

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Report No. 15 of The Policy and Finance Committee, Clause No. 25a  
Report No. 14 of The Administration Committee, Clauses Nos. 1a, 4a and 32a  
Report No. 9 of The Community Services Committee, Clause No. 10b  
Report No. 10 of The Community Services Committee, Clause No. 5a  
Report No. 10 of The Economic Development and Parks Committee, Clause No. 9a  
Report No. 12 of The Works Committee, Clauses Nos. 7a and 10a

New Reports:

Report No. 1 of The Policy and Finance Committee  
Report No. 1 of The Administration Committee  
Report No. 2 of The Administration Committee  
Report No. 1 of The Community Services Committee  
Report No. 2 of The Community Services Committee  
Report No. 1 of The Economic Development and Parks Committee  
Report No. 2 of The Economic Development and Parks Committee  
Report No. 1 of The Planning and Transportation Committee  
Report No. 2 of The Planning and Transportation Committee  
Report No. 3 of The Planning and Transportation Committee  
Report No. 1 of The Works Committee  
Report No. 2 of The Works Committee  
Report No. 1 of The Etobicoke Community Council  
Report No. 1 of The Humber York Community Council  
Report No. 1 of The Midtown Community Council  
Report No. 1 of The North York Community Council  
Report No. 1 of The Scarborough Community Council  
Report No. 1 of The Toronto East York Community Council  
Report No. 1 of The Board of Health  
Report No. 1 of The Nominating Committee  
Report No. 1 of The Striking Committee

and Notices of Motions and Additional Matters as adopted by the Council of the City of Toronto at its regular meeting held on February 4, 5 and 6, 2003, and its special meetings held on February 7, 2003 and February 10 and 11, 2003. The list of Clauses considered by Council

differed at each of these three meetings. To determine at which meeting(s) Council considered a particular matter, please refer to the final Clauses.

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

**DEFERRED CLAUSES FROM REPORT NO. 14 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1a - “Union Station Request for Proposals Status Report on Negotiations With Union Pearson Group (Ward 28 - Toronto Centre - Rosedale)”.**

The Clause was amended:

- (1) in accordance with the recommendations embodied in the communication dated January 29, 2003, from the City Clerk, subject to striking out and replacing Recommendation No. (III), embodied therein, so that the recommendations, as amended, read as follows:

“The Administration Committee recommends:

- (I) the adoption of the following Recommendations Nos. (4) and (5) contained in the report (January 22, 2003) from the Commissioner of Corporate Services:
- ‘(4) the Public Advisory Group initiated by Councillors Holyday, Sutherland and Ashton be continued to provide public input as part of the ongoing review process for the revitalization of Union Station and be formalized as part of the governance structure for Union Station; and
  - (5) the retainer of Davies Ward Phillips & Vineberg be continued to complete this transaction with costs, not to exceed \$250,000.00, to be paid out of revenues from Union Station;’;
- (II) that the Commissioner of Corporate Services be requested to release, publicly, all of the RFP submissions and evaluation documentation, subject to the obligations of MFIPPA so that their release will protect the City’s financial and public interest; and
- (III) that City Council request Mr. Justice Osborne to:
- (i) review the full process for developing the Request for Proposal (RFP) terms, the evaluation of the RFP submissions, and the Selection Committee’s process for the selection of the preferred proponent in the Union Station RFP, to ensure it has been conducted in a fair and proper manner, based on the criteria established in the RFP;

- (ii) review, as a first priority, the disclosure issues regarding the scoring spreadsheets, and provide advice to City Council in that regard, as soon as possible, and in that context, be requested to consult with both the City Solicitor and the Director of Corporate Access and Privacy; and
- (iii) review the role of the engineering firm of Marshall Macklin Monaghan in the advice, preparation and distribution of the proposal request, as well as the firm's declarations of interest submitted during this process, having regard that this firm worked with Mr. Tannenbaum's company during construction of the Air Canada Centre.”; and

(2) by adding thereto the following:

“It is further recommended that:

- (a) the matter of releasing the scoring documents be referred to Mr. Justice Osborne, with a request that he advise City Council as to the proper timing of their release, and that the Commissioner of Corporate Services be requested to report to the Administration Committee:
  - (i) no later than 60 days on the matter of releasing the scoring documents; and
  - (ii) with an explanatory document outlining their purpose and methodology, in the event the scoring documents are to be released to the media;
- (b) Union Pearson Group and LP Heritage be requested to provide their consent to disclosure of the comparative aspects of the essential elements of their proposals, including the financial and business terms;
- (c) prior to entering into a lease agreement with Union Pearson Group, Council hold a public presentation of the detailed development plan and invite public comment, and to do so, all Members of Council and the public be invited to attend the Special Meeting of the Administration Committee;
- (d) prior to the consideration of any further proposals of this nature, the Chief Administrative Officer be requested to submit a report to the Administration Committee on the approach and process for the issuance of such proposals, including consideration of the following recommendation:

‘That in future proposals of this nature, City staff be directed to bring the proposal specifications to Council, and that at this stage, Council invite public participation in the design of the call, prior to its release to potential proponents.’;
- (e) the Commissioner of Corporate Services be:
  - (i) directed to continue, together with appropriate City staff, the preparatory work necessary to redevelop Union Station, in any event;

- (ii) requested to provide to Council, in-camera, copies of any declarations of interest from the firms Marshall Macklin Monaghan and Davies Ward Phillips & Vineberg, and/or their employees, and that such information also be forwarded to Mr. Justice Osborne; and
- (iii) requested to submit a report to Council, through the Administration Committee, on any involvement by Dale Lastman in providing advice on this project to Kilmer Van Nostrand and/or Borealis, prior to his appointment to the Board of Directors of Borealis, and that such information also be forwarded to Mr. Justice Osborne;
- (f) henceforth, any reference to Mr. Justice Osborne which pertains to his role in this review, not allude to him as Provincial Integrity/Ethics Commissioner, having regard that Mr. Osborne will not be conducting his review of this process in that capacity; and
- (g) all City staff involved in this process be thanked for their professionalism and diligence.”

As a result of media reports related to this matter, Council subsequently adopted the following additional recommendations:

“It is recommended that:

- (1) Council convey its sincere apology to the Commissioner of Urban Development Services, and express its full confidence in her professionalism in serving the City of Toronto; and
- (2) the Chief Administrative Officer be authorized to release whatever information she deems necessary to provide a complete explanation for the scoring in the evaluation of the Union Station RFP, in order to support and protect the reputation of City staff.”

**Clause No. 4a - “Establishing a City Lobbyist Registry Similar to Provincial and Federal Systems: Implementation Issues, Costs and Requirements”.**

Council adopted the following recommendations:

“It is recommended that:

- (1) the City approve the establishment of a interim, voluntary lobbyist registry system, as follows:
  - (a) the registry should be in place within three months;

- (b) in the initial stages, the registry will take the form of a simple register in each Councillor's office, requiring all lobbyists to sign in;
  - (c) a copy of the registry is to be made available at the end of each month in the office of the City Clerk;
  - (d) a budget of \$500.00 be established to cover the initial costs, with funding to be provided from within the existing budget of the City Clerk's Office;
- (2) a permanent and formal City-wide lobbyist registry system, similar to the system described in the joint report (October 30, 2002) from the Chief Administrative Officer and the City Solicitor (as embodied in the Clause), with estimated annual costs of \$300,000.00 and set-up costs of \$360,000.00, be established for the City of Toronto at such time as the Province of Ontario approves enabling legislation;
- (3) in the meantime, the Chief Administrative Officer, in consultation with the City Solicitor, be requested to continue to develop policies and procedures, within the existing legislation, based on external industry and association policies, regulations and laws governing lobbyists, and other relevant policies, such as the Code of Conduct for Council Members and the Lobbying Disclosure Policy for certain competitive calls;
- (4) the following Recommendations Nos. (3), (6) and (7), embodied in the joint report (October 30, 2002) from the Chief Administrative Officer and the City Solicitor, be adopted:
- '(3) if Council decides to proceed with a City Lobbyist Registry by-law similar to that contained in Appendix 5 to this report, the City Clerk and Commissioners be consulted to ensure an effective City lobbyist registry that will address the applications, procedures and functions likely to attract a high degree of lobbyist activity, as well as be consistent with provincial and federal principles for the registration process;
  - (6) after consultation with the City Clerk and Commissioners as per Recommendation No. (3) above, the Chief Administrative Officer and City Solicitor report to Administration Committee on a final form lobby registry by-law; and
  - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.';
- (5) the Chief Administrative Officer and the City Solicitor be requested to submit a joint report to the Administration Committee:
- (a) outlining a request to the Province of Ontario for enabling legislation for a permanent lobbyist registry system, within the context of the request for enabling legislation for a City Integrity Commissioner; and

- (b) on the administrative aspects of the lobbyist registry system as it relates to the Office of the Integrity Commissioner;
- (6) the Chief Administrative Officer, in consultation with the Commissioner of Corporate Services, be requested to submit a report to the Administration Committee on measures to strengthen the City's policies regarding the lobbying of civil servants, with a general goal of banning or implementing stronger controls on the lobbying of civil servants;
- (7) the Ethics Steering Committee be requested to refine the details of data collection and the definition to be applied to lobbyist activities, and submit a report thereon to Council, through the Administration Committee, such report to also address the issue of lobbying by unions, developers, fundraisers and special interest groups; and
- (8) consideration be given to sustaining the system by charging professional lobbyists an amount for registration when a more permanent registration system is established."

**Clause No. 32a - "Improving the Quality of Property Assessment Services Delivered to Ontario Municipalities and Ratepayers".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**DEFERRED CLAUSE FROM REPORT NO. 9 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 10b - "Other Items Considered by the Committee".  
Item (h), entitled "Emergency Homelessness Pilot Project - Process for Focus Group and Eligibility Criteria".**

This Item was struck out and referred back to the Community Services Committee for further consideration.

**DEFERRED CLAUSE FROM REPORT NO. 10 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 9a - "Results: Film and Television Investment Attraction (All Wards)".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**DEFERRED CLAUSE FROM REPORT NO. 12 OF THE WORKS COMMITTEE**

**Clause No. 10a - “Harmonized Policies and Procedures for Memorials on City Property”.**

The Clause was amended in accordance with the following recommendations of the Economic Development and Parks Committee, embodied in the communication dated December 17, 2002, from the City Clerk:

- “(a) the adoption of the ‘Policy Framework for Memorials on City Parks and Open Spaces’, as outlined in Attachment ‘B’, embodied in the joint report (October 18, 2002), from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, subject to amending the fourth paragraph on Page 3 to read as follows:

‘Upon request for a permanent memorial within a road right-of-way, the City will advise of the benefits of the Tree Advocacy Planting Program. The City may approve the planting of a tree or trees within the road rights-of-way at, or near, the site of the tragic event, at full cost recovery to the requestor and subject to the approval of the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, or his/her designates and any adjacent property owner(s). Where applicable, the full benefits of the Tree Advocacy Planting Program will apply to the planting of memorial trees.’;

- (b) all inquiries relating to memorials on City owned parkland or open spaces be directed to the Commissioner of Economic Development, Culture and Tourism or his/her designate;

- (c) that Section 3.3 of the proposed ‘Policy and Procedural Guidelines for Memorials on Public Road Rights-of-Way’ be amended to read as follows:

‘3.3 Upon request for a permanent memorial within a road right-of-way, the City will advise of the benefits of the Tree Advocacy Planting Program. The City may approve the planting of a tree or trees within the road rights-of-way at, or near, the site of the tragic event, at full cost recovery to the requestor and subject to the approval of the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, or his/her designates and any adjacent property owner(s). Where applicable, the full benefits of the Tree Advocacy Planting Program will apply to the planting of memorial trees.’; and

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

**Clause No. 1 - "Use of Communications Services and Resources During an Election Year".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.



**Clause No. 2 - "Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 3 - "West District Study - A Process Framework".**

The Clause was amended by adding thereto the following:

"It is further recommended that the Commissioner of Corporate Services be requested to enter into discussions with the Toronto District School Board respecting the future of the former Etobicoke Education Centre and the possibility of securing a school site on the Westwood Theatre property."

**Clause No. 4 - "Performance Pay: Increment Progression Rate - Non-Union".**

The Clause was amended by adding to Recommendation No. (2) of the Personnel Sub-Committee, the words "such report to include the total number of employees, by department and by job classification, who received exceptional performance ratings", so that such recommendation now reads as follows:

"(2) that the Commissioner of Corporate Services, in one year's time after the implementation of the performance pay program, be requested to submit a report back to the Personnel Sub-Committee, providing a further review on this program, such report to include the total number of employees, by department and by job classification, who received exceptional performance ratings."

**Clause No. 8 - "Audio-Visual Linkage Between East York Civic Centre and City Hall".**

Council adopted the following recommendation:

"It is recommended that City Council offer to the Cable Public Affairs Channel (CPAC) the opportunity to broadcast the MFP Inquiry, at no cost to the City of Toronto."

**Clause No. 13 - "70 Birmingham Street - Purchase of Land for the Toronto Police Service Firearms/Defensive Tactics and Applicant Testing Facility (Ward 6 - Etobicoke-Lakeshore)".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 16 - "External Human Rights Investigation".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 19 - "Other Items Considered by the Committee".**

The Clause was received as information, subject to deferring Item (o), entitled "Donation of Community Waterplay Area at Fennimore Park (Ward 7 - York West)", embodied therein, to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**REPORT NO. 2 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1 - "Energy Management Program (EMP) for City Facilities".**

The Clause was amended by:

- (1) adding to Recommendation No. (3) embodied in the report dated December 6, 2002, from the Commissioner of Corporate Services, the words "including an update on the progress in adopting Enwave's district heating and cooling technology (Deep Lake Water Cooling) for City-owned facilities", so that such recommendation now reads as follows:

"(3) the Energy and Waste Management Office submit an annual report to Council regarding the status of the Energy Management Program, including an update on the progress in adopting Enwave's district heating and cooling technology (Deep Lake Water Cooling) for City-owned facilities;" and

- (2) adding thereto the following:

"It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Policy and Finance Committee on the feasibility of Enwave being accorded a status comparable to Toronto Hydro Energy Services Inc. (THESI) with respect to the Council-approved Energy Retrofit Strategy."

**Clause No. 2 - "Technology Acquisition and Asset Management Dell Sole Source Acquisition/Computer Acquisition Process".**

The Clause was amended by adding thereto the following:

"It is further recommended that the following process be adopted and implemented for the purpose of acquisitions related to technology:

- (1) Technical standards, developed by the Information and Technology Division, will be posted on the City's internet, along with City policies and terms and conditions for providing bids and selling to the City. In addition, the City website will have a 'Selling Technology to Toronto' area to include all City technology standards, purchasing processes, lists of current requests for quotations (RFQs), and electronic versions of current RFQs.
- (2) The Purchasing and Materials Management Division of the Finance Department will issue the RFQ in PDF format by electronic mail to all the firms on the

bidder's list. The RFQ document will include a copy of the City's policies (i.e., Fair Wage, Canadian Content, etc.) which they have to abide by in supplying to the City and will be made aware that they have to comply with those policies.

- (3) Suppliers will be given four (4) business days to respond to each RFQ. All responses must be received by the Purchasing and Materials Management Division by noon on the fourth business day. The Purchasing and Materials Management Division is responsible for opening in public all responses received by the deadline.
- (4) Once the responses are provided to the Information and Technology Division, staff will review the requirements and determine the lowest bid meeting specifications. The Purchasing and Materials Management Division will be asked for their review of the evaluation and their concurrence with the recommendation.
- (5) The Purchasing Division will issue the open contract to the successful supplier."

**Clause No. 3 - "Tenant Outreach Program 2003 Election Tenant Information Program".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 11 - "Release of City Interest in 261 Jarvis Street to the Toronto Community Housing Corporation (Ward 27 - Toronto Centre-Rosedale)".**

The Clause was amended by adding thereto the following:

"It is further recommended that Council adopt the report dated February 3, 2003, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

'It is recommended that:

- (1) authority be granted to enter into a lease with 1433838 Ontario Limited, for the recreational space located at 261 Jarvis Street, Toronto, and into a sublease from 1433838 Ontario Limited in respect of community space, both on terms satisfactory to the Commissioner of Economic Development, Culture and Tourism, and in form satisfactory to the City Solicitor;
- (2) authority be granted to assign all of the City's interest in the lease to the Toronto Community Housing Corporation; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

**Clause No. 14 - “Initiation of Civil Action With Regard to Environmental Costs Relating to the Expropriation of 11R Hounslow Heath Road (Ward 17 - Davenport)”.**

The Clause was amended in accordance with the following recommendations:

“It is recommended that:

- (1) once the civil suit has been started and the City’s consultants have identified potential remediation strategies, the Commissioner of Corporate Services be requested to report directly to Council on the options available for remediation; and
- (2) the Commissioner of Works and Emergency Services, in consultation with Public Health Officials, be requested to monitor the laneways around the site where exceedences have been found and to take the measures necessary to ensure that the laneway is left clean, and further, the cost of such action is to be included with damages for the purpose of the lawsuit authorized by this report.”

**Clause No. 15 - “Evaluation of the City’s Telecommunications Infrastructure Request for Proposals”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not amended by Council.

