti moved that the Clause be amended by adding the following event to Attachment No. 1 appended to the report dated February 26, 2002, from the

Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause:

“- Canada Day Event at Elm Park - John Booth Arena, June 29 and 30, and July 1, 2002.”

Votes:

Motion (a) by Councillor Mammoliti carried.

Motion (b) by Councillor Li Preti carried.

The Clause, as amended, carried.

3.30 Clause No. 24 of Report No. 3 of The Community Services Committee, headed "Getronics Canada Inc. Claim Against the City of Toronto - Computer Assisted Dispatch and Records Management System - Fire Services".

Motion:

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

"It is recommended that:

- (1) Recommendation No. (1) embodied in the confidential joint report dated March 18, 2002, from the Commissioner of Works and Emergency Services, the Fire Chief and the City Solicitor, be adopted, such joint report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information relating to litigation or potential litigation; and
- (2) the supplementary confidential joint report dated April 15, 2002, from the Commissioner of Works and Emergency Services, the Fire Chief and the City Solicitor, pertaining to the Getronics Canada Inc. claim against the City of Toronto, be adopted, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information relating to litigation or potential litigation."

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

3.31 Clause No. 23 of Report No. 4 of The Administration Committee, headed “Maintaining the Sale of City Publications and Related Products”.

Motion:

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

“It is further recommended that the Commissioner of Corporate Services be requested to explore the feasibility of having branches of the Toronto Public Library serve as a point of sale for City of Toronto publications.”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

3.32 Clause No. 1 of Report No. 3 of The Economic Development and Parks Committee, headed “Review of Parks and Recreation Animal Operations (Various Wards)”.

Motion:

Councillor McConnell moved that the Clause be amended by deleting Recommendation No. (3) of the Economic Development and Parks Committee and inserting in lieu thereof the following new Recommendation No. (3):

“(3) that the Commissioner of Economic Development, Culture and Tourism be requested to work with the Advisory Committees of Riverdale Farm, Far Enough Farm and the High Park Zoo, and, in consultation with the Toronto Zoo, to prepare animal management plans for each site; and further, that these plans include an outline for ongoing input and consultation with the Toronto Zoo.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

3.33 **Clause No. 2 of Report No. 3 of The Community Services Committee, headed “New York City Emergency Medical Services, Preparedness and Response to Special Events, Multi-Casualty Incidents and Disasters”.**

Motion:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Community Services Committee on:

- (1) a disaster response plan for pets; and
- (2) the need for stockpiling of food and water supplies.”

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

3.34 **Clause No. 31 of Report No. 4 of The Administration Committee, headed “Accounts Receivable - Largest Debtors with Tax Arrears Greater than \$500,000.00”.**

Motion:

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

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on whether any of the delinquent properties in tax arrears in the Portlands area are being considered for a ‘Go-Kart’ operation.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

3.35 Clause No. 1 of Report No. 4 of The Works Committee, headed “Traffic Calming Policy”.

Motions:

- (a) Councillor Holyday moved that the Clause be received.
- (b) Councillor Moscoe moved that the Clause be amended:
 - (1) in accordance with the following recommendation of the Works Committee embodied in the communication dated September 10, 2001, from the City Clerk:

“The Works Committee recommends the adoption of Recommendations Nos. (1) to (8) contained in the report dated August 31, 2001, from the Commissioner of Works and Emergency Services; and requests that such recommendations be considered in conjunction with the previous recommendations of the Committee contained in Clause No. 1 of Report No. 4 of The Works Committee entitled ‘Traffic Calming Policy’.”;
 - (2) to provide that surveys conducted on collector roads be undertaken in consultation with the local Councillor(s) and include a reasonable selection of streets that feed into the collector road; and
 - (3) by adding thereto the following:

“It is further recommended that:

 - (a) the assistance of the Association of Municipalities of Ontario be sought in pursuing any requests to change the statutes or regulations;
 - (b) all approved traffic calming projects be grandparented under existing policies; for project priority setting, the point system recommended by staff be utilized in consultation with the respective Councillors;
 - (c) the point system include an evaluation provision for extraordinary circumstances;
 - (d) all staff reports prepared in regard to traffic calming projects indicate the point value assigned via the staff evaluation; and

- (e) any unused funds within the department's budget be reported to Council in November for possible application to approved traffic calming projects.”
- (c) Councillor Nunziata moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Planner, in his review of development applications, be requested to give consideration to the need for traffic calming on relevant streets, and secure funds for their installation under Section 37 of the Planning Act.”
- (d) Councillor Bussin moved that Part (1) of motion (b) by Councillor Moscoe be amended to provide that the report dated August 31, 2001, from the Commissioner of Works and Emergency Services, be amended by:
- (1) replacing the speed criteria set out in Appendix 2 of such report with the following:
- “The proportion of daily traffic exceeding the speed limit at mid-block by more than 10 kilometres per hour (1/2 point for every percent 10 kilometres per hour or less over the speed limit and 1 point for every percent greater than 10 kilometres per hour) up to a maximum of 25 points.”;
- (2) amending Recommendation No. (1) by adding thereto the following words:
- “subject to amending Criteria No. 2 embodied therein to now read as follows:
- ‘2. Traffic calming measures may be considered at or near locations where the road grade is between 5 percent and 8 percent, as per the present system.’ ”; and
- (3) further amending Recommendation No. (1) by adding thereto the following words:
- “and further subject to deleting Criteria Nos. 4 and 5, as follows:
- ‘(4) On streets where the 85th percentile speed exceeds the warranted speed limit by a minimum of 15 km/h, there is no minimum volume required.

OR

- (5) On streets where traffic calming is proposed, the 85th percentile speed must be a minimum of 10 km/h (and less than 15 km/h) over the warranted speed limit, and the following traffic volume requirements must be fulfilled:

Local Roads – between 1,000 and 2,500 vehicles per day (principally); and
Collector Roads – between 2,500 and 8,000 vehicles per day (principally).’ ”

Councillor Shiner in the Chair.

(e) Councillor Flint moved that:

- (1) Part (1) of motion (b) by Councillor Moscoe be amended to provide that the report dated August 31, 2001, from the Commissioner of Works and Emergency Services, be amended by:
- (a) amending Recommendation No. (6) by deleting the figure “40 percent” and inserting in lieu thereof the figure “50 percent plus one”;
 - (b) amending Appendix 1 by:
 - (i) deleting from Criteria 4 the speed “15 km/h”, and inserting in lieu thereof the speed “10 km/h”; and
 - (ii) deleting Criteria 5;
 - (c) striking out Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):
 - “(3) consideration of physical traffic calming on a street be initiated by the local Councillor following a public meeting, or upon receipt of a petition signed by at least 25 percent of affected households (or 10 percent in the case of multiple family rental dwellings), or by a survey conducted by the Ward Councillor;”;

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

“It is further recommended that:

- (a) the Province of Ontario be requested to review the Environmental Assessment Act, with a view to deleting all but:

- (i) directional closures;
- (ii) diversions; and
- (iii) full closures;

as described in Table 3.1, entitled ‘Traffic Calming Measures’, embodied in Appendix 2 to the report dated March 8, 2001, from the Commissioner of Works and Emergency Services, as embodied in the Clause;

- (b) traffic calming be considered when a road is being upgraded and/or reconstructed;
- (c) when petitioning or surveying for traffic calming, only one survey per petition name be accepted per household, in accordance with the report dated August 31, 2001, from the Commissioner of Works and Emergency Services; and further, that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee providing details of the one poll per household scheme; and
- (d) the entire budgeted funds allocated to traffic calming be devoted to the physical implementation of traffic calming measures (not administration).”

Deputy Mayor Ootes in the Chair.

- (f) Councillor Cho moved that the Clause be amended to provide that the Capital Budget for traffic calming measures be fairly distributed among the six Community Council areas.
- (g) Councillor Mihevc moved that motion (b) by Councillor Moscoe be amended by:
 - (1) amending Part (1) to provide that Recommendation No. (6) embodied in the report dated August 31, 2001, from the Commissioner of Works and Emergency Services, be amended by:

- (a) deleting the figure “60 percent” and inserting in lieu thereof the figure “50 percent plus one”; and
 - (b) deleting the figure “40 percent” and inserting in lieu thereof the words “25 percent in single family residential areas and 10 percent in multi-residential areas”; and
- (2) deleting from Part (3)(e) the word “November”, and inserting in lieu thereof the word “July”.

Vote:

Adoption of motion (a) by Councillor Holyday:

Yes - 11	
Councillors:	Disero, Feldman, Flint, Ford, Holyday, Kelly, Minnan-Wong, Moeser, Shaw, Shiner, Sutherland
No - 25	
Councillors:	Altobello, Bussin, Cho, Chow, Di Giorgio, Duguid, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 14.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (2)(d) of motion (e) by Councillor Flint, ruled such motion out of order.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 30	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Shiner, Soknacki, Sutherland, Tziretas
No - 6	
Councillors:	Flint, Jones, Moscoe, Shaw, Silva, Walker

Carried by a majority of 24.

Votes:

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

Yes - 18 Councillors: Bussin, Cho, Chow, Di Giorgio, Disero, Flint, Jones, Layton, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Rae, Silva, Tziretas, Walker
No - 19 Councillors: Altobello, Balkissoon, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 1.

Adoption of Part (1)(b) of motion (e) by Councillor Flint:

Yes - 17 Councillors: Bussin, Chow, Di Giorgio, Disero, Flint, Jones, Layton, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Silva, Tziretas, Walker
No - 19 Councillors: Altobello, Balkissoon, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Ootes, Rae, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 2.

Adoption of Part (3) of motion (d) by Councillor Bussin:

Yes - 18 Councillors: Bussin, Cho, Chow, Di Giorgio, Disero, Flint, Jones, Layton, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Silva, Tziretas, Walker
No - 19 Councillors: Altobello, Balkissoon, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Rae, Shaw, Shiner, Soknacki, Sutherland

Lost by a majority of 1.

Adoption of Part (2) of motion (d) by Councillor Bussin:

Yes - 20 Councillors:	Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Jones, Layton, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker
No - 17 Councillors:	Altobello, Balkissoon, Duguid, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Shaw, Shiner, Sutherland

Carried by a majority of 3.

Adoption of Part (1)(a) of motion (e) by Councillor Flint:

Yes - 19 Councillors:	Altobello, Balkissoon, Cho, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Shaw, Shiner, Soknacki, Sutherland
No - 18 Councillors:	Bussin, Chow, Di Giorgio, Disero, Hall, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Tziretas, Walker

Carried by a majority of 1.

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

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

Yes - 16 Councillors:	Bussin, Chow, Di Giorgio, Disero, Flint, Jones, Layton, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Silva, Soknacki
No - 21	

Councillors:	Altobello, Balkissoon, Cho, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Rae, Shaw, Shiner, Sutherland, Tziretas, Walker
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Lost by a majority of 5.

Adoption of Part (1)(c) of motion (e) by Councillor Flint:

Yes - 20	Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Flint, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Silva, Sutherland, Tziretas, Walker
No - 16	Councillors:	Disero, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Moeser, Nunziata, Ootes, Rae, Shaw, Shiner, Soknacki

Carried by a majority of 4.

Adoption of Part (2) of motion (g) by Councillor Mihevc:

Yes - 19	Councillors:	Bussin, Cho, Chow, Di Giorgio, Hall, Jones, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker
No - 18	Councillors:	Altobello, Balkissoon, Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Ootes, Shaw, Shiner, Sutherland

Carried by a majority of 1.

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

Yes - 27	Councillors:	Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Tziretas, Walker
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No - 10

Councillors: Altobello, Balkissoon, Disero, Ford, Holyday, Kelly,
Minnan-Wong, Moeser, Soknacki, Sutherland

Carried by a majority of 17.

Adoption of motion (c) by Councillor Nunziata:

Yes - 17	Councillors: Chow, Disero, Duguid, Flint, Hall, Jones, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Soknacki, Tziretas, Walker
No - 20	Councillors: Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Feldman, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Minnan-Wong, Moeser, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Sutherland

Lost by a majority of 3.

Adoption of Part (2)(a) of motion (e) by Councillor Flint:

Yes - 18	Councillors: Bussin, Chow, Di Giorgio, Feldman, Flint, Hall, Jones, Layton, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Shaw, Shiner, Tziretas, Walker
No - 19	Councillors: Altobello, Balkissoon, Cho, Disero, Duguid, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Minnan-Wong, Moeser, Ootes, Rae, Silva, Soknacki, Sutherland

Lost by a majority of 1.

Adoption of Part (2)(b) of motion (e) by Councillor Flint:

Yes - 32	Councillors: Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 5	Councillors: Ford, Holyday, Kelly, Moeser, Ootes

Carried by a majority of 27.

Adoption of Part (2)(c) of motion (e) by Councillor Flint:

Yes - 25	Councillors: Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moeser, Ootes, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 12	Councillors: Altobello, Balkissoon, Bussin, Disero, Ford, Hall, Kelly, McConnell, Moscoe, Nunziata, Pantalone, Silva

Carried by a majority of 13.

Adoption of motion (f) by Councillor Cho:

Yes - 19	Councillors: Altobello, Balkissoon, Cho, Duguid, Feldman, Flint, Hall, Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Shaw, Shiner, Sutherland
No - 18	Councillors: Bussin, Chow, Di Giorgio, Disero, Ford, Holyday, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker

Carried by a majority of 1.

Adoption of Clause, as amended:

Yes - 20	Councillors: Altobello, Balkissoon, Cho, Di Giorgio, Duguid, Feldman, Flint, Hall, Jones, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Shiner, Sutherland
No - 17	Councillors: Bussin, Chow, Disero, Ford, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mihevc, Moscoe, Rae, Shaw, Silva, Soknacki, Tziretas, Walker

Carried by a majority of 3.

Request to Change Vote:

Councillor Shaw, with the permission of Council, on April 17, 2002, changed her vote from the affirmative to the negative on the foregoing vote. The vote has been amended to reflect this change.

In summary, Council amended this Clause:

- (1) in accordance with the following recommendation of the Works Committee, embodied in the communication dated September 10, 2001, from the City Clerk:

“The Works Committee recommends the adoption of Recommendations Nos. (1) to (8) contained in the report dated August 31, 2001, from the Commissioner of Works and Emergency Services, and requests that such recommendations be considered in conjunction with the previous recommendations of the Committee, contained in the Clause, entitled ‘Traffic Calming Policy’.”,

subject to the following amendments to the report dated August 31, 2001, from the Commissioner of Works and Emergency Services:

- (a) amending Recommendation No. (1) by adding thereto the words “subject to amending Criteria No. 2 embodied therein to now read as follows:

“2. Traffic calming measures may be considered at or near locations where the road grade is between 5 percent and 8 percent, as per the present system.”;

- (b) striking out Recommendation No. (3) and inserting in lieu thereof the following new Recommendation No. (3):

“(3) consideration of physical traffic calming on a street be initiated by the local Councillor following a public meeting, or upon receipt of a petition signed by at least 25 percent of affected households (or 10 percent in the case of multiple family rental dwellings), or by a survey conducted by the Ward Councillor;”;

- (c) amending Recommendation No. (6) by deleting the figure “40 percent” and inserting in lieu thereof the figure “50 percent plus one”,

so that the recommendations embodied in the report dated August 31, 2001, from the Commissioner of Works and Emergency Services, as amended, now read as follows:

“It is recommended that:

- (1) physical traffic calming be considered only on the local and collector classification of roads and be subject to and conform with the technical criteria described in Appendix 1 of this report, subject to amending Criteria No. 2 embodied therein to now read as follows:
 - ‘2. Traffic calming measures may be considered at or near locations where the road grade is between 5 percent and 8 percent, as per the present system.’;
 - (2) speed humps not be installed on primary Toronto Fire Service or Toronto Emergency Medical Service routes, or Toronto Transit Commission bus routes;
 - (3) consideration of physical traffic calming on a street be initiated by the local Councillor following a public meeting, or upon receipt of a petition signed by at least 25 percent of affected households (or 10 percent in the case of multiple family rental dwellings), or by a survey conducted by the Ward Councillor;
 - (4) staff liaise with the respective Ward Councillors to establish the boundaries of areas which potentially will be impacted by proposed traffic calming measures;
 - (5) consultation with emergency services and TTC representatives occur early in the process of considering each traffic calming proposal;
 - (6) physical traffic calming measures only be installed on streets where the results of a formal poll indicate that a minimum of 50 percent plus one of the affected households (with frontage or flankage) have responded, and at least 60 percent of the responding households are in favour of the proposal;
 - (7) in the event that the requests for traffic calming measures exceed the budget allocation, funding for approved physical traffic calming projects be distributed in accordance with the ranking system illustrated in Appendix 2 of the report; and
 - (8) the City of Toronto request the Province of Ontario to place physical traffic calming measures into Schedule A of the Municipal Class Environmental Assessment.”;
- (2) to provide that the Capital Budget for traffic calming measures be fairly distributed among the six Community Council areas;

- (3) to provide that surveys conducted on collector roads be undertaken in consultation with the local Councillor(s) and include a reasonable selection of streets that feed into the collector road; and
- (4) by adding thereto the following:

“It is further recommended that:

- (a) the assistance of the Association of Municipalities of Ontario be sought in pursuing any requests to change the statutes or regulations;
- (b) all approved traffic calming projects be grandparented under existing policies; for project priority setting, the point system recommended by staff be utilized in consultation with the respective Councillors;
- (c) the point system include an evaluation provision for extraordinary circumstances;
- (d) all staff reports prepared in regard to traffic calming projects indicate the point value assigned via the staff evaluation;
- (e) any unused funds within the Department’s budget be reported to Council in July for possible application to approved traffic calming projects;
- (f) traffic calming be considered when a road is being upgraded and/or reconstructed; and
- (g) when petitioning or surveying for traffic calming, only one survey per petition name be accepted per household, in accordance with the report (August 31, 2001) from the Commissioner of Works and Emergency Services; and further, that the Commissioner of Works and Emergency Services be requested to report to the Works Committee providing details of the one poll per household scheme.”

3.36 **Clause No. 1 of Report No. 5 of The Humber York Community Council, headed “Official Plan Amendment and Rezoning Application No. 298005 - 361 Symington Avenue (Davenport, Ward 17)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Disero moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated April 12, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that City Council:

- (1) refuse the application to amend the Official Plan and the Zoning By-law; and
- (2) authorize the City Solicitor, the Commissioner of Urban Development Services and any other appropriate staff to oppose the OMB appeal made by the applicant, as well as any future appeal of the related Zoning By-law and Site Plan applications.’ ”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

3.37 Clause No. 21 of Report No. 5 of The Humber York Community Council, headed “Installation of Speed Humps on the Section of Northcliffe Boulevard between Rosemount Avenue and St. Clair Avenue West (Davenport, Ward 17)”.

Motion:

Councillor Disero moved that consideration of the Clause be deferred to the meeting of City Council scheduled to be held on June 18, 2002.

Vote:

The motion by Councillor Disero carried.

3.38 Clause No. 36 of Report No. 5 of The Humber York Community Council, headed “Extension of Permit Parking Hours on Bloem Avenue Between Dufferin Street and the West End of Bloem Avenue (Davenport, Ward 17)”.

Motion:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Humber York Community Council on the

feasibility of implementing a one-way eastbound on Bloem Avenue between Day Avenue and Dufferin Street.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

- 3.39 **Clause No. 5 of Report No. 3 of The Economic Development and Parks Committee, headed “Terms of Reference for Community Advisory Councils Within the Economic Development, Culture and Tourism Department Parks and Recreation Division (All Wards)”.**

Motion:

Councillor Kelly moved that the Clause be amended by deleting from Recommendation No. (2) embodied in the report dated March 5, 2002, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, the words “become void on approval of Attachment No. 1”, and inserting in lieu thereof the words “remain in existence until the new constitution has been approved”, so that such recommendation shall now read as follows:

- “(2) all existing Advisory Council constitutions and other documents remain in existence until the new constitution has been approved;”.

Votes:

The motion by Councillor Kelly carried.

The Clause, as amended, carried.

- 3.40 **Clause No. 1 of Report No. 4 of The Humber York Community Council, headed “Sign By-law Variance Application for 327 Oakwood Avenue, Owner: Domenic Bonavota; Applicant: Astral Media Outdoor (Nick D’Bona) (Davenport, Ward 17)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Disero moved that Council adopt the following recommendation:

“It is recommended that Council adopt Recommendation No. (1) embodied in the joint report dated October 31, 2001, from the Director, Community Planning, West District, and the Director of Building and Deputy Chief Building Official, West District, as embodied in the Clause, viz.:

- ‘(1) the application for relief from the provisions of By-law No. 3369-79, as amended, to permit a double-faced, off-premise sign at 327 Oakwood Avenue, be refused;.’”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

3.41 **Clause No. 32 of Report No. 5 of The Humber York Community Council, headed “Mountview Avenue in the Vicinity of Keele Street Public School - To Extend the Times of the Existing ‘Pick-Up and Drop-Off’ Zone (Parkdale-High Park, Ward 13)”.**

Motion to Re-Open:

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

Motion:

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

“The Humber York Community Council recommends adoption of the report dated March 5, 2002, from the Director, Transportation Services, District 1, subject to Recommendations Nos. (2) through (5) being deleted and replaced with the following:

- ‘(2) the ten minute maximum parking regulation in the student pick-up and drop-off zones on Mountview Avenue from a point 15 metres south of Glenlake Avenue to a point 77 metres south of Glenlake Avenue, and from a point 144 metres south of Glenlake Avenue to a point 192 metres south of Glenlake Avenue, currently in effect between 7:30 a.m. and 9:30 a.m. and between 3:00 p.m. and 5:00 p.m., Monday to Friday, be amended to be in effect on Mountview Avenue from a point 15 metres south of Glenlake Avenue to a point 107 metres south of Glenlake Avenue, and from a point 144 metres south of Glenlake Avenue to a point 192 metres south of Glenlake Avenue and be extended to include the time between 11:30 a.m. and 1:00 p.m., Monday to Friday, and the time between 5:00 p.m. and 6:00 p.m., Monday to Friday;

- (3) the existing parking prohibition on Mountview Avenue from a point 15 metres south of Glenlake Avenue to a point 77 metres south of Glenlake Avenue, and from a point 134 metres south of Glenlake Avenue to a point 192 metres south of Glenlake Avenue, in effect between 9:30 a.m. and 3:00 p.m. and from 5:00 p.m. and 6:00 p.m., Monday to Friday, be rescinded;
- (4) parking be prohibited on Mountview Avenue from a point 15 metres south of Glenlake Avenue to a point 107 metres south of Glenlake Avenue, and from a point 144 metres south of Glenlake Avenue to a point 192 metres south of Glenlake Avenue, from 9:30 a.m. to 11:30 a.m. and from 1:00 p.m. to 3:00 p.m., Monday to Friday;
- (5) the School Bus Loading Zone on the east side of Mountview Avenue between a point 77.0 metres south of Glenlake Avenue and a point 57.0 metres further south thereof, be amended to be in effect from a point 107 metres south of Glenlake Avenue and a point 134.0 metres south of Glenlake Avenue; and
- (6) the appropriate City officials be authorized and directed to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that are required.’ ”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

3.42 **Clause No. 5 of Report No. 6 of The Policy and Finance Committee, headed “Federal/Provincial/Municipal Infrastructure Programs”.**

Motion:

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

“It is further recommended that, at the proposed meeting to discuss Federal/Provincial/Municipal Infrastructure Programs, the City of Toronto’s representative be requested to advise of City Council’s position that the municipality should determine its infrastructure programs and that public transit should be given a priority.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

3.43 **Clause No. 1 of Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed “Enactment of a Municipal Shelter By-law”.**

Extensions to Question:

Councillor McConnell, having questioned for a period of five minutes, Councillor Chow, seconded by Councillor Miller, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor McConnell be granted a further period of five minutes in order to permit the conclusion of her questions, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Sutherland, having questioned for a period of five minutes, Councillor Cho, seconded by Councillor Di Giorgio, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor Sutherland be granted a further period of five minutes in order to permit the conclusion of his questions, the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Cho, Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Jones, Pantalone, Rae

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

Councillor Walker, having questioned for a period of five minutes, Councillor Mihevc, seconded by Councillor Altobello, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor Walker be granted a further period of five minutes in order to permit the conclusion of his questions, the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman

Councillors:	Altobello, Balkissoon, Bussin, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
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No - 4

Councillors:	Ford, Kelly, Moeser, Pantalone
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Carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Shaw, having questioned for a period of five minutes, Councillor Altobello, seconded by Councillor Balkissoon, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived and that Councillor Shaw be granted a further period of five minutes in order to permit the conclusion of her questions, the vote upon which was taken as follows:

Yes - 26	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Duguid, Feldman, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Shaw, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ford, Pantalone, Rae

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

Councillor Lindsay Luby in the Chair.

Deputy Mayor Ootes in the Chair.

Motions:

- (a) Councillor Sutherland moved that:
 - (1) the Clause be struck out and referred to the Office of the Mayor, with a request that the Mayor review the proposed Municipal Shelter By-law on the basis of the 105 recommendations outlined in the report of the Mayor's Action Task Force on Homelessness, and report thereon to City Council, as soon as possible, through the Planning and Transportation Committee, such report to address a process that any new recommendations be referred to the Community Councils for the hearing of deputations; or
 - (2) in the event Part (1) fails, the Clause be received; and the Chief Planner be requested to initiate a process to amend the former City of Toronto Zoning By-law No. 438-86 and the former City of North York Zoning By-law No. 7625 by removing municipal emergency shelters in all zones as of right.
- (b) Councillor Moscoe moved that Part (1) of motion (a) by Councillor Sutherland be amended by:

- (1) deleting the words “on the basis of the 105 recommendations outlined in the report of the Mayor’s Action Task Force on Homelessness”;
 - (2) deleting the words “as soon as possible”, and inserting in lieu thereof the words “on June 18, 2002”;
 - (3) deleting all of the words after the words “Transportation Committee”; and
 - (4) adding thereto the words “and, in the interim, the Community Councils hold public meetings on this matter, at special meetings, if necessary, and forward their comments in this regard to the Planning and Transportation Committee, in accordance with the above schedule”.
- (c) Councillor Kelly moved that Part (1) of motion (a) by Councillor Sutherland be amended by inserting, after the words “Mayor’s Action Task Force on Homelessness”, the words “in consultation with officials of the Toronto Community Housing Corporation”.
- (d) Councillor McConnell moved that Part (1) of motion (a) by Councillor Sutherland be amended by adding thereto the following words:

“and the Mayor be requested to give consideration to the following additional motion:

Moved by Councillor McConnell:

‘It is recommended that:

- (1) the proposed Municipal Shelter By-law include the following provisions:
 - (a) approval by City Council of any proposed Municipal Shelter;
 - (b) a minimum separation distance of 250 metres between Shelters; and
 - (c) a restriction of the location of Municipal Shelters in any area comprising a flood plain or which has been or may be subject to flooding hazards;

- (2) Municipal Shelters be added to the list of proposed developments which are subject to site plan control; and
- (3) pursuant to Section 34(17) of the Planning Act, no further notice in respect of the proposed Municipal Shelter By-law be required.’ ”

Councillor Disero in the Chair.

- (e) Councillor Chow moved that Part (1) of motion (a) by Councillor Sutherland be amended by deleting all of the words after the words “as soon as possible”, and inserting in lieu thereof the words “through a Committee of the Whole of Council for the purpose of hearing deputations from individuals from across the entire City of Toronto”.

Deputy Mayor Ootes in the Chair.

Vote Be Now Taken:

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

Yes - 14 Councillors: Cho, Disero, Filion, Flint, Ford, Hall, Li Preti, Lindsay Luby, Milczyn, Nunziata, Ootes, Pitfield, Soknacki, Tziretas
No - 19 Councillors: Altobello, Balkissoon, Bussin, Chow, Di Giorgio, Holyday, Kelly, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Pantalone, Rae, Silva, Sutherland, Walker

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

Motions:

- (f) Councillor Di Giorgio moved that that Part (1) of motion (a) by Councillor Sutherland be amended by adding thereto the following words:

“and the Mayor be requested to give consideration to the following additional motion:

Moved by Councillor DiGiorgio:

“It is recommended that the proposed Municipal Shelter By-law include the following provisions:

- (1) approval by City Council of any proposed Municipal Shelter where the number of beds does not exceed 50 or the number of families does not exceed 30; and
 - (2) approval by the Committee of Adjustment of any proposed Municipal Shelter where the number of beds exceeds 50 or the number of families exceeds 30.”
- (g) Councillor Li Preti moved that Part (2) of motion (b) by Councillor Moscoe be amended by deleting the words “on June 18, 2002”, and inserting in lieu thereof the words “on October 1, 2002”.

Procedural Motion:

Councillor Layton requested that he be granted permission to display a video for Members of Council, as part of his remarks to Council in regard to this Clause, the vote upon which was taken as follows:

Yes - 17	Councillors: Altobello, Bussin, Cho, Chow, Hall, Holyday, Jones, Layton, McConnell, Mihevc, Miller, Nunziata, Ootes, Pantalone, Rae, Shaw, Silva
No - 12	Councillors: Balkissoon, Di Giorgio, Duguid, Flint, Ford, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Pitfield, Sutherland, Tziretas

Carried by a majority of 5.