**Clause No. 21 - “Federal Court of Appeal Decision Respecting Canadian Radio-Television and Telecommunication Commission (CRTC) Decision 2001-23 (Terms and Conditions for Access to Municipal Property by Telecommunications Carriers) - Leave to Appeal to Supreme Court of Canada”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the confidential report dated February 3, 2003, 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) City Council authorize the City Solicitor, in consultation with the Chief Administrative Officer and the Executive Lead on Telecommunications, to retain and instruct outside counsel in the filing of an application for leave to appeal to the Supreme Court of Canada from the decision (December 17, 2002) of the Federal Court of Appeal upholding Decision 2001-23 (January 25, 2001) of the Canadian Radio-television and Telecommunications Commission, and to take such

other action as may be necessary to protect the interests of the City of Toronto;

- (2) in the event that leave to appeal is granted, City Council authorize staff to instruct outside counsel to prepare and present the City of Toronto's case before the Supreme Court of Canada;
- (3) City Council ratify the previous action taken by City staff in initiating preparations for the filing of the leave to appeal application pending Council's consideration of this matter;
- (4) City Council authorize funding of outside counsel, and other expertise as required for this proceeding, and the payment of any cost award which may arise from this proceeding, to a maximum of \$85,000.00 from the "Road and Sidewalk Repair, Maintenance, and Reconstruction Reserve Fund", as a cost related to the use of the City's roads by telecommunications carriers, on the basis that these expenses will be shared on a 50/50 basis with the City of Ottawa;
- (5) the 2003 Operating Budget for Legal Services be adjusted by \$40,000.00 gross and \$0.00 net to reflect the funding authorized in Recommendation No. (4), and the City Solicitor include \$45,000.00 on the same basis in the 2004 Operating Budget to be applied to the costs of this proceeding; and
- (6) City Council request staff to take all appropriate action to give effect hereto.' "

**Clause No. 27 - "Other Items Considered by the Committee".**

The Clause was received as information, subject to deferring the following Items, embodied therein, to the next regular meeting of City Council scheduled to be held on April 14, 2003:

- Item (b), entitled "Donation of Community Waterplay Area at Fennimore Park (Ward 7 - York West)"; and
- Item (c), entitled "Toronto Olympic Plebiscite".

**REPORT NO. 1 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 2 - "Delegation of Authority to the City Solicitor to Commence Legal Proceedings to Recover Childcare Subsidy Overpayment".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**REPORT NO. 2 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 1 - "Bill 148 - The Emergency Readiness Act, 2002".**

Council adopted the following recommendation:

"It is recommended that the Minister of Health and Long-Term Care be advised that Toronto hospitals are not prepared to handle decontamination of patients in the event of a terrorist event, and appropriate Ministerial attention is required."

**Clause No. 7 - "Childcare Occupancy Cost Agreements with the Boards of Education".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 8 - "Financial Pressures Related to Local Service Realignment of Child Care, Social Housing and Ontario Works".**

Council adopted the following recommendations:

"It is recommended that:

- (1) Council adopt the report dated January 27, 2003, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

'It is recommended that:

- (i) this report and the document, entitled "Preserving Child Care in Toronto: The Case for New Ontario Government Funding", be received by Council; and
  - (ii) the document, entitled "Preserving Child Care in Toronto: The Case for New Ontario Government Funding", be the foundation for action to obtain increased funds for child care from both the Ontario and federal governments.'; and
- (2) the City of Toronto request the federal and provincial governments to ensure that in all future negotiations on programs of this type, the City have a seat at the table in designing such programs."

**Clause No. 10 - "Final Allocations for the Federal Supporting Communities Partnership Initiative Funding".**

The Clause was amended to provide that a review of the tenant selection process for the provincial Homelessness Rent Supplement Program be included in a broader review of access and equity issues in the selection of tenants for social housing.

**Clause No. 12 - “New Federally Funded Community Rental Housing Program”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the City of Toronto request the federal and provincial governments to ensure that when establishing new programs, such as the Community Rental Housing Program, the City have a seat at the table in helping to design such programs.”

### **REPORT NO. 1 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 5 - “Marketing Toronto’s Discovery District, Ward 20 St. Paul’s and Ward 27 Toronto Centre-Rosedale”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the establishment of a Toronto Discovery District Steering Committee, such Committee to include two Members of Council as part of its membership.”

**Clause No. 9 - “City of Toronto/Toronto Association of Business Improvement Areas (TABIA) Business Improvement Area (BIA) Operating Handbook (All Wards)”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not amended by Council.

**Clause No. 10 - “Final Report: Archeological Master Plan of the Central Waterfront”.**

The Clause was struck out and referred back to the Economic Development and Parks Committee, and the City Solicitor was requested to submit a report for consideration therewith on the legal implications of the November 1, 2002 report from the Commissioner of Economic Development, Culture and Tourism.

In addition, Council adopted the following recommendations:

“It is recommended that:

- (1) Council reiterate its request to the Province of Ontario that the heritage preservation tax incentives presently written into the new Municipal Act be

permitted to pierce the caps on commercial properties to encourage archeological preservation and data recovery on private property;

- (2) the Minister of Culture be requested to advocate for this on behalf of the City of Toronto; and
- (3) the Association of Municipalities of Ontario be so advised.”

**Clause No. 11 - “Stockyards Area Retail Market Adjustment Program - Final Fund Allocation (Ward 13 Parkdale High-Park, Ward 14 Parkdale High-Park and Ward 17 Davenport)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that City Council appoint the following nominees to the Board of Management of the St. Clair Gardens Business Improvement Area, as elected by the BIA on January 13, 2003, for the balance of the 2001-2003 term, or until their successors are appointed:

- Councillor Betty Disero;
- Carmela Sturino;
- Connie Militello;
- Don Antious Panos;
- Rose Signorile; and
- Phillis Ferraro.

**Clause No. 12 - “Waterfront Festival Docks Entertainment Complex”.**

Council adopted the following recommendations:

“It is recommended that:

- (a) Council adopt the report dated January 8, 2003, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

‘It is recommended that:

- (1) City Council consent to permitting the Can-Am Powerboat Race in the Inner Harbour on June 21 and 22, 2003, such consent be conditional on the proponents, Power Events International (PEI) and The Docks Waterfront Entertainment Complex, entering into an Agreement that shall address at a minimum, those issues set out below together with such other issues as the City Solicitor and other stakeholders may deem necessary and satisfactory to secure the following matters:

- (a) the proponents receive and provide to the City written authorization from the Toronto Port Authority to hold the event.



This authorization may be obtained upon written application to the Harbour Master and is to be approved in the form of a Permit which indicates the conditions relating to such authorization;

- (b) the proponents remove all floating docks and markers from the water immediately following the event;
- (c) the proponents submit to the Commissioner of Economic Development, Culture and Tourism, a satisfactory Master Operating Plan which includes details of the event, an event schedule, location and marking of racecourse(s), a Site Plan for all event related activity, a Transportation Plan, an Emergency Response and Security Plan and Sound level monitoring;
- (d) the proponents submit to and have approved by Ambulance, Fire and Police Services an Emergency Response and Security Plan;
- (e) the proponents agree to pay for required Ambulance, Fire and Police personnel;
- (f) the proponents submit to and have approved by the Commissioner of Works and Emergency Services, a detailed Transportation Plan addressing issues including, but not limited to, traffic control, parking, and public transit provision;
- (g) the proponents agree to implement the measures and programs contained in the approved Transportation Plan and Emergency Response and Security Plan;
- (h) the proponents make application to the Commissioner of Works and Emergency Services for the temporary closing of Polson Street;
- (i) the proponents agree to provide maintenance personnel for garbage removal from public areas including Polson Street;
- (j) the proponents submit a General Review Commitment Certificate to the Chief Building Official for the erection of all viewing stands, announcing towers and any other temporary structures required for the event;
- (k) the proponents submit a Letter of Undertaking to the Chief Building Official agreeing to retain an architect or professional engineer for the general review of all work requiring building permits;

- (l) the proponents agree to clean-up any spill associated with the event to the satisfaction of the Ministry of Environment and the appropriate civic officials;
  - (m) the proponents agree not to hold races or pre-race boat warm-up prior to 8:00 a.m. or after 5:00 p.m.;
  - (n) the proponents provide written notice of event scheduling to nearby film production studios. The proponents shall contact the Economic Development, Culture and Tourism's Film and Television Office for the appropriate contact list;
  - (o) the proponents make application to the Commissioner of Economic Development, Culture and Tourism for a Parks Access Agreement permitting use of the Polson Street Park during the race event and abide by all terms and conditions of the permit application;
  - (p) the proponents agree to repair all damages incurred to the Polson Street Park as a result of the race event activities;
  - (q) the proponents, at their expense, take out and keep in full force and effect immediately prior to, during and after the race, a comprehensive general liability insurance policy in the amount of \$10,000,000.00 per occurrence and property insurance for all property owned, leased or in control of The Docks Waterfront Entertainment Complex and Power Events International;
  - (r) the proponents fully indemnify the City, its agents, employees, elected or appointed officials against any claim arising from or incidental to the race in a form satisfactory to the City Solicitor;
  - (s) the proponents agree to ensure that at the start of each day of racing or the commencement of a race after a long period of delay, the race course and surrounding area be gently cleared of all waterbirds and, with the exception of the start/finish area, race boats stay clear of shoreline areas;
  - (t) the proponents be directed to work with the Economic Development, Culture and Tourism Department's Tourism Division to co-ordinate all necessary City services required to plan and execute the Waterfront Festival; and
  - (u) all required approvals be received by the Commissioner of Economic Development, Culture and Tourism no later than June 1, 2003; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.';

- (b) the Commissioner of Economic Development, Culture and Tourism be requested to:
  - (1) ensure that the following mitigation is included in the final framework:
    - (i) on-site noise by-law enforcement officers monitoring the noise impacts on the day of the race; and
    - (ii) an emergency noise complaint telephone number with complaints to be recorded, with local residents being informed of this number, at full cost to the proponent; and
  - (2) submit a report to the Economic Development and Parks Committee in the fall of 2003 reviewing the impact of the powerboat race, such report to include:
    - (i) the results of meetings to be convened with the affected stakeholders, residents, environmentalists and the local Councillors; and
    - (ii) an analysis of the noise impacts of the 2003 powerboat race, with any costs associated with a noise study to be paid by the proponents; and
- (c) Council approve this matter without prejudice to other noise violators in the surrounding area.”

**REPORT NO. 2 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 5** - **“Service Improvement Employee Engagement Process (All Wards)”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not amended by Council.

**Clause No. 7** - **“Request for Proposal No. 0613-02-0223 for the Operation of Concession Services for the North District of Parks and Recreation Division (Various Wards in the North District)”.**

The Clause was amended to provide that the concessions rights contract for the proponent at Don Mills Arena be awarded for a term not to exceed the approval of a potential redevelopment of this facility, or five years, whichever occurs first.

**Clause No. 9** - **“International Alliance Program Summary Report 2002 (All Wards)”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not amended by Council.

**Clause No. 13 - “First Parliament Site Options for Preservation (Ward 28 Toronto Centre-Rosedale)”.**

The Clause was amended in accordance with the recommendations embodied in the confidential report dated January 28, 2003, from the Commissioner of Economic Development, Culture and Tourism, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information respecting the proposed acquisition of land for municipal purposes, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the owner of the property at 265 Front Street East be advised that the City will not initiate further discussions to bring the property into City ownership; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”,

and further, such recommendations be consolidated with the recommendations contained in the confidential communication dated January 15, 2003, from the City Clerk.

**REPORT NO. 1 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 2 - “Stakeholder Satisfaction with Committee of Adjustment Hearing Times”.**

The Clause was amended by adding to the end of the Recommendation of the Planning and Transportation Committee, the words “and that such requests continue to be co-ordinated through the Ward Councillor”, so that such recommendation now reads as follows:

“The Planning and Transportation Committee recommends that the Commissioner of Urban Development Services be requested to formalise the present system whereby all Committees of Adjustment meetings may begin at a later start time upon request by a community group or an applicant, and that such requests continue to be co-ordinated through the Ward Councillor.”

**Clause No. 5 - “Architecture Tourism Potential - All Wards”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the following recommendations be referred to the Planning and Transportation Committee for consideration:

‘It is recommended that:

- (1) Council approve, in principle, the appointment of a City Architect; and

- (2) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the establishment of an architectural award for a public and a private sector development, on an annual basis.’ ”

**REPORT NO. 2 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 2 - “Criteria and Process for Selecting Priority Avenue Studies”.**

The Clause was amended by amending Recommendation No. (2) embodied in the report dated January 6, 2003, from the Commissioner of Urban Development Services, to provide that economic development programs and initiatives be factors in identifying Avenue studies.

**Clause No. 3 - “Sheppard Avenue Corridor Study - TF WPS 2002 0004”.**

The Clause was 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 City Council, through the Planning and Transportation Committee, on the option of creating a new access point onto the Victoria Park Avenue/Highway 401 ramp, directly from the Consumer’s Road business park area, taking into account the findings of the following current studies, once completed:

- (i) the Highway 401/404 Interchange Study; and
- (ii) the Don Valley Parkway Corridor Study.”

**Clause No. 4 - “Design Guidelines for Infill Townhouses”.**

The Clause was amended in accordance with the following recommendations:

“It is recommended that:

- (1) the Design Guidelines provide for sufficient visitor parking, and the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on this matter by April 2003; and
- (2) the appropriate by-laws be drafted on the premise that charges for visitor parking are prohibited.”

**REPORT NO. 3 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 1 - “Enactment of a Municipal Shelter By-law and Adoption of Related Council Policies and Procedures”.**

The Clause was amended:

- (1) by adding to the end of Recommendation No. (1)(a)(3) of the Planning and Transportation Committee, the words “and further, for the purposes of calculating the cap, the greatest annual quantum, on a ward basis, for motel spaces be included”, so that such recommendation now reads as follows:

- “(3) a moratorium on the location of new municipal shelters be adopted to the effect that no new municipal shelter sites be approved in wards already having 500 or more municipal shelter beds, and further, for the purposes of calculating the cap, the greatest annual quantum, on a ward basis, for motel spaces be included;”;
- (2) by inserting in Recommendation No. (2) of the Planning and Transportation Committee, the word “expeditious” before the second occurrence of the words “Site Plan Control”, so that such recommendation now reads as follows:
- “(2) any existing Site Plan Control by-law in the City be amended to ensure that all municipal shelters are subject to expeditious Site Plan Control until such time that a harmonized Site Plan Control By-law is developed, and that a stakeholder group be established consisting of, but not limited to, representatives from the Toronto Association of Business Improvement Areas, shelter advocates, ratepayer and tenant groups and staff from Urban Design Division of Urban Development Services, to provide input into the development of the harmonized Site Plan Control By-law and its guidelines for shelters;”;
- (3) by adding to the end of Recommendation No. (1)(b) embodied in the joint report dated December 20, 2002, from the Commissioner of Urban Development Services and the Commissioner of Community and Neighbourhood Services, the words “or emergency shelter, hostel or crisis care facility”, so that such recommendation now reads as follows:
- “(b) a minimum separation distance of 250 metres be required between any new municipal shelter and any existing municipal shelter or emergency shelter, hostel or crisis care facility;”;
- (4) in accordance with the following recommendations embodied in the report dated January 28, 2003, from the Commissioner of Community and Neighbourhood Services:
- “(1) the size of each new municipal shelter be approved as part of the Council approval process for each new municipal shelter as described in clause 2(iv) of the Revised Draft Municipal Shelter By-law; and
- (2) the appropriate City officials be authorized and directed to take the necessary action give effect thereto.”;
- (5) to provide that shelters approved under this By-law not exceed 80 singles or 80 families, and this limit be established as a Council policy and not as part of the By-law;
- (6) to provide that, in the process of identifying potential shelter sites, staff shall advise the Ward Councillor immediately of those sites that are potentially viable;
- (7) to provide that the site location process with respect to this By-law include deliberations at the respective Community Council, in addition to the Community Services Committee, in order to allow the Ward Councillor and local community residents to discuss and depute the location of any new proposed shelter;

(8) to provide that this By-law not apply to prohibit a municipal shelter use at 8 Warrendale Court in the former City of Etobicoke;

(9) by adding thereto the following:

“It is further recommended that:

- (a) City Council request additional funding from the provincial and federal governments for supportive housing, in order to provide accommodation for people with mental health and/or addiction problems;
- (b) the Province of Ontario be requested to:
  - (i) provide legislation to allow the use of current shelter funding to be used for housing subsidies;
  - (ii) pay an additional \$40 million (of which \$16 million is the shortfall, with an additional \$24 million) to set up a Rent Subsidy Account that will be held in trust by the City of Toronto, such Account to be used as follows:
    - (1) people who are homeless can apply to this fund to help them solve their homeless situation; and
    - (2) those who are facing severe financial difficulties and who may become homeless through the loss of their home can apply;
- (c) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Budget Advisory Committee on placing a cap of \$120 million per year on the operating expenditure for shelters or housing for homeless persons;
- (d) Council resolve to substantially solve the homeless situation by December 2006, and the Commissioner of Community and Neighbourhood Services be requested to submit a plan to the Community Services Committee before the end of this term of Council, the core of such plan to focus on using part or all of the \$120 million per year towards the creation of affordable transitional housing and/or rental subsidies for homeless persons, and how support services could be provided to those using rental subsidies;
- (e) the Commissioner of Community and Neighbourhood Services be requested to research the variety of reasons why homeless persons do not wish to enter a shelter, and using these reasons as a basis, submit a report to Council, through the Community Services Committee by the end of May 2003, with proposed actions that would be effective in encouraging homeless persons to use the shelter system;
- (f) the Commissioner of Community and Neighbourhood Services and the Commissioner of Urban Development Services be requested to investigate how other large urban centres in North America handle and deal with homeless



persons, specifically the cities of Vancouver, Montreal, Chicago, New York and Detroit, as well as other cities which would be beneficial in providing this type of information, and submit a report to Council by the end of June 2003, through the Community Services Committee, such report to include:

- by-laws, if any, which these cities have passed with respect to ensuring that homeless persons will move to shelters;
  - how successful these by-laws are at present; and
  - what other initiatives they have taken to deal with the problem; and
- (g) when there are no homeless persons living on the streets in the City of Toronto and the current hostel beds are empty, the Municipal Shelter By-law be rescinded.”