Motions:

- (h) Councillor Rae moved that Part (1) of motion (a) by Councillor Sutherland be amended by deleting all of the words after the words “Planning and Transportation Committee”.
- (i) Councillor Pitfield moved that Part (1) of motion (a) by Councillor Sutherland be amended by adding thereto the following words:

“and the Mayor be requested to give consideration to the following additional motion:

Moved by Councillor Pitfield:

“It is recommended that:

- (1) in future, a moratorium on additional shelters be placed on Wards that have 500 beds or more;
 - (2) the Acting Commissioner of Community and Neighbourhood Services be requested to conduct a facilities review of existing shelters, with special attention to the number of washrooms; and
 - (3) the Chair of the Toronto Police Services Board be requested to explore the feasibility of having police recruits supervise homeless shelters, as part of their training, to ensure the safety of residents, at no cost to the City.”
- (j) Councillor Shiner moved that Part (1) of motion (a) by Councillor Sutherland be amended by adding thereto the following words:

“and further, that the Commissioner of Urban Development Services report, in accordance with the schedule and process being recommended, on the differences between the current North York By-law No. 7625 and the proposed City-wide by-law, and on the feasibility of implementing the current North York By-law as a model for use City-wide”.

Permission to Amend Motion:

Councillor Moscoe, with the permission of Council, accepted the following motion (g) by Councillor Li Preti as an amendment to his motion (b):

“that Part (2) of motion (b) by Councillor Moscoe be amended by deleting the words ‘on June 18, 2002’, and inserting in lieu thereof the words ‘on October 1, 2002’.”

Votes:

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

Yes - 20	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva
No - 23	
Mayor:	Lastman

Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Flint, Ford, Holyday, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
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Lost by a majority of 3.

Adoption of Part (2) of motion (b) by Councillor Moscoe, as amended:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 2	
Councillors:	Ford, Holyday

Carried by a majority of 39.

Permission to Withdraw Motion:

Councillor Moscoe requested the permission of Council to withdraw Part (4) of his motion (b), the vote upon which was taken as follows:

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

Lost by a majority of 5.

Votes:

Adoption of Part (3) of motion (b) by Councillor Moscoe:

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

Lost by a majority of 5.

Adoption of Part (4) of motion (b) by Councillor Moscoe:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Disero, Hall, Holyday, Layton, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moeser, Nunziata, Pitfield, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 17	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Johnston, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae

Carried by a majority of 5.

Motion (c) by Councillor Kelly carried.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared motions (e) and (h), by Councillors Chow and Rae, respectively, redundant.

Motion (d) by Councillor McConnell carried.

Adoption of motion (f) by Councillor Di Giorgio:

Yes - 35	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Holyday, Johnston, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 8	
Mayor:	Lastman
Councillors:	Duguid, Ford, Jones, Layton, McConnell, Moeser, Moscoe

Carried by a majority of 27.

Part (2) of motion (i) by Councillor Pitfield carried.

Adoption of Part (1) of motion (i) by Councillor Pitfield:

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

Carried by a majority of 23.

Adoption of Part (3) of motion (i) by Councillor Pitfield:

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

Carried by a majority of 19.

Motion (j) by Councillor Shiner carried.

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

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

Carried by a majority of 11.

Having regard to the foregoing decision of Council, Part (2) of motion (a) by Councillor Sutherland, was not put to a vote.

In summary, Council struck out and referred the Clause to the Office of the Mayor, with a request that the Mayor:

- (1) review the proposed Municipal Shelter By-law on the basis of the 105 recommendations outlined in the final report of the Mayor's Homelessness Action

- Task Force, in consultation with officials of the Toronto Community Housing Corporation;
- (2) address a process whereby any new recommendations are referred to the Community Councils for the hearing of deputations;
 - (3) submit a report thereon to City Council for consideration at its meeting scheduled to be held on October 1, 2002, through the Planning and Transportation Committee; and
 - (4) give consideration to the following additional motions:

Moved by Councillor DiGiorgio:

“It is recommended that the proposed Municipal Shelter By-law include the following provisions:

- (a) approval by City Council of any proposed Municipal Shelter where the number of beds does not exceed 50 or the number of families does not exceed 30; and
- (b) approval by the Committee of Adjustment of any proposed Municipal Shelter where the number of beds exceeds 50 or the number of families exceeds 30.”;

Moved by Councillor McConnell:

“It is recommended that:

- (a) the proposed Municipal Shelter By-law include the following provisions:
 - (i) approval by City Council of any proposed Municipal Shelter;
 - (ii) a minimum separation distance of 250 metres between Shelters; and
 - (iii) a restriction of the location of Municipal Shelters in any area comprising a flood plain or which has been or may be subject to flooding hazards;
- (b) Municipal Shelters be added to the list of proposed developments which are subject to site plan control; and
- (c) pursuant to Section 34(17) of the Planning Act, no further notice in respect of the proposed Municipal Shelter By-law be required.”; and

Moved by Councillor Pitfield:

“It is recommended that:

- (a) in future, a moratorium on additional shelters be placed on Wards that have 500 beds or more;
- (b) the Acting Commissioner of Community and Neighbourhood Services be requested to conduct a facilities review of existing shelters, with special attention to the number of washrooms; and
- (c) the Chair of the Toronto Police Services Board be requested to explore the feasibility of having police recruits supervise homeless shelters, as part of their training, to ensure the safety of residents, at no cost to the City.”

In addition, City Council requested that:

- (A) in the interim, the Community Councils hold public meetings on this matter, at special meetings, if necessary, and forward their comments in this regard to the Planning and Transportation Committee, in accordance with the above schedule; and
- (B) the Commissioner of Urban Development Services report, in accordance with the schedule and process outlined above, on the differences between the current North York By-law No. 7625 and the proposed City-wide by-law, and on the feasibility of implementing the current North York By-law as a model for use City-wide.

3.44 **Clause No. 13 of Report No. 4 of The Planning and Transportation Committee, headed “Other Items Considered by the Committee”.**

Motion to Re-Open:

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

Motion:

Councillor Moscoe moved that the Clause be received as information, subject to striking out and referring Item (e), entitled “Toronto Transit Commission Request Concerning Section 37 of the Planning Act”, embodied therein, back to the Planning and Transportation Committee for further consideration and in order to permit the Toronto Transit Commission to make a presentation to the Committee in this regard.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, was received as information.

3.45 **Clause No. 18 of Report No. 3 of The Midtown Community Council, headed “Introduction of Overnight On-Street Permit Parking on the South Side of Moore Avenue - From a Point 33 Metres West of Bayview Avenue to a Point 104.5 Metres Further West Thereof (Don Valley West – Ward 26)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Walker moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated April 15, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that:

- (1) the City Clerk be directed to conduct a formal poll of the residents of Moore Avenue flankage of 1220 Bayview Avenue (Bayview Manor Apartments), to determine support for the implementation of overnight on-street permit parking;
- (2) the City Clerk report the results of the poll to the Midtown Community Council;
- (3) subject to the results of a favourable poll:
 - (a) the existing no parking restriction from 4:00 p.m. to 6:00 p.m. on the south side of Moore Avenue, from a point 33 metres west of Bayview Avenue to a point 104.5 metres further west thereof be rescinded; and
 - (b) a new Schedule F to former East York By-law No. 20-96 be approved to establish 24 hour permit parking and Moore Avenue, from a point 33 metres west of Bayview Avenue to a point 104.5 metres further west thereof, be added to this Schedule; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.’ ”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

- 3.46 **Clause No. 8 of Report No. 3 of The Economic Development and Parks Committee, headed “Toronto, the Second Largest Food Industry Cluster in North America: Implementing Toronto’s Economic Development Strategy (All Wards)”.**

Motion:

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

“It is further recommended that the Food Industry Advisory Committee include representation from the major Unions representing food industry workers and the Toronto District Labour Council be requested to nominate such representatives.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 3.47 **Clause No. 14 of Report No. 3 of The Economic Development and Parks Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Mihevc moved that the Clause be received as information, subject to striking out and referring Item (b), entitled “Strategy to Achieve a Phase Out of Non-Essential Outdoor Uses of Pesticides”, back to the Economic Development and Parks Committee for further consideration.

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, was received as information.

- 3.48 **Clause No. 20 of Report No. 4 of The Administration Committee, headed “Save the Rouge Valley System - Request to Protect a Property Owned by Village Securities, East Side of Staines Road North of Finch Avenue East”.**

Motion:

Councillor Berardinetti moved that the Clause be struck out and referred back to the Administration Committee for further consideration, pending discussions with Village Securities.

Vote:

The motion by Councillor Berardinetti carried.

- 3.49 **Clause No. 14 of Report No. 4 of The Administration Committee, headed “Results of Environmental Testing, Acquisition of Part of 350 Danforth Road, Expansion of Toronto Transit Commission (TTC) Birchmount Garage at 400 Danforth Road (Ward 35 – Scarborough Southwest)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Berardinetti moved that Council adopt the following recommendation:

“It is recommended that Council adopt the supplementary report dated April 9, 2002, from the Commissioner of Corporate Services, embodying the following recommendations:

‘It is recommended that:

- (1) Council authorize the City Solicitor to extend the due diligence period of the Agreement of Purchase and Sale to on or before August 15, 2002; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

- 3.50 **Clause No. 5 of Report No. 4 of The Toronto East York Community Council, headed “Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue (Toronto-Danforth, Ward 29)”.**

Vote:

Adoption of Clause, without amendment:

Yes - 23

Councillors: Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Disero, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas

No - 6 Councillors: Chow, Fillion, Layton, Mihevc, Milczyn, Moscoe

Carried by a majority of 17.

3.51 **Clause No. 2 of Report No. 5 of The Works Committee, headed “Update on the Ultra Low Flush Toilet Replacement Program”.**

Motions:

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

“It is further recommended that Council re-affirm the following decision made at its meeting held on April 11, 12 and 13, 2000, by its adoption of Clause No. 8 of Report No. 6 of The Works Committee, as amended:

‘It is recommended that the City of Toronto impose a condition on the grants for the Ultra Low Flush Toilet Replacement Program, that the applicant cannot apply the capital/installation costs in any above-guideline rent increase application.’ ”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to:

- (a) submit a report to the Works Committee on the buildings where the Ultra Low Flush Toilet Replacement Program has been implemented, such report to include a comparison of the water consumption rates prior to and after implementation of the program; and
- (b) include these statistics in all relevant annual reports.”

Votes:

Motion (a) by Councillor Mihevc carried.

Motion (b) by Councillor Walker carried.

The Clause, as amended, carried.

3.52 **Clause No. 7 of Report No. 5 of The Etobicoke Community Council, headed “Installation of a U-Turn Prohibition on Arcade Drive and on Chapman Road in Front of Westmount Public School (Ward 2 - Etobicoke North)”.**

Motion to Re-Open:

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

Motion:

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

Vote:

The motion by Councillor Jones carried.

3.53 Clause No. 7 of Report No. 3 of The Economic Development and Parks Committee, headed “Revision of the Naming and Renaming of Parks Policy to Include Recreation Facilities (All Wards)”.

Motions:

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the possibility of granting naming rights for specific facilities within parks in exchange for financial contributions.”

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

“It is further recommended that all requests for the naming of parks or recreation facilities must be referred to the Commissioner of Economic Development, Culture and Tourism for a written report.”

Permission to Withdraw Motion:

Councillor Mihevc, with the permission of Council, withdrew his motion (a).

Votes:

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, carried.

3.54 **Clause No. 2 of Report No. 3 of The Board of Health, headed “Air Quality and a City of Toronto Phase-Out of Coal-Fired Electricity Purchases”.**

Motion:

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

“It is further recommended that:

- (1) the Commissioner of Corporate Services, in consultation with the Medical Officer of Health and appropriate officials of Toronto Hydro, be requested to submit a report to the Board of Health and the Administration Committee, in June 2002, on the process and progress being made towards meeting Council’s goal of purchasing 25 percent green power; and
- (2) the Chief Administrative Officer, in consultation with the appropriate City officials, be requested to submit a report to the Board of Health and the Administration Committee, within five (5) months, on the emission reduction benefits and financial costs of phasing out the City of Toronto’s purchase of coal-fired electricity by:
 - (a) 2005;
 - (b) 2006; and
 - (c) 2010.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

3.55 **Clause No. 2 of Report No. 6 of The Policy and Finance Committee, headed “Authority for City of Toronto and Toronto Hydro Energy Services Inc. (‘THESI’) to Enter into Retail Electricity Contract; Status of Contract”.**

Motions:

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

“It is further recommended that the Chief Financial Officer and Treasurer, in consultation with the Commissioner of Corporate Services, be requested to submit a status report to Council for its meeting scheduled to be held on October 1, 2002, through the Policy and Finance Committee on September 19, 2002, on:

- (a) the City of Toronto's experience with the deregulated market to date, including the peak-demand summer period of 2002; and
 - (b) the impact of the market opening on Toronto Hydro.”
- (b) Councillor Shiner moved that the Clause be amended by adding thereto the following:
- “It is further recommended that Council adopt the supplementary confidential report dated April 12, 2002, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:
- ‘It is recommended that:
- (1) for the purposes of the Power Purchase Agreement (PPA) between Toronto Hydro Energy Services Inc. and the City and its Agencies, Boards, Commissions and Corporations (ABCCs), if there is a material adverse change to the creditworthiness of the City defined as a downgrade in the City's credit rating to at least two of the following: A(low) as per DBRS, A- as per Standard & Poors, or A3 as per Moody's, the City's Chief Financial Officer and Treasurer be authorized to provide THESI with financial security in the form of a Letter of Direction, in an amount that would be reported back to Council;
 - (2) during the summer recess and election periods when Council meetings are not held or during periods of a City labour disruption, the City's Chief Administrative Officer be authorized to settle urgent disputes arising under the PPA, provided such settlement does not exceed \$2.5 million;
 - (3) in the event that any matters arise during the term of the PPA that require immediate Council approval, City staff be authorized to report directly to Council, in the event that it is not possible to first report the matter to the Policy and Finance Committee; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

Motion (a) by Councillor Silva carried.

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

- 3.56 **Clause No. 12 of Report No. 3 of The Midtown Community Council, headed “Request for Approval of Variances from the Former Borough of East York Sign By-law No. 64-87 - As Amended - for Additional Fascia Signs and a Pylon Sign for a Tenant at 957 Eglinton Avenue East (Don Valley West - Ward 26)”.**

Motion to Re-Open:

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

Motion:

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

Vote:

The motion by Councillor Pitfield carried.

- 3.57 **Clause No. 26 of Report No. 3 of The North York Community Council, headed “Final Report - Application to Amend the Zoning By-law 7625 - TB ZBL 2001 0019 - Nuc-Tuct Non-Profit Housing Corporation - 53 Cummer Avenue - Ward 24 - Willowdale”.**

Motions:

- (a) Councillor Shiner moved that the Clause be amended to provide that the access to the development on Averill Crescent be eliminated.
- (b) Councillor Filion moved that the Clause be amended by adding the following words to Recommendations Nos. (1) and (2)(e) of the North York Community Council:

“subject to funds being available in the construction budget at such time as the applicant is ready to apply for a building permit”.

Votes:

Adoption of motion (b) by Councillor Filion:

Yes - 19	
Councillors:	Augimeri, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Silva
No - 22	
Mayor:	Lastman

Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Disero, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Moeser, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
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Lost by a majority of 3.

Adoption of motion (a) by Councillor Shiner:

Yes - 41
Mayor: Lastman
Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 0

Carried, without dissent.

The Clause, as amended, carried.

3.58 **Clause No. 7 of Report No. 4 of The Administration Committee, headed “Disposition of Surplus Property, 39 Newcastle Street (Ward 6 - Etobicoke-Lakeshore)”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that Council adopt the supplementary report dated April 15, 2002, from the Commissioner of Corporate Services.”

(b) Councillor Jones moved that motion (a) by Councillor Berardinetti be amended by adding thereto the words “subject to inserting in Recommendation No. (1), after the words ‘outlined in the body of this report’, the words ‘and subject to a restrictive covenant being registered on title for a period of five (5) years from the date of closing of this transaction, which restricts the owner from applying to change the use of the property from its existing industrial use, currently permitted, only to other employment uses as defined in the Etobicoke Official Plan,.’”

Votes:

Motion (b) by Councillor Jones carried.

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

The Clause, as amended, carried.

In summary, Council adopted the following recommendation:

“It is recommended that Council adopt the supplementary report dated April 15, 2002, from the Commissioner of Corporate Services, subject to inserting in Recommendation No. (1), after the words ‘outlined in the body of this report’, the words ‘and subject to a restrictive covenant being registered on title for a period of five (5) years from the date of closing of this transaction, which restricts the owner from applying to change the use of the property from its existing industrial use, currently permitted, only to other employment uses as defined in the Etobicoke Official Plan,’ so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) the Offer to Purchase from CIC Millwork Limited to purchase the City-owned property known municipally as 39 Newcastle Street, in the amount of \$750,000.00, be accepted on the terms outlined in the body of this report, and subject to a restrictive covenant being registered on title for a period of five (5) years from the date of closing of this transaction, which restricts the owner from applying to change the use of the property from its existing industrial use, currently permitted, only to other employment uses as defined in the Etobicoke Official Plan, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the due diligence period and/or closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”

- 3.59 **Clause No. 22 of Report No. 4 of The Administration Committee, headed “Status Report on Union Station, Process for the Evaluation of Proposals to Restore, Develop and Operate Union Station and Continued Retainer of Consultants (Ward 28 - Toronto Centre-Rosedale)”.**

Motion:

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

“It is further recommended that the City Solicitor be requested to submit, to the next meeting of the Administration Committee, the portion of the confidential report dated April 12, 2002, from the City Solicitor, entitled ‘Union Station - Request for Proposals’, that can be made public.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 3.60 **Clause No. 15 of Report No. 3 of The Midtown Community Council, headed “Refusal Report – Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul’s - Ward 22)”.**

Motions:

- (a) Councillor Johnston moved that:

- (1) City Council adopt the recommendations of the Midtown Community Council; and
- (2) the Clause be amended by adding thereto the following:

“It is further recommended that the City Solicitor be directed to negotiate a compromise proposal with the applicant prior to the commencement of the Ontario Municipal Board hearing, scheduled for May 27, 2002, based on the following principles:

- (a) that the height of the north tower be reduced to remove shadow impacts as identified in the City Planning report, and to support the architectural excellence as detailed in the January 24, 2002 revision to the Minto application;

- (b) request that the developer make a \$1,000,000.00 contribution towards a privately funded rent supplement program to fund needed affordable housing for seniors in the community; and
 - (c) the provision of the publicly accessible open space in the proposed courtyard.”
- (b) Councillor Pantalone moved that the Clause be amended by adding thereto the following:

“It is further recommended that the City Solicitor be directed to negotiate with the applicant, prior to the commencement of the Ontario Municipal Board hearing, to:

 - (1) specifically provide in the construction of its building, for a below-grade pedestrian walkway which would provide for the opportunity to connect to the Eglinton subway station from both the north and the south along the east side of Yonge Street;
 - (2) provide, in the event of the redevelopment of its building at 2239 Yonge Street, for public access through a below-grade pedestrian walkway, which would provide for the opportunity to connect with the Eglinton subway station along the east side of Yonge Street; and
 - (3) provide for a contribution of \$200,000.00 towards the construction of a below-grade pedestrian connection to the Eglinton subway station.”
- (c) Councillor Walker moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the report dated April 12, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

‘It is recommended that Council endorse the planning process set out in this report.’ ”
- (d) Councillor Flint moved that Part (2) of motion (a) by Councillor Johnston, and motion (b) by Councillor Pantalone be referred to the Commissioner of Urban Development Services for inclusion in the focussed planning review.
- (e) Councillor Jones moved that Part (2)(a) of motion (a) by Councillor Johnston be amended by inserting after the words “the north tower”, the words “and the south tower”.

- (f) Councillor Moscoe moved that:
- (1) motion (a) by Councillor Johnston be amended by deleting Part (2) and inserting in lieu thereof the following:
- “(2) the City Solicitor and appropriate staff be directed to continue their efforts to negotiate a compromise with the applicant.”;
and
- (2) the Clause be amended by adding thereto the following:
- “It is further recommended that at least one of the proposed buildings not be registered as a condominium building.”

Permission to Revise Motion:

Councillor Moscoe, with the permission of Council, revised Part (2) of his motion (f) to read as follows:

- “(2) the Clause be amended by adding thereto the following:
- ‘It is further recommended that the City Solicitor, in consultation with appropriate staff, be requested to attempt to secure rental status for at least one of the proposed towers.’ ”

Votes:

Adoption of motion (d) by Councillor Flint:

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

Lost by a majority of 11.

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

Yes - 13	
Mayor:	Lastman
Councillors:	Berardinetti, Cho, Filion, Flint, Holyday, Korwin-Kuczynski, Mihevc, Milczyn, Moscoe, Nunziata, Soknacki, Tziretas
No - 30	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Johnston, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Walker

Lost by a majority of 17.

Adoption of motion (e) by Councillor Jones:

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

Carried by a majority of 5.

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

Yes - 39	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker

No - 4

Councillors: Augimeri, Filion, Minnan-Wong, Silva

Carried by a majority of 35.

Adoption of Part (2) of motion (a) by Councillor Johnston, as amended:

Yes - 26

Councillors: Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Pantalone, Rae, Shaw, Shiner, Silva, Tziretas

No - 17

Mayor: Lastman

Councillors: Altobello, Balkissoon, Berardinetti, Filion, Ford, Korwin-Kuczynski, Li Preti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pitfield, Soknacki, Sutherland, Walker

Carried by a majority of 9.

Adoption of Parts (1) and (2) of motion (b) by Councillor Pantalone:

Yes - 41

Mayor: Lastman

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

No - 2

Councillors: Pitfield, Walker

Carried by a majority of 39.

Adoption of Part (3) of motion (b) by Councillor Pantalone:

Yes - 37

Mayor: Lastman

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

Carried by a majority of 31.

Adoption of Part (2) of motion (f) by Councillor Moscoe, as revised:

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

Carried by a majority of 31.

Adoption of motion (c) by Councillor Walker:

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

Carried by a majority of 35.

Adoption of Clause, as amended:

Yes - 34	
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Councillors:	Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas
No - 9	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Filion, Li Preti, Mihevc, Pitfield, Sutherland, Walker

Carried by a majority of 25.

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

“It is further recommended that:

- (1) the City Solicitor be directed to negotiate a compromise proposal with the applicant prior to the commencement of the Ontario Municipal Board hearing, scheduled for May 27, 2002, based on the following principles:
 - (a) the height of the north tower and the south tower be reduced to remove shadow impacts as identified in the City Planning report, and to support the architectural excellence as detailed in the January 24, 2002 revision to the Minto application;
 - (b) request that the developer make a \$1,000,000.00 contribution towards a privately funded rent supplement program to fund needed affordable housing for seniors in the community;
 - (c) the provision of the publicly accessible open space in the proposed courtyard;
 - (d) specifically provide in the construction of its building, for a below-grade pedestrian walkway which would provide for the opportunity to connect to the Eglinton subway station from both the north and the south along the east side of Yonge Street;
 - (e) to provide, in the event of the redevelopment of its building at 2239 Yonge Street, for public access through a below-grade pedestrian walkway, which would provide for the opportunity to connect with the Eglinton subway station along the east side of Yonge Street; and
 - (f) to provide for a contribution of \$200,000.00 towards the construction of a below-grade pedestrian connection to the Eglinton subway station;

- (2) the City Solicitor, in consultation with appropriate staff, be requested to attempt to secure rental status for at least one of the proposed towers; and
- (3) Council adopt the report dated April 12, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

‘It is recommended that Council endorse the planning process set out in this report.’ ”

3.61 **Clause No. 24 of Report No. 4 of The Administration Committee, headed “Improving Security at Toronto City Hall”.**

Motion:

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

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee, in six months’ time, on the security measures taken.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

3.62 **Clause No. 13 of Report No. 5 of The Works Committee, headed “Status of GST Applicability to Michigan Landfill Contracts”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Moscoe moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services, in consultation with the appropriate City officials, be requested to meet with the Solicitors for the Toronto Transit Commission who are currently exploring the matter of the GST, in an effort to share information and to discuss the possibility of sharing a joint action with the City of Toronto.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

3.63 Clause No. 2 of Report No. 3 of The Administration Committee, headed “Policy Statement and Guidelines for Political Activities of City Grant Recipients”.

Motion:

Councillor Mihevc, seconded by Councillor Soknacki moved that the Clause be amended by amending Recommendation No. (2) of the Administration Committee by:

- (1) adding thereto the words “such report to delineate, as clearly as possible, the differences between advocacy activities to which the guidelines apply and those to which they do not”; and
- (2) deleting the word “allocations” and inserting in lieu thereof the word “associations”;

so that such recommendation shall now read as follows:

- “(2) that the Chief Administrative Officer be requested to submit a report to the Administration Committee, as soon as possible, on whether it is desirable to develop and implement a policy with respect to political activities with all entities which have a contractual relationship with the City of Toronto, examples of these entities include, but are not limited to, suppliers, business improvement associations and other organizations, such report to delineate, as clearly as possible, the differences between advocacy activities to which the guidelines apply and those to which they do not.”

Votes:

The motion by Councillor Mihevc, seconded by Councillor Soknacki, carried.

The Clause, as amended, carried.

3.64 Clause No. 10 of Report No. 6 of The Policy and Finance Committee, headed “Proposed Residential Tax Bill Brochure on the Implications of Bill 140 and a New Funding Partnership with the Federal and Provincial Governments”.

Motion:

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

- “It is further recommended that Council adopt the report dated April 15, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

‘It is recommended that:

- (1) the attached brochure, with revisions made according to the request of the Policy and Finance Committee, be approved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Disero carried.

Adoption of Clause, as amended:

Yes - 32 Councillors: Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Filion, Flint, Hall, Johnston, Jones, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker
No - 7 Councillors: Feldman, Ford, Holyday, Kelly, Lindsay Luby, Minnan-Wong, Sutherland

Carried by a majority of 25.

3.65 Clause No. 36 of Report No. 4 of The Administration Committee, headed “Request for Proposal No. 2104-01-3175, Cellular Voice and Data Service”.

Motion:

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

“It is further recommended that, prior to exercising the third year contract extension with the preferred Vendor, the Commissioner of Corporate Services, in consultation with the Director of Purchasing and Materials Management, be requested to undertake a market analysis and submit a report to the Administration Committee, with the intent that, if market conditions warrant, the extension option will not be exercised and a new Request for Proposals will be conducted.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 3.66 **Clause No. 40 of Report No. 4 of The Administration Committee, headed “Request for Proposal No. 9155-01-7660 - Core Business and Enterprise Systems, Products and Services to Enable Access to Corporate Applications and Data by Mobile and Wireless Devices”.**

Motion:

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

“It is further recommended that the Commissioner of Corporate Services be requested to:

- (1) submit a report to the Administration Committee on the evaluation of the Public Health Wireless pilot project and a longer-term wireless infrastructure strategy for the City of Toronto, such report to address key decision points; and
- (2) ensure that the pilot project does not result, in any way, in an advantage for the selected Vendor on the longer-term wireless information strategy.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

- 3.67 **Clause No. 9 of Report No. 3 of The Community Services Committee, headed “Local Occupancy Standards for Geared-to-Income Units in Social Housing”.**

Motions:

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

“It is further recommended that Council adopt the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) Council support the recommendations contained in the report dated March 18, 2002, from the Acting Commissioner of Community and

Neighbourhood Services, substituting the amended Appendix A, attached to this report, for the Appendix A in the March 18, 2002 report;

- (2) staff report to the Community Services Committee in May 2003 on the implementation of the Local Occupancy Standards; and
- (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.’ ”

(b) Councillor Duguid moved that the Clause be amended by:

- (1) adding to the recommendation of the Community Services Committee, the words “on an interim basis, and subject to replacing the Appendix A, headed ‘Local Occupancy Standards Recommended’ with the amended Appendix A, headed ‘Amended Local Occupancy Standards Recommended’ attached to the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services”, so that the recommendation of the Community Services Committee now reads as follows:

“The Community Services Committee recommends the adoption of the report dated March 18, 2002, from the Acting Commissioner of Community and Neighbourhood Services on an interim basis, and subject to replacing the Appendix A, headed ‘Local Occupancy Standards Recommended’ with the amended Appendix A, headed ‘Amended Local Occupancy Standards Recommended’ attached to the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services.”; and

- (2) referring the issue of Local Occupancy Standards, together with a copy of the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, back to the Community Services Committee for further consideration at its meeting scheduled to be held on May 28, 2002, for subsequent report thereon to City Council.

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

“It is further recommended that:

- (1) the following proposed amendments to the Local Occupancy Standards be referred to the Acting Commissioner of Community and Neighbourhood Services for consideration and report thereon to the Community Services Committee at its meeting scheduled to be held on May 28, 2002:

- (a) children of the opposite sex be allowed to share one bedroom provided that parents/guardians desire such an arrangement; and
- (b) the principle that 'Upon request to Housing Connections, a single parent may share a bedroom with a child of the same sex', be amended to read as follows:

'Single parents be allowed to share a bedroom with children of the same sex if the applicants so desire.'; and

- (2) in the interim, the Acting Commissioner of Community and Neighbourhood Services be requested to hold a briefing with interested parties to discuss and address any outstanding issues."
- (d) Councillor Moscoe moved that the Clause be amended by adding thereto the following:

"It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on the establishment of an appeal mechanism whereby residents may apply for a ruling on occupancy situations that may require an interpretation or exception to the Occupancy Standards."

Votes:

Motion (b) by Councillor Duguid carried.

Motion (a) by Councillor Hall carried.

Motion (c) by Councillor Chow carried.

Motion (d) by Councillor Moscoe carried.

The Clause, as amended, carried.

In summary Council amended this Clause by:

- (1) adding to the recommendation of the Community Services Committee, the words "on an interim basis, and subject to replacing the Appendix A, headed 'Local Occupancy Standards Recommended' with the amended Appendix A, headed 'Amended Local Occupancy Standards Recommended' attached to the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services", so that the recommendation of the Community Services Committee now reads as follows:

“The Community Services Committee recommends the adoption of the report dated March 18, 2002, from the Acting Commissioner of Community and Neighbourhood Services on an interim basis, and subject to replacing the Appendix A, headed ‘Local Occupancy Standards Recommended’ with the amended Appendix A, headed ‘Amended Local Occupancy Standards Recommended’ attached to the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services.”;

- (2) referring the issue of Local Occupancy Standards, together with a copy of the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, back to the Community Services Committee for further consideration at its meeting scheduled to be held on May 28, 2002, for subsequent report thereon to City Council; and
- (3) adding thereto the following:

“It is further recommended that:

- (a) Council adopt the report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) Council support the recommendations contained in the report dated March 18, 2002, from the Acting Commissioner of Community and Neighbourhood Services, substituting the amended Appendix A, attached to this report, for the Appendix A in the March 18, 2002 report;
 - (2) staff report to the Community Services Committee in May 2003 on the implementation of the Local Occupancy Standards; and
 - (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.’;
- (b) the following proposed amendments to the Local Occupancy Standards be referred to the Acting Commissioner of Community and Neighbourhood Services for consideration and report thereon to the Community Services Committee at its meeting scheduled to be held on May 28, 2002:

- (i) children of the opposite sex be allowed to share one bedroom provided that parents/guardians desire such an arrangement; and
- (ii) the principle that ‘Upon request to Housing Connections, a single parent may share a bedroom with a child of the same sex’, be amended to read as follows:
 - ‘Single parents be allowed to share a bedroom with children of the same sex if the applicants so desire.’;
 - and
- (c) the Acting Commissioner of Community and Neighbourhood Services be requested:
 - (i) in the interim, to hold a briefing with interested parties to discuss and address any outstanding issues; and
 - (ii) to submit a report to the Community Services Committee, on the establishment of an appeal mechanism whereby residents may apply for a ruling on occupancy situations that may require an interpretation or exception to the Occupancy Standards.”

3.68 Clause No. 10 of Report No. 3 of The Community Services Committee, headed “Local Access Priorities for Geared-to-Income Units in Social Housing”.

Motions:

- (a) Councillor Duguid moved that the Clause be amended by:
 - (1) inserting in the recommendation of the Community Services Committee, after the words “Acting Commissioner of Community and Neighbourhood Services”, the words “on an interim basis”, so that such recommendation shall now read as follows:

“The Community Services Committee recommends the adoption of the report dated March 18, 2002, from the Acting Commissioner of Community and Neighbourhood Services, on an interim basis; and further that an appeal process be included in the policy on Local Access Priorities.”; and

- (2) referring the issue of Local Access Priorities, together with the supplementary report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, back to the Community Services Committee for further consideration at its meeting scheduled to be held on May 28, 2002, and subsequent report thereon to Council.
- (b) Councillor Chow moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the following proposed amendment to the Local Access Priorities be referred to the Acting Commissioner of Community and Neighbourhood Services for consideration and report thereon to the Community Services Committee for its meeting scheduled to be held on May 28, 2002:
- ‘That applicants not be removed from the waiting list unless there is an explicit written agreement.’; and
- (2) in the interim, the Acting Commissioner of Community and Neighbourhood Services be requested to hold a briefing with interested parties to discuss and address outstanding issues.”
- (c) Councillor Moscoe moved that the Clause be amended by adding thereto the following:
- “It is further recommended that this policy be reviewed by the Community Services Committee, after one year of operation, and deputations and submissions be invited by the Committee for the one-year review.”
- (d) Councillor Lindsay Luby moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Minister of Municipal Affairs and Housing be requested to amend Bill 128 to include Local Access Priorities for groups with special ethnic and community mandates.”

Votes:

Motion (a) by Councillor Duguid carried.

Motion (b) by Councillor Chow carried.

Motion (c) by Councillor Moscoe carried.

Motion (d) by Councillor Lindsay Luby carried.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) inserting in the recommendation of the Community Services Committee, after the words "Acting Commissioner of Community and Neighbourhood Services", the words "on an interim basis", so that such recommendation shall now read as follows:

"The Community Services Committee recommends the adoption of the report dated March 18, 2002, from the Acting Commissioner of Community and Neighbourhood Services, on an interim basis; and further that an appeal process be included in the policy on Local Access Priorities.";

- (2) referring the issue of Local Access Priorities, together with the supplementary report dated April 15, 2002, from the Acting Commissioner of Community and Neighbourhood Services, back to the Community Services Committee for further consideration at its meeting scheduled to be held on May 28, 2002, and subsequent report thereon to Council; and
- (3) adding thereto the following:

"It is further recommended that:

- (a) the Minister of Municipal Affairs and Housing be requested to amend Bill 128 to include Local Access Priorities for groups with special ethnic and community mandates;
- (b) the following proposed amendment to the Local Access Priorities be referred to the Acting Commissioner of Community and Neighbourhood Services for consideration and report thereon to the Community Services Committee for its meeting scheduled to be held on May 28, 2002:

"That applicants not be removed from the waiting list unless there is an explicit written agreement.";

- (c) in the interim, the Acting Commissioner of Community and Neighbourhood Services be requested to hold a briefing with interested parties to discuss and address outstanding issues; and
- (d) this policy be reviewed by the Community Services Committee, after one year of operation, and deputations and submissions be invited by the Committee for the one-year review."

3.69 **Clause No. 11 of Report No. 4 of The Planning and Transportation Committee, headed “Bill 124 - Building Code Statute Law Amendment Act, 2001”.**

Motion:

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

“It is further recommended that the City of Toronto express its concern to the Province of Ontario regarding the implications of Bill 124 on the accountability of the public process of Building Code review and inspections with respect to the use of Registered Code Agencies.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

3.70 **Clause No. 7 of Report No. 5 of The Works Committee, headed “Environmental Grants Fund”.**

Motion:

Councillor Shiner moved that the Clause be received.

Vote:

The motion by Councillor Shiner carried.

3.71 **Clause No. 6 of Report No. 3 of The Community Services Committee, headed “Update on the Provincial Services Delivery Model”.**

Motion to Re-Open:

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

Motion:

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

“It is further recommended that:

- (1) the Ministry of Community and Social Services be requested to provide the City of Toronto with details of why it has increased its billings to the City under the Ontario Disability Support Program; and
- (2) the Acting Commissioner of Community and Neighbourhood Services be requested to contact other Regional Municipalities across the Greater Toronto Area and Ontario to assess the financial impact that the increase in billings will have on such municipalities and the justification given for the increase, if any, and report thereon to the Community Services Committee.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

3.72 Clause No. 1 of Report No. 4 of The Planning and Transportation Committee, headed “Harmonization of the Sign By-law Concerning Posters on Utility Poles”.

Motion:

Councillor Minnan-Wong moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on May 21, 2002, and the Commissioner of Urban Development Services be requested to consult with the user groups and report thereon directly to City Council.

Vote:

The motion by Councillor Minnan-Wong carried.

3.73 Clause No. 11 of Report No. 3 of The Economic Development and Parks Committee, headed “Status Report – Woodbine Park Special Events”.

Motion:

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

“It is further recommended that:

- (1) as the City of Toronto directive to move to the new location has come late in the planning process for staging this year’s Beaches International Jazz Festival, the Festival be authorized to continue its usual operation, in 2002, in Kew Gardens, subject to the following provisions set out in Recommendation No. (1) of the Economic Development and Parks Committee, as embodied in the Clause:

- (a) that the three offending vehicles be moved from the grounds and that a suitable location be found for such vehicles; and
 - (b) that the sound levels be modified to reach no more than 85 decibels;’;
- (2) the decision of City Council of August 1, 2, 3 and 4, 2000, that Woodbine Park become the main concert venue for the Beaches International Jazz Festival, be affirmed by City Council, and that Kew Gardens remain as outlined in Recommendation No. (4), below;
- (3) the Beaches International Jazz Festival have a presence in the new Woodbine Park this year, as the first stage of the transition plan;
- (4) the Beaches International Jazz Festival be authorized to continue to operate in Kew Gardens in accordance with Clause No. 46 of Report No. 10 of The Policy and Finance Committee, which was adopted by City Council at its meeting held on August 1, 2, 3 and 4, 2000, as amended, viz.:
 - ‘...Kew Gardens will continue to be made available as a venue on the condition that performances be low amplified and subject to sound monitoring. This condition addresses the concerns of local residents with respect to noise. It will also have the effect of reducing the magnitude and scale of the event at this venue while at the same time maintaining a significant and direct linkage to the Beaches Street Festival.’;
- (5) the beer garden and other concession areas be considered for inclusion in the new Woodbine Park and be permitted to continue at Kew Gardens; and
- (6) Council and the Beaches International Jazz Festival create a critical path to identify goals and schedules toward establishing Woodbine Park as the main concert venue for the Beaches International Jazz Festival, and that Council, therefore, establish an Eastern Beaches Festival Reference Group that includes the Ward Councillor, two (2) representatives of the Beaches International Jazz Festival, one (1) member of staff of the Toronto Transit Commission (TTC), one (1) staff person from the Parks and Recreation Division of the Economic Development, Culture and Tourism Department, one (1) representative of the Toronto Police Service, two (2) local residents, two (2) local business persons and one (1) representative from the Office of the Mayor, such Reference Group to provide annual findings to City Council by September 30th of each year, including, but not limited to, the critical path transition to Woodbine Park and the festival activities in Kew Gardens.”

Votes:

The motion by Councillor Bussin carried.

The Clause, as amended, carried.

3.74 **Clause No. 15 of Report No. 5 of The Works Committee, headed “F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario ‘2002 Ride for Heart’ ”.**

Motions:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to take all possible measures to ensure that this charity event does not close the F. G. Gardiner Expressway and the Don Valley Parkway in the future.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the issue of charity road closings, prior to any closings being approved in 2003.”

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

“It is further recommended that, for next year, the Commissioner of Works and Emergency Services be requested to consider alternative roadways or other sites that could be used for the ‘Ride for Heart’ .”

- (d) Councillor Chow moved that motion (b) by Councillor Sutherland and motion (c) by Councillor Lindsay Luby be amended by adding thereto the words “and to also address events such as the Molson Indy, Caribana, Pride Day, the Santa Claus Parade and the Labour Day Parade.”

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

“It is further recommended that City Council endorse the 2002 Ride for Heart.”

Permission to Withdraw Motion:

Councillor Sutherland, with the permission of Council, withdrew his motion (b).

Votes:

Adoption of motion (a) by Councillor Flint:

Yes - 8	
Councillors:	Altobello, Augimeri, Balkissoon, Flint, Holyday, Korwin-Kuczynski, Lindsay Luby, Moeser
No - 22	
Mayor:	Lastman
Councillors:	Cho, Chow, Di Giorgio, Feldman, Ford, Hall, Jones, Kelly, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas

Lost by a majority of 14.

Adoption of motion (d) by Councillor Chow, insofar as it pertains to all events, save and except the Molson Indy:

Yes - 14	
Councillors:	Augimeri, Chow, Di Giorgio, Flint, Jones, Layton, Li Preti, McConnell, Miller, Moscoe, Pantalone, Rae, Soknacki, Tziretas
No - 16	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Cho, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Moeser, Nunziata, Ootes, Shiner

Lost by a majority of 2.

Adoption of motion (d) by Councillor Chow, insofar as it pertains to the Molson Indy:

Yes - 14	
Councillors:	Augimeri, Chow, Di Giorgio, Flint, Jones, Layton, Li Preti, McConnell, Miller, Moeser, Moscoe, Pantalone, Rae, Soknacki
No - 17	
Councillors:	Altobello, Balkissoon, Cho, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Nunziata, Ootes, Shiner, Tziretas

Lost by a majority of 3.

Adoption of motion (c) by Councillor Lindsay Luby, without amendment:

Yes - 14	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Filion, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Moeser, Ootes, Soknacki
No - 19	
Councillors:	Augimeri, Cho, Chow, Di Giorgio, Disero, Feldman, Hall, Jones, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Rae, Shiner, Tziretas

Lost by a majority of 5.

Adoption of motion (e) by Councillor Nunziata:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas
No - 1	
Councillor:	Flint

Carried by a majority of 33.

The Clause, as amended, carried.

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

“It is further recommended that City Council endorse the 2002 Ride for Heart.”

3.75 Clause No. 12 of Report No. 6 of The Policy and Finance Committee, headed “Update Regarding Filing of Required Regulations for 2002 Tax Levy By-laws”.

Motion to Re-Open:

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

affirmative.

Motion:

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

“It is further recommended that:

- (1) Council adopt the supplementary report dated April 18, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

‘It is recommended that:

- (1) the tax rates for school purposes set out in the draft by-law attached hereto as Appendix “A”, and as prescribed by O. Reg. 138/02, be levied for 2002;
 - (2) a by-law in the form, or substantially in the form, of the draft by-law attached hereto as Appendix “A”, be enacted to levy and collect taxes for school purposes for 2002;
 - (3) tax decreases for the 2002 taxation year on properties in the commercial, industrial and multi-residential property classes be reduced by the percentage of the tax decrease set out in Column II of the draft by-law attached hereto as Appendix “B” in this report, in order to recover the revenues foregone as a result of capping; and
 - (4) a by-law in the form, or substantially in the form, of the draft by-law attached hereto as Appendix “B”, be enacted to establish the percentage reductions in tax decreases referred to in Recommendation No. (3) for the 2002 taxation year; and
 - (5) authority be granted for the introduction of the necessary bills in Council.’; and
- (2) the Chief Financial Officer and Treasurer be requested to submit a report to the next meeting of the Policy and Finance Committee on the education tax rates currently levied on Toronto businesses as compared to the Greater Toronto Area and the rest of the Province of Ontario.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

3.76 **Clause No. 1 of Report No. 6 of The Policy and Finance Committee, headed “Implications of the Sale of Hydro One for the City of Toronto”.**

Motions:

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

“It is further recommended that:

- (1) Council adopt the report dated April 10, 2002, from the Chief Administrative Officer, subject to deleting Recommendations Nos. (1)(a) and (1)(c), so that the recommendations embodied therein, as amended, now read as follows:

‘It is recommended that:

- (1) City Council request that, in the letter to the Premier of Ontario, as requested by the Policy and Finance Committee, the Mayor request the Province to include consultation with municipalities as part of the hydro corridor lands acquisition process;
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (2) Council request the Provincial Government to defer implementation of the Hydro market opening for 30 days, and the Premier and the New Minister of Energy be requested to:
- (a) provide protection for Ontario’s electricity consumers from excessive rate increases;
- (b) reduce the debt repayment costs to lower the hydro rate increases;
- (c) provide consumer protection from the current door to door sales practices; and
- (d) Legislate an ‘Ontario First’ policy to protect Ontario consumers from ‘Brown-Outs’ and electricity shortages due to the export of electricity.”

Councillor Disero in the Chair.

- (b) Councillor McConnell moved that:
- (1) Part (2) of motion (a) by Councillor Shiner be amended by deleting all of the words after the words “Hydro market opening”; and
 - (2) the Clause be amended by adding thereto the following:
“It is further recommended that:
 - (a) the Hydro-owned lands adjacent to the Henry Lane Transfer Station also be included in the staff survey outlined in the Clause; and
 - (b) Council request the Provincial Government to reconsider its position on the privatization of Hydro.”

Deputy Mayor Ootes in the Chair.

- (c) Councillor Bussin, seconded by Councillor Rae, moved that the Clause be amended by adding thereto the following:

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

‘WHEREAS the doubt about the privatization of Hydro One and the success of the deregulation of the energy market continues to grow in the minds of the people of Toronto; and

WHEREAS the people of Toronto continue to be concerned about substantial increases in the cost of electricity, the cost of distribution, the loss of industrial jobs and the possibility of blackouts; and

WHEREAS electricity deregulation in California has led to sky high rates and blackouts; and

WHEREAS the residents and businesses of Toronto need and expect a system of public power that will ensure rate stability, environmental protection and secure access to power;

NOW THEREFORE BE IT RESOLVED 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 BE IT FURTHER RESOLVED THAT this resolution be forwarded to municipalities Province-wide and the Association of Municipalities of Ontario (AMO) for endorsement.’ ”

(d) Councillor Jones moved that:

- (1) Part (2) of motion (a) by Councillor Shiner be amended by deleting the words “30 days”, and inserting in lieu thereof the words “one year”; and
- (2) the Clause be amended by adding the word “wetlands” after the word “fields” in Recommendation No. (I)(1)(a) of the Policy and Finance Committee, so that such recommendation now reads as follows:

“(a) that the Province of Ontario recognize that hydro corridors are important public assets used for many municipal uses such as transit facilities, bike trails, parks, playing fields, wetlands and storm water ponds;”.

(e) Councillor Moscoe moved that:

- (1) Part (2) of motion (a) by Councillor Shiner be amended by deleting the words “for 30 days”; and
- (2) the Clause be amended by adding thereto the following:

“It is further recommended that:

- (a) Council request the Provincial Government to restrict the export of electricity out of the Province if it results in the burning of coal and other hydrocarbons to supplement the power grid at peak periods; and
- (b) Council adopt the following motion:

‘WHEREAS the Ontario Government’s Plan to deregulate and privatize the electricity industry will:

- (1) result in higher consumer and industrial electricity rates;
- (2) put increased pressure on Municipal Councils’ budgets;
- (3) make Hydro generation ownership vulnerable to foreign control; and

- (4) reduce Ontario's economic advantage, threaten jobs and pose a substantial threat to our environment;

NOW THEREFORE BE IT RESOLVED THAT this Council urge the Ontario Government and the Premier to immediately delay deregulation of Ontario's electricity system and consult with local municipalities to answer concerns regarding the production of energy as it relates to electricity rates; and further, that this resolution be forwarded to the Association of Municipalities of Ontario for circulation to municipalities having populations larger than 5000.' ”

- (f) Councillor Miller moved that Part (2) of motion (a) by Councillor Shiner be amended by deleting the words “30 days”, and inserting in lieu thereof the words “an indefinite period of time”.
- (g) Councillor Layton moved that the Clause be amended by adding thereto the following:
“It is further recommended that:
 - (1) the Chief Administrative Officer, the City Solicitor and the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the appropriateness of an interim holding by-law concerning the Hydro One corridor lands while a complete land use study of these lands is conducted;
 - (2) the Chief Administrative Officer, in consultation with the City Solicitor, be requested to submit a report to the Policy and Finance Committee on whether the City should initiate legal action or join with any actions underway, in order to protect the public interest in the corridor lands or the public interest more generally;
 - (3) Council request the Provincial Government to amend the Initial Public Offering for Hydro One to provide that any municipality shall be given the opportunity to designate corridors for municipal purposes should the Province decide not to do so, and that any such lands should be transferred to municipalities on the same basis as has been provided for transfers to the Province, namely, at no net cost; and
 - (4) the City Solicitor be requested to consult with outside environmental legal specialists, as she deems appropriate, and submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on May 9, 2002, on the legal means by which the City could ensure that the hydro lands are maintained for public use, including legal actions based on the public trust, the

right to protect a public resource under the Environmental Bill of Rights, and the need for an environmental assessment.”

Votes:

Part (2) of motion (d) by Councillor Jones carried.

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

Yes - 32	Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 2	Councillors: Ford, Holyday

Carried by a majority of 30.

Adoption of Part (1) of motion (b) by Councillor McConnell:

Yes - 18	Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Filion, Johnston, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Silva
No - 15	Councillors: Di Giorgio, Disero, Feldman, Flint, Ford, Hall, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Shiner, Soknacki, Sutherland, Walker

Carried by a majority of 3.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of motion (d) by Councillor Jones, Part (1) of motion (e) by Councillor Moscoe, and motion (f) by Councillor Miller, redundant.

Adoption of Part (2) of motion (a) by Councillor Shiner, as amended:

Yes - 24	Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Hall, Johnston, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Shaw, Silva, Walker
No - 10	

Councillors: Disero, Feldman, Ford, Holyday, Lindsay Luby, Minnan-Wong, Ootes, Shiner, Soknacki, Sutherland

Carried by a majority of 14.

Part (2)(a) of motion (b) by Councillor McConnell carried.

Adoption of Part (2)(b) of motion (b) by Councillor McConnell:

Yes - 26 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Silva, Walker
No - 8 Councillors: Disero, Feldman, Ford, Holyday, Minnan-Wong, Shiner, Soknacki, Sutherland

Carried by a majority of 18.

Motion (c) by Councillor Bussin, seconded by Councillor Rae, carried.

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

Yes - 32 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 2 Councillors: Ford, Holyday

Carried by a majority of 30.

Adoption of Part (2)(b) of motion (e) by Councillor Moscoe:

Yes - 27 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Soknacki, Walker

No - 6 Councillors: Ford, Holyday, Minnan-Wong, Ootes, Shiner, Sutherland

Carried by a majority of 21.

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

Part (2) of motion (g) by Councillor Layton carried.

Part (3) of motion (g) by Councillor Layton carried.

Adoption of Part (4) of motion (g) by Councillor Layton:

Yes - 28 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
No - 6 Councillors: Feldman, Ford, Holyday, Minnan-Wong, Shiner, Sutherland

Carried by a majority of 22.

Adoption of Clause, as amended:

Yes - 29 Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Walker
No - 5 Councillors: Ford, Holyday, Minnan-Wong, Soknacki, Sutherland

Carried by a majority of 24.

In summary, Council amended this Clause by:

- (1) adding the word “wetlands” after the word “fields” in Recommendation No. (I)(1)(a) of the Policy and Finance Committee, so that such recommendation now reads as follows:

“(a) that the Province of Ontario recognize that hydro corridors are important public assets used for many municipal uses such as transit facilities, bike trails, parks, playing fields, wetlands and storm water ponds;” and

(2) adding thereto the following:

“It is further recommended that:

(a) Council request the Provincial Government to:

(i) reconsider its position on the privatization of Hydro;

(ii) defer implementation of the Hydro market opening;

(iii) amend the Initial Public Offering for Hydro One to provide that any municipality shall be given the opportunity to designate corridors for municipal purposes should the Province decide not to do so, and that any such lands should be transferred to municipalities on the same basis as has been provided for transfers to the Province, namely, at no net cost; and

(iv) restrict the export of electricity out of the Province if it results in the burning of coal and other hydrocarbons to supplement the power grid at peak periods;

(b) the Hydro-owned lands adjacent to the Henry Lane Transfer Station also be included in the staff survey outlined in the Clause;

(c) the Chief Administrative Officer, the City Solicitor and the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the appropriateness of an interim holding by-law concerning the Hydro One corridor lands while a complete land use study of these lands is conducted;

(d) the Chief Administrative Officer, in consultation with the City Solicitor, be requested to submit a report to the Policy and Finance Committee on whether the City should initiate legal action or join with any actions underway, in order to protect the public interest in the corridor lands or the public interest more generally;

(e) the City Solicitor be requested to consult with outside environmental legal specialists, as she deems appropriate, and submit a report to the next meeting

of the Policy and Finance Committee scheduled to be held on May 9, 2002, on the legal means by which the City could ensure that the hydro lands are maintained for public use, including legal actions based on the public trust, the right to protect a public resource under the Environmental Bill of Rights, and the need for an environmental assessment;

- (f) Council adopt the report dated April 10, 2002, from the Chief Administrative Officer, subject to deleting Recommendations Nos. (1)(a) and (1)(c), so that the recommendations embodied therein, as amended, now read as follows:

‘It is recommended that:

- (1) City Council request that, in the letter to the Premier of Ontario, as requested by the Policy and Finance Committee, the Mayor request the Province to include consultation with municipalities as part of the hydro corridor lands acquisition process;
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and

- (g) Council adopt the following motions:

- (i) **‘WHEREAS** the doubt about the privatization of Hydro One and the success of the deregulation of the energy market continues to grow in the minds of the people of Toronto; and

WHEREAS the people of Toronto continue to be concerned about substantial increases in the cost of electricity, the cost of distribution, the loss of industrial jobs and the possibility of blackouts; and

WHEREAS electricity deregulation in California has led to sky high rates and blackouts; and

WHEREAS the residents and businesses of Toronto need and expect a system of public power that will ensure rate stability, environmental protection and secure access to power;

NOW THEREFORE BE IT RESOLVED 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 BE IT FURTHER RESOLVED THAT this resolution be forwarded to municipalities Province-wide and the Association of Municipalities of Ontario (AMO) for endorsement.’; and

- (ii) **‘WHEREAS** the Ontario Government’s Plan to deregulate and privatize the electricity industry will:
- (1) result in higher consumer and industrial electricity rates;
 - (2) put increased pressure on Municipal Councils’ budgets;
 - (3) make Hydro generation ownership vulnerable to foreign control; and
 - (4) reduce Ontario’s economic advantage, threaten jobs and pose a substantial threat to our environment;

NOW THEREFORE BE IT RESOLVED THAT this Council urge the Ontario Government and the Premier to immediately delay deregulation of Ontario’s electricity system and consult with local municipalities to answer concerns regarding the production of energy as it relates to electricity rates; and further, that this resolution be forwarded to the Association of Municipalities of Ontario for circulation to municipalities having populations larger than 5000.’ ”

3.77 **Clause No. 25 of Report No. 4 of The Administration Committee, headed “Closed Captioning of City Council Meetings”.**

Disposition of Clause:

Having regard that the Clause was submitted to Council without recommendation, and was subsequently released by Council without amendment or debate, the Clause was deemed to have been received.

3.78 **Clause No. 45 of Report No. 3 of The Midtown Community Council, headed “Establishment of Reserve Accounts for Donations”.**

Having regard that the Clause was submitted to Council without recommendation:

Motion:

Councillor Mihevc moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the Chief Financial Officer and Treasurer be requested to explore the creation of one reserve fund as a receptacle for all donations to the City of Toronto and report thereon to the Policy and Finance Committee; and
- (2) donations for the Connaught Gate and Graham Park be allocated to segregated accounts, pending establishment of specific Capital projects related to these donations, and the Chief Financial Officer and Treasurer be authorized to issue income tax receipts related to these donations.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

3.79 **Clause No. 12 of Report No. 3 of The Economic Development and Parks Committee, headed “Toronto District School Board - Proposed Fee Increases”.**

Motions:

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to investigate ways of increasing community use of schools, public and separate, in the most cost-effective manner for the users and submit a report thereon to the School Advisory Committee by the end of 2002, such report to be subsequently submitted to the Economic Development and Parks Committee and the Policy and Finance Committee.”

- (b) Councillor Hall moved that the Clause be amended by deleting the following second Operative Paragraph embodied in Recommendation No. (1) of the Economic Development and Parks Committee:

“AND BE IT FURTHER RESOLVED THAT the City express its profound disappointment and frustration in what is a clear signal that TDSB does not want to work co-operatively with the City.”;

and inserting in lieu thereof the following new second Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the City express its concern and disappointment to the TDSB and request that, in future, the TDSB work in a positive and consultative manner when they are making decisions, such as raising permit fees, that have an impact on the entire City of Toronto.”

Votes:

Motion (b) by Councillor Hall carried.

Motion (a) by Councillor Cho carried.

The Clause, as amended, carried.

3.80 Clause No. 3 of Report No. 4 of The Administration Committee, headed “Review of TTC Properties - Optimize Revenue from Development Potential (Various Wards)”.

Motion:

Councillor Walker moved that the Clause be amended by adding to Recommendation No. (2) embodied in the joint report dated March 12, 2002, from the Commissioner of Corporate Services and the Chief General Manager, Toronto Transit Commission, as embodied in the Clause, the words “and on an appropriate public consultation process at the draft Request for Proposals stage”, so that such recommendation shall now read as follows:

“(2) staff be directed to report back to the Administration Committee and the TTC on formal work plans, schedules, workforce estimates, staffing plans and budget and funding options as soon as possible, and on an appropriate public consultation process at the draft Request for Proposals stage; and”.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

3.81 Clause No. 4 of Report No. 3 of The Board of Health, headed “Ratification of the Kyoto Protocol to Improve Air Quality and Fight Global Climate Change”.

Motion:

Councillor Lindsay Luby moved that the Clause be struck out and referred to the Economic Development and Parks Committee for further consideration.

Votes:

Adoption of motion by Councillor Lindsay Luby:

Yes - 13	
Councillors:	Altobello, Balkissoon, Disero, Feldman, Flint, Ford, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Ootes, Sutherland
No - 19	

Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Filion, Hall, Johnston, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
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Lost by a majority of 6.

Adoption of Clause, without amendment:

Yes - 23	Councillors: Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Hall, Johnston, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
No - 6	Councillors: Flint, Ford, Holyday, Lindsay Luby, Minnan-Wong, Ootes

Carried by a majority of 17.

3.82 Clause No. 5 of Report No. 4 of The Audit Committee, headed “Public Inquiry in Relation to MFP Financial Services Equipment Leases”.