### **REPORT NO. 1 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 1 - “Preliminary 2003 Current Value Assessment (CVA) Impacts and Tax Policy Options for 2003, Commercial and Industrial Property Classes; Residential Property Class; Multi-Residential Property Class; Status of Property Tax Relief Program for Low-Income Seniors and Low-Income Disabled Persons (All Wards)”.**

The Clause was amended:

- (1) to provide that the Property Tax Deferral Program be amended so that tax increases are cancelled where household CVA is less than \$295,000.00 for disabled applicants and for senior applicants with an income of less than \$25,000.00; and
- (2) by adding thereto the following:

“It is further recommended that:

  - (a) City Council urge the Provincial Government to:
    - (i) phase out or discontinue tax adjustments based on redistribution within residential tax classes; and
    - (ii) increase the 5 percent cap on business, industrial and multi-residential property classes to diminish the adjustment period;
  - (b) City Council inform all Toronto MPP’s of:
    - (i) the continued need for a neighbourhood-commercial sub-class, with a request that they urge the government to make the change in regulation; and

- (ii) the disproportional education tax burdens (residential 33<sup>1</sup>/<sub>3</sub> percent, commercial 50 percent and industrial 50 percent), with a request that the multi-residential burden of 10 percent be considered more fair, and that at a minimum, Toronto's burden be the same as all other Ontario municipalities;
- (c) the Chief Financial Officer and Treasurer be requested to:
  - (i) submit reports to the Policy and Finance Committee:
    - (1) providing a list of addresses of multi-residential buildings in the City of Toronto which are receiving a decrease in their assessment, in order that Members of Council make take steps to ensure that rent reductions are passes on to tenants; and
    - (2) before the end of 2003, on the feasibility of a permanent Council policy which would protect homeowners from spikes in assessment values; and
  - (ii) submit a report to the Budget Advisory Committee on the establishment of a CVA Residential Property Class Assessment Stabilization Fund to cap assessment increases at 20 percent in 2003 and 2004, and further, the City Solicitor be requested to report at that time on the City's statutory ability to adopt such a plan; and
- (d) the Chief Financial Officer and Treasurer and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Policy and Finance Committee on the feasibility of adjusting the eligibility requirement for the Residential Rehabilitation Assistance Program from \$250,000.00 to the average CVA of \$295,000.00 for 2003."

**Clause No. 2 - "Review of Toronto Waterfront Revitalization Corporation's (TWRC) Proposed Business Strategy and Development Plan; Overview of Due Diligence Process; Results of City Input, Bill 151: The Toronto Waterfront Revitalization Corporation Act; and Integrated Energy in the Central Waterfront".**

The Clause was amended by adding thereto the following:

"It is further recommended that:

- (1) the Toronto Waterfront Revitalization Corporation (TWRC) be requested to:
  - (a) consider the westward extension of the Harbourfront LRT (i.e. to Dufferin Street/Roncesvalles Avenue/The Queensway) as a priority project in the next phase of projects, and that the Chair of the TWRC be requested to submit a report to the Waterfront Reference Group in March 2003, on

what approvals and/or actions by Council are necessary to achieve this; and

(b) submit a report to the Policy and Finance Committee, through the Waterfront Reference Group, on the potential for a light rapid transit line running from Union Station to Coxwell Avenue; and

(2) recognizing the many significant opportunities for revitalization that exist along Toronto's full 46-kilometres of waterfront, staff be requested to continue to work with representatives of the provincial and federal governments and with the TWRC to ensure that these opportunities continue to be identified and reflected in the annual business and implementation plans of the TWRC."

**Clause No. 4 - "Front Street Extension Environmental Assessment and Preliminary Design Study Addendum Report".**

The Clause was amended:

(1) in accordance with the following recommendations embodied in the report dated February 3, 2003, from the Commissioner of Works and Emergency Services:

"It is recommended that Front Street be extended from Jefferson Avenue to Dufferin Street as part of the overall project, subject to stipulations that:

(i) the Addendum Report be amended to seek Environmental Assessment approval for a Front Street Extension alignment through to Dufferin Street;

(ii) Fraser Avenue and Mowat Avenue not be connected to Front Street at this time;

(iii) the approval be subject to the City putting in place suitable measures to minimize the potential for traffic infiltration into Parkdale at a cost not to exceed \$300,000.00;

(iv) the projected cashflow in the 2003-2007 Transportation Services Capital Budget be amended to reflect an additional expenditure of \$9.6 million in 2006 (for a total of \$42.6 million in 2006) and a total project cost of \$244.6 million; and

(v) the upset limit for the Front Street Extension Environmental Assessment and Preliminary Design Study be increased by \$20,000.00 to \$880,784.49 including all taxes and charges, subject to the approval of the TWRC.";

(2) to provide that the land bridge, as described in the report on Fort York, entitled "Setting it Right", be considered as part of the next set of priority projects for the Toronto Waterfront Revitalization Corporation, so that after its Environmental Assessment is complete, it can be built as far as possible as part of the unified project with the Front Street Extension; and

(3) by adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services be requested to include, during the detailed design stage, a high level urban design criteria for the overall project, including an urban design competition to enhance key elements and promote urban form, and specifically the following urban design elements related to various components of the project:
  - (i) Bathurst Area:
    - the design of the intersection at Bathurst Street appears to be very suburban in character. This is an urban intersection and should therefore be enhanced with elements such as decorative pavers to mark the pedestrian crossing areas. The median in this area should either be eliminated (to make the intersection narrower and easier to cross, or widened and enhanced to provide a true refuge in the middle of the street for those who take two light-cycles to cross;
    - remove median/curves to make more urban street;
    - traffic calming: turn this into a City street - not an on/off ramp;
    - design of retaining walls to animate the street; there are many great precedents in Toronto - for example the new Fort York Boulevard; and
    - provide textured paving at crosswalks;
  - (ii) Rail Tunnel Area:
    - design the bridge (or the edge of the bridge) as a major gateway element; the images presented so far look like the bridges are being designed to the lowest aesthetic standards;
    - plant trees in the median;
    - provide traffic calming;
    - create safe conditions for cyclists under the tunnel;
    - design and lighting of the tunnel needs to be illustrated and enhanced;
    - location of sidewalk under the tunnel is unclear; and
    - land settlement with Fort York is a major issue;
  - (iii) Strachan Connector Ramp:
    - the design of this ramp occupies a large area with very shallow curves and high retaining walls;
    - explore possible connection to Ordinance Avenue;
    - create a pedestrian connection from the on-ramp to the north;
    - provide for future land-bridge connection; and
    - provide details of streetscaping and treatment of the retaining wall;
  - (iv) Front Street:

- must connect all the way to Dufferin Street with all north-south streets (except Fraser Avenue and Mowat Avenue at this time) connecting to Front Street; and
  - requires streetscaping particularly on the south side and provision for pedestrians, cyclists and on-street parking; and
- (v) West of Strachan:
- on ramp flyover creates a major visual barrier;
  - show details of streetscaping; and
  - show design of all retaining walls;
- (b) the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services, and the Chief Planner be requested to submit a joint report to the Policy and Finance Committee on an appropriate percentage, not to exceed one percent, to be applied to this project for public art; and
- (c) each component of the project, including the land bridge associated with Fort York, include an artist on the design team.”

**Clause No. 5 - “Revised Preliminary Budgets for the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) City Council inform Madam Justice Bellamy of its concern with regard to the rising costs of the Inquiry, and request that a copy of the Inquiry budget be provided to Council, and, if appropriate, a revised Inquiry budget be submitted to the April 14, 2003 meeting of Council; and
- (2) the Chief Administrative Officer and the City Solicitor be requested to submit a report to the Policy and Finance Committee on possible options to manage the costs of the Inquiry.”

**Clause No. 6 - “MFP Financial Services Ltd - Status of Litigation”.**

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not amended by Council.

**Clause No. 7 - “The City’s Investment in Enwave District Energy Limited”.**

The Clause was amended:

- (1) to provide that:
  - (a) the City of Toronto maintain a 43 percent interest in Enwave;

- (b) \$21.8 million be re-paid to the Water Capital Reserve Fund, first from the monetization of the promissory note from Toronto Hydro, anticipated in 2004, to replace funds authorized to fund Enwave capital calls and/or share purchases, and secondly, from other sources which may be identified or reported to Council by the Chief Financial Officer and Treasurer;
- (c) the by-law for the Water Capital Reserve Fund be amended to provide that funds be available for the purchase of shares and/or capital calls of Enwave District Energy Limited, to a maximum of \$29.1 million; and
- (d) the appropriate City officials be authorized to take the necessary action to give effect to the Policy and Finance Committee recommendations, embodied in the Clause, and as amended above;

(2) by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on a yearly basis, on this matter.”

**Clause No. 14 - “Section 65 of the Ontario Municipal Board Act”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer and the Chief Financial Officer and Treasurer be requested to submit a further report on this matter to the first regular meeting of the new term of City Council.”

**Clause No. 15 - “Supplementary Report - Chief Administrative Officer’s Status Report on the Implementation of the Recommendations of the Final Report of the Task Force on Community Access and Equity”.**

The Clause was amended by adding to the end of Recommendation No. (1) embodied in the report dated January 10, 2003, from the Chief Administrative Officer, as amended by the Policy and Finance Committee, the following:

“such report to clearly identify:

- (a) the status of the Community Council based access and equity committees;
- (b) the staffing issues within the Access and Equity Division and related Divisions, specifically the adequacy of the staff complement; and
- (c) a clear workplan for 2003/2004;”

so that such recommendation now reads as follows:

- “(1) the Chief Administrative Officer report at the end of 2003 on the implementation of the recommendations of the Task Force on Community Access and Equity based on the timetable outlined in this report, in an appropriate time to allow for consideration of any financial implications, such report to clearly identify:
- (a) the status of the Community Council based access and equity committees;
  - (b) the staffing issues within the Access and Equity Division and related Divisions, specifically the adequacy of the staff complement; and
  - (c) a clear workplan for 2003/2004;”.

**Clause No. 16 - “Update - Council Motion on Racial Profiling in Toronto”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer, as part of the reporting process, be requested to convene a meeting, such meeting to include the Chief of Police and the Commissioners of Community and Neighbourhood Services and Economic Development, Culture and Tourism, with other senior staff and Commissioners requested to attend.”

**Clause No. 18 - “Toronto’s Comments on the Design of the Federal Ten-Year Urban Infrastructure Strategy”.**

The Clause was amended by adding thereto the following:

“It is further recommended that City Council request the federal government to ensure that in the Province of Ontario, municipalities are partners in any new infrastructure programs.”

**Clause No. 21 - “Proposal for Affordable Housing and Childcare Centre on the City-Owned Bergamot Avenue Property and Results of a Community Meeting (Ward 2 - Etobicoke North)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the scorecards related to this request for proposals (RFP) be released immediately, in-camera.”

Having regard that Council did not meet in-camera with respect to this matter, the release of the scorecards in-camera will be undertaken at the next regular meeting of Council, scheduled to be held on April 14, 2003.

**Clause No. 22 - “Funding to Relocate and Restore the Historically Designated Joy Oil Station and Increase in Project Funding to the Fred Victor Centre for Development of Affordable Housing at**

**1978-2000 Lake Shore Boulevard West (Ward 13 - Parkdale -High Park)”.**

The Clause was adopted without amendment.

Having regard that Council did not confirm this action by by-law prior to adjournment, this action is held in abeyance until such time as a confirming by-law with respect to this Clause is enacted by Council.

**Clause No. 24 - “Policy on Political Activities for Grant Recipients”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 25 - “Requirements for Organizations Receiving a Grant from More Than One City Grant Program”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Grants Sub-Committee on a simplified form for multi-year recipients, and for recipients of small grants.”

**Clause No. 32 - “Using Tax Increment Financing as a Development Incentive within the Draft Etobicoke Centre Secondary Plan Area (Ward 5 - Etobicoke Lakeshore)”.**

The Clause was struck out and referred to the Director of Community Planning, West District, for consideration with the Community Improvement Plan.

**Clause No. 33 - “Freedom of Information Limitations on the Use of ‘Municipal Connect’ Property Assessment Information System (All Wards)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) for the purposes of disclosure of assessment data on-line, Members of Council be considered to be officers of the Corporation of the City of Toronto under Section 31(d) of the Assessment Act, RSO 1990; and
- (2) Council establish an ad hoc Committee of Council, comprised of Councillors Bussin, Moscoe and Soknacki, and that such Committee be directed to meet with officials of the Municipal Property Assessment Corporation (MPAC), supported by staff, to negotiate an arrangement with MPAC that will permit Members of Council to have access to sufficient data to be able to effectively serve their



constituents while, at the same time, maintaining the appropriate degree of confidentiality.”

**Clause No. 35** - **“Award of Contract No. 95-2000 – Containerized Waste, Bulky Item and Recyclable Collection from Multi-Residential Apartment and Townhouse Locations, and Municipal, Institutional and Commercial Establishments, Districts 1 and 2”.**

The Clause was amended in accordance with the following Recommendation of the Budget Advisory Committee, embodied in the communication dated January 29, 2003, from the City Clerk:

“The Budget Advisory Committee at its meeting held on January 28, 2003, during consideration of the Works Committee recommendations respecting the 2003 Operating Budget for Solid Waste Management, recommended to City Council the adoption of the funding aspect in the amount of \$262,390.00 net, including GST, to offset increased costs related to Contract No. 95-2000, for containerized waste, bulky item and recyclable collection from multi-residential apartment and townhouse locations, and municipal, institutional and commercial establishments in Districts 1 and 2.”

**Clause No. 38** - **“Mandatory Sentencing for the Use of Firearms”.**

The Clause was amended by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the Federal Minister of Justice and Attorney General and the Federation of Canadian Municipalities, for their information and appropriate action.”

**Clause No. 40** - **“Precinct Agreements with Canadian Pacific Properties Inc.”.**

Council adopted the joint report dated February 3, 2003, from the Chief Financial Officer and Treasurer and the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that the resolution embodied in the Notice of Motion submitted by Councillor Disero be approved, and that the City Solicitor be authorized to prepare the necessary documentation for execution by the City’s signing officers, subject to receipt of confirmation of the revised arrangement from Enwave.”

### **REPORT NO. 1 OF THE WORKS COMMITTEE**

**Clause No. 1** - **“Feasibility of Reserved Streetcar Right-of-Way on St. Clair Avenue (Wards 11, 17, 21 and 22)”.**

The Clause was amended by:

(1) amending the Recommendation of the Works Committee by:

(a) inserting in Recommendation No. (3), the words “for an extended street car line” after the words “future right-of-way”, so that such recommendation now reads as follows:

“(3) the adoption of the following recommendation of the Toronto Transit Commission:

‘That the environmental assessment which is currently being undertaken for the replacement and rebuilding of the railway overpass at Dundas Street and Scarlett Road, be expanded so that it also addresses the feasibility, costs and benefits of a future right-of-way for an extended street car line under the railway bridge.’;” and

(b) adding the following new Recommendation No. (4):

“(4) that the plan for the line include a possible future extension to Scarlett Road.”; and

(2) adding thereto the following:

“It is further recommended that the Environmental Assessment include the possibility of replacement of on-street parking for business districts, where necessary, with off-street parking, including consideration of the throat-widening of cross streets to provide alternative parking spaces, and the Toronto Parking Authority be involved at an early stage in the evaluation.”

**Clause No. 9 - “Other Items Considered by the Committee”.**

The Clause was received as information, subject to deferring Item (e), entitled “Etobicoke Public Attitude Survey of Outdoor Green Bins”, embodied therein, to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**REPORT NO. 2 OF THE WORKS COMMITTEE**

**Clause No. 4 - “Water Service Replacement at Various Locations in District 1 - Contract No. 02D1-535WS, Tender Call No. 320-2002 (Wards 11 and 12 - York South-Weston)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following Recommendation No. (2) of the Works Committee, embodied in the communication dated February 3, 2003, from the City Clerk:

‘The Works Committee:

- (2) further recommends that upon due diligence being undertaken by Utility Force Inc. satisfactory to the Commissioner of Works and Emergency Services to address the concerns set out in this report, the circumstances underlying the action taken by this award not affect any future awards of City work involving Utility Force Inc.’ ”

#### **REPORT NO. 1 OF THE ETOBICOKE COMMUNITY COUNCIL**

**Clause No. 18 - “Application for Exemption from Part Lot Control I.Q. Developments Corp. 95-101 Grand Avenue; File No. TA PLC 2002 0005 (Ward 5 - Etobicoke-Lakeshore)”.**

The Clause was amended by deleting Recommendation No. (3) embodied in the report dated January 6, 2003, from the Director, Community Planning, West District, and inserting in lieu thereof the following:

- “(3) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to Recommendation No. (1).”

#### **REPORT NO. 1 OF THE HUMBER YORK COMMUNITY COUNCIL**

**Clause No. 1 - “Final Report - 1040 Weston Road; Application to Amend former City of York Zoning By-law No. 1-83 Lenco Developments Corporation (York South-Weston, Ward 11)”.**

The Clause was amended by striking out Recommendations Nos. (1) to (3) of the Humber York Community Council and inserting in lieu thereof the following:

- “(1) that the owner be required to:
  - (a) register on title of the donor site, the five parking spaces to be provided off-site within 300 metres;
  - (b) convey to the City a 1-foot reserve across the access driveway to the parking lot;
  - (c) remove the existing canopy which extends into the Weston Road right-of-way; and
  - (d) ensure that the on-site garbage storage facility at the rear of the building is properly enclosed;
- (2) that all the requirements including the conditions contained in the adopted report be satisfied within a six-month period from City Council approval; and

- (3) that in the event of failure to comply with all the requirements, the Manager, West District, Municipal Licensing and Standards, be requested to take appropriate action.”

**Clause No. 10 - “Proposed Installation of Traffic Control Signals and Turn Prohibitions; St. Clair Avenue West at Mould Avenue (York South-Weston, Ward 11)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that a red warning flashing beacon light be installed at the intersection of Castleton Avenue and Henrietta Street.”

**Clause No. 14 - “Aileen Avenue and Dunraven Drive Traffic Management Plan (York South-Weston, Ward 12)”.**

The Clause was amended by striking out the Recommendation of the Humber York Community Council, and inserting in lieu thereof the following:

“The Humber York Community Council recommends that the report (December 12, 2002) from the Director, Transportation Services, District 1, be adopted, subject to deleting Recommendation No. (4) embodied therein, and, further subject to the traffic control measures outlined in the report being implemented on a four-month trial basis.”