Motion:

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

“It is further recommended that Council adopt the supplementary joint report dated April 15, 2002, from the Chief Administrative Officer and the City Solicitor, subject to deleting Recommendation No. (3), embodied therein, and inserting in lieu thereof the following new Recommendation No. (3):

- ‘(3) request the Chief Administrative Officer to submit a confidential report to the next meeting of City Council scheduled to be held on May 21, 2002, on all information and records proposed to be withheld from the inquiry Commissioner and Legal Counsel, for Council’s direction with respect thereto.’,

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

‘It is recommended that Council:

- (1) adopt the recommendation in the April 3, 2002 joint report of the Chief Administrative Officer and the City Solicitor to authorize the Chief Administrative Officer, in consultation with the Chief Financial Officer and Treasurer and City Solicitor to enter into any necessary agreements, as required, in connection with the obligation of the City to pay the costs of the public inquiry, including agreements, in

substance satisfactory to the Chief Administrative Officer and in a form satisfactory to the City Solicitor, for commission counsel and inquiry facilities, within the budget limit as set out in that report, and report back periodically on the status of the inquiry budget;

- (2) defer consideration of the issue of City standing and representation at the public inquiry, until such time as Council considers a report on the public inquiry project plan and budget; and
- (3) request the Chief Administrative Officer to submit a confidential report to the next meeting of City Council scheduled to be held on May 21, 2002, on all information and records proposed to be withheld from the inquiry Commissioner and Legal Counsel, for Council's direction with respect thereto.' "

Votes:

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

- 3.83 **Clause No. 16 of Report No. 4 of The Administration Committee, headed "Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities"**. (See Also Minute No. 3.92, Page 124)

Motion:

Councillor Moscoe moved that consideration of the Clause, together with Motion J(5), moved by Councillor Moscoe, seconded by Councillor Soknacki, entitled "Amendment to By-law Respecting Parking on Private Property", and the communication dated April 11, 2002, from the General Secretary, Toronto Transit Commission, be deferred to the next regular meeting of City Council scheduled to be held on May 21, 2002, and the City Clerk be requested to bring forward the Clause, the Motion and the communication to be treated as a single item.

Vote:

The motion by Councillor Moscoe carried.

- 3.84 **IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE**

April 17, 2002:

Councillor Disero in the Chair.

Motion:

Councillor Disero, at 6:22 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 6 of Report No. 4 of The Audit Committee, headed “MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Inquiry”, in accordance with the provisions of the Municipal Act, having regard that this Clause contains information which is subject to solicitor-client privilege.

Vote:

The motion by Councillor Disero carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:25 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:29 p.m., and met in public session in the Council Chamber.

Report of the Committee of the Whole:

Councillor Disero took the Chair, called the Members to order and advised the Council that, having regard that Council had not concluded its discussion in Committee of the Whole, the in-camera session of this meeting would resume on Thursday, April 18, 2002, following completion of the balance of the urgent items remaining on the Order Paper for this meeting of Council.

April 18, 2002:

Councillor Disero in the Chair.

Motion:

Councillor Disero, at 7:50 p.m., advised the Council that Councillor Miller had requested the permission of Council to withdraw his motion moved at the previous in-camera session of this meeting, such motion to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, and, with the permission of Council, moved that, as requested by Councillor Miller, this matter now be considered in public session.

Vote:

The motion by Councillor Disero carried.

Permission to Withdraw Motion:

Councillor Miller, with the permission of Council, withdrew his motion moved at the previous in-camera session of this meeting with respect to this Clause.

3.85 Clause No. 6 of Report No. 4 of The Audit Committee, headed “MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Inquiry”.

Motion:

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

“It is recommended that:

- (1) Recommendation No. (1) embodied in the joint confidential dated April 10, 2002, from the City Solicitor, the Commissioner of Corporate Services and the Chief Administrative Officer, be received; and
- (2) Recommendation No. (2) embodied in such report be referred to the Chief Administrative Officer to be included in the further report regarding the public inquiry;

such joint report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege.”

Votes:

Adoption of motion by Councillor Miller:

Yes - 16
Councillors: Altobello, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Filion, Flint, Johnston, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Walker
No - 8
Councillors: Disero, Feldman, Hall, Li Preti, Minnan-Wong, Shiner, Soknacki, Sutherland

Carried by a majority of 8.

The Clause, as amended, carried.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION**3.86 Works Best Practices Program Work Group**

Deputy Mayor Ootes called upon Notice of Motion F(1) appearing on the Order Paper, as follows:

Moved by: Councillor Disero

Seconded by: Councillor Miller

“WHEREAS City Council on January 30, 31 and February 1, 2001, in adopting as amended, Clause No. 1 of Report No. 1 of The Works Committee, and Clause No. 3 of Report No. 1 of The Administration Committee, headed ‘Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council since January 1998’, respectively, struck out and referred Recommendation No. (4) of the Administration Committee, together with Recommendation No. B(4) of the Works Committee, to the Chair of the Personnel Sub-Committee for consideration and report thereon to the Administration Committee no later than its meeting scheduled to be held on March 27, 2001, viz.:

Recommendation No. 4 of the Administration Committee:

- ‘(4) the mandate of the Personnel Sub-Committee be amended to include issues respecting Works Best Practices; and the General Manager, Water and Wastewater Services, or his designate, be requested to provide staff support to the Personnel Sub-Committee when the Sub-Committee gives consideration to Works Best Practices issues;’;
and

Recommendation No. B(4) of the Works Committee:

- ‘(B) the following committees be disbanded:
- (4) Works Best Practices Program Work Group, having regard for the recommendation of the Administration Committee with respect to the re-establishment of the Personnel Sub-Committee to include Works Best Practices; and reports having requested the Commissioner of Works and Emergency Services to submit a report directly to Council on consultation with Toronto Civic Employees’ Union – CUPE Local 416 with respect to their response to the proposed structure and any recommendations;’; and

WHEREAS this matter has not yet come back to Committee and Council for consideration;

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. 1 of The Works Committee, and Clause No. 3 of Report No. 1 of The Administration Committee, headed 'Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council since January 1998', be re-opened for further consideration, only insofar as it pertains to the Works Best Practices Program Work Group;

AND BE IT FURTHER RESOLVED THAT Clause No. 4 of Report No. 14 of The Policy and Finance Committee, headed 'Works Best Practices Program, Status Report No.4', be amended by adding thereto the following additional recommendations:

- '(1) That Council re-establish the Works Best Practices Program Work Group; and
- (2) That the composition of the Works Best Practices Program Work Group be referred to the Works Committee for consideration and recommendation to Council.' "

Having regard that Council did not give consideration to Motion F(1) at this meeting, in accordance with §27-32 of Chapter 27 of the City of Toronto Municipal Code, Motion F(1) was deemed to have been withdrawn.

3.87 Removal of Aesthetic Gateway Treatment - West Corner of Sheppard Avenue East and Leslie Street

Deputy Mayor Ootes called upon Notice of Motion F(2) appearing on the Order Paper, as follows:

Moved by: Councillor Sutherland

Seconded by: Councillor Duguid

“WHEREAS a structure was erected on the northwest corner of Sheppard Avenue and Leslie Street, referred to as an 'aesthetic gateway treatment' of a park entrance; and

WHEREAS a general budget for a large number of projects, and including this project, was passed by the former North York Council in September 1997; and

WHEREAS no specific details were provided, in September 1997, of the design or

costs of the 'gateway treatment' project; and

WHEREAS staff neglected to advise the current Councillor for Ward 33 of the proposed construction of this project; and

WHEREAS City staff claim that they were not familiar with the revised Ward boundaries and, hence, the local Councillor for Ward 33 was not notified; and

WHEREAS, although local area residents were advised in writing of other unrelated improvements to the intersection (including bridge and sewer rehabilitation), they were not advised of the construction of this project, nor were the Executives of the local area Ratepayer and Community Interest Associations consulted or advised; and

WHEREAS the structure is a deplorable eyesore and detracts from the natural beauty of the surrounding area; and

WHEREAS I have received numerous calls, e-mails, faxes and letters from Ward 33 residents who want this structure removed immediately; and

WHEREAS petitions have been circulated and signed by hundreds of residents, requesting the immediate dismantling and removal of the structure; and

WHEREAS these residents are extremely upset about the aesthetics, but are also very concerned about potential safety issues; and

WHEREAS it is my opinion, and that of local area residents, that youths or children could climb on the structure and attempt to walk along the narrow metal edge, and possibly injure themselves; and

WHEREAS the Board of Directors of the Shepways Condominium Corporation provided the City's Legal Department with notice that they consider the structure to be potentially dangerous; and

WHEREAS the estimated cost to remove this structure is approximately \$50,000.00; and

WHEREAS these monies should be found in the existing 2001 Urban Development Services budget or in the 2002 budget process;

NOW THEREFORE BE IT RESOLVED THAT the appropriate City staff immediately initiate the removal of the structure known as the gateway treatment project (including the portion that includes the concrete support pillars and the pre-treated rusted metal girder);

AND BE IT FURTHER RESOLVED THAT the cost of the dismantling and removal of the structure come out of the existing 2001 Urban Development Services Budget or their 2002 budget;

AND BE IT FURTHER RESOLVED THAT in future, staff ensure that the local Ward Councillor is advised prior to the construction commencement of such a project.”

Council also had before it, during consideration of Motion F(2), a report dated April 2, 2002, from the Commissioner of Urban Development Services, entitled “Leslie/Sheppard Gateway Project (Ward 33)” (See Attachment No. 5, Page 203)

Motion:

Councillor Shiner moved that Motion F(2) be referred to the Planning and Transportation Committee.

Vote on Referral:

The motion by Councillor Shiner carried.

3.88 Sign Variance - 444 Yonge Street

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(1), moved by Councillor Rae, seconded by Councillor Chow, and, in the absence of Councillor Rae, moved by Councillor Shiner, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Chow

“**WHEREAS** City Council at its meeting held on February 13, 14 and 15, 2002, in adopting Toronto East York Community Council Report No. 1, Clause No. 14, headed ‘Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 444 College Street (College Park) (Toronto Centre-Rosedale, Ward 27)’, authorized the introduction of the necessary bill in Council; and

WHEREAS Council enacted By-law No. 36-2002, being a By-law to amend the former Municipality of Metropolitan Toronto By-law No. 118, respecting 444 College Street; and

WHEREAS the Commissioner of Works and Emergency Services has advised that the correct municipal address for the subject premises is 444 Yonge Street and not

444 College Street;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 14 of Report No. 1 of The Toronto East York Community Council, headed ‘Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 444 College Street (College Park) (Toronto Centre-Rosedale, Ward 27)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to introduce the necessary bill in Council to amend the former Municipality of Metropolitan Toronto By-law No. 118 respecting 444 Yonge Street.”

Votes:

The first Operative Paragraph embodied in Motion J(1) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(1) was adopted, without amendment.

3.89 **Ontario Municipal Board Hearing - 63 Valdor Drive**

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

Moved by: Councillor Altobello

Seconded by: Councillor Soknacki

“**WHEREAS** Agincourt North Zoning By-law No. 12797, as amended, prohibits the parking of six-wheeled vehicles in the street yard area; and

WHEREAS the Committee of Adjustment (East District) at its meeting of January 16, 2002, refused a variance application to allow the parking of a six-wheeled vehicle at the residential property at 63 Valdor Drive; and

WHEREAS the owner of 63 Valdor Drive has initiated an appeal of the Committee of Adjustment decision to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the City Solicitor to attend the Ontario Municipal Board hearing to defend the decision of the Committee of Adjustment regarding 63 Valdor Drive.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(2) was adopted, without amendment.

3.90 CIRV FM's SUMMERFEST 2002 - Community Festival of Municipal Significance

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

Moved by: Councillor Disero

Seconded by: Councillor Silva

“WHEREAS the annual CIRV FM's SUMMERFEST 2002 is a much anticipated community event in the City of Toronto; and

WHEREAS the CIRV FM's SUMMERFEST 2002 is seeking a resolution from City Council declaring the CIRV FM's SUMMERFEST 2002 to be held on Saturday, June 15, 2002, from 11:00 a.m. to 10:30 p.m., and June 16, 2002, from 11:00 a.m. to 10:30 p.m., to be a community festival of municipal significance; and

WHEREAS this resolution is required by the Alcohol and Gaming Commission of Ontario to issue a special occasion permit at Earls court Park;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Alcohol and Gaming Commission of Ontario that it deems the annual CIRV FM's SUMMERFEST 2002 to be a community festival of municipal significance, in order to proceed with the application for a special occasion permit.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(3) was adopted, without amendment.

3.91 Protection of Confidential Information - Freedom of Information and Protection of Privacy Legislation

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(4), moved by Councillor Moscoe, seconded by Councillor Ashton, and, in the absence of Councillor Ashton, seconded by Councillor Soknacki, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Soknacki

“WHEREAS under the Provincial Freedom of Information and Protection of Privacy Legislation citizens are entitled to expect protection from having confidential information, like vehicle registration data, becoming publicly available; and

WHEREAS, in order to protect the privacy of citizens, the only exception to this was to be for police use, for security checks and for matters related to law enforcement; and

WHEREAS the Ministry of Transportation has violated this legislation by contracting to sell this confidential information to private parking lot companies like Impark Ltd., to enable them to collect unpaid parking charges and illegal fines; and

WHEREAS the Ministry of Transportation has, in doing so, violated Provincial Legislation;

NOW THEREFORE BE IT RESOLVED THAT the City refer this matter to the Office of the Provincial Privacy Commissioner with a request that the Commissioner review this matter and require the Ministry of Transportation to end the practice of selling confidential information to private companies to collect phony parking fines.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(4) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

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

Vote:

Motion J(4) was adopted, without amendment.

3.92 **Amendment to By-law Respecting Parking on Private Property**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(5), moved by Councillor Moscoe, seconded by Councillor Ashton, and, in the absence of Councillor Ashton, seconded by Councillor Soknacki:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Soknacki**

“**WHEREAS** City Council at its meeting held on May 30, 31 and June 1, 2001, adopted, as amended, Planning and Transportation Committee Report No. 4, Clause No. 1, headed ‘Program Enhancements and Consolidation of By-laws Affecting Parking Enforcement on Private Property’; and

WHEREAS the set fine in Toronto for such offences as on-street parking longer than three hours is \$20.00, with a voluntary payment of \$15.00; and

WHEREAS the set fine for parking at an expired meter or failing to deposit money into an on-street parking machine is \$20.00, with a voluntary payment of \$15.00; and

WHEREAS the set fine for such offences as obstructing a fire hydrant, parking in a boulevard and parking without a permit carries a set fine of \$30.00, with a voluntary payment of \$20.00; and

WHEREAS Council, in adopting Chapter 915 of the Toronto Municipal Code to regulate parking on private property, and without the knowledge of most Members of Council (myself included), adopted, within an Appendix to the By-law, the establishment of a new set fine for parking on private property of \$60.00, with a voluntary payment of \$40.00; and

WHEREAS this By-law came into effect on January 1, 2002; and

WHEREAS this level of fine is so out of line with other set fines, it can only be interpreted as a cash grab by the Municipality; and

WHEREAS this has prompted the Toronto Parking Authority to refuse to support the establishment of these outrageous charges for their lots and other Municipal property;

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. 4, Clause No. 1, headed 'Program Enhancements and Consolidation of By-laws Affecting Parking Enforcement on Private Property', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be directed to apply to the Regional Senior Justice of the Ontario Court of Justice for a set fine of \$30.00, with a voluntary payment of \$20.00, for violations to the recommended new harmonized by-law prohibiting unauthorized parking on private or municipal property.”,

the vote upon which was taken as follows:

Yes - 31

Councillors:	Altobello, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Kelly, Moeser

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

Vote:

Adoption of the first Operative Paragraph embodied in Motion J(5):

Yes - 29	
Councillors:	Altobello, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Fillion, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Duguid, Ford, Kelly, Li Preti, Lindsay Luby, Moeser

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

Council considered the balance of Motion J(5) together with Clause No. 16 of Report No. 4 of The Administration Committee, headed "Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities". (See Minute No. 3.83, Page 114)

3.93 **Rogers Cable Inc. Deregulation Application**

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

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Mammoliti**

"WHEREAS the Telecommunications Steering Committee at its meeting held on April 8, 2002, considered a confidential report dated March 26, 2002, from the City Solicitor, respecting the Rogers Cable Inc. Deregulation Application, which

report was released by the Committee as a public document and recommendations thereon were forwarded to City Council; and

WHEREAS the Telecommunications Steering Committee reports to Council through the Policy and Finance Committee which meets next on May 9, 2002; and

WHEREAS the Telecommunications Steering Committee has requested that this matter be forwarded directly to City Council for consideration on April 16, 2002, as the recommendation of the Committee pertaining to the petition to the Governor in Council referred to therein is subject to legal deadline;

NOW THEREFORE BE IT RESOLVED THAT Council consider the recommendations of the Telecommunications Steering Committee embodied in the communication dated April 8, 2002, from the City Clerk, and that such recommendations be adopted.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion J(6) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(6), the following communication and report (See Attachment No. 6, Page 206):

- (i) (April 8, 2002) from the City Clerk, forwarding the recommendations of the Telecommunications Steering Committee; and
- (ii) (March 26, 2002) from the City Solicitor, entitled “Rogers Cable Inc. Deregulation Application - CRTC Response”.

Vote:

Motion J(6) was adopted, without amendment, and in so doing, Council adopted, without amendment, the following recommendations of the Telecommunications Steering Committee, embodied in the communication dated April 8, 2002, from the City Clerk:

“The Telecommunications Steering Committee recommends that:

- (1) the City of Toronto petition the Governor in Council for a review of the decision of the Canadian Radio-television and Telecommunications Commission with respect to the Rogers Cable Inc. Deregulation Application; and
- (2) a representative of the Canadian Radio-television and Telecommunications Commission be invited to appear before the Telecommunications Steering Committee respecting this matter.”

3.94 **Consent to Assignment of Stream Intelligent Networks Corp. Term Letter Agreement to Vidéotron Télécom Ltée.**

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

Moved by: Councillor Ootes

Seconded by: Councillor Moscoe

“**WHEREAS** the Telecommunications Steering Committee at its meeting held on April 8, 2002, considered a confidential joint report dated March 28, 2002, from the City Solicitor, and the Executive Lead on Telecommunications, respecting the Consent to Assignment of Stream Intelligent Networks Corp. Term Letter Agreement to Vidéotron Télécom Ltée., and recommended that said report be adopted by Council; and

WHEREAS the Telecommunications Steering Committee reports to Council through the Policy and Finance Committee which meets next on May 9, 2002; and

WHEREAS the City Solicitor and the Executive Lead on Telecommunications have recommended in the subject report that this matter be submitted directly to Council for consideration on April 16, 2002, as the recommendations contained therein are time sensitive;

NOW THEREFORE BE IT RESOLVED THAT Council consider the recommendation of the Telecommunications Steering Committee embodied in the communication dated April 8, 2002, from the City Clerk, and that such recommendation be adopted.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion J(7) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(7), the following communication and confidential joint report:

- (i) (April 8, 2002) from the City Clerk, forwarding the recommendation of the Telecommunications Steering Committee (See Attachment No. 7, Page 210.); and
- (ii) (March 28, 2002) from the City Solicitor and the Executive Lead on Telecommunications.

Vote:

Motion J(7) was adopted, without amendment, and in so doing, Council adopted, without amendment, the following recommendation of the Telecommunications Steering Committee embodied in the communication dated April 8, 2002, from the City Clerk:

“The Telecommunications Steering Committee recommends to Council the adoption of Recommendations Nos. (1) and (3) embodied in the confidential joint report (March 28, 2002) from the City Solicitor and the Executive Lead on Telecommunications and reports, for the information of Council, having concurred with Recommendation No. (2), such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.”

By its adoption, without amendment, of the aforementioned recommendation of the Telecommunications Steering Committee, Council adopted, without amendment, Recommendations Nos. (1) and (3) embodied in the confidential joint report (March 28, 2002) from the City Solicitor and the Executive Lead on Telecommunications, such report to remain confidential, in accordance with the provisions of the Municipal Act, given that the subject matter relates to the security of the property of the municipality, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council consent to the assignment of the Term Letter Agreement (June 26, 2000) with Stream Intelligent Networks Corp. to Vidéotron Télécom ltée on such terms and conditions as may be required by the Executive Lead on Telecommunications, in consultation with the Commissioner of Works and Emergency Services and the City Solicitor, and in such form as required by the City Solicitor in order to protect the interests of the City of Toronto;
- (2) this report be forwarded by Notice of Motion, sponsored by a member of the Telecommunications Steering Committee, to City Council for consideration at its meeting of April 16, 2002; and
- (3) City Council authorize staff to take all appropriate action, including the execution of any documents as may be required, to give effect hereto.”

3.95 Termination of Term Letter Agreement with Wispra Networks Inc.

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

Moved by: Councillor Ootes

Seconded by: Councillor Moscoe

“**WHEREAS** the Telecommunications Steering Committee at its meeting held on April 8, 2002, considered a confidential report dated March 28, 2002, from the Commissioner of Works and Emergency Services, respecting the Termination of Term Letter Agreement with Wispra Networks Inc. and recommended that said report be adopted by Council; and

WHEREAS the Telecommunications Steering Committee reports to Council through the Policy and Finance Committee which meets next on May 9, 2002; and

WHEREAS the Commissioner of Works and Emergency Services has recommended in the subject report that this matter be submitted directly to Council for consideration on April 16, 2002, as the recommendations contained therein are time sensitive;

NOW THEREFORE BE IT RESOLVED THAT Council consider the recommendation of the Telecommunications Steering Committee embodied in the communication dated April 8, 2002, from the City Clerk, and that such recommendation be adopted.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Council also had before it, during consideration of Motion J(8), the following communication and confidential report:

- (i) (April 8, 2002) from the City Clerk, forwarding the recommendation of the Telecommunications Steering Committee (See Attachment No. 8, Page 211); and
- (ii) (March 28, 2002) from the Commissioner of Works and Emergency Services.

Vote:

Motion J(8) was adopted, without amendment, and in so doing, Council adopted, without amendment, the following recommendation of the Telecommunications Steering Committee, embodied in the communication dated April 8, 2002, from the City Clerk:

“The Telecommunications Steering Committee recommends the adoption of Recommendations Nos. (1) and (3) embodied in the confidential report (March 28, 2002) from the Commissioner of Works and Emergency Services and reports, for the information of Council, having concurred with Recommendation No. (2), such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.”

By its adoption, without amendment, of the aforementioned recommendation of the Telecommunications Steering Committee, Council adopted, without amendment, Recommendations Nos. (1) and (3) embodied in the confidential report (March 28, 2002) from the Commissioner of Works and Emergency Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, given that the subject matter relates to the security of the property of the municipality, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the termination of the Term Letter Agreement with WNI (Wispra) Networks Inc., dated July 31, 2000, as amended August 31, 2000, be formally

acknowledged by the City and the \$545,172.00 Letter of Credit being held by the City pursuant to the fee set out in the Agreement be returned to the company, upon the execution of an acknowledgement by WNI that it does not intend to re-commence operations within the City of Toronto and such other terms and conditions as may be required by the Commissioner of Works and Emergency Services and the City Solicitor to protect the interests of the City;

- (2) this report be forwarded by Notice of Motion, sponsored by a member of the Telecommunications Steering Committee, to City Council for approval at its meeting of April 16, 2002; and
- (3) the appropriate City officials be authorized to take all necessary action, including the preparation and execution of full and final release documents, as may be required, to give effect thereto.”

3.96 Proposed Settlement of Appeals to the Ontario Municipal Board - Northwest Quadrant; Bayview and Sheppard - Applications to Amend former North York OPA 392 by the City, by All Souls Anglican Church and by Elk Island Developments Inc.

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

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“**WHEREAS** City Council on February 13, 14 and 15, 2002, by its adoption, without amendment, of Clause No. 12 of Report No. 1 of The North York Community Council, headed ‘Final Report - Application to Amend the Official Plans - TB OPA 2001 0001 - Weston Consulting Group for Elk Islands Dev. Inc, 8-23 Clairtrell Rd, 391-403 Spring Garden Ave, 2-16 Teagarden Court, 2880-2890 Bayview Ave, 2-22 Mallingham Court, 500-502 Sheppard Ave E & TB OPA 2001 0002 - Borden, Ladner, Gervais, for All Souls Anglican Church - 6-23 Clairtrell Rd, 391-403 Spring Garden Ave, 2-16 Teagarden Crt, 2880 & 2890 Bayview Ave, 2-22 Mallingham Crt, 436-502 Sheppard Ave E - Ward 23 - Willowdale’, directed that OPA 517 be forwarded to the Ontario Municipal Board as a proposed modification to OPA 392 in relation to the northwest quadrant of Bayview Avenue and Sheppard Avenue East; and

WHEREAS the principles behind OPA 517 include recognizing the quadrant as a key development area along the proposed subway line, but ensuring appropriate transition

from higher density on the east along Bayview Avenue to lower density on the west, adjacent to stable residential areas; and

WHEREAS All Souls Anglican Church and Elk Island Developments Inc. have separately appealed OPA 392 and each filed competing applications to OPA 517, which included certain policies which the City cannot support; and

WHEREAS All Souls Anglican Church and Elk Islands Inc. have agreed to withdraw their applications and appeals on the basis of certain revisions being made to OPA 517, which revisions are outlined in the confidential report dated April 12, 2002, from the City Solicitor, and the revised OPA 517 forming the subject matter of this Motion and which revisions are supported by the City Urban Development Services Department as appropriate land use planning for this quadrant; and

WHEREAS the Ontario Municipal Board hearing of this matter commenced on April 15, 2002 and has been adjourned to April 17, 2002 to permit City Council to consider this matter;

NOW THEREFORE BE IT RESOLVED THAT Council consider the confidential report dated April 12, 2002, from the City Solicitor, and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(9), a confidential report dated April 12, 2002, from the City Solicitor, entitled “Proposed Settlement of Appeals to the Ontario Municipal Board Re Applications to Amend former North York OPA 392 by the City, by All Souls Anglican Church and by Elk Island Developments Inc. Northwest Quadrant; Bayview and Sheppard”. (See Attachment No. 9, Page 212)

Vote:

Adoption of Motion J(9), without amendment:

Yes - 25	
Mayor:	Lastman
Councillors:	Balkissoon, Bussin, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae
No - 3	
Councillors:	Kelly, Shiner, Walker

Carried by a majority of 22.

By its adoption of Motion J(9), without amendment, Council adopted, without amendment, the following recommendations embodied in the confidential report dated April 12, 2002, from the City Solicitor, such report now public in its entirety:

“It is recommended that City Council:

- (1) receive the revised draft Official Plan Amendment No. 517 in Attachment No. 1; and
- (2) direct the City Solicitor to forward the revised Official Plan Amendment No. 517, in Attachment No. 1, to the Ontario Municipal Board as a proposed modification to OPA No. 392.”

3.97 Housing First Policy for Surplus City-Owned Land

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

Moved by: Councillor Soknacki

Seconded by: Councillor Moscoe

“WHEREAS City Council at its meeting held on June 9, 10 and 11, 1999 adopted, as amended, Strategic Policies and Priorities Committee Report No. 6, Clause No. 10, headed ‘Housing First Policy for Surplus City-owned Land’; and

WHEREAS additional affordable housing units are badly needed not only in Toronto and the GTA, but also in urban centres throughout Ontario and Canada; and

WHEREAS reductions in transfer payments and service realignment by the federal and provincial governments have resulted in the downloading of responsibilities to municipalities without the concomitant transfer of resources; and

WHEREAS the City of Toronto is faced with budget deficits as a result of the downloading of these unfounded mandates; and

WHEREAS, in addition to housing, the provision of quality public transit, roads, water, sewer, fire, policing, parks, recreation, libraries, public health, children’s and seniors services and the facilitation of job creation are also essential to achieving Council’s vision for the City and its goals for the community, as articulated in its Corporate Strategic Plan; and

WHEREAS strengthening Toronto’s industrial and commercial property tax base and stimulating job growth within the City to use in providing necessary programs, services and infrastructure, reducing commute times and encouraging walking, cycling and transit use by creating jobs within the local community and in areas well served by the TTC; and

WHEREAS the City’s tax base is only expected to increase by \$7 million in 2002, even though the City has experienced record breaking building permit activity in the past several years;

NOW THEREFORE BE IT RESOLVED THAT the Housing First Program be reviewed to assess its overall results as originally planned, including the financial implications on the assessment base, and that the review also include an assessment of the opportunity to achieve a long term balance in providing both affordable housing, while ensuring the fiscal sustainability of other City programs, services and infrastructure requirements.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion J(10) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Consideration of this Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2002.

3.98 **Urban Development Roundtable**

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

Moved by: **Councillor Pantalone**

Seconded by: **Councillor Feldman**

“**WHEREAS** in 2000, the Urban Development Roundtable, a forum for Toronto’s development community to exchange ideas with staff of the Urban Development Services Department, identified the lack of new conventional rental housing production as a priority issue; and

WHEREAS the Urban Development Roundtable convened a Rental Working Group comprised of a cross-section of Toronto’s rental builders and investors to develop a Rental Action Plan to unlock the opportunity for new rental housing; and

WHEREAS the Rental Action Plan prepared by the Rental Working Group was endorsed by City Council in July 2001; and

WHEREAS the Rental Action Plan identified the need for all levels of government, together with the private and non-profit sectors, to move forward and take action on this issue; and

WHEREAS the Rental Action Plan indicated the serious consequences of not taking action including the potential negative impacts on the economic vitality and quality of life of our communities; and

WHEREAS rental housing, including affordable rental housing forms part of the full range of housing and contributes to efficient land use and delivery of municipal services; and

WHEREAS the Rental Action Plan, since its endorsement by City Council, has provided an important framework in advocating with the federal and provincial governments to take action; and

WHEREAS senior levels of government, together with the City of Toronto and other municipalities, have taken action in response to the Rental Action Plan and are actively considering further steps;

WHEREAS the Rental Action Plan has helped to inform the actions of other municipalities in developing local housing strategies and has been received by a number of municipal councils; and

WHEREAS the positive impact which has resulted from the Rental Action Plan is a reflection of the important contribution made by the members of the Rental Working Group;

NOW THEREFORE BE IT RESOLVED THAT City Council express its gratitude to the members of the Urban Development Roundtable - Rental Working Group for their significant contribution in the development of the Rental Action Plan and for their support in the ongoing implementation of the actions set out in the plan;

AND BE IT FURTHER RESOLVED THAT City Council request the Commissioner of Urban Development Services to communicate City Council's gratitude to the members of the Urban Development Services - Rental Working Group."

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(11) was adopted, without amendment.

3.99 Traffic Control Signal - Scarlett Road and Edinborough Court

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

Moved by: Councillor Nunziata

Seconded by: Councillor Moscoe

“WHEREAS Humber York Community Council on October 23, 2001, recommended the installation of traffic control signals at Scarlett Road and Delemere Avenue; and

WHEREAS Toronto City Council at its meeting of November 6, 7 and 8, 2001, adopted, without amendment, the recommendation of the Humber York Community Council, contained in Clause No. 20 of Report No. 9 of The Humber York Community Council, headed ‘Request for Traffic Control Signals at the Intersection of Scarlett Road and Foxwell Street (York South-Weston, Ward 11)’; and

WHEREAS since then, I have intensely consulted with the residents directly affected, namely, the residents of Delemere Avenue; Bruton Road; Edinborough Court; Ellins Avenue and Foxwell Avenue; and

WHEREAS through a consultative process, the residents and I are of the strong opinion that the installation of the lights at any other location, other than Scarlett Road and Edinborough Court, will have an adverse effect on the local residential community; and

WHEREAS the reason for the installation of the lights is to provide a safe exit to the

motorist and a safe crossing to the pedestrians of Edinborough Court;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 20 of Report No. 9 of The Humber York Community Council, headed ‘Request for Traffic Control Signals at the Intersection of Scarlett Road and Foxwell Street (York South-Weston, Ward 11)’, be re-opened for further consideration;

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

Votes:

The first Operative Paragraph embodied in Motion J(12) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(12) was adopted, without amendment.

3.100 Lease of Space to St. Christopher House - 1029 King Street West

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

Moved by: Councillor Pantalone

Seconded by: Councillor Ootes

“**WHEREAS** City Council at its meeting of March 6, 7 and 8, 2001, by its adoption of Downtown Community Council Report No. 2, Clause No. 57, headed ‘Provision of Community Services and Facilities Space to the City - 1029 King Street West (Trinity-Spadina, Ward 19)’, authorized the City to accept the conveyance of a 465 m² ground floor space in the new condominium development at 1029 King Street West (Trinity - Spadina 19); and

WHEREAS City Council also authorized the lease of this space to St. Christopher House for a nominal fee; and

WHEREAS St. Christopher House has provided a summary of the costs associated with the start-up of the community space; and

WHEREAS funding for community projects for the Garrison Common North Area exists within Capital Project CUR014-2 700 King Street West, Community Services Account; and

WHEREAS staff from Economic Development, Culture and Tourism, Corporate Services and Urban Development Services have been involved in ongoing discussions with the Toronto Public Library, St. Christopher House and Councillor Pantalone, regarding the use, operation, programming and funding of the community space; and

WHEREAS the Commissioner of Urban Development Services concurs with the use of the Capital Project Fund to off-set the start-up costs of the community space and agrees that the need to allocate the funds is urgent, given the conveyance of the condominium space is to occur within the next two months;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize an agreement between St. Christopher House and the City of Toronto, to be prepared by the City Solicitor, in consultation with the Commissioners of Urban Development Services, Corporate Services and Economic Development, Culture and Tourism, detailing the expenditure of an amount, not to exceed \$184,000.00 to be used for start-up costs for the community space and such funds be made available from the Capital Project CUR014-2.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion J(13) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(13) was adopted, without amendment.

3.101 **Municipal Significance - World Cup Events**

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

Moved by: **Councillor Silva**

Seconded by: **Councillor Korwin-Kuczynski**

“WHEREAS the summer of 2002 will see a historic hosting of the World Cup in South Korea and Japan; and

WHEREAS this is recognized as one of the most significant sporting events in the world garnering the largest television audiences for any broadcast; and

WHEREAS the host countries are in time zones that are far removed from Toronto and several of the games will be broadcast in the early morning hours; and

WHEREAS many local Toronto establishments will be open outside of usual business hours in order to broadcast these games; and

WHEREAS these establishments will not be allowed to serve alcoholic beverages, due to the time considerations; and

WHEREAS, in view of the unique nature of this event, the time zone considerations, the enthusiasm of local residents for the World Cup and the obvious desire to gather to watch the games regardless of the hour;

NOW THEREFORE BE IT RESOLVED THAT for liquor licences purposes City Council declare the World Cup to be an event of municipal significance and the Alcohol and Gaming Commission be so advised;

AND BE IT FURTHER RESOLVED THAT the Alcohol and Gaming Commission give favourable consideration to those establishments that wish to apply for an extension of their hours for serving alcoholic beverages indoors, during this event taking place from May 31, 2002 to June 30, 2002, inclusive, beyond the times permitted under the relevant Provincial Liquor Licensing legislation.”

Vote:

Motion J(14) was adopted, without amendment.

3.102 Site Plan Control Application No. TB SPC 2001 0054 - Jocine Holdings Limited - 1529 Steeles Avenue East (Willowdale, Ward 24)

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

Moved by: Councillor Shiner

Seconded by: Councillor Feldman

“WHEREAS City Council at its regular meeting held on February 13, 14, and 15, 2002, adopted, without amendment, North York Community Council Report No. 1,

Clause No. 20, headed 'Site Plan Control Application No. TB SPC 2001 0054 - Jocine Holdings Limited - 1529 Steeles Avenue East (Willowdale, Ward 24)'; and

WHEREAS this item should have been reported out as having being deferred for a maximum of two months, and included in the 'Other Items Considered by the Community Council' Clause of the North York Community Council Report No. 1; and

WHEREAS there are still outstanding issues to be resolved;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Sub-section 27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report No. 1, Clause No. 20, headed 'Site Plan Control Application No. TB SPC 2001 0054 - Jocine Holdings Limited - 1529 Steeles Avenue East (Willowdale, Ward 24)', be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Clause be struck out and referred back to the North York Community Council for further consideration at its meeting scheduled for May 8, 2002, to allow the applicant an opportunity to meet with the Ward Councillor, in order to resolve outstanding issues."

Votes:

The first Operative Paragraph embodied in Motion J(15) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(15) was adopted, without amendment.

3.103 Bill C-15B - An Act to Amend the Criminal Code - Cruelty to Animals

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

Moved by: **Councillor Hall**

Seconded by: **Councillor Milczyn**

"WHEREAS Bill C-15B reintroduces measures contained in Bill C-17 'An Act to amend the Criminal Code', which was introduced in the previous Parliament but died on the Order Paper at dissolution; and

WHEREAS a comprehensive review of the current provisions in the Criminal Code

relating to cruelty to animals is long overdue; and

WHEREAS despite a series of amendments throughout the years, the provisions relating to cruelty to animals have not changed significantly since 1892; and

WHEREAS although several amendments were made to Bill C-15B by the Standing Committee on Justice and Human Rights, the general principles of the Bill were not affected; and

WHEREAS Clause 8 creates a new Part V.1 of the Criminal Code for offences entitled 'Cruelty to Animals' by amending the provisions dealing with cruelty to animals by providing a definition of 'animal' and increasing the maximum penalties for offences committed; and

WHEREAS the proposed changes to the Criminal Code are the result of an in-depth consultation process and will signify the seriousness of these acts that are often warning signs of subsequent violent behaviour aimed at people; and

WHEREAS the modification is more than merely cosmetic because it would change the way the Criminal Code regards animals, in that the cruelty to animals offence would no longer be treated as a property crime and it would be recognized in law that animals feel pain; and

WHEREAS this clarifies the policy of the law that, because of their capacity to feel pain, animals should be protected from intentional cruelty, regardless of whether they are property or not; and

WHEREAS the video taping of the brutal torturing and slaying of a cat a year ago by three young men in an empty Toronto house has raised many concerns with respect to the lax aspects regarding animal torture in the Criminal Code;

NOW THEREFORE BE IT RESOLVED THAT City of Toronto Council express its support to the federal government in order to expedite the passage of Bill C-15B, which is due to receive Third Reading in the House of Commons; and

AND BE IT FURTHER RESOLVED THAT City of Toronto Council direct the City Clerk to send a letter to the Federal Minister of Justice conveying Council's support for expediting the passage of Bill C-15B."

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Adoption of Motion J(16), without amendment:

Yes - 35
Councillors: Altobello, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 0

Carried, without dissent.

3.104 **Amendment to Purchasing Policy - Purchasing from “No Sweat” Manufacturers**

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

Moved by: Councillor Miller

Seconded by: Councillor Shaw

“**WHEREAS** the City of Toronto and its agencies, boards and commissions purchases large volumes of uniforms and other garments; and

WHEREAS the City of Toronto has an interest in ensuring that these items are manufactured in appropriate conditions; and

WHEREAS parts of the garment trade are known to be involved in employing workers, both inside Canada and out, in conditions which violate their rights and which are commonly referred to as ‘sweat shops’; and

WHEREAS it is in the interest of the City of Toronto, in taking a lead on this issue, to ensure that workers both inside the City and outside are treated with respect and dignity, and in accordance with their legal rights; and

WHEREAS other municipalities, including the City of New York, have passed by-laws requiring purchases from ‘No Sweat’ workshops;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto enact a purchasing policy requiring the purchase of garments, uniforms, or other apparel items from ‘No Sweat Manufacturers’, and the Director of Purchasing be requested to consult with interested parties in the development of the policy.”

3.105 “Sounds of the Music” and the “Taste of the Danforth” Events

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

Moved by: Councillor Ootes

Seconded by: Councillor Layton

“**WHEREAS** the Greektown on the Danforth Business Improvement Association has requested City Council to declare the ‘Sounds of the Music’ to be held on June 15 and 16, 2002 and July 6 and 7, 2002, and the ‘Krinos Foods Taste of the Danforth’ to be held on August 9 to 11, 2002, events of municipal and/or community significance; and

WHEREAS the Greektown on the Danforth Business Improvement Association has requested that the restaurants participating in the ‘Sounds of the Music’ and the ‘Taste of the Danforth’ events be permitted to serve alcohol on their extended patios for the same hours as already existing patios on Danforth Avenue only; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires at least 30 days advance notice to issue a liquor licence and refuses to issue any permit to the Greektown on the Danforth Business Improvement Association with less than 30 days notice; and

WHEREAS the next City Council meeting is scheduled to be held on May 21, 22 and 23, 2002, which would not leave sufficient time for the City of Toronto to notify the Alcohol and Gaming Commission of Ontario and have the application processed;

NOW THEREFORE BE IT RESOLVED THAT the ‘Sounds of the Music’ be declared an event of municipal and/or community significance, taking place on June 15, 2002 from 4:00 p.m. to 12:00 a.m. and June 16, 2002 from 3:00 p.m. to

10:00 p.m., July 6, 2002 from 4:00 p.m. to 12:00 a.m. and July 7, 2002 from 3:00 p.m. to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the ‘Krinos Foods Taste of the Danforth’ be declared an event of municipal and/or community significance, taking place on August 9, 2002 from 6:00 p.m. to 2:00 a.m., August 10, 2002 from noon to 2:00 a.m. and August 11, 2002 from 12 noon to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the patio extensions be permitted to serve alcohol until 12:00 a.m. on June 15, 2002 and July 6, 2002 and until 10:00 p.m. on June 16, 2002 and July 7, 2002 and until 2:00 a.m. on August 9, 2002 and August 10, 2002, and until 10:00 p.m. on Sunday August 11, 2002, and that the Alcohol and Gaming Commission be so advised.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(18) was adopted, without amendment.

3.106 Selection Panel - Recruitment of Commissioner, Community and Neighbourhood Services

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

Moved by: Councillor Ootes

Seconded by: Councillor Berardinetti

“**WHEREAS** the position of Commissioner, Community and Neighbourhood Services is currently vacant; and

WHEREAS the recruitment and selection process, consistent with other recent

executive level recruitment, is underway; and

WHEREAS the Selection Panel would normally consist of the Mayor or Deputy Mayor, the Chair of the Community and Neighbourhood Services Committee, the Chair of the Administration Committee, the Chair of the Personnel Sub-Committee, the Chief Administrative Officer and one Commissioner selected by the Chief Administrative Officer, the same members of the selection panel to participate in the interview of all candidates for the position; and

WHEREAS Councillor Berardinetti and Councillor Miller have advised that they are not available to carry out this role, as a result of other commitments;

NOW THEREFORE BE IT RESOLVED THAT City Council identify alternate Members to participate on the Selection Panel, in place of the Chair of the Administration Committee and the Chair of the Personnel Sub-Committee;

AND BE IT FURTHER RESOLVED THAT all other Members of Council be invited to audit the interviews of short-listed candidates.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(19) to the Administration Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(19) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

- (a) Councillor Hall moved that Motion J(19) be amended by adding to the second Operative Paragraph, the words “and that a similar procedure become an established step in the selection and recruitment process for the position of Chief Administrative Officer, Commissioner and any other statutory official”, so that such Operative Paragraph now reads as follows:

“AND BE IT FURTHER RESOLVED THAT all other Members of Council be invited to audit the interviews of short-listed candidates, and that a similar procedure become an established step in the selection and recruitment process for the position of Chief Administrative Officer, Commissioner and any other statutory official.”

Ruling by Deputy Mayor:

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

Motion:

- (b) Councillor Miller moved that Motion J(19) be amended by deleting the words “identify alternate Members” from the first Operative Paragraph, and inserting in lieu thereof the words “appoint Councillors Chow and Soknacki”, so that such Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT City Council appoint Councillors Chow and Soknacki to participate on the Selection Panel, in place of the Chair of the Administration Committee and the Chair of the Personnel Sub-Committee;”.

Votes:

Motion (b) by Councillor Miller carried.

Motion J(19) was adopted, as amended.

3.107 Appointment of Members of Council to the Striking Committee

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

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS Section 102 of Chapter 27, Council Procedures, of the City of Toronto Municipal Code provides that the Striking Committee shall be composed of up to seven Members of Council recommended by the Mayor, and including the Mayor, or the Deputy Mayor if so assigned by the Mayor, as Chair; and

WHEREAS it is anticipated that that the mid-term appointments of Members of Council to various Committees and Special Purpose Bodies will be considered by Council at its regular meeting scheduled to be held on May 21, 22 and 23, 2002; and

WHEREAS it is now necessary to make appointments to the Striking Committee;

NOW THEREFORE BE IT RESOLVED THAT the existing seven Members of Council currently serving on the Striking Committee be re-appointed, including the Deputy Mayor, as Chair, for a term of office commencing immediately and expiring November 30, 2003, in order to permit the Committee sufficient time to meet and submit its recommendations to the May 21, 22 and 23, 2002 meeting of City Council.”

Consideration of this Motion was deferred to the next regular meeting of City Council

scheduled to be held on May 21, 2002.

3.108 **Lakeshore Village Development Corporation/Renaissance (Lakeshore) Community Corporation - 3000 to 3078 Lake Shore Boulevard West**

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

Moved by: Councillor Jones

Seconded by: Councillor Flint

“**WHEREAS** Lakeshore Village Development Corporation/Renaissance (Lakeshore) Community Corporation submitted applications to amend the Etobicoke Official Plan and Zoning Code, to permit the development of 168 townhouse dwelling units, containing a live/work component at 3000 to 3078 Lake Shore Boulevard West; and

WHEREAS City Council in adopting Clause No. 3 of Report No. 3 of The Etobicoke Community Council, headed ‘Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; Lakeshore Village Development Corporation/Renaissance (Lakeshore) Community Corporation - 3000 to 3078 Lake Shore Boulevard West; File No. CMB2001 0019 (Ward 6-Etobicoke-Lakeshore)’, approved the proposed development with modifications; and

WHEREAS the report dated February 7, 2002, from the Director of Community Planning, West District, contained a site-specific Draft Zoning By-law appended to the staff report; and

WHEREAS the amending site-specific Draft By-law maintains the underlying zoning, as well as permitting the proposed 168-unit townhouse development containing a provision for live/work units; and

WHEREAS in preparing the site-specific Draft By-law, the description of the development contained a combined maximum floor space index of 1.0 and a combined maximum building coverage of 50 percent; and

WHEREAS the development will be constructed in phases on four individual development parcels/blocks; and

WHEREAS in preparing the site-specific Draft By-law, based on the proposed unit count for Parcels H and I, Community Council set the cap for the non-seniors and seniors units at 40 and 160 units respectively; and

WHEREAS in preparing the site-specific Draft By-law, based on the proposed unit count for the entire development, Community Council set the cap for the non-seniors and seniors units at 680 and 550 units respectively; and

WHEREAS in preparing the site-specific Draft By-law, the description of the development required each dwelling to provide 2 parking spaces per unit; and

WHEREAS some of the townhouse units will have 2 parking spaces that will not comply with the size requirements of the Etobicoke Zoning Code, and where the parking space will have stairs encroaching into the parking space; and

WHEREAS in preparing the site-specific Draft By-law, the description of the development allowed open and uncovered porches, verandas or grade related patios to project a maximum of 0.5 metres from the exterior wall; and

WHEREAS in preparing the site-specific Draft By-law, no facing distance separation between individual townhouse blocks was prescribed; and

WHEREAS site-specific By-law No. 1991-27 did not prescribe building setbacks for Parcels H and I; and

WHEREAS Clause No. 3 of Report No. 3 of The Etobicoke Community Council required as a precondition to the enactment of the Bills, the fulfillment of the Holding Symbol condition with respect to the school boards and whereas only the Toronto District School Board to date has provided its clearance to the condition;

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 3 of Report No. 3 of The Etobicoke Community Council, headed 'Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; Lakeshore Village Development Corporation/Renaissance (Lakeshore) Community Corporation - 3000 to 3078 Lake Shore Boulevard West; File No. CMB2001 0019 (Ward 6- Etobicoke-Lakeshore)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised to permit the development of townhouses only, including the provision for live/work units, and the underlying zoning be deleted;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law include an individual floor space index and coverage provision for each development parcel/block;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised with respect to parcels H and I so that the unit count for Non-Senior and/or Seniors is capped at 200;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised with respect to the entire development site so that the maximum unit count for Non-Seniors and the minimum unit count for Seniors are capped at 840 and 390 units respectively, and the total unit count is set at 1,230 units;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised with respect to the minimum parking requirement to provide parking at a rate of 1.9 parking spaces per dwelling unit, including the live/work component;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised with respect to the minimum parking space size having a width of 2.6 metres by 6 metres depth, as well as permitting stairs to encroach within the depth of the parking space;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes that the Draft By-law be revised to permit open and uncovered porchways, verandas or grade related patios to project into the required building setback provided they do not encroach onto the public boulevard;

AND BE IT FURTHER RESOLVED THAT a facing distance separation of 10.5 metres be required for townhouse blocks facing back to back, and a facing distance separation of 12 metres be required for townhouse blocks facing front to front;

AND BE IT FURTHER RESOLVED THAT appropriate noise mitigation measures be undertaken with respect to the development of Parcels H and I, including the prohibition of balconies along the west side facing lands zoned for industrial uses;

AND BE IT FURTHER RESOLVED THAT the revised site plan drawing submitted by the applicant addresses the townhouse facing distance separation and that the other site plan matters be resolved through the submission of a revised site plan;

AND BE IT FURTHER RESOLVED THAT the clearance of the Toronto Catholic District School Board be received prior to site plan control approval rather than as a precondition to the enactment of the bills;

AND BE IT FURTHER RESOLVED THAT Council hereby authorizes bringing forward for passage the amending By-law, substantially in accordance with the Draft By-law attached to this Council motion, with the revised standards as set out above and determines that no further notice is to be given in respect of the proposed By-law, pursuant to Section 34 (17) of the Planning Act, R.S.O. 1990.”

Council also had before it, during consideration of Motion J(21), a Draft By-law “To amend Site Specific By-law Numbers 1991-27 and 1997-173, with respect to certain lands located on north side of Lake Shore Boulevard West, between Ninth and Thirteenth Streets”, which is on file in the office of the City Clerk.

Votes:

The first Operative Paragraph embodied in Motion J(21) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(21) was adopted, without amendment.

3.109 **Recognition of the Toronto Rock’s National Lacrosse Championship**

Councillor Kelly moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(22), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Kelly**

Seconded by: **Councillor Duguid**

“**WHEREAS** the Toronto Rock Lacrosse Club won their third championship in four years on April 13, 2002 against the Albany Attack in a thrilling 13-12 victory; and

WHEREAS the Toronto Rock has popularized the game of lacrosse to sports fans in Toronto through their exciting playmaking; and

WHEREAS the Toronto Rock has been one of the best and consistent teams since the foundation of the National Lacrosse League; and

WHEREAS lacrosse originated with Canada’s native peoples and was officially recognized as Canada’s national sport in 1859;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto recognize and honour the Toronto Rock’s achievement in winning their third National Lacrosse League Championship.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(22) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(22) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion J(22), without amendment:

Yes - 35
Councillors: Altobello, Balkissoon, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 0

Carried unanimously.

3.110 Works Best Practices Program - Program Process Control Systems “SCADA” Software

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Pitfield

“**WHEREAS** staff are currently negotiating a Council-authorized software supply, licence and services agreement with Intellution, Inc. for Process Control Systems (‘SCADA’) Software for use by City Water and Wastewater facilities under the Works Best Practices Program;

WHEREAS an issue has arisen between the parties that requires direction from Council;

WHEREAS the Commissioner of Works and Emergency Services, has submitted a confidential report dated April 16, 2002, pertaining to the resolution of this outstanding contractual issue;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated April 16, 2002, from the Commissioner of Works and Emergency Services, and that such confidential report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(23) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(23) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(23), a confidential report dated April 16, 2002, from the Commissioner of Works and Emergency Services.

Vote:

Motion J(23) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated April 16, 2002, from the Commissioner of Works and Emergency Services, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, given that it contains information related to the security of the property of the municipality.

3.111 **Avondale Composting Facility - Extension of Temporary Zoning Approval**

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Disero**

Seconded by: **Councillor Balkissoon**

“**WHEREAS** the City of Toronto composts leaf and yard materials at the Avondale

site, adjacent to the Keele Valley Landfill in the City of Vaughan, pursuant to temporary zoning granted by the City of Vaughan, which temporary zoning expires on May 31, 2002; and

WHEREAS the City of Toronto, on November 23, 2001, applied to amend the City of Vaughan Zoning By-law to extend the temporary zoning until December 31, 2003; and

WHEREAS the City of Vaughan's Planning Department prepared a staff report dated April 12, 2002, for consideration by Committee of the Whole on April 22, 2002, recommending that the Zoning By-law Amendment application be conditionally approved but not implemented until after the release of the Oak Ridges Moraine Conservation Plan and confirmation of the application's compliance with the Plan; and

WHEREAS the Oak Ridges Moraine Plan has not yet been promulgated and staff have no assurance as to when it might be approved; and

WHEREAS Toronto City Council at its November 6, 7 and 8, 2001 meeting authorized the Commissioner of Works and Emergency Services to appeal to the Ontario Municipal Board in the event that a temporary zoning extension from the City of Vaughan was not granted; and

WHEREAS additional actions may be necessary to achieve the temporary zoning necessary to permit the continued accessory waste management uses in the Primary Buffer Area at the Keele Valley Landfill Site and yard waste composting at the Avondale Clay Extraction Site;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated April 16, 2002 from the Commissioner of Works and Emergency Services and that such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(24) to the Works Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(24) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(24), a report dated April 16, 2002, from the Commissioner of Works and Emergency Services, entitled "Avondale Composting Facility". (See Attachment No. 10, Page 220)

Vote:

Motion J(24) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated April 16, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendation:

"It is recommended that the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, be authorized, in conjunction with the prior authority granted by Council for staff to appeal any refusal by the City of Vaughan of temporary zoning for Avondale, to take such additional actions as considered necessary, including applications to the Minister of the Environment for a Section 29 Order under the Environmental Protection Act or to the Minister of Municipal Affairs and Housing for a Zoning Order under Section 47 of the Planning Act, to allow the extension of temporary zoning approval for the Avondale Composting Facility until December 31, 2003 or until such time as Vaughan's proposed approval comes into effect on passage of the Oak Ridges Moraine Plan."

3.112 **Amendment to the National Anthem**

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25):

Moved by: Councillor Chow

Seconded by: Councillor Layton

"WHEREAS O Canada's line of 'true patriot love in all thy sons command' excludes more than 50 percent of the population; and

WHEREAS many Torontonians feel a simple, but significant, change to O Canada is long overdue; and

WHEREAS modifying the wording of the National Anthem to 'true patriot love in all of us command' would be inclusive of both women and men; and

WHEREAS Senator Vivienne Poy, in conjunction with the Famous 5 Foundation, introduced a Bill in the Senate regarding the change in wording and is seeking endorsement and comments from all levels of government and citizens;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto supports an amendment to the National anthem which makes it inclusive to both women and men.”,

the vote upon which was taken as follows:

Yes - 20	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Feldman, Filion, Holyday, Johnston, Jones, Layton, Li Preti, McConnell, Mihevc, Moscoe, Pantalone, Shaw, Shiner, Silva, Soknacki, Walker
No - 18	
Councillors:	Altobello, Balkissoon, Berardinetti, Disero, Duguid, Flint, Ford, Hall, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Sutherland, Tziretas

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

Having regard to the foregoing decision of Council, Motion J(25) was not introduced.

3.113 **Changes to the Internet Policy for City of Toronto’s Public Libraries**

Councillor Korwin-Kuczynski moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(26), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Tziretas

“**WHEREAS** the Toronto Public Library system stands for and represents the highest level of intellectual pursuit and should resist influences that do not meet this standard; and

WHEREAS the current policy with respect to Internet use in Toronto’s Public Libraries which does not mandate the installation of filtering software on all Internet workstations, is subject to inappropriate behaviour on the part of patrons using City resources and facilities; and

WHEREAS Internet workstations in Toronto’s Public Library system are commonly being used to access materials of a pornographic or objectionable nature; and

WHEREAS with the introduction of the Internet, Toronto's library system has experienced an increase in this type of inappropriate and disruptive conduct; and

WHEREAS with other library materials, children have full access to the Internet on adult workstations; and

WHEREAS reports of children or young adults accessing these sites is occurring on an all too regular basis; and

WHEREAS even when children or young adults are not the ones accessing these sites directly, they are often subject to this material when passing by a workstation; and

WHEREAS in the past, before the introduction of the Internet, materials purchased by the libraries were subjected to a rigorous selection process, offering parents a level of assurance and safety; and

WHEREAS most parents assume, and rightly so, that children of any age would not have access, or be subject to adult sex sites and other objectionable material in a public library; and

WHEREAS continuing to offer this service without proper safeguards will result in a reduction in the number of people who use libraries, as parents will refuse to send their children, once they discover the risk and unhealthy atmosphere; and

WHEREAS we have a duty to protect children and vulnerable members of our society and should not be party to anything that could put these groups at risk; and

WHEREAS the current policy only prohibits Internet users from accessing materials which are deemed illegal under provincial or municipal legislation and the federal Criminal Code but allows users to access sex and other adult sites; and

WHEREAS we have a duty to protect people's freedom for, but we also have a duty to protect people's freedom from; and

WHEREAS I do not believe that we should be in the business of subsidizing unacceptable behaviour that does not belong out in public institutions; and

WHEREAS we are not mandated by legislation to provide this service and have the duty to deliver it in a manner that we feel is appropriate;

NOW THEREFORE BE IT RESOLVED THAT the Toronto Public Library Board be requested to immediately take the appropriate action to ensure that children are not

exposed to pornographic materials;

AND BE IT FURTHER RESOLVED THAT the Toronto Public Library Board be requested to report back to the City of Toronto on measures taken.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(26) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(26) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(26) was adopted, without amendment.

3.114 Status of Redeployment of Council Transportation Unit Employee

Councillor Shiner moved that in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce and debate the following Notice of Motion J(27), moved by Councillor Miller, seconded by Councillor Ootes, and, in the absence of Councillor Miller, moved by Councillor Shiner, which carried:

Moved by: Councillor Shiner

Seconded by: Councillor Ootes

“WHEREAS City Council at its meeting held on February 13, 14 and 15, 2002, in adopting, as amended, Clause No. 1 of Report No. 1 of The Administration Committee, headed ‘Redeployment of Council Transportation Unit Employees’, requested the Commissioner of Corporate Services to continue to work with the remaining unplaced employee to secure an alternate position and submit a report thereon to Council; and

WHEREAS the Commissioner of Corporate Services has submitted a confidential report dated April 8, 2002, in this regard;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the aforementioned confidential report dated April 8, 2002, and that such confidential report be received, for information.”