**Clause No. 26 - “Springmount Road at Regal Road; Installation of Northbound and Southbound ‘Stop’ Signs (Davenport, Ward 17)”.**

The Clause was amended by deleting therefrom all instances of the words “Springmount Road” and inserting in lieu thereof the words “Springmount Avenue”.

**Clause No. 31 - “Extension of Permit Parking Hours on Primrose Avenue between Brandon Avenue and the South End of Primrose Avenue (Davenport, Ward 17)”.**

The Clause was amended by deleting the recommendations embodied in the report dated December 27, 2002, from the Manager, Right-of-Way, Transportation Services, District 1, and inserting in lieu thereof the following:

- “(1) the permit parking hours of operation on Primrose Avenue, between Brandon Avenue and the south end of Primrose Avenue, be extended from 12:01 a.m. to 7:00 a.m., 7 days a week, to 12:01 a.m. to 7:00 p.m., Monday to Friday and from 12:01 a.m. to 7:00 a.m. on Saturday, Sunday and Public Holidays;
- (2) the newly created Part AJ of Schedule XXVI (Permit Parking), of Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, be introduced to incorporate Primrose Avenue, between Brandon Avenue

and the south end of Primrose Avenue, to operate between 12:01 a.m. to 7:00 p.m. Monday to Friday and 12:01 a.m. to 7:00 a.m., Saturday and Sunday and Public Holidays; and

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

**Clause No. 44 - “Other Items Considered by the Community Council”.**

The Clause was received as information, subject to amending Item (i), entitled “Request for Speed Humps: (1) Regina Avenue between Ameer Avenue and Varna Avenue; (2) Miranda Avenue between Bowie Avenue and Schnell Avenue (Eglinton-Lawrence, Ward 15)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, to provide that Council adopt the following Motion:

**“BE IT RESOLVED THAT** the Commissioner of Works and Emergency Services be authorized to conduct polls of eligible residents on:

- (1) Regina Avenue, between Ameer Avenue and Varna Drive; and
- (2) Miranda Avenue, between Bowie Avenue and Schnell Avenue;

in accordance with the traffic calming policy to determine if the residents of these roadways support the installation of speed humps on their respective roadway;

**AND BE IT FURTHER RESOLVED THAT**, in the event the results of such polls indicate the support of the affected residents, the necessary by-laws be prepared and public notices be given pursuant to the Municipal Act and the Municipal Class Environmental Assessment Act for the alterations of Miranda Avenue and Regina Avenue for the installation of speed humps;

**AND BE IT FURTHER RESOLVED THAT** pursuant to the requirements of the Municipal Class Environmental Assessment Act Schedule B, a notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and Toronto Police Services and upon approval of the by-laws by Council, Notices of Completion be issued;

**AND BE IT FURTHER RESOLVED THAT** the speed limit be reduced from 40 kilometres per hour to 30 kilometres per hour on the following roads, coincident with the implementation of speed humps:

- (1) Regina Avenue between Ameer Avenue and Varna Drive; and
- (2) Miranda Avenue between Bowie Avenue and Schell Avenue;

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

**REPORT NO. 1 OF THE MIDTOWN COMMUNITY COUNCIL**

**Clause No. 14 - "Introduction of Permit Parking on the North Side of the East-West Leg of Minho Boulevard, Between Acores Avenue and Shaw Street (St. Paul's - Ward 21)".**

The Clause was amended by amending the Recommendation of the Midtown Community Council to read as follows:

"The Midtown Community Council recommends adoption of the report (December 27, 2002) from the Manager, Right of Way Management, Transportation Services, District 1, subject to the inclusion of the four houses south of Acores Avenue on Shaw Street."

**Clause No. 21 - "Amendments to Parking Regulations Wicksteed Avenue, Between Laird Drive and Brentcliffe Road (Don Valley West - Ward 26)".**

The Clause was amended by deleting from Recommendation No. (1) embodied in the report (November 19, 2002) from the Director, Transportation Services, District 1, the time "8:00 a.m." and inserting in lieu thereof the time "9:00 a.m.", so that such recommendation now reads as follows:

"(1) the existing '60 minute maximum, 9:00 a.m. to 4:00 p.m.' parking regulation on the north side of Wicksteed Avenue, between Brentcliffe Road and a point 61 metres east of Laird Drive, be rescinded;"

**Clause No. 30 - "58 Lytton Boulevard - Removal of One Privately Owned Tree (Eglinton Lawrence - Ward 16)".**

Council adopted the following Recommendation No. (1) embodied in the report (December 31, 2002) from the Commissioner of Economic Development, Culture and Tourism:

"(1) that the Midtown Community Council deny the request for the removal of one privately owned tree at 58 Lytton Boulevard;"

**Clause No. 31 - "56 Haslemere Road - Removal of Two City Owned Trees (Don Valley West - Ward 25)".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 32 - "170 Dawlish Avenue - Removal of One City Owned Tree (Don Valley West - Ward 25)".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 33** - **“87 Heathcote Avenue - Request to Remove One City Owned Tree (Don Valley West - Ward 25)”**.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.

**Clause No. 42** - **“Final Report – Application to Amend Zoning By-law No. 1-83, 203, 205, 207 Raglan Avenue Owner: 1428823 Ontario Limited File Number: TD CMB 2002 0011 (St. Paul’s - Ward 21)”**.

The Clause was amended by:

(1) deleting Recommendation No. (1) embodied in the report dated December 17, 2002, from the Acting Director, Community Planning, North District, and inserting in lieu thereof the following:

“(1) amend the City of York Zoning By-law No. 1-83 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6, subject to inserting the following new Provision (i), and re-ordering the original Provision (i) as Provision (j):

‘(i) the maximum floor space index shall be 0.8 on the Lands;’ ”; and

(2) adding thereto the following:

“It is further recommended that, pursuant to Section 34(17) of the Planning Act, Council determine that no further notice to the public is required in respect of the proposed By-law.”

**Clause No. 43** - **“Final Report - Application to Amend the Official Plan and Zoning By-law 438-86, 1430 Yonge Street St. Clair Inc. 302010, TD CMB 2001 0008 (St. Paul’s - Ward 22)”**.

The Clause was amended by striking out Recommendation No. (5) of the Midtown Community Council.

**Clause No. 45** - **“Attendance of City Staff at The Ontario Municipal Board 20 Lewes Crescent (Don Valley West - Ward 25)”**.

The Clause was received, having regard that on January 29, 2003, the Ontario Municipal Board denied the City’s request for adjournment, as outlined in the report dated February 3, 2003, from the City Solicitor.

**Clause No. 5** - **“Request for All-way Stop Controls on Hill Crescent at Brinloor Boulevard and at Duncombe Boulevard (Ward 36 - Scarborough Southwest) (Ward 43 - Scarborough East)”**.

The Clause was amended by striking out and referring the following Recommendation No. (3) of the Scarborough Community Council to the Director of Transportation Services, District 4, with a request that he submit a report thereon to the Scarborough Community Council in one year’s time:

“(3) that all-way stop controls be installed on Hill Crescent at Brinloor Boulevard;”.

**Clause No. 6** - **“Proposed Stop Signs on Schooner Lane (Ward 44 - Scarborough East)”**.

The Clause was amended by adding to the end of the Recommendation of the Scarborough Community Council, the words “subject to deleting from Column 1 of Appendix 1, attached to such report, the words ‘Shoalhaven Road’ and inserting in lieu thereof the words ‘Shoalhaven Drive’ ”, so that such recommendation now reads as follows:

“The Scarborough Community Council recommends the adoption of the following report (January 6, 2003) from the Director, Transportation Services, District 4, subject to deleting from Column 1 of Appendix 1, attached to such report, the words ‘Shoalhaven Road’ and inserting in lieu thereof the words ‘Shoalhaven Drive’: ”.

**Clause No. 19** - **“Draft Plan of Subdivision SC-T19990012 Mattamy (Rouge) Limited 8800 Sheppard Avenue East (Ward 42 - Scarborough Rouge River)”**.

The Clause was amended by adding to the report dated January 20, 2003, from the Director, Community Planning, East District, the following new Recommendation No. (3):

“(3) City staff be requested to ensure that stormwater be managed using best management practices which avoid impacting the former Tyrell land fill site and the watercourses and natural areas of Rouge Park.”

**Clause No. 20** - **“Adult Video Store By-law for the Former City of Scarborough”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services and the City Solicitor be requested to submit a joint report to the Planning and Transportation Committee on the ability of Council to control adult video stores City-wide.”



**Clause No. 2 - “Draft By-law - Stop Up and Closure of the South and West Legs of the Public Highway Van de Water Crescent (Trinity-Spadina, Ward 20)”.**

The Clause was amended in accordance with the following recommendations embodied in the report dated February 3, 2003, from the Commissioner of Works and Emergency Services:

“It is recommended that:

- (1) the by-law to close the Highway not be passed at the meeting of City Council being held on February 4, 5 and 6, 2003 unless the Minister of the Environment denies the request for a Part II Order before the end of such meeting;
- (2) in the event that the Minister of the Environment denies the request for a Part II Order following the meeting of City Council being held on February 4, 5 and 6, 2003 but before the end of the Special Meeting of City Council to be held on February 24, 2003, the by-law to close the Highway be passed at the said Special Meeting; and
- (3) in the event that the by-law is not passed at the Special Meeting of City Council to be held on February 24, 2003, the by-law not be passed and the existing lease of the Highway not be surrendered before the City Solicitor submits a further report concerning enactment of the by-law.”

**Clause No. 9 - “Draft By-law - Zoning By-law Amendment - 837 Yonge Street Canadian Tire Corporation Limited (Toronto Centre -Rosedale, Ward 27)”.**

The Clause was amended by inserting in Recommendation No. (6) of the Toronto East York Community Council, the words “designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer” after the words “irrigation system be”, so that it now reads as follows:

- “(6) an irrigation system with automatic timer be included, at the applicant’s expense and that the irrigation system be designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain good order and operation; and”.

**Clause No. 10 - “Draft By-laws - Official Plan Amendment and Rezoning - 311 Bay Street (Toronto-Centre Rosedale, Ward 28)”.**

The Clause was amended by deleting Recommendations Nos. (2) to (4) of the Toronto East York Community Council and inserting in lieu thereof the following:

- “(2) the applicant be required to design the building to be constructed at 311 Bay Street in such a manner that future connections to the PATH System from the east and south can be accommodated;

- (3) should a PATH connection to 311 Bay Street be constructed from the east and/or south in the future, the owners of 311 Bay Street be required to provide and maintain a PATH system connection on their site and that it be constructed coincident with the PATH system connection from the east and/or south; and
- (4) daytime access from Bay Street to the underground loading area on the site be permitted for a period of 180 days from the time the first dwelling unit in the building is occupied and provided a police officer, paid for by the owner, supervises use of the Bay Street driveway between the hours 7:00 a.m. and 7:00 p.m., after which access into and out of the Bay Street driveway to the site be prohibited between 7:00 a.m. and 7:00 p.m.”

**Clause No. 13 - “Settlement Report – Official Plan Amendment, Rezoning and Site Plan Approval - 180 Queen Street West Canada Life Assurance Company (Trinity-Spadina, Ward 20)”.**

Council adopted the report dated January 20, 2003, from the Director, Community Planning, South District, subject to deleting Recommendation No. (3) embodied therein, and inserting in lieu thereof the following:

- “(3) authorized the appropriate officials to enter into an agreement pursuant to Section 37 of the Planning Act, satisfactory to the City Solicitor, and to register these agreements on title, prior to the issuance of an Order by the Ontario Municipal Board respecting the appealed Official Plan and Zoning by-law amendments, including the following:
- (a) a total contribution of \$800,000.00, of which \$400,000.00 is payable upon receipt of the first above grade building permit, and \$400,000.00 is payable upon substantial completion of the building as determined by the Commissioner of Urban Development Services;
  - (b) of the total contribution, \$150,000.00 to be used for the explicit purpose of a Heritage Study for Queen Street West, from University Avenue to Bathurst Street; and
  - (c) of the total contribution, \$650,000.00 to Artscape and Beaver Hall, in a proportion deemed appropriate by the Commissioner of Urban Development Services in consultation with the appropriate staff, and if Beaver Hall is deemed to be an appropriate receiving body, for the sole purpose of providing artists’ housing in the Queen Street West area;”.

**Clause No. 23 - “Rescission of Alternate Side Parking - Fairside Avenue between Mortimer Avenue and Barker Avenue (Beaches-East York, Ward 31)”.**

The Clause was amended by:

- (1) deleting Recommendations Nos. (1) and (2) of the Toronto East York Community Council, and inserting in lieu thereof the following:
  - “(1) the existing ‘No Parking 8:00 a.m. to 10:00 a.m. and 3:00 p.m. to 5:00 p.m., Monday to Friday inclusive, January, February, March, April, June, August, October and December’ regulation on the east side of Fairside Avenue, between Mortimer Avenue and Barker Avenue, be rescinded;
  - (2) the existing ‘No Parking 8:00 a.m. to 10:00 a.m. and 3:00 p.m. to 5:00 p.m., Monday to Friday inclusive, May, July, September and November’ parking regulation on the west side of Fairside Avenue, between Mortimer Avenue and Barker Avenue, be rescinded;”;
- (2) adding the following new Recommendation No. (3) to the recommendation of the Toronto East York Community Council:
  - “(3) the existing alternate side parking regulations on the east and west sides of Fairside Avenue, between Mortimer Avenue and Barker Avenue, be rescinded;”  
and
- (3) renumbering the original Recommendations Nos. (3), (4) and (5) of the Toronto East York Community Council accordingly.

**Clause No. 25 - “Ontario Municipal Board Hearing - 28 Rees Street (Trinity -Spadina, Ward 20)”.**

Council adopted the confidential report dated January 31, 2003, from the City Solicitor, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information that is subject to solicitor/client privilege.

**Clause No. 27 - “South Rosedale Heritage Conservation District Designation under Part V of the Ontario Heritage Act (Toronto Centre-Rosedale, Ward 27)”.**

The Clause was amended by:

- (1) adding to the end of Recommendation No. (1) of the Toronto East York Community Council, the words “subject to replacing Attachment No. 1 to such report with the map entitled ‘South Rosedale Heritage Conservation District Boundary - Revised - February 7, 2003’ ”, so that such recommendation now reads as follows:

“(1) the report (December 17, 2002) from the Commissioner of Economic Development, Culture and Tourism be adopted subject to replacing Attachment No. 1 to such report with the map, entitled ‘South Rosedale Heritage Conservation District Boundary - Revised - February 7, 2003’;”;

- (2) amending Recommendation No. (2) embodied in the report (December 17, 2002) from the Commissioner of Economic Development, Culture and Tourism so that it now reads as follows:

“(2) Council adopt Attachment No. 2, the South Rosedale Heritage Conservation District Study, in principle, as a guide for property owners, City staff, advisory committees and Council when making decisions regarding matters set out in section 42 of the Ontario Heritage Act, subject to such amendments as are deemed necessary by the City Solicitor to reflect the current state of the law; and”.

**Clause No. 38 - “Construction and Maintenance of Portion of Building Associated with Expansion of Royal Ontario Museum - Bloor Street West Flank of 100 Queen’s Park Crescent (Trinity -Spadina, Ward 20)”.**

The Clause was amended by adding to the preamble of Recommendation No. (1), embodied in the report dated December 30, 2002, from the Manager, Right-of-Way Management, Transportation Services, District 1, the words “subject to City Council enacting the associated Zoning By-law Amendment, and further subject to the applicant obtaining the requisite site plan approval, that”, so that the preamble of such recommendation now reads as follows:

“(1) subject to City Council enacting the associated Zoning By-law Amendment, and further subject to the applicant obtaining the requisite site plan approval, that City Council approve the construction and maintenance of a portion of the building

associated with the expansion of the Royal Ontario Museum that will encroach within the public right of way on the Bloor Street West flank of 100 Queen's Park Crescent, subject to the property owners entering into an encroachment agreement with the City of Toronto, agreeing to:".

**Clause No. 47** - **"Installation of Pedestrian Crossover (PXO) - Elizabeth Street, between College Street and Gerrard Street West (Toronto Centre-Rosedale, Ward 27)"**.

The Clause was amended by deleting from Recommendation No. (1) of the report dated January 6, 2003, from the Director, Transportation Services, District 1, the words "Gerrard Street East" and inserting in lieu thereof "Gerrard Street West", so that such recommendation now reads as follows:

"(1) a pedestrian crossover be installed on Elizabeth Street at a point 130.0 metres north of Gerrard Street West; and".

**Clause No. 57** - **"Amendments to Parking Regulations - Linsmore Crescent, between Mortimer Avenue and Memorial Park (Toronto -Danforth, Ward 29)"**.

The Clause was amended by deleting from Recommendation No. (1) embodied in the report dated January 6, 2003, from the Director, Transportation Services, District 1, the first occurrence of the words "Mortimer Avenue", and inserting in lieu thereof the words "Linsmore Crescent", so that such recommendation now reads as follows:

"(1) the existing '15 minute maximum, 8:30 a.m. to 11:00 p.m.' parking regulation on the east side of Linsmore Crescent, between Mortimer Avenue and a point 27.5 north thereof, be rescinded; and".

## **REPORT NO. 1 OF THE BOARD OF HEALTH**

**Clause No. 1** - **"Toronto's Environmental Tobacco Smoke (ETS) By-law - Implementation Update"**.

Council directed that a copy of this Clause be forwarded to the Association of Municipalities of Ontario (AMO).

## **ADDITIONAL MATTERS CONSIDERED BY CITY COUNCIL**

(1) Budget Advisory Committee Membership

Council adopted the following recommendation:

“It is recommended that City Council permit Councillor Pantalone to withdraw his letter of resignation dated January 27, 2003, wherein he advises of his intention to resign as a member of the Budget Advisory Committee.”

(2) Winterfest 2003

Council adopted the following recommendation:

“It is recommended that City Council express its appreciation to City staff, including the Special Events Division, as well as the corporate sponsors and volunteers involved with Winterfest 2003, for their efforts in making the event such a tremendous success.”

**NOTICES OF MOTION APPEARING UNDER ITEM F**

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

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Li Preti**

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

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

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

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

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

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

*Disposition:*

*Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.*

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

**Moved by: Councillor Chow**

**Seconded by: Councillor Miller**

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

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

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

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

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

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

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

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



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

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.*

(3) **City Employees Strike - Summer of 2002**

**Moved by: Councillor Bussin**

**Seconded by: Councillor Jones**

“**WHEREAS** it has become abundantly clear, in light of the recent decision of the Provincial Arbitrator, Tim Armstrong, that the City employees strike of last summer was eminently avoidable and completely unnecessary, evident in his awarding of the City employees’ wage and job security provisions rejected by City management; and

**WHEREAS** the 16-day strike caused the withdrawal of important City services from the citizens of Toronto resulting in the closure of pools, cancelled summer camps, streets filled with garbage and the loss of public confidence in the City to properly administer its affairs; and

**WHEREAS** Mr. Armstrong, in his decision, recognized the need for greater co-operation between the City and its Unions, stating in his report: ‘The good news is that there is considerable intelligence and talent on both sides... The challenge is to mobilize this talent to work co-operatively and move in constructive directions. But this is unlikely to happen without openly expressed support and encouragement from the most senior levels – bureaucratic/administrative and political.’ – clearly placing the onus on the City to ‘get its labour relations in order’;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) City Council acknowledge and devise strategies on the need to improve its labour relations with City unionized staff to avoid the possibility of future withdrawal of services; and
- (2) City Council also acknowledge that last summer’s strike was unnecessary and affirm that it is the dedication and professionalism of City workers that, in large measure, make Toronto ‘*the greatest City in the World*’.”

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.*

(4) **Proposal for a Two-Year Rent Freeze**

**Moved by: Councillor Walker**

**Seconded by: Councillor Moscoe**

“**WHEREAS** between 1995 and 2001 the average rent for all CMA rental units across the City of Toronto has increased by 29 percent while Ontario’s Consumer Price Index (CPI) has increased by only 12.8 percent; and

**WHEREAS** little to no affordable rental housing has been constructed in the City of Toronto since the implementation of the Tenant Protection Act in 1998; and

**WHEREAS** 44 percent of tenant households spend more than 30 percent of their income on housing and 22 percent of tenant households spend more than 50 percent of their income on housing; and

**WHEREAS** visits to local food banks have reached all-time highs while over the last five to seven years donations have not increased correspondingly due to lack of discretionary income; and

**WHEREAS** a growing number of tenants, particularly seniors and single-parent families are consistently faced with the choice of rent or food; and

**WHEREAS** as a member of the Group of Eight nations, it is shameful that this situation continues and continues to get worse; and

**WHEREAS** the City of Toronto has advocated for a ‘costs no-longer borne’ regulation, demolition controls, the restoration of real Rent Controls and a legislated Rent Roll Back; and

**WHEREAS** Tenants cannot afford to wait for a new provincial government to introduce fairer legislation while rents continue to spiral out of control and beyond their ability to pay; and

**WHEREAS** the New Democratic Party of Ontario advocates a two-year rent freeze to allow for a return to an updated Rent Control Act;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto petition the Provincial Government to freeze rents for two years until there has been a fair review of the Tenant Protection Act and a levelling of the playing field in landlord-tenant relations;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council continue to lobby the Provincial Government and the Opposition parties to adopt and publicly endorse this two-year rent freeze.”

**Disposition:** *Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on April 14, 2003.*

**NOTICES OF MOTION APPEARING UNDER ITEM I**

- (1) **Anti-Terrorism Measures, Emergency Preparedness Program and Establishment of a “Security and Prevention Committee”**

**Moved by: Councillor Walker**

**Seconded by: Councillor Altobello**

“**WHEREAS** over one year ago, the Policy and Finance Committee, at its meeting of October 25, 2001, had before it communications (October 1 and 10, 2001) from Councillor Michael Walker, St. Paul’s, advising that a formalized framework for City Council and those officials who are charged with the protection of the City and its people should be established to minimize the impact of any possible acts of terrorism or crisis; and

**WHEREAS** the Policy and Finance Committee referred the communications (October 1 and 10, 2001) from Councillor Walker, to the Chief Administrative Officer for consideration and report thereon to the Policy and Finance Committee in her forthcoming report; and

**WHEREAS** the Chief Administrative Officer’s report referred to above is still outstanding; and

**WHEREAS** Canada was specifically named, along with five other allied countries of the United States, on a terrorist audio tape that was released November 12, 2002; and

**WHEREAS** Toronto has been identified as a target by the F.B.I., with the CN Tower, the TTC subway system and the nearby Pickering nuclear plant among twenty-two (22) potential terrorist targets in Canada; and

**WHEREAS** Councillor Walker’s October 1 and 10, 2001 communications to the Policy and Finance Committee contained specific recommendations for the protection of the Pickering nuclear plant, TTC subway system and water systems, among other areas; and

**WHEREAS** Toronto is the largest city in Canada and is the financial centre of Canada; and

**WHEREAS** New York is the U.S. financial centre, the largest city in the U.S. and the first mainland victim of terrorism; and

**WHEREAS** it is alleged that the City’s vital systems (i.e. water reservoirs, hydro plants, nuclear plants, TTC subway system) are not adequately protected, having regard for the context of the present political and social climate; and

**WHEREAS** the federal government has allocated \$7 billion dollars for anti-terrorism measures; and

**WHEREAS** the provincial government has committed \$400,000.00 annually to strengthen Toronto's emergency response program; and

**WHEREAS** public opinion is in favour of the strengthening of security and protection measures against terrorism and crisis; and

**WHEREAS** it would be consequently irresponsible for City Council to ignore the grave seriousness of potential threats to Toronto's 2.5 million residents;

**NOW THEREFORE BE IT RESOLVED THAT** City Council hereby instructs the Chief Administrative Officer to present Council Members with a comprehensive overview of the City's Emergency Preparedness Program and Anti-Terrorism Measures to date, to be presented in-camera, if appropriate;

**AND BE IT FURTHER RESOLVED THAT** City Council immediately establish a permanent Security and Prevention Committee to ensure protection for the City's vital services and its citizens;

**AND BE IT FURTHER RESOLVED THAT** City Council hereby instructs the Chief Administrative Officer to ensure that all the communication systems of all levels and departments of Toronto's Police, Fire, Emergency Medical Services (EMS) and other related services are fully compatible with each other."

*Disposition:                    The Motion was withdrawn.*

**NOTICES OF MOTION APPEARING UNDER ITEM J**

- (1)    **138 Prescott Avenue – Exemption From Chapter 248 of the (former) City of Toronto Municipal Code, Parking Licenses, to Permit Driveway Widening**

**Moved by:                    Councillor Disero**

**Seconded by:                Councillor Silva**

**“WHEREAS** City Council, at its special meeting held on July 30, 31 and August 1, 2002, adopted, without amendment, Clause No. 2 of Report No. 10 of The Humber York Community Council, headed ‘138 Prescott Avenue - Exemption from Chapter 248 of the (former) City of Toronto Municipal Code, Parking Licences, to Permit Driveway Widening (Davenport, Ward 17)’; and

**WHEREAS** City Council adopted the recommendations of the Humber York Community Council that:

- (1)    the application to permit driveway widening for a second vehicle at 138 Prescott Avenue, be approved subject to:

- (a) the parking area for each space not exceeding 2.2 metres by 5.9 metres in dimension; and
  - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code, Chapter 248, parking licenses, of the former City of Toronto Municipal Code;
- (2) the license for the second parking space be issued for a period of one (1) year and that such license not be transferable; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Humber York Community Council Report No. 10, Clause No. 2, headed ‘138 Prescott Avenue – Exemption from Chapter 248 of the (former) City of Toronto Municipal Code, Parking Licences, to Permit Driveway Widening (Davenport, Ward 17)’, be re-opened for further consideration, only insofar as it pertains to the time limit on the licence for the second parking space;

**AND BE IT FURTHER RESOLVED THAT** Recommendation No. (2) of the Humber York Community Council be deleted and the following recommendation inserted, in lieu thereof:

- ‘(2) the license for the second parking space be issued indefinitely and that such licence not be transferable;’.

**Disposition:** *Council re-opened Clause No. 2 of Report No. 10 of The Humber York Community Council, headed “138 Prescott Avenue – Exemption from Chapter 248 of the (former) City of Toronto Municipal Code, Parking Licences, to Permit Driveway Widening (Davenport, Ward 17)”, for further consideration, only insofar as it pertains to the time limit on the licence for the second parking space, and adopted the balance of the Motion, without amendment.*

(2) **Establishment of Four Community Councils**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Holyday

“**WHEREAS** on October 3, 2000, Council elected to retain six (6) Community Councils; and

**WHEREAS** on November 6, 7 and 8, 2001, Council adopted, without amendment, Clause No. 10 of Report No. 16 of The Administration Committee, headed ‘Four District Model for City Public Services (All Wards)’; and

**WHEREAS** on July 30 and 31 and August 1, 2002, Council adopted, as amended, Clause No. 2 of Report No. 10 of The Administration Committee, headed 'Four District Model for City Public Services (All Wards)', wherein the Chief Administrative Officer was requested to include in her review of the Council-Committee structure, a review of options for the relationship between Community Councils and service districts; and

**WHEREAS** the attempt to run six political divisions through four administrative districts has created a significant administrative challenge, particularly in those Wards that fall into more than one administrative zone; and

**WHEREAS** this has created a dysfunctional structure which is becoming more remote from the citizens it serves; and

**WHEREAS** the present groupings of some of the Community Councils are artificial constructs that bear little resemblance to the historic communities that existed prior to amalgamation; and

**WHEREAS** it would be desirable to rationalize the political and administrative boundaries into more functional units;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 10, Clause No. 2, headed 'Four District Model for City Public Services (All Wards)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council elect to establish a four Community Council model to come into effect immediately following the next municipal election;

**AND BE IT FURTHER RESOLVED THAT** staff, after discussion with individual Councillors, particularly those who have dysfunctional Wards, propose alternative Community Council groupings for consideration by the Administration Committee;

**AND BE IT FURTHER RESOLVED THAT** staff further refine the administrative districts to match the political divisions selected."

*Disposition: Council re-opened Clause No. 2 of Report No. 10 of The Administration Committee, headed "Four District Model for City Public Services (All Wards)", for further consideration, and deferred consideration of the balance of the Motion to the next regular meeting of City Council scheduled to be held on April 14, 2003.*

(3) **Appeal of Decision of Committee of Adjustment - 2 Park Lane Circle**

**Moved by: Councillor Flint**

**Seconded by: Councillor Johnston**

“**WHEREAS** on December 21, 2000, the Midtown Committee of Adjustment refused an application (File No. B072/00NY) by the owner of 2 Park Lane Circle to sever the property, together with a number of implementing variances, in order to facilitate the construction of a second dwelling on a portion of the lot proposed to be severed; and

**WHEREAS** the refusal was appealed to the Ontario Municipal Board; and

**WHEREAS** Council instructed the City Solicitor and other City staff to appear before the Ontario Municipal Board to oppose the owner’s appeal of the Committee of Adjustment’s December 21, 2000 refusal; and

**WHEREAS** in a decision and order dated June 18, 2001, the Ontario Municipal Board authorized the variances and granted the consent subject to certain conditions; and

**WHEREAS** on February 13, 2002, the owner applied for an Official Plan and Zoning Amendment to permit the construction of a 4-storey, five-unit condominium apartment building having a floor space index of 1.05 on a portion of the lot; and

**WHEREAS** on June 19, 2002, pursuant to Section 53(41) of the Planning Act, the Ontario Municipal Board’s June 18, 2001 decision respecting the prior consent was deemed to have been refused because the conditions were not fulfilled within a period of one year from the date of the decision; and

**WHEREAS** Council at its meeting of October 1, 2 and 3, 2002, refused the Official Plan and Zoning Amendment applications to allow a 4-storey, five-unit condominium apartment on the property located at 2 Park Lane Circle (File No: TD CMB 2002 0007) and instructed the City Solicitor and City staff to appear before the Ontario Municipal Board to defend the refusal of this application; and

**WHEREAS** an application in respect of 2 Park Lane Circle was subsequently made to the Midtown Committee of Adjustment for consent to sever the property in order to implement the aforesaid applications (File No. B057/02M); and

**WHEREAS** at its meeting of November 14, 2002, the Midtown Committee of Adjustment refused the application for consent (File No. B057/02M), which refusal the applicant has now appealed to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and other City staff are hereby authorized to appear before the Ontario Municipal Board to defend the November 14, 2002 decision of the Committee of Adjustment to refuse the consent application B057/02M;

**AND BE IT FURTHER RESOLVED THAT** Council reaffirm its decision of October 1, 2 and 3, 2002, that instructs the City Solicitor and City staff to appear before the Ontario Municipal Board to defend the refusal of the 4-storey, five-unit condominium apartment.”

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



(4) **Installation of Traffic Control Signals – St. Clair Avenue East and Ferndale Avenue (St. Paul’s, Ward 22)**

**Moved by: Councillor Walker**

**Seconded by: Councillor Pitfield**

“**WHEREAS** City Council, at its meeting of February 13, 14 and 15, 2002, in adopting Clause No. 27 of Report No. 1 of The Midtown Community Council, headed ‘St. Clair Avenue East – 30 Metres West of Ferndale Avenue – Between Yonge Street and Avoca Avenue – Installation of Mid-Block Traffic Control Signals (St. Paul’s, Ward 22)’, approved the installation of mid-block traffic control signals at a point 30 metres west of Ferndale Avenue (at an estimated cost of \$57,000.00) to address high pedestrian crossing demand; and

**WHEREAS** the Toronto Transit Commission has expressed concerns about the impact that these mid-block pedestrian signals might have on TTC streetcar operations, as the streetcar exit from the St. Clair Subway Station of the Yonge Subway line is located opposite Ferndale Avenue, to the east of the proposed signals; and

**WHEREAS** the TTC has requested Transportation Services staff to consider as an alternative to the mid-block pedestrian signals, the full signalization of the intersection of St. Clair Avenue West and Ferndale Avenue/TTC streetcar exit from the St. Clair Subway Station; and

**WHEREAS** Transportation Services staff and TTC staff have arrived at a mutually agreed upon design to signalize the intersection of St. Clair Avenue East and Ferndale Avenue/TTC streetcar exit and further, the TTC has agreed to bear the additional costs (estimated to be \$107,000.00) to relocate the proposed signals to this intersection and to implement transit priority;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 27 of Report No. 1 of The Midtown Community Council, headed ‘St. Clair Avenue East – 30 Metres West of Ferndale Avenue – Between Yonge Street and Avoca Avenue – Installation of Mid-Block Traffic Control Signals (St. Paul’s, Ward 22)’, be re-opened for further consideration, only insofar as it pertains to the location of the traffic control signals;

**AND BE IT FURTHER RESOLVED THAT** City Council grant permission to install traffic control signals at the intersection of St. Clair Avenue East and Ferndale Avenue/TTC streetcar exit from the St. Clair Station, rather than at St. Clair Avenue West and a point 30 metres west of Ferndale Avenue;

**AND BE IT FURTHER RESOLVED THAT** the TTC be responsible for the additional costs (\$107,000.00) of relocating the traffic control signals.”

**Disposition:** *Council re-opened Clause No. 27 of Report No. 1 of The Midtown Community Council, headed “St. Clair Avenue East – 30 Metres West of Ferndale Avenue – Between Yonge Street and Avoca Avenue – Installation of Mid-Block Traffic Control Signals (St. Paul’s, Ward 22)”, for further consideration, only insofar as it pertains to the location of the traffic control signals, and adopted the balance of the Motion, without amendment.*

(5) **Ontario Municipal Board Hearing – 16-19 Golfdale Road**

**Moved by:** **Councillor Flint**

**Seconded by:** **Councillor Walker**

“**WHEREAS** on Friday, November 19, 2002, the Midtown Committee of Adjustment refused an application to allow four additional units proposed to be installed in the basement of the single family residence at 16-19 Golfdale Road that is already divided into units upstairs; and

**WHEREAS** the applicant has appealed this decision to the Ontario Municipal Board; and

**WHEREAS** this proposed intensification is intrusive to the stable residential neighbourhood and is contrary to the intent of the Official Plan; and

**WHEREAS** there are serious parking deficiencies associated with this application; and

**WHEREAS** this application has City-wide significance;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and other appropriate City staff be directed to appear before the Ontario Municipal Board to defend the Committee of Adjustment’s decision of November 19, 2002.”

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

(6) **Intention to Designate – 56 Blythwood Road**

**Moved by:** **Councillor Flint**

**Seconded by:** **Councillor Pitfield**

“**WHEREAS** at its meeting of January 9, 2003, the Toronto Preservation Board endorsed the recommendations of Culture Division staff, that City Council include the property at 56 Blythwood Road on the City of Toronto Inventory of Heritage Properties; and

**WHEREAS** the owner of the property at 56 Blythwood Road has applied for a building permit to demolish the house; and

**WHEREAS** Culture Division staff recommend the designation of the property at 56 Blythwood Road for architectural reasons, as a good example of Period Revival design, that is an important local feature on Blythwood Road in North Toronto; and

**WHEREAS** the designation of the property under Part IV of the Ontario Heritage Act would delay demolition and allow Culture Division staff to explore options to preserve the building;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto express its intention to designate the property at 56 Blythwood Road under Part IV of the Ontario Heritage Act for architectural reasons.”