Council also had before it, during consideration of Motion J(27), a confidential report dated April 8, 2002, from the Commissioner of Corporate Services.

Vote:

Motion J(27) was adopted, without amendment, and in so doing, Council received, for information, the confidential report dated April 8, 2002, from the Commissioner of Corporate Services, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual.

3.115 SkyDome Charter Bus Parking

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Rae

“WHEREAS by report dated February 13, 2002, the Acting City Solicitor reported in camera with respect to a proposal from Concord Adex to settle an OMB hearing regarding the SkyDome charter-bus parking requirements; and

WHEREAS the report was considered by City Council at its meeting held on February 13, 14, and 15, 2002, as embodied in Toronto East York Community Council Report No. 1, Clause No. 23, at which time Council adopted the recommendations of the Acting City Solicitor and thereby directed that:

- (1) the settlement proposed by Concord Adex as set out in the report of the Acting City Solicitor not be accepted at this time; and
- (2) the City Solicitor be authorized to report further, in consultation with the appropriate City officials, in the event of any significant changes in the proposal from Concord Adex and/or the position of Sportsco and the Toronto Blue Jays; and

WHEREAS Concord Adex has submitted an alternate development proposal with respect to temporary and permanent bus parking for the SkyDome; and

WHEREAS Concord Adex wishes to obtain the position of Council upon the alternate proposal; and

WHEREAS the City Solicitor has prepared a confidential report dated April 16, 2002, addressing the current status of the alternate development proposal; and

WHEREAS it is appropriate to consider the aforementioned report of the City Solicitor in camera, as it deals with negotiations held on a without prejudice basis regarding matters before the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated April 16, 2002, from the City Solicitor, and that such confidential report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(28) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(28), a confidential report dated April 16, 2002, from the City Solicitor, entitled “SkyDome Charter-Bus Parking Requirements”. (See Attachment No. 11, Page 223)

Vote:

Motion J(28) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated April 16, 2002, from the City Solicitor, embodying the following recommendations, such report now public in its entirety:

“It is recommended that:

- (1) the City Solicitor be authorized to report directly to Council, in consultation with the Commissioner of Urban Development Services, upon the status of site plan approval and any other permissions required for the construction of Towers A and B on the west part of Block 20/23 together with the construction of both temporary and permanent SkyDome bus parking facilities within the remainder of Block 20/23; and
- (2) the City Solicitor be authorized to report, if appropriate, directly to Council upon any further discussions with Concord Adex.”

3.116 Designation of University of Toronto Greenhouse

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Chow

“WHEREAS the property at 150 College Street (12 Queen’s Park Crescent West) is listed on the City of Toronto Inventory of Heritage Properties; and

WHEREAS the Greenhouses that are associated with the Botany Building constructed in 1931-32 are important surviving examples of glass design by the notable architectural firm of Mathers and Haldenby; and

WHEREAS the University of Toronto has determined that in order to develop a new Medical Sciences Complex at the northwest corner of Queen’s Park Crescent and College Street, the Greenhouses must be removed and relocated; and

WHEREAS staff of the Urban Development Services and the Economic Development Culture and Tourism Departments of the City has been negotiating with staff of the University of Toronto to relocate the Greenhouse to Allan Gardens; and

WHEREAS City staff has been unable, as of this date, to come to a satisfactory solution with the University of Toronto regarding the costs associated with the relocation of the Greenhouse to Allan Gardens;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto state its intention to designate that portion of the property at 150 College Street which includes the Greenhouse under Part IV of the Ontario Heritage Act.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(29) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(29), the following material, a copy of which is on file in the office of the City Clerk:

- three photographs of the existing Greenhouse;
- a copy of the existing site plan;
- a sketch of the north elevation; and
- an excerpt from the former City of Toronto By-law No. 1997-0274.

Vote:

Motion J(29) was adopted, without amendment.

- 3.117 Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on May 21, 2002:

REPORT NO. 3 OF THE ADMINISTRATION COMMITTEE

- Clause No. 1 - "Senior Staff Contracts".

REPORT NO. 4 OF THE ADMINISTRATION COMMITTEE

- Clause No. 2 - "Expedited Process for Declaring Land Surplus and Selling Surplus Land (All Wards)".
- Clause No. 27 - "Council Travel Protocol".
- Clause No. 28 - "Protocol and Procedure for Use of the City Skybox".
- Clause No. 43 - "Fair Wage Policy Enhancements and Procedures Review".
- Clause No. 47 - "Other Items Considered by the Committee".

(Item (f), entitled "Binding Lobbyist Disclosure Policy for a Transparent and Open Government".)

REPORT NO. 3 OF THE COMMUNITY SERVICES COMMITTEE

- Clause No. 7 - "Update on the Emergency Shelter System".

REPORT NO. 2 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

- Clause No. 1 - "2008 Toronto Olympic and Paralympic Games Bid

(All Wards)".

REPORT NO. 3 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - "Harmonization of the Noise By-law".

REPORT NO. 4 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 7 - "Amendments to Chapter 835, Toronto Municipal Code, Vital Services".

REPORT NO. 5 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - "Proposal to Establish an Independent Auditor General for the City of Toronto".

Clause No. 2 - "SAP Implementation Final Report".

Clause No. 3 - "Unallocated Funding for Community Councils".

REPORT NO. 5 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 23 - "Application for Site Plan Approval – Scott's Restaurants Inc., 5322 Dundas Street West File No. TA SPC 2001 0050 (Ward 5 - Etobicoke-Lakeshore)".

REPORT NO. 5 OF THE HUMBER YORK COMMUNITY COUNCIL

Clause No. 17 - "Request for Designation of the 9th Annual ArtBeat Festival and Mariposa in the City as a Community Festival (Parkdale-High Park, Ward 14)".

REPORT NO. 3 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 7 - "Final Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2001 0007 - Mini-Skools Learning Centres Inc. - 685 Sheppard Avenue East - Ward 24 – Willowdale".

Clause No. 20 - "Final Report – Amendment to the Official Plan of the Former City of North York for Lands located in the Sheppard Avenue Commercial Area, east of Yonge Street and Amendment to the Former City of North York Zoning By-law 7625 for Zoning

Regulations affecting the Mixed Use Commercial Area Zone (C7) - UD43-C7Z – Ward 23 - Willowdale”.

REPORT NO. 3 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

- Clause No. 1 - “Sidewalk/Boulevard Vending Permit - John Street, East Side, 9.0 Metres North of Richmond Street West (Trinity-Spadina, Ward 20)”.
- Clause No. 2 - “Sidewalk/Boulevard Vending Permit - Richmond Street West, North Side, East of Peter Street (Trinity-Spadina, Ward 20)”.

REPORT NO. 4 OF THE AUDIT COMMITTEE

- Clause No. 1 - “Oracle Database Software Acquisition - Additional Information”.
- Clause No. 2 - “Toronto 2008 Olympic Bid - City Statement of Operations”.
- Clause No. 4 - “Processes Followed in Relation to the Upgrade to SAP Version 4.6”.
- Clause No. 11 - “Policy: Fraud and Other Similar Irregularities - Revision to Media Issues Section”.

NOTICES OF MOTIONS

- J(10) Moved by Councillor Soknacki, seconded by Councillor Ashton, respecting the Housing First policy for surplus City-owned land.
- J(20) Moved by Mayor Lastman, seconded by Councillor Ootes, respecting the appointment of Members of Council to the Striking Committee.

Council concurred in the proposal by Deputy Mayor Ootes.

BILLS AND BY-LAWS

- 3.118 On April 16, 2002, at 7:29 p.m., Councillor Korwin-Kuczynski, seconded by Councillor Altobello, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 336 By-law No. 193-2002 To confirm the proceedings of the Council at its meeting held on the 16th day of April, 2002,

the vote upon which was taken as follows:

Yes - 30 Councillors: Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 0

Carried, without dissent.

3.119 On April 17, 2002, at 7:29 p.m., Councillor Filion, seconded by Councillor Mihevc, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 337 By-law No. 194-2002 To confirm the proceedings of the Council at its meeting held on the 16th and 17th days of April, 2002,

the vote upon which was taken as follows:

Yes - 24 Councillors: Altobello, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Ford, Hall, Holyday, Johnston, Jones, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Pantalone, Rae, Silva, Soknacki, Tziretas, Walker
No - 0

Carried, without dissent.

3.120 On April 18, 2002, at 7:05 p.m., Councillor Augimeri, seconded by Councillor Minnan-Wong, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 190 By-law No. 195-2002 To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.

Bill No. 191	By-law No. 196-2002	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 192	By-law No. 197-2002	To amend further the Pedestrian Crossover By-law No. 23506 of the former City of Scarborough on Toronto Roads.
Bill No. 193	By-law No. 198-2002	To authorize the sale of the closed portion of Pitt Avenue, south of Donside Drive.
Bill No. 194	By-law No. 199-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 195	By-law No. 200-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 196	By-law No. 201-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Braemar Avenue.
Bill No. 197	By-law No. 202-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Shaw Street.
Bill No. 198	By-law No. 203-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillside Avenue West.
Bill No. 199	By-law No. 204-2002	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 200	By-law No. 205-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 201	By-law No. 206-2002	To amend By-law No. 30518, as amended, of the former City of North York.
Bill No. 202	By-law No. 207-2002	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 203

By-law No. 208-2002

To amend By-law No. 31001 of the former
City of North York, as amended.

Bill No. 204	By-law No. 209-2002	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 205	By-law No. 210-2002	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 206	By-law No. 211-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 207	By-law No. 212-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 208	By-law No. 213-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 209	By-law No. 214-2002	To amend further City of Toronto By-law No. 574-2000, a By-law “Respecting the licensing, regulating and governing of trades, businesses and occupations in the City of Toronto”, respecting replacement of taxicabs.
Bill No. 210	By-law No. 215-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 211	By-law No. 216-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 212	By-law No. 217-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 213	By-law No. 218-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 393 Roxton Road.

Bill No. 214	By-law No. 219-2002	To adopt an amendment to By-law No. 438-86 for the former City of Toronto respecting lands known as 393 Roxton Road.
Bill No. 215	By-law No. 220-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Markham Road.
Bill No. 216	By-law No. 221-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Mirrow Court and Norvalley Court.
Bill No. 217	By-law No. 222-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Vradenberg Drive and Lowcrest Boulevard.
Bill No. 218	By-law No. 223-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Ellesmere Road.
Bill No. 219	By-law No. 224-2002	To amend By-law No. 830-1999 being a By-law "To Cancel Taxes for Lands Occupied by Certain Ethno-Cultural Centres".
Bill No. 220	By-law No. 225-2002	To amend City of Toronto Municipal Code Chapter 797, Tenant Support Grant Program.
Bill No. 221	By-law No. 226-2002	To amend Municipal Code Chapter 767, Taxation, to opt to have the New Multi-Residential Property Class apply within the City of Toronto for 2002, and to extend the applicability of the New Multi-Residential Property Class to thirty-five years for properties which began to be classified in the New Multi-Residential Property Class in a year prior to 2002.

Bill No. 222	By-law No. 227-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gainsborough Road and Palmerston Avenue.
Bill No. 223	By-law No. 228-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Adelaide Street West and Glebemount Avenue.
Bill No. 225	By-law No. 229-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cross Street.
Bill No. 226	By-law No. 230-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Lansdowne Avenue and Parr Street.
Bill No. 227	By-law No. 231-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Armadale Avenue and Dovercourt Road.
Bill No. 228	By-law No. 232-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Beresford Avenue, Colbeck Street, Dovercourt Road, Fernbank Avenue, Via Italia and Wiltshire Avenue.
Bill No. 229	By-law No. 233-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carlton Street, Markham Street and Spruce Street.
Bill No. 230	By-law No. 234-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Carlaw Avenue and Wheeler Avenue.
Bill No. 231	By-law No. 235-2002	To adopt Amendment No. 1083 of the Official Plan for the former City of

		Scarborough.
Bill No. 232	By-law No. 236-2002	To amend Scarborough Zoning By-law No. 24982, the Employment Districts Zoning By-law, as amended, with respect to the Milliken Employment District.
Bill No. 233	By-law No. 237-2002	To adopt Amendment No. 1086 of the Official Plan for the former City of Scarborough.
Bill No. 234	By-law No. 238-2002	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Progress Employment District.
Bill No. 235	By-law No. 239-2002	To amend Scarborough Zoning By-law No. 14402, as amended, with respect to the Malvern Community.
Bill No. 236	By-law No. 240-2002	To adopt Amendment No. 1087 of the Official Plan for the former City of Scarborough.
Bill No. 237	By-law No. 241-2002	To amend Scarborough Zoning By-law No. 12360, as amended, with respect to the Tam O'Shanter Community.
Bill No. 238	By-law No. 242-2002	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Milliken Employment District.
Bill No. 239	By-law No. 243-2002	To amend the Employment Districts Zoning By-law No. 24982 with respect to the Birchmount Park Employment District and Kennedy Park Community Zoning By-law No. 9276.
Bill No. 240	By-law No. 244-2002	To stop up and close the road allowance known as Sovereign Avenue and to authorize the sale thereof.
Bill No. 241	By-law No. 245-2002	To stop up and close portions of the public

		highway Barberry Place and to authorize the sale thereof.
Bill No. 242	By-law No. 246-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1597 Bathurst Street.
Bill No. 243	By-law No. 247-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 123 Strathcona Avenue.
Bill No. 244	By-law No. 248-2002	To adopt Amendment No. 31 to the Official Plan for the former Borough of East York.
Bill No. 245	By-law No. 249-2002	A By-law to amend By-law No. 6752, as amended, of the former Township of East York, in respect of lands municipally known as 36 Cranfield Road.
Bill No. 246	By-law No. 250-2002	To designate certain lands known as the Niagara Area and the Massey Ferguson Neighbourhood as a Community Improvement Project Area.
Bill No. 247	By-law No. 251-2002	To stop up and close part of the public highway Viking Road and to authorize the sale thereof.
Bill No. 248	By-law No. 252-2002	To exempt lands municipally known as 440-454 St. John's Road from Part Lot Control.
Bill No. 249	By-law No. 253-2002	To exempt lands on Havenlea Road from Part Lot Control.
Bill No. 250	By-law No. 254-2002	To exempt lands on the southwest corner of Kingston Road and Asterfield Drive from Part Lot Control.

Bill No. 251	By-law No. 255-2002	To amend By-law No. 2696, being a By-law “To establish schedules of retention for records of local boards of the Municipality of Metropolitan Toronto”, to establish immediate destruction dates for certain records of The Board of Governors of Exhibition Place.
Bill No. 252	By-law No. 256-2002	To amend the Official Plan of the former City of Toronto in respect of the lands known as 181 Dowling Avenue.
Bill No. 253	By-law No. 257-2002	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 181 Dowling Avenue.
Bill No. 254	By-law No. 258-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 255	By-law No. 259-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 256	By-law No. 260-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 257	By-law No. 261-2002	To designate the property at 222 Islington Avenue (Boxer Building) as being of architectural and historical value or interest.
Bill No. 258	By-law No. 262-2002	To amend further By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a By-law of the former Borough of East York.

Bill No. 259	By-law No. 263-2002	To amend further By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a By-law of the former Borough of East York.
Bill No. 260	By-law No. 264-2002	To amend further By-law No. 307, a By-law “To designate certain locations in the Borough of East York as pedestrian crossovers,” being a By-law of the former Borough of East York.
Bill No. 261	By-law No. 265-2002	To amend City of North York By-law No. 7625 in respect of lands known as Blocks 8 and 9, Plan 66M-2354 and Part 1, Plan 64R-16328.
Bill No. 262	By-law No. 266-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Braemar Avenue.
Bill No. 263	By-law No. 267-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Melita Avenue.
Bill No. 264	By-law No. 268-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bracondale Hill Road, Dunloe Road, Frank Crescent, Oriole Road, Roehampton Avenue, and Spadina Road.
Bill No. 265	By-law No. 269-2002	To designate the property at 2245 Lawrence Avenue West (Humber Heights Consolidated School) as being of architectural and historical value or interest.
Bill No. 268	By-law No. 270-2002	To adopt Amendment No. 519 of the Official Plan for the City of North York in respect of lands municipally known as 1 York Gate Boulevard.

Bill No. 269	By-law No. 271-2002	To amend City of North York By-law No. 7625 and By-law No. 30200 and to repeal City of North York By-law No. 32765 in respect of lands municipally known as 1 York Gate Boulevard.
Bill No. 272	By-law No. 272-2002	To amend City of North York By-law No. 7625 in respect of lands municipally known as 2375 Steeles Avenue West.
Bill No. 273	By-law No. 273-2002	To adopt Amendment No. 522 of the Official Plan for the former City of North York in respect of lands municipally known as 22 Norfinch Drive.
Bill No. 274	By-law No. 274-2002	To amend City of North York By-law No. 7625 in respect of lands municipally known as 22 Norfinch Drive.
Bill No. 275	By-law No. 275-2002	To adopt Amendment No. 512 of the Official Plan for the former City of North York in respect of lands municipally known as 15 Dallner Road.
Bill No. 276	By-law No. 276-2002	To amend City of North York By-law No. 7625 in respect of lands municipally known as 15 Dallner Road.
Bill No. 277	By-law No. 277-2002	To amend City of North York By-law No. 7625 in respect of lands municipally known as 2710 Victoria Park Drive.
Bill No. 278	By-law No. 278-2002	To amend further By-law No. 196, entitled "To restrict the speed of motor vehicles", being a By-law of the former Borough of East York.
Bill No. 279	By-law No. 279-2002	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in the Borough of East York", being a By-law of the former Borough of East

Bill No. 282	By-law No. 280-2002	York. To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting River Street, Shuter Street.
Bill No. 283	By-law No. 281-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 284	By-law No. 282-2002	To enact a Municipal Housing Facility By-law.
Bill No. 285	By-law No. 283-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 286	By-law No. 284-2002	To amend former City of York By-law No. 1-83 with respect to the lands municipally known as 221 Todd Baylis Boulevard.
Bill No. 287	By-law No. 285-2002	To layout and dedicate certain land for public lane purposes to form part of a new public lane outlet south of Eglinton Avenue West extending easterly from Northcliffe Boulevard.
Bill No. 288	By-law No. 286-2002	To amend Municipal Code Chapter 447, Fences, and to repeal division fences By-laws of the former municipalities to reflect the application of the Line Fences Act to the City of Toronto.
Bill No. 289	By-law No. 287-2002	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 1105 Dundas Street East.
Bill No. 290	By-law No. 288-2002	To amend Chapter 134 of the Etobicoke Municipal Code, a By-law providing for the construction and maintenance of fire routes in the geographic area of

Bill No. 291	By-law No. 289-2002	Etobicoke, a By-law of the former City of Etobicoke. To enact a By-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a By-law providing for the designation of fire routes in the geographic area of Etobicoke, a By-law of the former City of Etobicoke.
Bill No. 292	By-law No. 290-2002	To amend By-law No. 572-2000 to provide for a permanent Clothing Optional Area at Hanlan's Point Beach.
Bill No. 293	By-law No. 291-2002	To correct a technical error in By-law No. 123-2002 regarding the numbering of articles in Chapter 363 of the City of Toronto Municipal Code.
Bill No. 294	By-law No. 292-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Markham Street.
Bill No. 295	By-law No. 293-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Kingston Road.
Bill No. 296	By-law No. 294-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mountview Avenue.
Bill No. 297	By-law No. 295-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as Nos. 915 and 1005 King Street West.
Bill No. 298	By-law No. 296-2002	To amend By-law No. 438-86 of the former City of Toronto, as amended, respecting lands known as Nos. 915 and 1005 King Street West.
Bill No. 299	By-law No. 297-2002	To amend City of North York By-law No. 7625 in respect of lands municipally known as 647 Sheppard Avenue West.

Bill No. 300	By-law No. 298-2002	To amend the former Municipality of Metropolitan Toronto By-law No. 118, respecting 444 Yonge Street.
Bill No. 301	By-law No. 299-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1280-1290 Bay Street and 79 Scollard Street.
Bill No. 302	By-law No. 300-2002	To amend By-law No. 438-86 of the former City of Toronto, as amended, respecting lands known as Nos. 1280-1290 Bay Street and No. 79 Scollard Street and to repeal By-law No. 731-81 of the former City of Toronto.
Bill No. 303	By-law No. 301-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article IV, Section 31, Schedule 'A'.
Bill No. 304	By-law No. 302-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 305	By-law No. 303-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article IV, Section 31, Schedule 'A'.
Bill No. 306	By-law No. 304-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 307	By-law No. 305-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 308	By-law No. 306-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 309	By-law No. 307-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 310	By-law No. 308-2002	To appoint fence-viewers for the term of Council.
Bill No. 311	By-law No. 309-2002	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, to establish bicycle lanes on Gerrard Street between River Street and a point east of River Street, River Street between King Street East and a point north of Gerrard Street East, and Shuter Street between Yonge Street and River Street.
Bill No. 312	By-law No. 310-2002	To rename Garden Avenue (Ward 41, Scarborough-Rouge River) as "Garden Park Avenue".
Bill No. 313	By-law No. 311-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Asquith Avenue.
Bill No. 314	By-law No. 312-2002	To layout and dedicate certain land at the intersection of Evans Avenue and Carnarvon Avenue for public highway purposes to form part of the public highway Evans Avenue.
Bill No. 315	By-law No. 313-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Luttrell Avenue.
Bill No. 316	By-law No. 314-2002	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Danforth Avenue extending easterly from Luttrell Avenue, then northerly.

Bill No. 317	By-law No. 315-2002	To layout and dedicate certain land for public lane purposes to form part of the public lane extending easterly from the north end of Unsworth Avenue.
Bill No. 318	By-law No. 316-2002	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Queen Street West extending westerly from Walnut Avenue.
Bill No. 319	By-law No. 317-2002	To layout and dedicate certain land at the intersection of Queen's Drive and Upwood Avenue for public highway purposes to form part of the public highway Upwood Avenue.
Bill No. 320	By-law No. 318-2002	To layout and dedicate certain land on the east side of Highway 27 south of Albion Road for public highway purposes to form part of Highway 27.
Bill No. 321	By-law No. 319-2002	To layout and dedicate certain land for public highway purposes on Jarvis Street north of Carlton Street to form part of the public highway Jarvis Street.
Bill No. 322	By-law No. 320-2002	To layout and dedicate certain land for public lane purposes to form part of the public lane west of River Street extending northerly from Gerrard Street East.
Bill No. 323	By-law No. 321-2002	To layout and dedicate certain land for public lane purposes to form part of the public lane Broadcast Lane and part of the public lane north of Carlton Street extending westerly from Metcalfe Street, then northerly.

Bill No. 324	By-law No. 322-2002	To layout and dedicate certain land at the intersection of Glencairn Avenue and Shermount Avenue for public highway purposes to form part of the public highway Glencairn Avenue.
Bill No. 325	By-law No. 323-2002	To layout and dedicate certain land for public highway purposes to form part of the public highway Medulla Avenue.
Bill No. 326	By-law No. 324-2002	To layout and dedicate certain land on the north side of Gerrard Street East, west of Victoria Park Avenue for public highway purposes to form part of the public highway Gerrard Street East.
Bill No. 327	By-law No. 325-2002	To name the public lane between Symington Avenue and Rankin Crescent "DeKoven Mews".
Bill No. 328	By-law No. 326-2002	To layout and dedicate certain land on the south side of Sheppard Avenue East, east of Yonge Street for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 329	By-law No. 327-2002	To amend the former City of Toronto Municipal Code Chapter 194, Footpaths, Bicycle Lanes and Pedestrian Ways, to establish bicycle lanes on Jones Avenue from Danforth Avenue to Queen Street East.
Bill No. 330	By-law No. 328-2002	To adopt Amendment No. 99-2002 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting the lands located on the north side of Lake Shore Boulevard West, between Ninth and Thirteenth Streets.

Bill No. 331	By-law No. 329-2002	To amend Site Specific By-law Nos. 1991-27 and 1997-173, with respect to certain lands located on north side of Lake Shore Boulevard West, between Ninth and Thirteenth Streets.
Bill No. 332	By-law No. 330-2002	To levy and collect taxes for school purposes for the year 2002, other than those levied before the adoption of the estimates.
Bill No. 333	By-law No. 331-2002	To establish a percentage by which tax decreases are limited for 2002 for properties in the Commercial, Industrial and Multi-Residential Property Classes, and

On April 18, 2002, at 7:05 p.m., Councillor Augimeri, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 266	By-law No. 332-2002	To adopt official plan amendments to permit Seniors Community Houses.
Bill No. 267	By-law No. 333-2002	To enact a Seniors Community House By-law,

the vote upon which was taken as follows:

Yes - 30	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Holyday, Johnston, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki, Sutherland
No - 2	
Councillors:	Ford, Walker

Carried by a majority of 28.

3.121 On April 18, 2002, at 7:06 p.m., Councillor Disero, seconded by Councillor Hall, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 334	By-law No. 334-2002	To confirm the proceedings of the Council at its meeting held on the 16th, 17th and 18th days of April, 2002,
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the vote upon which was taken as follows:

Yes - 30
Councillors: Altobello, Augimeri, Balkissoon, Bussin, Cho, Di Giorgio, Disero, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 0

Carried, without dissent.

3.122 On April 18, 2002, at 8:00 p.m., Councillor Shaw, seconded by Councillor Sutherland, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried, without dissent:

Bill No. 335	By-law No. 335-2002	To confirm the proceedings of the Council at its meeting held on the 16th, 17th and 18th days of April, 2002.
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The following Bills were withdrawn:

- | | |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill No. 224 | To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I. |
| Bill No. 270 | To adopt Amendment No. 515 of the Official Plan for the former City of North York in respect of lands municipally known as 685 Sheppard Avenue East. |
| Bill No. 271 | To amend City of North York By-law No. 7625 in respect of lands municipally known as 685 Sheppard Avenue East. |
| Bill No. 280 | To adopt Amendment No. 521 of the Official Plan for the former City of North York with respect to lands located within the Sheppard Avenue Commercial Area. |
| Bill No. 281 | To amend City of North York By-law No. 7625 with respect to the Mixed Use Commercial Area Zone (C7). |

OFFICIAL RECOGNITIONS:3.123 **Condolence Motions****April 16, 2002:**

Mayor Lastman, seconded by Deputy Mayor Ootes, moved that:

“WHEREAS Her Majesty Queen Elizabeth, The Queen Mother passed away peacefully in her sleep on Saturday, March 30, 2002; and

WHEREAS Queen Elizabeth, The Queen Mother, was much-loved by her British subjects, citizens of the Commonwealth and untold millions around the world; and

WHEREAS her life, spanning more than a century, was devoted to the service of her Country and the Commonwealth as she fulfilled her Royal duties with great dignity, charm and grace; and

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council and the 2.5 million residents of the City of Toronto, our sincere condolences to Her Majesty Queen Elizabeth II and the Royal Family as they mourn the loss of their beloved mother, grandmother and great grandmother.”

Mayor Lastman, seconded by Councillor Li Preti, moved that:

“WHEREAS Lorna Jackson, Mayor of the City of Vaughan for 20 years, passed away on Friday, April 5, 2002 at age 66, after a courageous battle with cancer; and

WHEREAS Lorna Jackson proudly served the people of Vaughan since 1974, first as Councillor, then Regional Councillor and, finally, as Mayor since 1982; and

WHEREAS she served the City of Vaughan with great dedication and leadership and her commitment to public service will be deeply missed by the residents of Vaughan and her colleagues on City Council and in the Greater Toronto Area;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere condolences to her husband Al and her three children Linda, Jim and Jeff, and three grandchildren, as well as to the entire ‘City above Toronto’.”

Mayor Lastman, seconded by Councillor Pantalone, moved that:

“WHEREAS Johnny Lombardi, the ‘Mayor of Little Italy’, served his Country with distinction during the Second World War, having been stationed in Normandy, Belgium, Holland and Germany; and

WHEREAS his commitment to multiculturalism, including Toronto’s first ethnic radio station in 1966, made new Canadians feel welcomed and at home in Toronto;

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 Johnny Lombardi;

AND BE IT FURTHER RESOLVED THAT Councillor Pantalone be requested to work with interested Members of Council, staff and the Little Italy Business Improvement Area, on a permanent memorial commemorating Johnny Lombardi, as the Mayor of Little Italy.”

Councillor Moscoe, seconded by Councillor Chow, moved that:

“WHEREAS Bill Emery, who has honourably served for the Miles Nadal Jewish Community Centre since 1987, passed away on March 31, 2002; and

WHEREAS because of Bill Emery’s leadership, the building of the new Miles Nadal Jewish Community Centre with the Al Green Community Theatre, is becoming a reality; and

WHEREAS under Bill Emery’s guidance, over 40,000 people annually participated in the ‘Festival on Bloor, a Celebration of Arts in the Annex’; and

WHEREAS under Bill’s directions, the Jewish Community Centre attracted thousands of people to its pre-school programs, nursery school, aquatics programs, spring choir concert, leadership for teens, Hebrew language classes and Books and Bagels programs; and

WHEREAS Bill’s possession of great physical courage led him to instruct staff not to open letters during the anthrax threats last fall, rather, he would open them all himself, with white plastic gloves; and

WHEREAS, along with the United Jewish Appeal-Federation and the Committee for Yiddish and Friends of Yiddish, Bill organized many activities including, ‘The Holocaust: A Cultural Perspective’, a program at Trinity-St Paul’s Church, ‘Fiddler on the Roof’ Sing-a-Long Benefit and ‘Second Passover Night Singles

Seder'; and

WHEREAS in a world where anyone can more easily tear down, Bill was among a small number of people who become great builders of our community;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere condolences to his wife Maureen McIlveen and his two children Nolan and Caitlin, as well as to the entire 'City of Toronto'."