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

(7) **Proposed Social Housing Agreement – 101 Ontario Street**

**Moved by:                    Councillor Rae**

**Seconded by:                Councillor Mihevc**

“**WHEREAS** City Council at its meeting of November 26, 27 and 28, 2002, adopted, as amended, Community Services Committee Report No. 10, Clause No. 10, headed ‘Emergency Shelter and Transitional Housing Funding Through the Federal SCPI Program - Sojourn House, 101 Ontario Street’, and, in so doing, approved federal Supportive Community Partnerships Initiative (SCPI) funds for the MUC Shelter Corporation Inc., (operating as Sojourn House) to develop housing accommodation primarily for persons with low to moderate incomes at 101 Ontario Street; and

**WHEREAS** the MUC Shelter Corporation Inc., entered into an agreement of purchase and sale, with a closing date of February 14, 2003; and

**WHEREAS** the MUC Shelter Corporation Inc., has proposed to develop land at 101 Ontario Street for the purpose of social housing within the meaning of the City of Toronto Act, 1988 (No.2); and

**WHEREAS** the City of Toronto Zoning By-law allows for a reduced number of parking spaces on land which the owner or operator agrees to use for the purpose of social housing; and

**WHEREAS** the MUC Shelter Corporation Inc., has requested a reduction in the number of parking spaces with respect to the proposed property; and

**WHEREAS** the City of Toronto Act, 1988 (No. 2) authorizes the City of Toronto to enter into a social housing agreement with the owner or operator of a social housing project which, in the opinion of Council, is designed primarily to accommodate persons with low to moderate incomes; and

**WHEREAS** the MUC Shelter Corporation Inc., is prepared to enter into a social housing agreement to use the land at 101 Ontario Street for the purpose of social housing on a non-profit basis, designed primarily to accommodate persons with low to moderate incomes;

**NOW THEREFORE BE IT RESOLVED THAT** the City enter into a social housing agreement with the MUC Shelter Corporation Inc., to ensure that the land at 101 Ontario Street shall be used for the purpose of a social housing project, designed to provide housing accommodation primarily for persons with low to moderate incomes, such agreement to be on terms and conditions satisfactory to the Commissioner of Community and Neighbourhood Services, and in a form satisfactory to the City Solicitor.”

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

(8) **Proposed Opposition to Military Action Against Iraq**

**Moved by: Councillor Chow**

**Seconded by: Councillor Mihevc**

“**WHEREAS** a military attack on Iraq would be out of proportion to other existing threats of war and violence; and

**WHEREAS** 80 percent of Iraq’s military capacity was destroyed in 1991, according to the Pentagon. United Nations inspectors destroyed 90 percent of materials and equipment required to manufacture weapons of mass destruction during more than eight years of inspections; and

**WHEREAS** 12 years of non-military sanctions against Iraq have resulted in the death of over 500,000 children under age five due to inadequate water, food, and medicine, according to UNICEF and other international relief organizations, and one infant out of four born live in Iraq weighs less than two pounds; and

**WHEREAS** a war on Iraq will only further compound the suffering of innocent people already under the silent siege of economic sanctions and weekly bombings; and

**WHEREAS** the ultimate security of the Canada is dependent on creating the conditions of life for all nations, working together co-operatively, that will eliminate poverty, injustice, inequality, environmental degradation and other factors that breed war and terrorism; and

**NOW THEREFORE BE IT RESOLVED THAT** the City Council of the City of Toronto:

- (1) oppose any Canadian military involvement, whether for financial, tactical, logistical or personnel support; and

- (2) urge federal representatives to actively support United Nations' diplomatic efforts to support and encourage democracy and respect for human rights in Iraq and all nations.”

*Disposition: The Motion was ruled ultra vires.*

- (9) **Development Charges and Parks Levies – Proposed Park on the South End of Replin Road on Lawrence Avenue West, between The Shermount and Allen Road**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Feldman**

“**WHEREAS** The Shermount, a 431-unit apartment townhouse complex officially opened for occupancy on November 13, 2002; and

**WHEREAS** this project was developed by Options for Homes, a non-profit development corporation committed to providing home ownership for low income people; and

**WHEREAS** the options plan provides the equivalent of a down payment through a second mortgage representing the difference between the cost of building the unit and the market value; and

**WHEREAS** to facilitate the construction of this project, the City deferred the development charges and parks levies, which are to be paid back when the second mortgages are repaid; and

**WHEREAS** the Economic Development, Culture and Tourism Department, Parks Division has been planning the development of a park facilitated by the closing of the south end of Replin Road on Lawrence Avenue West, between the Shermount project and the Allen Road; and

**WHEREAS** this park will, in addition to The Shermount condominium, serve 2,400 Toronto Housing Corporation units adjacent to the Allen Road; and

**WHEREAS** the development of this park will take place over a period of time;

**NOW THEREFORE BE IT RESOLVED THAT**, as a first priority, funds received by the City as repayment of deferred charges be applied towards cash in lieu of Parks levies;

**AND BE IT FURTHER RESOLVED THAT** these funds be applied towards the development of the new park on Lawrence Avenue West at the south end of Replin Road;

**AND BE IT FURTHER RESOLVED THAT** this matter be referred to the Economic Development and Parks Committee, and the Chief Financial Officer and Treasurer, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Community and Neighbourhood Services be requested to report jointly on this matter to the Committee.”

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

(10) **Ontario Municipal Board Hearing – 16 Bingham Avenue**

**Moved by: Councillor Bussin**

**Seconded by: Councillor Miller**

“**WHEREAS** in a decision dated November 13, 2002, the Committee of Adjustment refused the consent to sever the property municipally known as 16 Bingham Avenue (the ‘Site’) into two lots whereby an existing two-storey house would be maintained on one lot and another house would be built on the second lot; and

**WHEREAS** the Committee of Adjustment refused the severance on the grounds that it did not satisfy the requirements contained in Section 51(24) of the Planning Act; and

**WHEREAS** the applicant appealed the Committee of Adjustment’s decision to the Ontario Municipal Board; and

**WHEREAS** the applicant was granted approval by the Committee of Adjustment for a subsequent consent to sever application on January 15, 2003, which permits the construction two houses - requiring the demolition of the existing two-storey house on the site; and

**WHEREAS** the residents of Bingham Avenue appealed the Committee of Adjustment’s decision to the Ontario Municipal Board; and

**WHEREAS** the applicant has requested the consolidation of the appeals of the November 13, 2002 and January 15, 2003 Committee of Adjustment decisions to the Ontario Municipal Board; and

**WHEREAS** there is concern in the community that the severance of the property and the construction of two detached houses on the ‘Site’ cannot be achieved without serious harm to the character of the neighbourhood; and

**WHEREAS** a hearing could be scheduled by the Ontario Municipal Board prior to the following scheduled regular Council meeting of April 14, 15 and 16, 2003, thus making this matter time sensitive and urgent;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the City Solicitor and other City staff to attend at the Ontario Municipal Board hearing in support of the Committee of Adjustment’s decision and to retain an outside planning consultant and such other consultants which the City Solicitor deems necessary to support the City’s position.”

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

(11) **Declaration of Vacancy on Council - Ward 30 - Toronto-Danforth**

**Moved by:** Mayor Lastman

**Seconded by:** Councillor Ootes

“**WHEREAS** subsection 260(1) of the Municipal Act, 2001, as amended, provides that a Member of Council may resign from office by filing a notice in writing with the City Clerk; and

**WHEREAS** Councillor Jack Layton has filed a letter of resignation with the City Clerk on January 27, 2003, such resignation being effective on January 26, 2003; and

**WHEREAS** subsection 259(1) of the Municipal Act, 2001, as amended, provides that the office of a Member of Council becomes vacant if the Member resigns from office; and

**WHEREAS** subsection 262(1) of the Municipal Act, 2001, as amended, requires that Council shall, at its next meeting, declare the office to be vacant; and

**WHEREAS** subsection 263(5) of the Municipal Act, 2001, as amended, provides that Council shall, within 60 days after the day the office is declared vacant, decide whether to fill the vacancy by appointment or through the conduct of a by-election;

**NOW THEREFORE BE IT RESOLVED THAT**, pursuant to subsection 262(1) of the Municipal Act, 2001, as amended, the office of Councillor, Ward 30 – Toronto-Danforth be declared vacant.”

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

(12) **Opposition to Weapons in Space**

**Moved by:** Councillor Mihevc

**Seconded by:** Councillor Johnston

“**WHEREAS** the No-Weapons-in-Space Campaign represents a broad-based coalition of national peace organizations including Science for Peace, Institute for Co-operation in Space, Canadian Voice of Women for Peace, Canadian Peace Alliance, Women’s International League for Peace and Freedom, Physicians for Global Survival and Project Ploughshares; and

**WHEREAS** the City of Toronto and other municipalities have already shown leadership in the expression of their rightful and legal concern for the health and safety of their residents by declaring themselves nuclear-free zones in the 1980’s; and

**WHEREAS** the Canadian Government has repeatedly expressed its opposition to the weaponization of space and has proposed negotiation of a legally-binding instrument for

the purpose of preventing an arms race in outer space (for statement see [www.dfait-maeci.gc.ca/arms/vidricaire-en.asp](http://www.dfait-maeci.gc.ca/arms/vidricaire-en.asp)); and

**WHEREAS** the General Synod of the Anglican Church of Canada has, in a formal letter (November 30, 2002) to the Government of Canada, expressed dismay at the proposed weaponization of space and urged the Government to show leadership on this issue; and

**WHEREAS** the General Assembly of the United Nations (November 29, 2001) voted 156-0 to prevent an arms race in space; and

**WHEREAS** the Space Preservation Treaty will establish a permanent ban on all space-based weapons, on the use of weapons to destroy or damage objects in space that are in orbit; and the permanent termination of research and development, testing, manufacturing production and deployment of all space-based weapons; and

**WHEREAS** the termination of the Anti-Ballistic Missile (ABM) treaty on June 13, 2002, will permit research, development, testing, manufacturing, production and deployment of space-based weapons, thereby instigating a dangerous, costly, and destabilizing arms race in space, endangering the health, safety, and welfare of all residents of the City of Toronto, of Canada, and all of humankind, and invading outer space, humanity's weapons-free common heritage, with space-based weapons; and

**WHEREAS** the Space Preservation Treaty will establish an outer space peacekeeping agency to monitor outer space and enforce the permanent ban of space-based weapons; and

**WHEREAS** the Space Preservation Treaty facilitates future public and private investment in clean and safe technology, products and services, world co-operative space ventures, and the consequent stimulation of the national and world economy. The Space Preservation Treaty does not prohibit activities including space exploration, space research and development, testing, manufacturing or deployment that is not related to space-based weapons or systems, or civil, commercial, or defence activities (including communications, navigation, surveillance, reconnaissance, early warning, or remote sensing (that are not related to space-based weapons or systems)); and

**WHEREAS** the Space Preservation Treaty preserves the peaceful, co-operative uses of space for all residents of the City of Toronto, Canada, and for all humankind;

**NOW THEREFORE BE IT RESOLVED THAT** it is the will of Toronto City Council that the Prime Minister of Canada, individually or at an emergency treaty conference, sign the Space Preservation Treaty, and that the House of Commons of Canada ratify it to permanently ban all space-based weapons and to preserve the co-operative, peaceful uses of space for all residents of this municipality and for all humankind;

**AND BE IT FURTHER RESOLVED THAT** it is the will of Toronto City Council that the House of Commons of Canada urge the Government to immediately convene a Treaty-Signing Conference for the Space Preservation Treaty, as Canada has done in the



Treaty-Signing Conference in December 1997, where 122 countries signed the Convention Banning Land Mines, known as the Ottawa Convention;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council hereby declares that the space 60 kilometres and above this municipality is a space-based weapons free zone;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council encourage all municipalities in Canada and Worldwide to adopt this Resolution.”

*Disposition: The Motion was rules ultra vires.*

(13) **Options on Filling the Vacancy in the Office of Councillor, Ward 30 - Toronto-Danforth**

**Moved by: Mayor Lastman**

**Seconded by: Councillor Ootes**

“**WHEREAS** Council has previously declared the office of Councillor, Ward 30 – Toronto-Danforth to be vacant; and

**WHEREAS** subsection 263(5) of the Municipal Act, 2001, as amended, provides that Council shall, within 60 days after the day the office is declared vacant, decide whether to fill the vacancy by appointment or through the conduct of a by-election; and

**WHEREAS** the City Clerk has submitted the attached report dated January 28, 2003, outlining options to fill the vacancy;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report dated January 28, 2003, from the City Clerk, and decide upon a method to fill the vacancy in the office of Councillor, Ward 30 – Toronto-Danforth.”

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

**“AND BE IT FURTHER RESOLVED THAT such report be adopted, with Council approving Option 1 - Appointment, embodied therein, subject to amending Part (ii) thereof by adding thereto the following words:**

*‘subject to amending Appendix “A” to provide that:*

- (1) *the Toronto East York Community Council be directed to consider the matter of filling the vacancy in the office of Councillor - Ward 30, at its meeting scheduled to be held on February 20, 2003;*

- (2) *candidates who have complied with the requirements set out in Part (4) of Appendix "A" be invited to appear before the Toronto East York Community Council at that meeting; and*
- (3) *the recommendations of the Toronto East York Community Council with respect to this appointment be considered by City Council at a special meeting to be called by the Mayor or the Presiding Officer;’,*

*so that the recommendations adopted by Council shall now read as follows:*

*‘It is recommended that:*

*(1) (a) Option 1 – Appointment:*

- (i) *the vacancy be filled by means of appointment at a Special Meeting of Council in March 2003 to be called by the Mayor; and*
- (ii) *Council adopt the process for the appointment as set out in Appendix "A" to this report, subject to amending Appendix "A" to provide that:*

- (1) *the Toronto East York Community Council be directed to consider the matter of filling the vacancy in the office of Councillor - Ward 30, at its meeting scheduled to be held on February 20, 2003;*
- (2) *candidates who have complied with the requirements set out in Part (4) of Appendix "A" be invited to appear before the Toronto East York Community Council at that meeting; and*
- (3) *the recommendations of the Toronto East York Community Council with respect to this appointment be considered by City Council at a special meeting to be*

*called by the Mayor or the Presiding Officer;*

- (2) *the necessary funds for the chosen option be included in the City Clerk's 2003 election budget; and*
- (3) *in the interim, the current staff of former Councillor Layton continue to serve the constituents of Ward 30 – Toronto-Danforth until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing.' ”*

*Note: The Mayor subsequently called a special meeting of City Council to be held on Wednesday, March 26, 2003, commencing at 5:00 p.m., to fill the vacancy in Ward 30 - Toronto-Danforth, by means of an appointment.*

(14) **Potential Impacts of Pesticides on the Don and Humber Rivers**

**Moved by:** Councillor Jones

**Seconded by:** Councillor Duguid

“**WHEREAS** Toronto Works and Emergency Services, Environment Canada and the Ontario Ministry of the Environment released an interim study, in December 2002, entitled, ‘Pesticide Concentrations in the Don and Humber River Watersheds (1998-2000)’; and

**WHEREAS** City Council has made a commitment to improving the water quality in the Don and Humber Rivers in the Wet Weather Flow Master Plan;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the Commissioner of Works and Emergency Services to report back to City Council on the potential impacts of pesticides on water quality in the Don and Humber Rivers;

**AND BE IT FURTHER RESOLVED THAT** City Council also direct the Commissioner of Works and Emergency Services to report back to City Council on any continuing and proposed efforts to monitor and mitigate the concentration of pesticides in the Don and Humber Rivers.”

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

*“AND BE IT FURTHER RESOLVED THAT this report, as well as any reports from the Medical Officer of Health, the Commissioner of Economic Development, Culture*

*and Tourism, the City Solicitor and the Commissioner of Urban Development Services regarding the City of Toronto's 'Proposed Strategy to Achieve a Phase-Out of Non-Essential Outdoor Uses of Pesticides', be brought before City Council in May for joint consideration;*

*AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to the Budget Advisory Committee for consideration during the 2003 budget process."*

(15) **Ontario Provincial Police Investigation Regarding Allegations Involving Political Fundraising**

**Moved by:** Councillor Miller

**Seconded by:** Councillor Pitfield

“**WHEREAS** the Ontario Provincial Police conducted an investigation into allegations in the last municipal election involving political fundraising; and

**WHEREAS** the Ontario Provincial Police decided not to lay charges in this matter, and advised the media that, although the evidence disclosed a violation of the Municipal Elections Act, the alleged breach of the act is ‘technical’; and

**WHEREAS** the allegation in this matter is that money from a corporation was received from a corporation and then distributed to candidates under the name of an individual; and

**WHEREAS** if true, these facts violate a very important objective of the Act – public disclosure of who makes election contributions to which candidates, which is extremely serious and not a ‘technical’ matter at all; and

**WHEREAS** failing to prosecute because of a decision that the alleged breach is ‘technical’ sends a message that the Municipal Elections Act is not to be taken seriously; and

**WHEREAS** given the importance of the upcoming Municipal Elections, the Council of the City of Toronto expects the Act to be enforced; and

**WHEREAS** the Attorney General has not yet responded to a letter dated December 12, 2002, signed by 15 Members of Toronto City Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto request that the Attorney General personally review the decision not to lay charges in this matter to determine whether or not charges are warranted.”

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

(16) **Televised Coverage of City of Toronto Computer Leasing Inquiry**

**Moved by:** Councillor Miller

**Seconded by:** Councillor Walker

“**WHEREAS** the hearings of the City of Toronto Computer Leasing Inquiry are now underway under Commissioner Madam Justice Denise Bellamy at the East York Civic Centre; and

**WHEREAS** Rogers Cable TV has refused to provide televised coverage to the general public on Rogers Community Channel 10 of the proceedings of this Inquiry; and

**WHEREAS** the cost of broadcasting would be nominal, as TV coverage is now provided to City Hall; and

**WHEREAS** it is extremely important and in the public interest that the residents of Toronto have access to these proceedings; and

**WHEREAS** this is a matter of urgency;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto request Rogers Cable to broadcast these proceedings to the general public, and, if Rogers Cable refuses, request the Canadian Radio-Television and Telecommunications Commission to direct Rogers Cable to broadcast these proceedings immediately.”

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

(17) **Church-Wellesley Business Improvement Area – 2003 Budget Approval**

**Moved by:** Councillor Rae

**Seconded by:** Councillor Minnan-Wong

“**WHEREAS** the Church-Wellesley Business Improvement Area was designated by By-law No. 54-2002 of the City of Toronto; and

**WHEREAS** City Council, at its meeting held on February 4, 5 and 6, 2003, by adoption of Economic Development and Parks Committee Report No. 2, Clause No. 8, headed ‘Appointments to the Church-Wellesley Business Improvement Area Board of Management’, appointed the 2001-2003 Board of Management for the Church-Wellesley Business Improvement Area; and

**WHEREAS** the Church-Wellesley Business Improvement Area approved its 2003 budget at its general meeting held on December 10, 2002; and

**WHEREAS** the Board of Management for the Church-Wellesley Business Improvement Area submitted its 2003 budget for approval by City Council on February 5, 2003;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the 2003 balanced Operating Budget for the Church-Wellesley Business Improvement Area, in the amount of expenditures totalling \$118,010.00, funded by a City of Toronto Commercial Research Grant of \$8,010.00 and a BIA levy of \$110,000.00, submitted by the Board of Management of the Church-Wellesley BIA;

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the introduction of the necessary Bill in Council to give effect thereto.”

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

(18) **Charges for Visitor Parking at Apartment Buildings**

**Moved by:                    Councillor Moscoe**

**Seconded by:                Councillor Walker**

“**WHEREAS** the North York by-laws prohibit charges for visitor parking at apartment buildings; and

**WHEREAS** on December 2, 2002, parking operators within the rest of the City of Toronto began implementing a pay permit system which uses a ‘1-900’ number and/or a ‘pay and display’ system to charge people for visitor parking; and

**WHEREAS** since December 2, 2002, almost 150 residential buildings have implemented a charge for visitor parking; and

**WHEREAS** it will be necessary, in order to stem this epidemic, to extend the former North York zoning provisions to the balance of the City;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Urban Development Services be directed to bring forward amendments that would prohibit charging for visitor parking, similar to the provision that exists currently in the former North York Zoning By-law, to the balance of the City;

**AND BE IT FURTHER RESOLVED THAT** the owners of buildings who wish to charge for visitor parking be advised that they will be required to seek a zoning by-law amendment in order to qualify for same.”

*Disposition:                    The Motion was referred to the Planning and Transportation Committee.*

(19) **Defense of Committee of Adjustment Decision Regarding Variance No. A222/02SC – 4771(T) Steeles Avenue East**

**Moved by:                    Councillor Walker**

**Seconded by: Councillor Moeser**

“**WHEREAS** the Committee of Adjustment (East District) approved a minor variance No. A222/02SC, to reduce the rear-yard setback, thereby permitting Mid Silver Development to construct a building on its property at 4771(T) Steeles Avenue East; and

**WHEREAS** the minor variance granted by the Committee of Adjustment reduces the rear-yard setback requirements by 1.5 metres; and

**WHEREAS** a property owner adjacent to the subject property has appealed the Committee of Adjustment’s decision to the Ontario Municipal Board (OMB); and

**WHEREAS** the appellant, in his submission to the OMB, erroneously claims that the variance granted by the Committee of Adjustment reduces the rear-yard setback by 6.11 metres; and

**WHEREAS** the reasons set out in the notice of appeal do not disclose any land use planing issues upon which the OMB could allow an appeal; and

**WHEREAS** the appeal appears to be contrary to section 45(17) of the Planning Act, whereby the appeal is not made in good faith, is frivolous, vexatious and made for the purposes of delay;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the OMB of its support of the decision of the Committee of Adjustment with respect to Variance No. A222/02SC;

**AND BE IT FURTHER RESOLVED THAT** City Council advise the OMB of its support for a motion by Mid Silver Development Corporation to dismiss the appeal without a hearing as per section 45(17) of the Planning Act and as per Rules 34 to 39 of the OMB’s Rules of Practice and Procedure.”

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

(20) **Request for Grant to Oppose Appeal by Met Cap Living at Ontario Municipal Board**

**Moved by: Councillor Li Preti**

**Seconded by: Councillor Walker**

“**WHEREAS** Met Cap Living has applied to the Ontario Municipal Board for permission to amend the Official Plan and Zoning by-law to permit a long-term care housing development in excess of existing permissions between 40 Fountainhead and 470 Sentinel Roads in York-West Ward 8; and

**WHEREAS** North York Community Council and Toronto City Council have voted to deny this application on planning grounds, and the matter will be contested at the Ontario Municipal Board the week of February 24, 2003; and

**WHEREAS** this proposed development, if approved, will negatively affect the more than one thousand tenant households of Maple Grove apartments (1 Fountainhead, 35 Fountainhead, 40 Fountainhead and 470 Sentinel Roads) by entailing the loss of amenities currently enjoyed by the tenants, including a swimming pool frequented by children of the area, and valuable green space; and

**WHEREAS** the proposed development entails the removal of many trees currently enjoyed by residents, including a remnant Sugar Maple woodlot described by an official from the City of Toronto Forestry as ‘the most environmentally pleasing area of the entire complex’; and

**WHEREAS** the proposed development increases density well beyond the maximum density permitted by the Official Plan; and

**WHEREAS** the proposed development, if allowed at the OMB, will thus result in an overall reduction of the quality of life for residents of Maple Grove apartments; and

**WHEREAS** the applicant is making this application despite the occurrence of outstanding property standards violations (according to Urban Development Services, North District, both 40 Fountainhead and 470 Sentinel Road have a total of 110 multiple outstanding violations of the Toronto Municipal Code (Chapter 629, Property Standards); and

**WHEREAS** there are several issues being advanced by the tenants that are not being advanced by the City Solicitor, but which are nevertheless valuable issues and should be advanced by an experienced solicitor; including the issue of the proper location of the development, and the loss of quality of life for residents (through carefully prepared impact statements from local residents); and

**WHEREAS** this case raises a precedent setting issue: namely, how an infill development such as the one being proposed, may negatively affect the quality of life of existing residents, and that this being a significant policy issue that affects residential tenants throughout the City of Toronto, the defense of the tenants’ position should, therefore, receive this additional attention and support from Toronto City Council; and

**WHEREAS** the Maple Grove tenants at 1 and 35 Fountainhead Road have recently made a concerted effort to raise funds to challenge the landlord’s applications to raise their rents above the legal guidelines, in addition to the challenge they face at the Ontario Municipal Board, but are unable to raise additional funds at this time;

**NOW THEREFORE BE IT RESOLVED THAT** the Council approve a grant of \$7,500.00 to pay a private solicitor to appear for the local area tenant/ratepayer group at the Ontario Municipal Board hearing of the week of February 24th.”



**Disposition:** *The Motion was adopted, subject to amending the Operative Paragraph by deleting the figure “\$7,500.00”, and inserting in lieu thereof the figure “\$5,000.00”, and adding thereto the words “and that funds be provided from the Tenant Defence Fund’s 2003 budget”, so that such Operative Paragraph shall now read as follows:*

**“NOW THEREFORE BE IT RESOLVED THAT the Council approve a grant of \$5,000.00 to pay a private solicitor to appear for the local area tenant/ratepayer group at the Ontario Municipal Board hearing of the week of February 24th, and that funds be provided from the Tenant Defence Fund’s 2003 budget.”**

**(21) Potential Infestation of Ash Trees in City of Toronto by the Emerald Ash Borer**

**Moved by: Councillor Soknacki**

**Seconded by: Councillor Pantalone**

**“WHEREAS** an invasive, non-indigenous insect, known as the Emerald Ash Borer (EAB), has infested ash trees in Essex County, Ontario, and in southeastern Michigan, resulting in a quarantine, devastation to trees and costs in the millions of dollars; and

**WHEREAS** if an effective quarantine is not established before spring, the EAB is likely to spread across the Province of Ontario, putting all ash trees in the Province at high risk of destruction; and

**WHEREAS** the ash tree is a very popular tree on public boulevards and on private property, and municipalities throughout the Province will be faced with exorbitant costs if forced to replace diseased trees; and

**WHEREAS** the City of Toronto has thousands of ash trees on public property, and the replacement costs of these alone would be in the millions of dollars;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the Government of Canada and the Canadian Food Inspection Agency be urgently requested to take steps immediately to establish the outer limit of EAB infestation in southwestern Ontario, bearing in mind that forest entomologists who have studied the EAB report that there may be little or no external evidence of tree damage in the first year of infestation; therefore, a safe margin of error should be provided for in establishing the outer limit EAB infestation;
- (2) the Canadian Food Inspection Agency be requested to act, without delay, to extend the present quarantine on ash wood to the outer limit of EAB infestation, allowing for a safe margin of error to prevent the spread of EAB to other areas of the Province;

- (3) the Government of Canada be requested to allocate sufficient resources to ensure that a buffer zone or ‘firebreak’ is created, monitored and enforced in time to prevent the further advance of EAB infestation in the spring of 2003;
- (4) the Government of Canada be put on notice that, if appropriate measures are not taken to effectively quarantine the EAB infestation, the City of Toronto reserves its right to seek redress in the Courts for damages caused by inadequate containment;
- (5) the Province of Ontario be requested to provide assistance and support to the Government of Canada and municipalities with respect to the measures in this Resolution;
- (6) the Government of Canada, the Province of Ontario, and the Canadian Food Inspection Agency be requested to monitor and provide funding resources for dealing with outbreaks, if and when they occur;
- (7) the Commissioner of Economic Development, Culture and Tourism (Urban Forestry Division) be requested to submit a report to the Economic Development and Parks Committee for its meeting to be held on March 31, 2003, on the situation with respect to their plans to deal with the EAB, since the ash trees in the City of Toronto are potentially at risk;
- (8) a copy of this Resolution be sent to the Association of Municipalities of Ontario and Federation of Canadian Municipalities, urging them to adopt a similar position and to advocate on behalf of municipalities potentially affected; and
- (9) a copy of this Resolution be sent to the Minister Responsible for the Canadian Food Inspection Agency and the Minister of the Environment.”

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

(22) **Request to Federal and Provincial Governments to Introduce a Public Investment Income Tax Credit**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Li Preti**

“**WHEREAS** there is general agreement among all levels of government that municipal governments are experiencing a funding crisis and require new sources of funds; and

**WHEREAS** urban centres that have restricted access to their property tax base are particularly relying on new sources of funds; and

**WHEREAS** tax cuts remain a priority for both the Provincial and Federal governments; and

**WHEREAS** a climate of tax cuts reduces the funds available to municipalities for investment in new infrastructure; and

**WHEREAS** municipal governments are now feeling the effects of continually delaying essential infrastructure projects because of insufficient funds; and

**WHEREAS** favourable income tax treatment of public capital expenditures can improve the ability of municipalities to generate tax revenues; and

**WHEREAS** it is possible to separate municipal and education taxes payable into two separate components, an operating portion and a public investment capital portion;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto strongly urge the Federal and Provincial governments to introduce a public investment income tax credit as a way of alleviating the funding crisis for municipalities;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto enlist the support of all proponents for a new deal for cities, in supporting a public investment income tax credit as a more productive and equitable component of government tax policy.”

*Disposition:                    The Motion was referred to the Policy and Finance Committee.*

(23) **Technical Amendments to Chapter 658 of the City of Toronto Municipal Code – Ravine Protection**

**Moved by:                    Councillor Rae**

**Seconded by:                Councillor Flint**

“**WHEREAS** Council repealed Chapter 276, Ravines, of the former City of Toronto Municipal Code and enacted Chapter 658, Ravine Protection of the City of Toronto Municipal Code; and

**WHEREAS** upon review of Chapter 658, Ravine Protection, two technical errors have been identified as set out in items one and two of this motion; and

**WHEREAS** it was the intent of Council that those areas protected under Chapter 276, Ravines of the former City of Toronto Municipal Code would continue to be protected under Chapter 658 of the new City of Toronto Municipal Code and the south half of Park Drive Ravine east of Mount Pleasant Avenue and west of Glen Road was inadvertently removed as a protected area; and

**WHEREAS** § 658-4 contains exceptions to the permit requirements set out in § 658 2A and B and it is necessary to clarify that these exceptions may apply to § 658-2A or B and not necessarily to § 658-2A and B;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be authorized to introduce the necessary bill in Council to amend Chapter 658, Ravine Protection, to replace Schedule 'A' with a revised Schedule 'A' which includes the portion of the Park Drive Ravine which was inadvertently excluded and to clarify the application of the permit exception provisions in § 658-4."

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

(24) **Expression of Appreciation to Mayor Lastman**

**Moved by:                    Councillor Cho**

**Seconded by:                Councillor Feldman**

“**WHEREAS** Mayor Mel Lastman led the former City of North York as its Mayor for many many years; and

**WHEREAS** Mayor Mel Lastman has led the City of Toronto Council through the process of amalgamation, and has had the courage to do the work of seven mayors throughout this process; and

**WHEREAS** Mayor Mel Lastman has been a great business salesman for the City of Toronto, travelling all over the world to promote the greatness of our City; and

**WHEREAS** Mayor Mel Lastman has made the City of Toronto one of the greatest cities in the entire world through his tireless efforts; and

**WHEREAS** Mayor Mel Lastman has, with great courage, decided not to run again for the position of Mayor in the upcoming elections and has recently announced the same;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council send a message to Mayor Mel Lastman to thank him for his years of service to our City and to send our best wishes to him for a speedy recovery in the future, and to let him know that NOOOBODY will ever take his place.”

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

(25) **Canadian Participation in Military Attack on Iraq**

**Moved by:                    Councillor Cho**

**Seconded by:                Councillor Pitfield**

“**WHEREAS** those of us who are old enough will remember the signs that were evident from World War II, the Korean War, and more recently, the Gulf War; and

**WHEREAS**, in the last few months, the world has witnessed massive military buildups, increasingly hostile rhetoric between various opposing nations, as well as nervousness in the stock markets and the economy; and

**WHEREAS** the world seems to be moving dangerously close to the brink of war in at least two international areas, i.e., Iraq and North Korea; and

**WHEREAS** without world peace, local community peace is difficult, if not impossible, to achieve and without local community peace, world peace can never be realized; and

**WHEREAS** I have initiated and led a peace vigil and rally to raise awareness for community peace, city peace, and world peace in Scarborough; and

**WHEREAS** an American attack against Iraq threatens to destabilize the Middle East, increase oil prices around the world and have disastrous effects on the global economy; and

**WHEREAS** an American attack against Iraq will result in the loss of thousands of innocent lives, as well as large numbers of people becoming homeless refugees; and

**WHEREAS** any military attack against Iraq by the United States does not seem to be warranted, as there is no hard-core proof of military buildup by the weapons inspectors as of the present date; and

**WHEREAS** any military attack against Iraq by the United States does not, at the present time, have the final approval of the United Nations Security Council; and

**WHEREAS** the nation of Canada has been traditionally viewed as a peacemaker throughout the world, supporting human rights and working towards the elimination of poverty, injustice and inequality for all mankind; and

**WHEREAS** Canada is viewed as a compassionate country, with thriving vital urban centres that receive thousands of immigrants per year, largely because of the way that Canada is viewed and respected by other nations in the world community; and

**WHEREAS** the Canadian public is entitled to clear and unequivocal evidence of weapons of mass destruction in Iraq;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council send a strong message to Prime Minister Jean Chretien that the following items are our resolve:

- (1) Canada should not participate in a military attack on Iraq until the United Nations weapons inspectors provide clear evidence of Iraq's weapons of mass destruction coupled with the United Nations Security Council giving its full and final support to such a military attack;
- (2) Canada should urge the United Nations to allow its weapons inspectors as much time as they need in order to complete their investigations in Iraq before any final

decision on a military attack is considered by the United Nations Security Council; and

- (3) Canada should strongly urge North Korea to cease its buildup of nuclear materials and allow the former inspectors to re-enter North Korea to monitor the situation and also Canada should urge North Korea to respect and abide by the international treaties under the Agreed Framework as well as the Nonproliferation Treaty, the International Atomic Energy Agency Agreement, and the Joint North-South Declaration on the Denuclearization of the Korean Peninsula.”

*Disposition: The Motion ruled ultra vires.*

(26) **Appointment to Swansea Area Seniors’ Association**

**Moved by: Councillor Miller**

**Seconded by: Councillor Di Giorgio**

“**WHEREAS** the current Swansea Area Seniors’ Association nominee to the Swansea Town Hall Board of Directors, Isabel McKerihen, has resigned; and

**WHEREAS** the Swansea Area Seniors’ Association has nominated Muriel Sides to replace her; and

**WHEREAS** the Board is already operating below full membership and has no opportunity to nominate citizens at large for Council appointment until its Annual meeting in late February, so it is urgent that Council appoint Ms. Sides to the Board of Directors of Swansea Town Hall to ensure quorum for meetings; and

**WHEREAS** there are no financial impacts associated with this motion;

**NOW THEREFORE BE IT RESOLVED THAT** Ms. Muriel Sides be appointed as the Swansea Area Seniors’ Association nominee to the Swansea Town Hall Board of Directors to replace Ms. Isabel McKerihen;

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

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

(27) **Legal Fees Associated with 2714 Danforth Avenue**

**Moved by: Councillor Tziretas**

**Seconded by: Councillor Bussin**

“**WHEREAS** City Council at its meeting on June 18, 19, and 20, 2002, by adoption of Motion J(16), moved by Councillor Bussin, seconded by Councillor Tziretas, as

amended, requested the Chief Building Official to waive her claim to court costs awarded by the Ontario Superior Court of Justice in the matter regarding 2714 Danforth Avenue, subject to no further appeal; and

**WHEREAS** the local and resident merchant association subsequently launched a court challenge; and

**WHEREAS** a recent decision of the Ontario Superior Court of Justice, Divisional Court, allowed the City of Toronto Chief Building Official's appeal of an earlier court decision that ruled the establishment of a shelter at 2714 Danforth Avenue was not a 'hostel' as defined in the City's Zoning By-law; and

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

**WHEREAS** the merchants and residents who launched the court challenge did so out of the sincere belief, based on legal advice, that the shelter at this location was not a 'hostel' as defined in the City's Zoning By-law; and

**WHEREAS** it is appropriate and necessary that the City make every effort to help heal the deep wounds and sense of distress felt in this community regarding the shelter;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(16), moved by Councillor Bussin, seconded by Councillor Tziretas, entitled 'Ontario Superior Court of Justice Decision – 2714 Danforth Avenue', adopted, as amended, by City Council on June 18, 19 and 20, 2002, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT**, in the interest of good community relations, Council request the Chief Building Official to negotiate, with the appellants, a reduced claim of costs awarded in the matter regarding 2714 Danforth Avenue, provided the City recovers costs associated with the leave to appeal and its disbursements."