Leave to introduce the foregoing Motions was granted and the Motions were adopted unanimously.

Council rose and observed a Moment of Silence in memory of the late Queen Mother, Ms. Jackson, and Messrs. Lombardi and Emery.

April 18, 2002:

Mayor Lastman, seconded by Deputy Mayor Ootes, moved that:

"WHEREAS Canada's brave Soldiers are fighting the war on terrorism to protect our rights and freedoms; and

WHEREAS four Canadian Soldiers were killed and eight wounded in Afghanistan on April 17, 2002; and

WHEREAS the victims of this tragic accident were with the 3rd Battalion of the Princess Patricia's Canadian Light Infantry; and

WHEREAS these four brave Soldiers have made the ultimate sacrifice for us, and their courage and bravery will not be forgotten; and

WHEREAS this horrible accident has deeply saddened the 2.5 million people of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council and the residents of the City of Toronto, our sincere condolences to the families of these Soldiers."

Councillor Bussin, seconded by Councillor Pitfield, moved that:

"WHEREAS the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. Vic Waring on April 9, 2002; and

WHEREAS Mr. Waring was the epitome of a ‘local hero’ at his Toronto Community Housing Corporation seniors building, Hanson House, and to many residents and business people in the Coxwell-Danforth community, because of his tireless boosterism and volunteerism; and

WHEREAS Mr. Waring showed a deep commitment to the health and vitality of quality public housing in our City, as a result of his vigorous and outstanding work as a tenant representative for many years on the former board of the Toronto Housing Company; and

WHEREAS Mr. Waring was a wonderful living example of what a positive difference one person can make in the quality of the lives of others, as the consummate social convenor at Hanson House, with his endless organizing of barbecues, special dinners, excursions, draws and parties; and

WHEREAS Mr. Waring was a good friend to many and a valued no-nonsense advisor on City and local neighbourhood issues, whom I will miss greatly;

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

Leave to introduce the foregoing Motions was granted and the Motions were adopted unanimously.

Council rose and observed a Moment of Silence in memory of the late Soldiers from the 3rd Battalion of the Princess Patricia’s Canadian Light Infantry and Mr. Waring.

3.124 **Presentations/Introductions/Announcements:**

April 16, 2002:

Deputy Mayor Ootes, during the morning session of the meeting, introduced Veterans of the Canadian Forces, present at the meeting.

Councillor Miller, during the morning session of the meeting, with the permission of Council, introduced Ms. Marilyn Churley, M.P.P. for Toronto-Danforth, Mr. Michael Prue, M.P.P. for Beaches-East York, and Mr. John Papadakis, former Member of the Council of the former Borough of East York, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of Jackman Avenue Public School, present at the meeting.

Councillor Mammoliti, during the afternoon session of the meeting, with the permission of Council, introduced the following delegations from Milan, Italy, present at the meeting:

City of Milan Delegation:

- Gabriele Albertini, Mayor;
- Andrea Vento, Director of International Relations;
- Roberto Gelmini, Responsabile della Comunicazione del Gabinetto del Sindaco;
- Amedeo Poggi, International Relations; and
- Serafino Cagnetti.

Business Delegation:

- Aldo Scarselli, Comitato Esecutivo AEM - Presidente Metroweb S.p.A.; and
- Giampo Bracchi, Polytechnic University of Milan.

April 17, 2002:

Deputy Mayor Ootes, during the morning session, invited Staff Sergeant Heinz Kuck, 53 Division, Community Response, Co-ordinator of the Service-Wide Graffiti Eradication Program, to the podium. Staff Sergeant Kuck addressed the Council and advised the Council that Mayor Lastman has proclaimed May 2002 as “Graffiti Reduction Month” and that, since the inception of the Graffiti Eradication Program in the year 2000, 52,000 square feet of graffiti has been removed throughout the City of Toronto.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Ursula Franklin Academy, present at the meeting.

April 18, 2002:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Immaculate Conception and Bloor Collegiate Institute, present at the meeting.

3.125 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

April 16, 2002:

Councillor Miller, at 10:45 a.m., moved that Council vary the order of its proceedings to consider Clause No. 6 of Report No. 4 of The Audit Committee, headed “MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Enquiry”, at 6:00 p.m. on Wednesday, April 17, 2002, in Committee of the Whole, in-camera, in lieu of 5:00 p.m., as proposed by Deputy Mayor Ootes, which carried.

Councillor Sutherland, at 10:48 a.m., moved that Council vary the order of its proceedings to consider Motion F(2), moved by Councillor Sutherland, seconded by Councillor Duguid, respecting the removal of the Aesthetic Gateway Treatment at the west corner of Sheppard Avenue East and Leslie Street, at the in-camera portion of this meeting to be held on Wednesday, April 17, 2002, which carried.

Councillor Walker, at 10:50 a.m., moved that Council vary the order of its proceedings to consider Clause No. 15 of Report No. 3 of The Midtown Community Council, headed “Refusal Report – Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul’s - Ward 22)”, at 9:30 a.m., on Thursday, April 18, 2002, which carried.

Councillor Miller, at 10:52 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 6 of The Policy and Finance Committee, headed “Implications of the Sale of Hydro One for the City of Toronto”, as the second item of business on Thursday, April 18, 2002, which carried.

April 17, 2002:

Councillor Feldman, at 2:30 p.m., moved that Council vary the order of its proceedings to vote on Clause No. 1 of Joint Report No. 2 of The Planning and Transportation Committee and The Community Services Committee, headed “Enactment of a Municipal Shelter By-law”, on Thursday, April 18, 2002, during the morning session of the meeting, which carried.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

April 17, 2002:

Councillor Layton, at 6:15 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 6 of Report No. 4 of The Audit Committee, headed “MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Enquiry”, the vote upon which was taken as follows:

Yes - 12	
Councillors:	Bussin, Chow, Hall, Holyday, Layton, Li Preti, Lindsay Luby, Milczyn, Pantalone, Shaw, Silva, Soknacki
No - 12	
Councillors:	Altobello, Balkissoon, Cho, Di Giorgio, Disero, Filion, Mihevc, Miller, Minnan-Wong, Rae, Tziretas, Walker

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

April 18, 2002:

Deputy Mayor Ootes, at 12:25 p.m., proposed that Council now recess and reconvene at 2:00 p.m. Council concurred in the proposal by Deputy Mayor Ootes.

Deputy Mayor Ootes, at 3:45 p.m., with the permission of Council, moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, in order to conclude consideration of the following matters and to permit questions of Mr. Denis Desautels by Members of Council pertaining to the proposal to establish an independent Auditor General for the City of Toronto:

POLICY AND FINANCE COMMITTEE, REPORT No. 6:

Clause No. 1 - "Implications of the Sale of Hydro One for the City of Toronto".

WORKS COMMITTEE, REPORT No. 5:

Clause No. 15 - "F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario '2002 Ride for Heart'".

ADMINISTRATION COMMITTEE, REPORT No. 4:

Clause No. 41 - "Information Technology System Maintenance, Contract Renewals for 2002".

AUDIT COMMITTEE, REPORT No. 4.

Clause No. 5 - "Public Inquiry in Relation to MFP Financial Services Equipment Leases".

Clause No. 6 - "MFP Financial Services Equipment Leases - Status of Litigation and Funding Issue in the Public Inquiry",

the vote upon which was taken as follows:

Yes - 35 Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 3 Mayor:	Lastman

Councillors: Altobello, Mammoliti

Carried, more than two-thirds of Members present having voted in the affirmative. Councillor Layton, at 6:55 p.m., moved that Council re-open its previous decision to consider only those matters proposed by Deputy Mayor Ootes, and that Council also consider Clause No. 4 of Report No. 3 of The Board of Health, headed “Ratification of the Kyoto Protocol to Improve Air Quality and Fight Global Climate Change”, the vote upon which was taken as follows:

Yes - 22 Councillors: Altobello, Augimeri, Bussin, Cho, Chow, Di Giorgio, Filion, Hall, Johnston, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Shaw, Silva, Soknacki, Walker
No - 11 Councillors: Balkissoon, Disero, Feldman, Flint, Ford, Holyday, Lindsay Luby, Minnan-Wong, Ootes, Shiner, Sutherland

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

Acting Chair Disero, at 7:25 p.m., having regard to a power interruption in the Council Chamber, proposed that Council now recess and reconvene at approximately 7:45 p.m. Council concurred in the proposal by Acting Chair Disero.

3.126 ATTENDANCE

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

April 16, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 11:40 a.m.	Roll Call 11:50 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:30 p.m.*
Lastman	x	-	-	-	x
Altobello	x	x	x	x	x
Ashton	-	-	-	-	-
Augimeri	-	-	-	-	-
Balkissoon	x	-	-	-	x
Berardinetti	x	-	x	-	x
Bussin	x	x	-	x	x
Cho	x	x	x	-	x
Chow	x	x	x	x	x
Di Giorgio	x	x	x	x	x

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April 16, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 11:40 a.m.	Roll Call 11:50 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:30 p.m.*
Disero	x	x	x	x	x
Duguid	x	x	x	-	x
Feldman	x	-	-	x	x
Filion	x	x	x	x	x
Flint	x	x	x	-	x
Ford	x	x	-	x	x
Hall	x	-	x	x	x
Holyday	x	x	x	x	x
Johnston	x	x	-	-	x
Jones	x	x	x	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	x	x	x	x
Layton	x	x	-	-	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	-	x
McConnell	x	-	-	-	x
Mihevc	x	-	x	-	x
Milczyn	x	-	-	x	x
Miller	x	-	x	-	x
Minnan-Wong	x	-	-	x	x
Moeser	x	-	-	x	x
Moscoe	x	x	x	x	x
Nunziata	x	-	x	x	x
Ootes	x	x	x	-	x
Pantalone	x	-	-	x	x
Pitfield	x	x	x	-	x
Rae	x	-	x	-	x
Shaw	x	x	x	-	x
Shiner	x	-	-	-	x
Silva	x	-	-	x	x
Soknacki	x	x	-	x	x
Sutherland	x	x	x	x	x
Tziretas	x	x	x	x	x

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April 16, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 11:40 a.m.	Roll Call 11:50 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:30 p.m.*
Walker	x	x	-	-	x
Total	43	26	26	25	43

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

April 17, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:12 p.m. to 6:25 p.m.*	Ctte. of the Whole in-camera	7:28 p.m. to 7:30 p.m.*
Lastman	-	x	-	x	-	-
Altobello	x	x	x	x	x	x
Ashton	-	-	-	-	-	-
Augimeri	-	-	-	-	-	-
Balkissoon	x	x	-	x	x	x
Berardinetti	-	-	-	x	-	-
Bussin	-	x	-	x	x	-
Cho	x	x	-	x	x	x
Chow	-	x	x	x	x	x
Di Giorgio	x	x	x	x	x	x
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	x	x	-	-
Filion	-	x	x	x	x	x
Flint	x	x	x	x	-	-
Ford	x	x	x	x	x	x
Hall	x	x	x	x	x	x
Holyday	x	x	x	x	x	x
Johnston	x	x	x	x	x	x
Jones	x	x	x	x	x	x
Kelly	-	x	-	x	-	-
Korwin-Kuczynski	x	x	x	x	-	-
Layton	-	x	x	x	x	-
Li Preti	x	x	x	x	x	x
Lindsay Luby	-	x	x	x	x	x
Mammoliti	x	x	-	x	-	-
McConnell	x	x	x	x	x	x
Mihevc	x	x	x	x	x	x

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April 17, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 2:12 p.m.	2:12 p.m. to 6:25 p.m.*	Ctte. of the Whole in-camera	7:28 p.m. to 7:30 p.m.*
Milczyn	-	x	-	x	x	x
Miller	-	x	-	x	x	-
Minnan-Wong	x	x	-	x	-	-
Moerer	x	x	x	x	x	-
Moscoe	-	x	x	x	-	-
Nunziata	x	x	x	x	-	-
Ootes	x	x	x	x	-	-
Pantalone	x	x	x	x	x	x
Pitfield	x	x	x	x	x	-
Rae	-	x	-	x	x	x
Shaw	-	x	-	x	x	-
Shiner	x	x	-	x	-	-
Silva	x	x	x	x	x	x
Soknacki	x	x	x	x	x	x
Sutherland	x	x	x	x	x	-
Tziretas	x	x	-	x	x	x
Walker	x	x	x	x	x	x
Total	30	42	29	43	31	24

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

April 18, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 10:50 a.m.	Roll Call 2:13 p.m.	2:13 p.m. to 7:25 p.m.*	Roll Call 5:00 p.m.	7:50 p.m. to 8:00 p.m.*
Lastman	-	x	x	-	x	x	-
Altobello	x	x	x	x	x	x	x
Ashton	-	-	-	-	-	-	-
Augimeri	x	x	-	-	x	x	x
Balkissoon	x	x	-	x	x	-	x
Berardinetti	-	x	x	x	x	-	-
Bussin	x	x	-	-	x	x	-
Cho	-	x	-	x	x	x	x
Chow	-	x	-	-	x	-	x
Di Giorgio	x	x	x	x	x	x	x
Disero	x	x	x	x	x	x	x

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April 18, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 10:50 a.m.	Roll Call 2:13 p.m.	2:13 p.m. to 7:25 p.m.*	Roll Call 5:00 p.m.	7:50 p.m. to 8:00 p.m.*
Duguid	x	x	-	-	x	-	-
Feldman	x	x	-	x	x	x	x
Filion	x	x	x	x	x	x	x
Flint	x	x	x	x	x	x	x
Ford	x	x	-	x	x	x	-
Hall	x	x	x	x	x	x	x
Holyday	x	x	x	-	x	x	-
Johnston	x	x	-	x	x	-	x
Jones	x	x	x	x	x	x	-
Kelly	-	x	-	-	x	-	-
Korwin-Kuczynski	-	x	x	-	x	x	-
Layton	-	x	-	-	x	x	x
Li Preti	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	-
Mammoliti	-	x	-	-	x	-	-
McConnell	x	x	-	-	x	x	x
Mihevc	x	x	x	-	x	x	x
Milczyn	-	x	x	-	x	x	-
Miller	x	x	-	x	x	x	x
Minnan-Wong	-	x	-	x	x	x	x
Moerer	x	x	-	x	x	x	-
Moscoe	x	x	x	x	x	x	x
Nunziata	x	x	x	x	x	-	-
Ootes	-	x	x	x	x	x	-
Pantalone	x	x	x	x	x	x	x
Pitfield	x	x	x	x	x	-	-
Rae	-	x	-	x	x	-	-
Shaw	-	x	-	-	x	-	x
Shiner	x	x	-	-	x	x	-
Silva	-	x	x	-	x	-	-
Soknacki	-	x	-	x	x	x	x

Minutes of the Council of the City of Toronto
 April 16, 17 and 18, 2002

April 18, 2002	Roll Call 9:40 a.m.	9:40 a.m. to 12:25 p.m.*	Roll Call 10:50 a.m.	Roll Call 2:13 p.m.	2:13 p.m. to 7:25 p.m.*	Roll Call 5:00 p.m.	7:50 p.m. to 8:00 p.m.*
Sutherland	-	x	x	x	x	x	x
Tziretas	x	x	x	x	x	x	-
Walker	x	x	x	x	x	-	x
Total	28	44	24	28	44	31	24

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

MEL LASTMAN,
 Mayor

ULLI S. WATKISS,
 City Clerk

ATTACHMENT NO. 1 [Enquiry No. 1(a)]

Enquiry dated December 13, 2001, from Councillor Walker, regarding a review of the City of Toronto's spending associated with the City of Toronto's Bid for the 2008 Olympics (See Minute No. 3.4, Page 2):

Dear Mr. Mayor:

On Thursday, November 29, 2001, the Audit Committee approved the City Auditor's report on the forensic review of the City of Toronto's spending associated with Toronto's unsuccessful Bid for the 2008 Olympics.

In the spirit of transparency and openness promised as part of the Bid, would you please provide answers to the following questions:

- (1) the amount of spending by you, using City of Toronto credit cards in conjunction with the City's 2008 Olympic Bid?
- (2) what portion of the amount identified in Item No. (1), above, do you accept as authorized?
- (3) what portion of the amount identified in Item No. (1), above, do you accept as unauthorized?
- (4) to date, what amount of the sum identified in Item No. (1), above, have you repaid to the City of Toronto?
- (5) what portion of the amount identified in Item No. (1), above, is in dispute? Why?
- (6) Please provide details of the amounts in dispute and the reasons for those disputes.

Your candour is appreciated.

ATTACHMENT NO. 2 [Answer No. 1(b)]

Answer dated February 12, 2002, from Mayor Lastman, to the Enquiry dated December 13, 2001, from Councillor Walker, regarding a review of the City of Toronto's spending associated with the City of Toronto's Bid for the 2008 Olympics (See Minute No. 3.4, Page 2):

This is in response to the Enquiry submitted by Councillor Michael Walker on December 13, 2001, regarding a review of the City of Toronto's spending associated with Toronto's Bid for the 2008 Olympics.

- (1) No City of Toronto tax dollars were spent by me using City of Toronto credit cards in connection with the City's 2008 Olympic Bid.
- (2) Not applicable, given answer to No. 1.
- (3) Not applicable, given answer to No. 1.
- (4) Not applicable, given answer to No. 1.
- (5) Not applicable, given answer to No. 1.
- (6) Not applicable, given answer to No. 1.

ATTACHMENT NO. 3 [Enquiry No. 2(a)]

Enquiry dated February 19, 2002, from Councillor Walker, regarding the 2008 Toronto Olympic and Paralympic Games Bid (See Minute No. 3.4, Page 2):

Further to the meeting of the Economic Development and Parks Committee on January 21, 2002, at which the above report [dated January 16, 2002] was discussed, I found that report to be deficient in many areas.

Thus, in the spirit of openness and transparency, I submit the following questions for your further explanation:

Page 9 of the Report:

- (1) What were the City staff costs incurred as a result of dedicating staff from the City for the Olympic Bid? For example, Mr. Ray McNeil, who headed the City Olympic Bid office; Mr. Joe Farag, from the Finance Department, produced the Olympic budget. All City staff diverted to work part-time or full-time on the City Olympic Bid represent salaries, benefits and pension contributions paid for by the City while working on the Olympic Bid.

Attachment No. 1 of the Report:

- (2) In the audited financial statements from Price Waterhouse Coopers why do all statements contain no comparison with the budget for the Olympic Bid? The Bid was budgeted for \$20 million. The actual cost of the Bid ballooned 128 percent, to \$45.7 million. What happened?
- (3) What exactly were the contributions in money and in kind broken down separately for each of the federal, provincial and municipal governments. The Bid received \$1 million as “an advance” in 1998 from the provincial government. Where is this in the financial statements? Was it paid back by the Bid to the Province? If yes, when?
- (4) Why is there no disclosure of the government contributions in the financial statements similar to “corporate” and “individual” contributions?
- (5) Contingent liabilities – Note 4:
 - (a) This note does not disclose the “two suppliers who are a former officer and a director of the Bid Committee...” who have reduced their claims from \$612,000 to \$296,000.
 - What are the names of the former officer and director?
 - What were their claims for payment for?

- (b) Reference is made to a third supplier claiming a \$310,000 payment.
 - Who was the supplier?
 - What was the claim for payment for?
 - What is the name of the “director” of the Bid Committee who has guaranteed any future payment to this supplier?

- (6) Fundraising Events – Note 5:
It cost \$725,523.00 (49.4 percent) to raise \$1,468,784.00. This, frankly, is excessively high!
 - What is the name of the external fundraising organization?
 - What are the name(s) of the principals of this external fundraising organization?
 - Was this fundraising work tendered?
 - Were the results of these fundraising events audited to support the expenses claimed against these fundraising efforts?

- (7) Olympic Evaluation Commission Reception:
I understand there was a reception held for the Olympic Evaluation Commission at B.C.E. Place in February, 2001.
 - What was the cost of this reception? I understand it was between \$750,000.00 - \$800,000.00.
 - Who catered this reception?
 - How was this contract awarded?

- (8) Compensation of Five (5) Highest Paid Officers of Toronto Olympic Bid:
 - What were the salaries and other compensation of the five (5) highest paid officers of the T.O. Bid in each of 1998, 1999, 2000 and 2001? It is now standard practice to disclose the full compensation of the five (5) highest paid officers of a corporation.

- (9) Schedule of Expenses by Project:
I note the ‘Bid Book Preparation’ total cost was \$4,602,293.00.
 - Who prepared this ‘bid book’?
 - Was its preparation put out to tender?

Attachment No. 2 of the Report:

- (10) Arthur Anderson – Review of 2001 Olympic Legacy Facilities
 - What was the cost of this report?

- How was Arthur Anderson retained? By tender?
- What was the scope of the review undertaken by Arthur Anderson?

ATTACHMENT NO. 4 [Answer No. 2(b)]

Answer dated April 5, 2002, from the Commissioner of Economic Development, Culture and Tourism, to the Enquiry dated February 19, 2002, from Councillor Walker, regarding the 2008 Toronto Olympic and Paralympic Games Bid (See Minute No. 3.4, Page 2):

In response to Councillor Walker's enquiry dated February 19, 2002, and as per your letter of direction, I am pleased to provide the following information.

(1) City Staff Costs

The City did not engage any additional staff resources to support the Olympic endeavour. At different times staff from various City departments (including Works and Emergency Services, Urban Development Services, Legal, Finance, Office of the Chief Administrative Officer, and Economic Development, Culture and Tourism) contributed to the project as required to meet the reporting requirements obligated by Council. All staff took on these responsibilities above and beyond their regular duties, as they would for any other special City project, at no incremental cost to the City, including the Commissioner himself.

Question Nos. (2) through (9) in Councillor Walker's enquiry relate to the Price Waterhouse Coopers LLP audited financial statement of the 2008 Toronto Olympic Bid (TO-Bid). As indicated in the City Auditor's report dated February 11, 2002, TO-Bid is a non-share, not-for-profit organization which was incorporated on September 1, 1998 under the Canada Corporations Act, for the purpose of preparing and presenting a proposal to the International Olympic Committee to bring the 2008 Olympic Games to Toronto. TO-Bid is a separate and distinct legal entity from the City of Toronto, and as such the City has no direct authority or jurisdiction over the operations of the organization.

The TO-Bid financial statements and operations are the responsibility of the TO-Bid management. TO-Bid management commissioned and adhered to a Financial Procedures Manual developed by the accounting firm Ernst and Young and followed a Code of Conduct which was formally approved by the Board of Directors. In addition, TO-Bid was guided in its business affairs by a Board-appointed Ethics Commissioner, the Hon. Charles L. Dubin, former Chief Justice of Ontario. In order to address the Councillor's questions, it was necessary for me to forward them to Borden D. Rosiak who acted as the Chief Financial Officer of the 2008 Toronto Olympic Bid. The responses to questions 2 through 9 below are a direct transcript of Mr. Rosiak's reply.

(2) Olympic Bid Budget

It is not usual or required disclosure under GAAP (generally accepted accounting principles) to present budget data in audited financial statements. This type of information would normally be found in financial statements prepared for Board and management purposes.

The increase in the actual costs of Olympics 2008 – Toronto (“Bid”) was primarily attributable to the large amount of in-kind contributions received from corporations who were fully supportive of the Bid. Actual cash expenditures were in line with budgeted amounts.

(3) Government Contributions

Other than the expense reimbursement by the federal and provincial governments of \$4.7 million set out in the Statements of Operations in the audited financial statements, there were no direct government contributors. In addition, the Province of Ontario advance was fully repaid.

(4) Disclosure of Government Contributions

See No. (3) above.

(5) Contingent Liabilities

Under GAAP, financial statement disclosure does not require the specific identification of officers, directors or suppliers within the notes to the financial statements. As such, no identification has or will be provided.

(6) Fundraising Events

The external fundraising organization, a Canadian firm, was selected after following the agreed upon tendering process. Neither the firm nor its senior officers were directors or officers of the bid.

Prior to paying any expenditures, internal controls within the Bid ensured that said expenditures were reasonable and supported by appropriate backup documentation.

(7) Olympic Reception

The cost of this event was not in the range of \$750,000 to \$800,000, as noted by Councillor Walker, but closer to \$350,000 to \$400,000. Numerous organizations were involved in organizing and carrying out the event from security to entertainment to catering. No one organization provided all services for this event.

(8) Compensation

The financial statements for the Bid have been prepared in accordance with GAAP as set out in the Handbook of the Canadian Institute of Chartered Accountants.

Neither the Handbook nor the incorporating statute for the Bid requires the disclosure of the compensation paid to the five highest paid officers of the corporation.

I can certainly confirm that the directors of the Bid did not receive any Directors fees and that the Chief Executive Officer and the Chief Financial Officer did not receive any employment compensation.

(9) Bid Book

The preparation of the Bid Book was co-ordinated by a senior official of the Bid. Considering the size and complexity of the Bid Book, its preparation involved advisors specializing in a wide variety of areas, including legal, environment, transportation, security, finance, architecture and construction.

It should be noted that of the total \$4.6 million cost to produce the Bid Book \$1.4 million was in cash and \$3.2 million was from in-kind contributions.

(10) Review of Olympic Legacy Facilities

The review of the Olympic Legacy Facilities was one of many projects contained in the tripartite Waterfront agreement between the City, the Province of Ontario, and the Federal Government. The total cost of this project was \$42,340.00 of which the City's share was one-third, which was paid from the corresponding Waterfront project capital budget.

The scope of the review involved five key elements:

- completing an inventory of current recreational and sports facilities in the broader region;
- reviewing the operations and uses of legacy facilities in other Olympic cities to ascertain successful models
- identifying potential roles and uses for the Olympic legacy facilities in meeting local, regional and national needs for quality recreation and sports facilities;
- identifying potential operating models that incorporate private sector involvement; and
- ascertaining the public sector's financial obligations associated with operating and maintaining these facilities.

I trust the above responses will meet your requirements.

ATTACHMENT NO. 5 [Notice of Motion F(2)]

Report dated April 2, 2002, from the Commissioner of Urban Development Services, entitled "Leslie/Sheppard Gateway Project (Ward 33)". (See Minute No. 3.87, Page 118):

Purpose:

This report provides the background information on the Leslie/Sheppard Gateway project and options available with respect to this structure as requested by City Council at its meeting held on February 13, 14 and 15, 2002.

Financial Implications and Impact Statement:

There are no financial implications resulting from this report.

Recommendations:

It is recommended that the project be maintained as originally designed by the architect and re-evaluated when planting matures.

Background:

On September 17, 1997, the former North York Council approved the Sheppard Avenue East Streetscape Masterplan developed by MBTW Landscape Architects in collaboration with Berridge Lewinberg Greenberg Dark and Gabor and Marshall Macklin Monaghan. The approved Masterplan recommended the greening of the boulevards, the construction of a recreational trail on the north boulevard, valley gateways for pedestrian access into the ravine and a landscaped median along Sheppard Avenue East. The report also developed a phasing program for the streetscape project and recommended that the project be implemented in two phases. The report indicated an estimated cost of \$1.41 million for two phases of the project.

Comments:

The first phase of the project included the greening of the boulevards along Sheppard Avenue East between Leslie Street and Bayview Avenue and construction of the recreational trail on the north side of the street. This phase was implemented in 1998. The second phase of the Masterplan included the Gateways into the ravine and the Landscaped Median along Sheppard Avenue East between Leslie Street and Provost Drive.

The design of both projects, the Gateway and the Landscaped Median, was developed by following the City of Toronto standard process for retaining design consultants.

The Request for Proposals was released on July 2, 1999, and all proposals were evaluated. The Terms of Reference stated that “the gateway should connect the street to the existing pedestrian route along the Don River and incorporate public amenities such as a pergola, benches and signage” as per the approved Masterplan recommendation. Architects Alliance was selected to provide the design and tender package for the Gateway project. The Terms of Reference and evaluation criteria are described in detail in the Request for Proposals released by the Purchasing Department in July 1999.

The Gateway design consists of a small open space with pathways connecting to the main trail, a seating area, and a vertical structure and planting. The Gateway structure, a beam supported by posts to be covered by vines, forms an edge for a limited portion of the ravine along Leslie Street East. The project connects the Sheppard/Leslie area to the Don River ravine and further adds to the initial intent of the Sheppard Avenue East Masterplan of greening the street.

The consultant developed design was reviewed at different stages by Works and Emergency Services, the Parks and Recreation Division of Economic Development, Culture and Tourism, as well as the Toronto and Region Conservation Authority. The project was designed to meet all relevant safety regulation standards and the tender drawings were signed by both the structural engineer and the architect. The Works and Emergency Services Department reviewed the Gateway design prior to the tendering and construction phase and stated that the structure and all associated work are safe for the road users (pedestrians and motorists). In November 1999, the drawings and tender documents were handed over to Works and Emergency Services for implementation. The Works and Emergency Services Department undertook the construction of the Gateway project, as part of a larger public works project (estimated at \$3.8 million) that was associated with the new TTC subway line. Due to unforeseen underground problems the project, which was expected to start in the fall of 1999, was delayed. The construction started in the summer of 2001 and the project was completed in December 2001. The cost of the Gateway structure was \$130,000.00.

Public Consultation Process

The preparation of the Sheppard Avenue East Streetscape Masterplan included an extensive public consultation process. On May 23, 1997, a charette was organized with representatives from the residential community, former City of North York and Metro staff. Also, the two community meetings held on May 27, 1997, and September 11, 1997, were well attended by the residents in the area.

The requests for funding presented to the Budget Committee in 1997 included the description of both phases of the project. The City of Toronto Council approved the total of \$1,510,000.00 for the first two phases of the project on April 30, 1998.

On February 13, 2001, Urban Development Services and Works and Emergency Services held a public information session on the Leslie Sheppard Environmental Assessment and Bessarion Leslie Context Plan where all components of the Sheppard project were displayed. Residents between Finch Avenue and York Mills Road, and Bayview Avenue and Don Mills Road, as well as all area Councillors were invited to that meeting. Rendered drawings of the Gateway project were displayed for information purposes and a project information sheet containing the scope of the project was also available. No negative comments were recorded.

Participants at that meeting signed up to join the Steering Committee for the Bessarion-Leslie Context Plan. The Steering Committee met on April 10, 2001, when an Urban Design Group and a Transportation Work Group were formed. On May 24, 2001, participants who signed-up and the local Councillor were invited to participate in the Urban Design Work Group.

Conclusions:

No action should be taken at this time. The Gateway consists of a metal frame structure combined with landscaping that is an integral part of the project. While the metal structure and hardscape construction have been completed, the planting only occurred late last fall. The plantings will take approximately one season to get established, and two or three seasons to mature. The project should be maintained as originally designed by the architect and re-evaluated when the planting matures.

Contact:

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(A copy of the following attachments, which were appended to the foregoing report, are on file in the office of the City Clerk:

- Attachment No. 1, headed "Location of Gateway Project";
- Attachment No. 2, headed "Location Plan"; and
- Attachment No. 3, headed "Leslie Street - East Elevation".)

ATTACHMENT NO. 6 [Notice of Motion J(6)]

Communication dated April 8, 2002, from the City Clerk, forwarding the recommendations of the Telecommunications Committee. (See Minute No. 3.93, Page 126):

Recommendations:

The Telecommunications Steering Committee recommends that:

- (1) the City of Toronto petition the Governor in Council for a review of the decision of the Canadian Radio-television and Telecommunications Commission with respect to the Rogers Cable Inc. Deregulation Application; and
- (2) a representative of the Canadian Radio-television and Telecommunications Commission be invited to appear before the Telecommunications Steering Committee respecting this matter.

The Telecommunications Steering Committee reports, for the information of Council, having:

- (a) released the report (March 26, 2002) from the City Solicitor as a public document having regard that the information contained therein is not confidential;
- (b) requested the Executive Lead on Telecommunications, in consultation with the appropriate City staff, to review the policy with respect to cable in City-owned buildings and also in buildings under the jurisdiction of the City's various Agencies, Boards and Commissions to determine if there is any impediment to seeking competitive bids on cablevision in those buildings; and
- (c) requested that this matter be submitted to Council by Notice of Motion sponsored by Councillors Moscoe and Mammoliti for consideration at its meeting of April 16, 2002, having regard that Recommendation No. (1) above is subject to legal deadline.

Background:

The Telecommunications Steering Committee at its meeting held on April 8, 2002, had before it a confidential report (March 26, 2002) from the City Solicitor respecting the "Rogers Cable Inc. Deregulation Application – CRTC Response", which report was released by the Committee as a public document having regard that the information contained therein is not confidential.

(Report dated March 26, 2002, from the City Solicitor,
entitled “Rogers Cable Inc. Deregulation Application - CRTC Response”)

Purpose:

This report forwards for the information of the Steering Committee copies of the letter initially sent by the City Solicitor to the Canadian Radio-television and Telecommunications Commission (the “CRTC”) pursuant to Council’s original direction in this matter, and the response to the City’s letter from the CRTC.

NOTE: Although not recommended for the reasons set out below, the Steering Committee should be aware that the Broadcasting Act does allow for an appeal of decisions made by the CRTC, either by way of a petition to the Governor in Council or an appeal to the Federal Court of Appeal. Should the Steering Committee wish to recommend the pursuit of a petition or an appeal, the legal deadlines for initiating such a proceeding would require that this matter be considered by City Council at its meeting of April 16, 2002.

Financial Implications and Impact Statement:

There are no financial implications arising from this report.

Recommendations:

It is recommended that this report be received for information.

Background:

City Council, at its meeting of February 13, 14 and 15, 2002, adopted a Notice of Motion respecting the application by Rogers Cable Inc. for deregulation of basic cable television services within certain portions of the City of Toronto. The motion, as adopted by Council, recommended that “the City of Toronto, on behalf of its citizens and itself, protect its rights to appeal by filing an application at the CRTC against the Rogers application.” The motion therefore directed the City Solicitor to take the action necessary to preserve the City’s legal rights, and forwarded the matter to the Telecommunication Steering Committee for review with respect to “legal strategy.”

The Acting City Solicitor therefore prepared a report to the Telecommunications Steering Committee for its meeting of February 27, 2002 outlining the statutory regime governing the Rogers application and setting out some potential grounds for an objection by the City to the application. Consideration of that report was deferred by the Steering Committee to its meeting of April 8, 2002.

Comments:

As reported previously, the applicable Broadcasting Distribution Regulations under the Broadcasting Act provide that once an application has been made for deregulation, the CRTC has 60 days in which to either grant the application or suspend or disallow it. The CRTC has advised that in the case the Rogers application, the 60 day time period expires on April 1, 2002. Therefore, based on Council's previous direction, I prepared a letter (copy attached as Appendix "A") based on the grounds as set out in the February 20, 2002 report so as to insure that the CRTC would have an opportunity to consider Council's position within the applicable time period.

I have now received a response (copy attached as Appendix "B") from the CRTC indicating that, upon consideration of the City's letter, the CRTC has found that the City's objections do not warrant the suspension or denial of the application. It is therefore my understanding that the CRTC will be granting the application as requested by Rogers. This result is not surprising given that the application process is based upon objective criteria which Rogers has apparently satisfied according to the process previously established by the CRTC.

The Steering Committee should be aware that the Broadcasting Act provides for a review or appeal of a decision by the Commission, either by way of a petition to the Governor in Council or an appeal on an error or law or jurisdiction to the Federal Court of Appeal. Such proceedings must be initiated within 45 days in the case of a petition, or 30 days in the case of a court appeal.

In the circumstances of this case, it is my opinion that there is no legal basis for an appeal to the Federal Court of Appeal as a result of this decision.

The decision as to whether to pursue a petition is really a political issue given that it involves an attempt to convince the federal government that the CRTC has made an incorrect policy decision which, in the words of the Act, "derogates from the attainment of the objectives of the broadcasting policy" set out in subsection 3(1) of the Act. I am not aware of any indication at the present time that the government has any inclination to interfere with the CRTC's policy in this area. It has not sought to reverse previous deregulation decisions.

In the event that the Steering Committee wishes to recommend the pursuit of a petition or appeal, a notice of motion, sponsored by a member of the Steering Committee, should be prepared to forward this matter to City Council for consideration at its meeting of April 16, 2002.

Conclusions:

In keeping with Council's direction at its meeting of February 13, 14 and 15, 2002, the City Solicitor took action to preserve the position of the City of Toronto by sending in a letter to the CRTC objecting to the application by Rogers Cable Inc. for deregulation of basic cable services. By letter dated March 15, 2002, CRTC has indicated that it has considered and rejected the City's objections.

Contact:

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Solicitor, Legal Services
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Attachments: Appendix "A" - Letter dated March 6, 2002, to CRTC from Acting City Solicitor
Appendix "B" - Letter dated March 15, 2002, from CRTC to E. Earle, Solicitor, Legal Services

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

Communication dated April 8, 2002, from the City Clerk, entitled “Consent to Assignment of Stream Intelligent Networks Corp. Term Letter Agreement to Vidéotron Télécom Ltée.” (See Minute No. 3.94, Page 128):

Recommendation:

The Telecommunications Steering Committee recommends to Council the adoption of Recommendations Nos. (1) and (3) embodied in the confidential joint report (March 28, 2002) from the City Solicitor and the Executive Lead on Telecommunications and reports, for the information of Council, having concurred with Recommendation No. (2), such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.

Background:

The Telecommunications Steering Committee at its meeting held on April 8, 2002, had before it a confidential joint report (March 28, 2002) from the City Solicitor and the Executive Lead on Telecommunications respecting the “Consent to Assignment of Stream Intelligent Networks Corp. Term Letter Agreement to Vidéotron Télécom Ltée.”, such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.

ATTACHMENT NO. 8 [Notice of Motion J(8)]

Communication dated April 8, 2002, from the City Clerk, entitled “Termination of Term Letter Agreement with Wispra Networks Inc.” (See Minute No. 3.95, Page 130):

Recommendation:

The Telecommunications Steering Committee recommends the adoption of Recommendations Nos. (1) and (3) embodied in the confidential report (March 28, 2002) from the Commissioner of Works and Emergency Services and reports, for the information of Council, having concurred with Recommendation No. (2), such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.

Background:

The Telecommunications Steering Committee at its meeting held on April 8, 2002, had before it a confidential report (March 28, 2002) from the Commissioner of Works and Emergency Services respecting the “Termination of Term Letter Agreement with Wispra Networks Inc.”, such report to be considered in camera having regard that the subject matter relates to the security of the property of the municipality or local board.

ATTACHMENT NO. 9 [Notice of Motion J(9)]

Confidential report dated April 12, 2002, from the City Solicitor, entitled “Proposed Settlement of Appeals to the Ontario Municipal Board Re Applications to Amend former North York OPA No. 392 by the City, by All Souls Anglican Church and by Elk Island Developments Inc. Northwest Quadrant; Bayview and Sheppard”, such report now public in its entirety. (See Minute No. 3.96, Page 132):

Purpose:

To recommend that Council settle the appeals by All Souls Anglican Church and Elk Island Developments Inc. on the basis set out in this report and to authorize the City Solicitor to request the Ontario Municipal Board to approve revised OPA No. 517 as a modification to OPA No. 392.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) receive the revised draft Official Plan Amendment No. 517 in Attachment No. 1; and
- (2) direct the City Solicitor to forward the revised Official Plan Amendment No. 517, in Attachment No. 1, to the Ontario Municipal Board as a proposed modification to OPA No. 392.

Background:

City Council at its meeting held in February 13, 14 and 15, 2002 directed that OPA No. 517 be forwarded to the Ontario Municipal Board as a proposed modification to OPA No. 392. This course of action resulted from a previous City commitment to complete a land use study of the northwest quadrant of Bayview Avenue and Sheppard Avenue East. The principles behind OPA No. 517 include recognizing the quadrant as a key development area along the proposed subway line, but ensuring appropriate transition from higher density on the east along Bayview Avenue to lower density on the west, adjacent to stable residential areas.

All Souls Anglican Church and Elk Island Inc. each separately filed competing OPAs for this quadrant. Both sought buildable densities somewhat higher than those

proposed by the City. In addition, both argued that there should be an additional level of transferable density from donor lands on the west to recipient lands on the east. With this proposal, they hoped to ensure equitable treatment of homeowners from east to west across the quadrant, as those on the west conveyed density to those on the east.

Comments:

General Density Transfers

The concept of general density transfer as proposed in this scheme is of concern. The proposed density transfer scheme does not fulfil a public planning objective with respect to the donor lots. Rather, the scheme is for the purpose of more evenly distributing the financial gains realized through the density increases in the quadrant. This would open a “pandora’s box” of future issues and would set an undesirable precedent for density transfer schemes elsewhere in the Sheppard Subway corridor as well as elsewhere in the City. If general density transfers are acceptable in this quadrant, it will be difficult to exclude them from the other subway nodes along the Sheppard Subway Line. Once such transfers begin to be implemented, the City would be adversely affected by a number of resulting issues, including the administrative burden of having to process zoning amendments to implement every transfer and of recording a system of restrictive covenants on benefitting properties to try to prevent future attempts to increase density levels after density is conveyed. Also, future planning for such lands would become much more complicated as a result of the after-effects of density transfers.

Upon further reflection, the Church and Elk Island have agreed to withdraw the density transfer argument. As part of the settlement discussions, they propose a number of refinements to OPA No. 517 as described below. These refinements are recommended by staff as appropriate land use planning for this quadrant.

Teagarden Court:

The OPA approved by Council provided that Teagarden Court would be extended from the signalized intersection with Bayview Avenue west to Clairtrell Road. The Church proposes that the OPA not require such an extension, which could negatively impact on the Clairtrell neighbourhood. Instead, the Church suggests that the OPA highlight the importance of the Teagarden/Bayview intersection as a co-ordinated access point for the lands fronting on Bayview Avenue. City staff have discussed this and indicate that such a revision more accurately reflects their intent for Teagarden Court.

Park Location:

It is important that a park be located within the quadrant. Language to this effect was included in the City's OPA No. 517, along with a map showing a park - on the Church's land. It was never intended that this map require the park to be located on the parcel shown. The Church concedes that showing a park establishes the OPA's commitment to provide a park; however, the Church has requested that the language referencing the park clarify that the location shown on the map is not a fixed or required location. Staff agree with this suggestion.

Boundary Between RD5 Designation and Mixed Use Designation:

The City's OPA No. 517 proposed that the 3 times density in the Mixed Use designation along Bayview Avenue change to a Residential Density 5 (RD5) designation permitting 2 times density in a location somewhat east of the houses fronting on Clairtrell Road. Staff's intent with this boundary was to ensure sufficient depth along Clairtrell Road to permit substantial buildings to effect the transition in density from east to west.

The Church responds with the concern that the boundary should be moved further west to align with existing rear yards on the east side of Clairtrell Road. It is most important to the Church that Clairtrell Road be permitted to develop with buildings fronting on the street in order to preserve a sense of neighbourhood along this street. Staff do not object to this proposed revision. The result of this shift is a slight increase in density which can continue to result in development fronting Bayview Avenue that is in keeping with the principles of the Sheppard East Subway Corridor Secondary Plan with coordinated access from Bayview Avenue and Teagarden Court. An appropriate transition towards the stable residential area is also maintained.

Density for the RD2 Lands:

OPA No. 517 proposed a maximum density of 1 FSI for the lands on the west side of Clairtrell Road north of the RD4 lands. Of primary importance in protecting nearby stable residential areas to the west were a number of principles, which included capping the height of buildings on the RD2 lands at 3 storeys, maintaining a building free 45 degree angular plane calculated from the stable residential areas to the west and maintaining appropriate front and rear yard set backs. Elk Island has demonstrated that 1.4 times FSI can be constructed on these lands while respecting the above principles. Essentially, the revision from 1 to 1.4 permits a deeper townhouse, which should not adversely impact the stable residential neighbourhood to the west.

Urban Design Issues:

City staff had intended that the urban design principles of OPA No. 392 apply to the residential areas within the quadrant. This oversight is corrected in the attached draft

OPA No. 517. These principles speak to issues such as preserving a 45 degree angular plane in the set back of buildings from adjacent residential areas. Clarification has also been provided to ensure that a 3-storey height limit is maintained on the RD2 lands on the west side of Clairtrell Road.

Conclusion:

The Ward Councillor and Planning staff have advised that they are in agreement with the recommendations embodied in the report.

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Attachment 1

Authority: North York Community Council Report No. X, Clause No. X, as
adopted by City of Toronto Council on
Enacted by Council:

CITY OF TORONTO

Bill No.

OFFICIAL PLAN AMENDMENT NO. 517

To amend City of North York Official Plan in respect of lands
municipally known as 8-23 Clairtrell Road, 391-403 Spring Garden Avenue,
2880 and 2890 Bayview Avenue, 2-16 Teagarden Court,
2-22 Mallingham Court, 500 and 502 Sheppard Avenue East.

To adopt Amendment No. 517 of the Official Plan for the former City of North York.

WHEREAS authority is given to the Ontario Municipal Board by the Planning Act, R.S.O. 1990, c.P 13, as amended, to pass this By-law;

AND WHEREAS the Ontario Municipal Board has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 517 to the Official Plan of the City of North York, consisting of the attached text, is hereby adopted.

ENACTED AND PASSED this day of , A.D. 2002.

ENACTED AND PASSED this day of , A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Land Affected by this Amendment

This amendment concerns lands located in the north-west quadrant of the intersection of Bayview Avenue and Sheppard Avenue East municipally known as 8-23 Clairtrell Road, 391-403 Spring Garden Avenue, 2880 and 2890 Bayview Avenue, 2-16 Teagarden Court, 2-22 Mallingham Court, and 500 and 502 Sheppard Avenue East.

Effect of Amendment

The effect of this amendment would be to add this area as a key development area within the Bayview Node of the Sheppard East Subway Corridor Secondary Plan Area and create a site specific policy. The densities range from 1.0 FSI to 3.0 FSI with lower residential designations next to the existing stable residential neighbourhood and higher mixed use designation closest to the subway station and arterial roads. The site-specific amendment would enable the density incentives currently within the Secondary Plan to be utilized on the properties east of Clairtrell Road within the RD4, RD5 and Mixed Use designations.

Public Meetings

An Ontario Municipal Board hearing on April 15, 2002 will deal with this matter and the City as directed by the Ontario Municipal Board will issue public notice.

Amendment No. 517
To The Official Plan

Of The City Of North York

The following text constitutes Amendment No. 517 to the Official Plan of the City of North York.

Clause 1

Part D.15 is amended by adding the following bullet to Section 4.2 at the end of the section entitled A. Bayview Node and prior to Section 4.2.1 as follows:

- On the lands designated RD2, RD4, RD5 and Mixed Use northwest of Bayview Avenue and Sheppard Avenue East including the lands that abut Clairtrell Road, Teagarden Court, Mallingham Court and the south side of Spring Garden Avenue.

Clause 2

Part D.15 is amended by adding the following subsection to 4.2 as Section 4.2.2.1:

“4.2.2.1 Teagarden Court/Mallingham Court/Clairtrell Road Area

This area is to be developed primarily with residential uses in keeping with the characteristics of the Bayview node. The Secondary Plan assigns a range of residential designations including Residential Density Two (RD2), Residential Density Four (RD4) and Residential Density Five (RD5) to permit residential redevelopment. The lands located closest to the arterial roads and rapid transit station are assigned a Mixed Use designation and a density of 3.0 FSI.

The existing uses are permitted to continue until redevelopment occurs.

Subject to the approval of a Context Plan pursuant to Section 10, mixed-use development and multiple family development may occur within the appropriately designated lands, subject to the additional policy criteria:

- Comprehensive assemblies are encouraged in order to achieve the maximum permitted density and to prevent piecemeal development.
- Density incentives outlined in Section 4.3.3 of the Secondary Plan may also be utilized for the lands designated RD4 and RD5 in addition to the lands designated Mixed Use within the key development area.
- Notwithstanding the 45 unit per hectare density maximum stated in Part C.4 for lands designated RD2, the lands designated RD2 on the west side of

Clairtrell Road shall provide a low density residential built form with a maximum density of 1.4 FSI to ensure compatibility with the adjacent designated stable residential area.

- Without specifying a preferred location, the establishment of a new park within the key development area shall be encouraged.
- Coordination of development applications on the lands in the Teagarden Court/Mallingham Court/Clairtrell Road Area in the context of the surrounding area to evaluate impacts on neighbouring residential uses.
- Development should be sensitive to the remaining lands with the key development area and their existing uses and built forms.
- New development should ensure that the signalized intersection of Teagarden Court and Bayview Avenue functions as a coordinated access point to the Mixed Use lands with frontage on Bayview Avenue.
- Particular attention should be given to development on the south side of Spring Garden Avenue and its shadow impacts on the St. Gabriel's Separate School yard to the north.
- The Urban Design Principles set out in Section 4.4, will also apply to lands designated RD2, RD4 and RD5 in addition to the lands designated Mixed Use within the key development area. The application of the principles in paragraph (10) of Section 4.4 is not intended to, and shall not, permit building heights in excess of the 3 storey height permitted in the RD2 designation. The application of the principles in paragraph (9) of Section 4.4 is not intended to apply to the property line between the new RD4 lands and lands currently occupied by St. Elizabeth of Hungary Church.”

Clause 3

Map D.15.1 is amended by adding the subject lands to the Sheppard East Subway Corridor area.

Clause 4

Map C.1 is amended by redesignating the lands from RD1, RD2 and COM to RD2, RD4, RD5 and Mixed Use as shown on Schedule “A”.

Clause 5

Map D.15.2 is amended by redesignating the lands from RD1, RD2 and COM to RD2, RD4, RD5 and Mixed Use and assigning a density of 3.0 FSI to the lands designated Mixed Use as shown on Schedule "B".

Clause 6

Map D.15.3 is amended by adding the subject lands as specific development policy area 4.2.2.1 as shown on Schedule "C".

Clause 7

The Conceptual Parks Plan for the Sheppard East Subway Corridor referred to as Appendix 12.0.0 to the North York Official Plan is amended by adding a "conceptual location of new or expanded parkland" within the Teagarden Court/Mallingham Court/Clairtrell Road Area as shown on Schedule "D". The location of the new or expanded parkland shown on the subject lands on Schedule "D" is not intended to indicate a preferred or intended actual location of parkland, but instead refers to a location somewhere within the Teagarden Court/Mallingham Court/Clairtrell Road Area.

(A copy of Appendices "A", "B", "C" and "D" to Official Plan Amendment No. 517, as well as the communication dated April 12, 2002, from Borden Laner Gervais, Barristers and Solicitor, is on file in the office of the City Clerk.)

ATTACHMENT NO. 10 [Notice of Motion J(24)]

Report dated April 16, 2002, from the Commissioner of Works and Emergency Services, entitled "Avondale Composting Facility". (See Minute No. 3.111, Page 153):

Purpose:

To seek Council's authority for staff to take such additional actions as necessary to allow the extension of temporary zoning approval for the Avondale Composting Facility until December 31, 2003.

Financial Implications and Impact Statement:

No financial implications will result.

Recommendation:

It is recommended that the Commissioner of Works and Emergency Services in consultation with the City Solicitor be authorized, in conjunction with the prior authority granted by Council for staff to appeal any refusal by the City of Vaughan of temporary zoning for Avondale, to take such additional actions as considered necessary, including applications to the Minister of the Environment for a Section 29 Order under the Environmental Protection Act or to the Minister of Municipal Affairs and Housing for a Zoning Order under s.47 of the Planning Act, to allow the extension of temporary zoning approval for the Avondale Composting Facility until December 31, 2003 or until such time as Vaughan's proposed approval comes into effect on passage of the Oak Ridges Moraine Plan.

Background:

By adoption of Clause No. 6 of Report No. 16 of The Works Committee at its meeting of November 6, 7, and 8, 2001, Council of the City of Toronto provided authority to seek approval from the City of Vaughan for temporary zoning at the Avondale Composting Facility (Avondale) and approval from the Ministry of the Environment under the Environmental Protection Act for the same facility.

A public hearing under the Planning Act was held by the Council of the City of Vaughan in January of 2002. Subsequently, Council of the City of Vaughan delayed dealing with the application because of the requirement in the Oak Ridges Conservation Act, 2001, that any decision made by a municipal council under the Planning Act must conform with the Oak Ridges Moraine Conservation Plan. City of Toronto staff wrote to Vaughan's City Solicitor on April 3, 2002 submitting that Vaughan is not prohibited by the Oak Ridges Moraine legislation from dealing with

the Avondale application. On April 12, 2002 Vaughan Planning staff prepared a staff report recommending that the Committee of the Whole, at its meeting on April 22, 2002, approve the Zoning By-law Amendment Application, subject to the following:

- (a) that the proposed amendment conforms to the Oak Ridges Moraine Conservation Plan;
- (b) that the implementing by-law not be enacted until after the release of the Oak Ridges Moraine Conservation Plan, and be reviewed for conformity with the Plan; and
- (c) that the implementing by-law permit the continued accessory waste management uses in the Primary Buffer Area at the Keele Valley Landfill Site and yard waste composting at the Avondale Clay Extraction Site for a temporary period of 1 ½ years from June 1, 2002 to December 31, 2003.

Comments:

The Avondale Composting Facility has been in operation since 1988. It is located adjacent to the City of Toronto's Keele Valley Landfill Site, located in the City of Vaughan. It diverts approximately 60,000 tonnes of leaf and yard waste from disposal on an annual basis, and produces a high quality compost product.

The Ontario Municipal Board (OMB) considered the Avondale operation as part of a hearing on the City of Vaughan's Official Plan Amendment No. 332, which dealt with land use on and around the Keele Valley Landfill Site. Through the decision of the OMB in 1996, Official Plan Approval and Temporary Zoning was approved to permit the operation of Avondale. The Board was satisfied that there were good reasons to link the completion of composting activities to the completion of the landfill site. Accordingly, the Board approved a scheme that would permit composting until one year after the closure of the Keele Valley Landfill Site, subject to temporary zoning approval under the Planning Act.

The City of Vaughan's zoning by-law permitting the continued accessory waste management uses in the Primary Buffer Area at the Keele Valley Landfill Site and yard waste composting at the Avondale Clay Extraction Site expires on May 31, 2002. Although Vaughan's Planning Department recommends an extension of that zoning by-law until December 31, 2003, it takes the position that such extension cannot be implemented until the Oak Ridges Moraine Conservation Plan has been released and the zoning by-law has been reviewed for conformity with the Plan.

City of Toronto staff have been authorized by Council to appeal to the Ontario Municipal Board in the event that a temporary zoning extension from the City of

Vaughan is not granted, but no other actions were previously contemplated. An appeal to the Ontario Municipal Board may not be sufficient to remedy the lack of zoning approval in a timely way, and other actions may be necessary. Such actions include an application to the Minister of Environment seeking a report to the Clerk of the City of Vaughan under s.29 of the Environmental Protection Act that would require the City of Vaughan to allow part of a waste management system to operate, or an application to the Minister of Municipal Affairs and Housing seeking a Zoning Order under s.47 of the Planning Act which allows the Minister by order to exercise zoning by-law powers conferred upon municipal councils.

Meanwhile, the Ministry of the Environment appears to be willing to issue the Certificate of Approval on a month-to-month basis pending approval of the Oak Ridges Moraine Conservation Plan. The MOE would be in a position to issue the Certificate of Approval for the whole period if an appeal to the OMB or other action was successful in clarifying the ability of the City of Vaughan to grant the zoning extension.

If the Oak Ridges Moraine Conservation Plan comes into effect before May 31, 2002, no action pursuant to this report may be necessary.

Staff of the City Legal Department have reviewed the recommendations contained in this report and concur with them.

Conclusions:

The City of Toronto requires approval in order to continue composting at its Avondale Composting Facility beyond May 31, 2002. Authorization is sought to take such actions as necessary to allow the extension of temporary zoning approval until December 31, 2003 or such time as Vaughan's proposed approval comes into effect on passage of the Oak Ridges Moraine Plan.

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ATTACHMENT NO. 11 [Notice of Motion J(28)]

Report dated April 16, 2002, from the City Solicitor, entitled “SkyDome Charter-Bus Parking Requirements”, such report now public in its entirety. (See Minute No. 3.115, Page 159):

Purpose:

To report, as authorized by City Council, with respect to the SkyDome bus parking.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that:

- (1) the City Solicitor be authorized to report directly to Council, in consultation with the Commissioner of Urban Development Services, upon the status of site plan approval and any other permissions required for the construction of Towers A and B on the west part of Block 20/23 together with the construction of both temporary and permanent SkyDome bus parking facilities within the remainder of Block 20/23; and
- (2) the City Solicitor be authorized to report, if appropriate, directly to Council upon any further discussions with Concord Adex.

Background:

By report dated February 13, 2002, the Acting City Solicitor reported In-Camera with respect to a proposal from Concord Adex to settle an OMB hearing regarding bus parking for the SkyDome. Council authorized the City Solicitor to report further in the event of any significant changes in the proposal. Concord Adex has recently asked the City to pursue an alternate proposal that would permit development of Block 20/23 (as shown on Appendix “A”) to proceed while negotiations continue respecting Block 18C.

The alternate proposal would permit the construction of Towers A and B on the west part of Block 20/23 together with both temporary and permanent SkyDome bus parking facilities within the remainder of Block 20/23. Concord Adex would excavate and construct foundations for Towers A and B. If, by the time it was ready to construct above grade, it had obtained permission to relocate the bus parking to Block 18C, Concord Adex would move the bus parking to Block 18C and proceed

with the above grade construction of Towers A and B. If it had not obtained approval to relocate the bus parking to Block 18C, Concord Adex would construct the bus parking on Block 20/23 in conjunction with the above grade construction of Towers A and B.

Comments:

Staff of Urban Development Services is generally supportive of the alternative proposal, subject to, (1) satisfaction of the requirements of Works and Emergency Services, and (2) any comments from Economic Development, Culture and Tourism regarding the use of the abutting park for bus parking. Site plan approval may therefore be obtained within the near future.

Conclusions:

Should Council wish staff to process the alternate proposal for development on Block 20/23 while continuing to negotiate a settlement with respect to Block 18C, it would be appropriate to adopt the recommendations set out in this report.

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(A copy of the Appendix "A", referred to in the foregoing report, is on file in the office of the City Clerk.)