*Disposition: Having regard that a motion to re-open Motion J(16), moved by Councillor Bussin, seconded by Councillor Tziretas, entitled 'Ontario Superior Court of Justice Decision – 2714 Danforth Avenue', adopted, as amended, by City Council on June 18, 19 and 20, 2002, did not carry, the Motion was not adopted.*

(28) **Naming of Street and Ravine Land after Toronto Police Constable Laura Ellis**

**Moved by: Councillor Moeser**

**Seconded by: Councillor Soknacki**

**“WHEREAS** Toronto Police Constable Laura Ellis was tragically killed on duty while responding to an emergency on February 18, 2002; and

**WHEREAS** a commemorative ceremony for Constable Ellis is scheduled to take place on February 18, 2003; and

**WHEREAS** it is most fitting to honour our Police Services staff who fall in the line of duty; and

**WHEREAS** City staff are negotiating the acquisition of ravine lands at the site of a proposed plan of subdivision at 76 Brumwell Street and said subdivision will include a new street;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report dated February 4, 2003, from the Commissioner of Works and Emergency Services, regarding the naming of street and ravine land at 76 Brumwell Street after Toronto Police Constable Laura Ellis; and that such report be adopted.”

**Disposition:**                    *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated February 4, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) the ravine lands to be acquired by the City at 76 Brumwell Street be named ‘Laura Ellis Natural Area’;*
- (2) the proposed street at 76 Brumwell Street be named ‘Laura Ellis Court’; and*
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

**(29) Appeal of Committee of Adjustment Decision – 5 Stayner Avenue**

**Moved by:**                    **Councillor Moscoe**

**Seconded by:**                **Councillor Miller**

**“WHEREAS** the Committee of Adjustment for the City of Toronto (Humber York Panel) refused an application by Nicola Vescio, the owner of 5 Stayner Avenue, for the construction of a one-storey addition attached to the west side of the existing detached garage in the rear yard; and

**WHEREAS** variance was requested for lot coverage of 41.13 percent (162.20 m<sup>2</sup>); and

**WHEREAS** the maximum permitted lot coverage is 35 percent (148.64 m<sup>2</sup>); and



**WHEREAS** staff did not prepare a report on the matter; and

**WHEREAS** the Ontario Municipal Board has set March 25, 2003, as the date for the hearing;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the City solicitor to authorize City legal staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and defend the Committee of Adjustment's decision."

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

(30) **Donations for Johnny Lombardi Memorial**

**Moved by:** Councillor Pantalone

**Seconded by:** Councillor Augimeri

“**WHEREAS** City Council at its meeting of April 16, 17 and 18, 2002, approved a Notice of Motion moved by Mayor Mel Lastman requesting that Councillor Joe Pantalone and interested members of Council, City Staff and the Little Italy Business Improvement Association (BIA) work towards the creation of a permanent memorial commemorating the life of Mr. Johnny Lombardi; and

**WHEREAS** the Johnny Lombardi Memorial Committee was then struck, undertook a Public Art Competition, in accordance with the City’s public art policies, in association with Culture Division, opened Public Art Reserve Fund (XR 4002) for the purpose of accepting donations, and also held the successful Johnny Lombardi Memorial Tribute Dinner on December 4, 2002; and

**WHEREAS** City Council at its meeting on February 4, 2003, received the Economic Development and Parks Committee Report No.1, Item 13 (d), the Johnny Lombardi Memorial Progress Report, in which the activities of the Johnny Lombardi Memorial Committee are detailed and the issuance of tax receipts for income tax purposes to donors are acknowledged; and

**WHEREAS** specific authorization by City Council is required by the Chief Financial Officer and Treasurer, in order to issue tax receipts, as is normal, in these types of donations;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Financial Officer and Treasurer be directed to issue the appropriate tax receipts for income tax purposes to the donors to the Johnny Lombardi Memorial.”

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

(31) **Allerton Investments Ltd. (Shell Canada Ltd.) - 230 Lloyd Manor Road**

**Moved by:** Councillor Holyday

**Seconded by:** Councillor Milczyn

“**WHEREAS** Allerton Investments Ltd. (Shell Canada Ltd.), submitted an application to amend the Etobicoke Zoning Code to permit the redevelopment of a new gasoline service station building containing a convenience retail store; and

**WHEREAS** Etobicoke Community Council recommended to City Council, in Clause No. 24 of Report No. 5 of The Etobicoke Community Council, the adoption of the staff report dated March 6, 2002, as amended, from the Director of Community Planning, West District, headed ‘Final Report – Application to Amend the Etobicoke Code;

Allerton Investments Ltd. (Shell Canada Ltd.) – 230 Lloyd Manor Road; File No. TA ZBL 2001 0010 (Ward 3 – Etobicoke Centre)’, recommending approval of the proposed development; and

**WHEREAS** the report dated March 6, 2002, from the Director of Community Planning, West District contained a Draft Zoning By-law; and

**WHEREAS** the amending Draft By-law maintains the underlying zoning, as well as permitting the proposed gasoline service station building containing a convenience retail store; and

**WHEREAS** the Draft By-law established the requirements for the width of access ramp to be 11 metres along Lloyd Manor Road and the Etobicoke Zoning Code requires the width of the access ramps along Eglinton Avenue to be 7.5 metres;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 5, Clause No. 24, 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)’, be re-opened for further consideration, only insofar as it pertains to the width of the access ramps along Lloyd Manor Road and Eglinton Avenue;

**AND BE IT FURTHER RESOLVED THAT** the Draft By-law be modified to require the width of the access ramp along Lloyd Manor Road not to exceed 11 metres and the width of access ramps along Eglinton Avenue not to exceed 10 metres, measured along the property line;

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the introduction of the necessary Bill in Council to give effect thereto, substantially in accordance with the Draft By-law attached to this Motion, with the revised standards as set out above, and that Council deem that no further notice be given in respect of the proposed By-law, pursuant to Section 34(17) of the Planning Act, R.S.O. 1990.”

*Disposition: Council re-opened 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)”, for further consideration, only insofar as it pertains to the width of the access ramps along Lloyd Manor Road and Eglinton Avenue, and adopted the balance of the Motion, without amendment.*

(32) **Amendment to Chapter 27 of City of Toronto Municipal Code, Council Procedures - Duties of the Audit Committee**

**Moved by: Councillor Minnan-Wong**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** at its meeting held on November 26, 27 and 28, 2002, Council, adopted, as amended, Report No. 15 of the Policy and Finance Committee, Clause No. 1, headed ‘Implementation of Auditor General and Internal Audit Functions’; and

**WHEREAS** Recommendation No. (4) provided that, in accordance with § 27-137, of the City of Toronto Municipal Code, notice of Council’s intention to amend Chapter 27, Council Procedures, regarding the duties of the Audit Committee, as set out in Appendix 2 of the report (November 4, 2002) from the Chief Administrative Officer, be given; and that authority be granted for the introduction of the necessary bill in Council to give effect thereto; and

**WHEREAS** the bill is scheduled to be introduced at Council’s meeting commencing on February 4, 2003; and

**WHEREAS** the Municipal Act, 2001, S.O. 2001, c.25, came into effect on January 1, 2003, and section 238 contains a new statutory notice requirement to give notice of procedural by-law amendments and no notice was required under the old Act; and

**WHEREAS** the City of Toronto Municipal Code, Chapter 162, Notice, Public, which also came into effect on January 1, 2003, requires that notice is to be given two weeks before the committee meeting at which an opportunity is provided for members of the public to speak to the matter; and

**WHEREAS** the transition provision contained in Chapter 162 provides that if before January 1, 2003, public notice has been given or commenced as prescribed under the Municipal Act, R.S.O. 1990, c. M-45, that notice is considered to be adequate to give reasonable notice for purposes of the public notice required under the Municipal Act; and

**WHEREAS** this matter was commenced prior to January 1, 2003, but no notice was given since no notice was required to be given under the old Act and, therefore, the transition provision does not apply; and

**WHEREAS** § 162-(A)(3) provides that where the City is required to give notice to the public under a provision of the Municipal Act, the notice shall be given in a form and manner and at the times indicated in the chapter, unless Council directs that other public notice is to be given that Council considers adequate to give reasonable notice under the provision; and

**WHEREAS** this matter is caught in transition between the old Municipal Act and the new Act and it is, therefore, reasonable for Council to direct that other public notice be given that Council considers adequate to give reasonable notice; and

**WHEREAS** reasonable and adequate notice was given to the public of the proposed amendment to Chapter 27 by the schedule of the Committee and Council meetings as posted on the City’s web site and by other Council agenda information provided to the public; by media reports on the proposal and by opportunities for public deputation

provided at the special Audit Committee Meeting on October 28, 2002, and the Policy and Finance Committee meeting on November 14, 2002;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider that adequate public notice of the proposed by-law attached as Appendix 2 to Clause No. 1 of Report No. 15 of The Policy and Finance Committee, as adopted by Council at its meeting held on November 26, 27 and 28, 2002, has been given and the City Solicitor be authorized to introduce the necessary bill in Council to give effect thereto.”

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

(33) **Decision of the Agnes Macphail Award Selection Committee – Winner of the 2003 Agnes Macphail Award**

**Moved by:                    Councillor Tziretas**

**Seconded by:                Councillor Pitfield**

“**WHEREAS** the Agnes Macphail Award Selection Committee met, as established in the selection process, on February 3, 2003, to examine the nominations received and to select the winner of the 2003 Agnes Macphail Award; and

**WHEREAS** the Agnes Macphail Award Selection Committee has provided Toronto City Council with its recommendation for the winner of the 2003 Agnes Macphail Award through the attached confidential report dated February 4, 2003;

**NOW THEREFORE BE IT RESOLVED THAT** the attached confidential report dated February 4, 2003, from the Agnes Macphail Committee, be adopted.”

*Disposition:                    The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the confidential report dated February 4, 2003, from the Agnes Macphail Committee, 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.*

(34) **Rescheduling of the March 31, 2003 Economic Development and Parks Committee Meeting**

**Moved by:                    Councillor Minnan-Wong**

**Seconded by:                Councillor Pantalone**

“**WHEREAS** the Economic Development and Parks Committee is scheduled to meet on Monday, March 31, 2003; and

**WHEREAS** the planned mission to Milan, as approved by City Council at its meeting of February 13, 14 and 15, 2002, is scheduled to take place around the same period, in conjunction with the Team Canada Mission; and

**WHEREAS** the City Council of Milan has requested the presence of the City of Toronto's delegation in their Council Chamber on Monday March 31, 2003, when they will officially pronounce the twinning ceremony;

**NOW THEREFORE BE IT RESOLVED THAT** the Economic Development and Parks Committee meeting be rescheduled for Monday, March 24, 2003."

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

(35) **Request for A Status Report on the Legal Dispute with the Toronto Port Authority at the Special Council Meeting on February 24, 25, 26, 27 and 28, 2003**

**Moved by: Councillor Minnan-Wong**

**Seconded by: Councillor Moscoe**

**“WHEREAS** the Aerospace industry is one of the key economic clusters in the City of Toronto and Bombardier Aerospace, as the largest employer, is the anchor company for this industry in Toronto; and

**WHEREAS**, like other high wage manufacturing companies, Bombardier has a high economic multiplier effect; and

**WHEREAS** any significant slowdown or layoffs at Bombardier will have impacts on companies and employees that supply, distribute and otherwise support production at Bombardier and on the businesses where Bombardier employees purchase services and products; and

**WHEREAS**, as the result of a global slowdown in new airline purchases, the Bombardier Aerospace Plant which employs 3,000 people is currently at a risk of having to lay off a large number of employees; and

**WHEREAS** resolution of the legal dispute between the City of Toronto and the Toronto Port Authority is one of the conditions for enhanced operations at Toronto City Centre Airport which, in turn, will initiate an order for the purchase and production of fifteen new turboprop aircraft to be manufactured at Bombardier's Downsview plant in Toronto; and

**WHEREAS** the negotiations and resolution of the terms of agreement have not been finalized and a report will not be available at this Council meeting; and

**WHEREAS** the next regular meeting of Council will take place on April 14, 15 and 16, 2003; and

**WHEREAS** Council is holding a special meeting on February 24, 25, 26, 27 and 28, 2003, for budget purposes;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council also add to the Special Council Meeting an opportunity for the CAO to bring forward a report on this matter.”

*Disposition: Having regard that a motion to waive Notice did not carry, Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on April 14, 2003.*

(36) **Intention to Designate Under Part IV of the Ontario Heritage Act – 18 Fern Avenue**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Milczyn**

“**WHEREAS** the Toronto Preservation Board passed a motion at its meeting of November 26, 2002, that Culture Division staff report on the designation of the property at 18 Fern Avenue; and

**WHEREAS** Culture Division staff have prepared a report to be considered at the February 19, 2003 meeting of the Toronto Preservation Board, recommending that it endorse a recommendation requesting that City Council state its intention to designate the property at 18 Fern Avenue; and

**WHEREAS** the 2½ storey structure at 18 Fern Avenue, known as the John Gardhouse House (with adjoining stable), is a good example of residential architecture in the former Village of Weston and is associated with Edwardian Classicism; and

**WHEREAS** the property is of historical interest for its association with John Gardhouse, a distinguished cattle breeder who was posthumously elected to the Canadian Agricultural Hall of Fame and who also served as Mayor of Weston, the Reeve of Etobicoke Township and the Warden of York County; and

**WHEREAS** area residents have expressed concern that the property, consisting of a detached house and stable, is threatened by a redevelopment proposal for the site; and

**WHEREAS** the designation of the property under Part IV of the Ontario Heritage Act would delay demolition and allow Culture Division staff to explore options to conserve the building; and

**WHEREAS** City Council, before serving notice of its intention to designate the property under Part IV of the Ontario Heritage Act on the owner, shall consult with the Toronto Preservation Board regarding the proposed designation of the property at 18 Fern Avenue; and

**WHEREAS** Culture Division staff recommend the designation of the property at 18 Fern Avenue for architectural and historical reasons;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto give notice of its intention to designate the property at 18 Fern Avenue under Part IV of the Ontario Heritage Act for architectural and historical reasons, provided the Toronto Preservation Board endorses the designation;

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

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

(37) **Intention to Designate Under Part IV of the Ontario Heritage Act - 35 Church Street**

**Moved by:                    Councillor Nunziata**

**Seconded by:                Councillor Milczyn**

“**WHEREAS** the Ward 11 Councillor has been advised by the residents of a potential threat to the property located at 35 Church Street; and

**WHEREAS** the late 19th century Ontario Cottage located at 35 Church Street, is architecturally and contextually significant as a good example of residential architecture in the former Village of Weston; and

**WHEREAS** a proposal to replace the present single detached house with a pair of semi-detached houses was deferred by the Committee of Adjustment for consultation between the developer and the community, and the developer has not yet met with the residents; and

**WHEREAS** the Culture Division staff are prepared to work with the property owner to develop an appropriate rehabilitation proposal that would retain the heritage character of the residence; and

**WHEREAS** the designation of the property under Part IV of the Ontario Heritage Act would delay demolition and allow Culture Division staff to explore options to conserve the building; and

**WHEREAS** Culture Division staff will recommend to the Toronto Preservation Board, at its February 19, 2003 regular meeting, that it endorse the designation of the property located at 35 Church Street; and

**WHEREAS** Culture Division staff recommend the designation of the property located at 35 Church Street, under Part IV of the Ontario Heritage Act, for its cultural heritage value or interest; and



**WHEREAS** City Council, before serving notice of its intention to designate the property under Part IV of the Ontario Heritage Act on the owner, shall consult with the Toronto Preservation Board regarding the proposed designation of the property at 35 Church Street;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto give notice of its intention to designate the property at 35 Church Street under Part IV of the Ontario Heritage Act for architectural reasons, provided the Toronto Preservation Board endorses the designation;

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

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

(38) **Hungarian Canadian Cultural Centre and Canadian Mothercraft Society**

**Moved by:                    Councillor Mihevc**

**Seconded by:                Councillor Flint**

“**WHEREAS** at its meeting of December 10, 1984, the Council of the former City of Toronto passed By-law No. 10-85, which by-law authorized an exemption from taxes of the land of Hungarian Canadian Cultural Centre (Hungarian House) at 834-840 St. Clair Avenue (the ‘Land’) so long as the Land is occupied and used solely for the purposes of the Centre, pursuant to its authority under the Hungarian Canadian Cultural Centre (Hungarian House) Act, 1983 (the ‘Act’); and

**WHEREAS** section 3 of the Act provided that the Council of the former City of Toronto may provide that a by-law passed under the Act did not come into force unless the Centre entered into an agreement with the former City of Toronto whereby if the Land is sold, leased or otherwise disposed of, then the taxes foregone in the preceding ten years shall become immediately payable; and

**WHEREAS** By-law No. 10-85 provides that it became effective as of January 1, 1984, upon the Hungarian Canadian Cultural Centre (Hungarian House) entering into an agreement with the Corporation providing that if the Land is sold, leased or otherwise disposed of, then the taxes foregone in the preceding period of ten years shall immediately become payable to the City; and

**WHEREAS** the former City of Toronto and the Hungarian Canadian Cultural Centre (Hungarian House) entered into an agreement dated December 10, 1984 (the ‘Agreement’), which provided that if, at any time after the passage of By-law No. 10-85, the Land or any portion of it is sold, leased, granted, transferred or conveyed by the Hungarian Canadian Cultural Centre (Hungarian House), then all taxes foregone by the City pursuant to By-law No. 10-85 during the ten years preceding the sale, lease, grant, transfer or conveyance shall immediately become payable to the City; and

**WHEREAS** the Agreement also provided that the Agreement shall be registered against the title of the Land as Instrument No. C192751 and the Act provides that if such an agreement is registered on title then the amounts payable under the agreement shall be a lien or charge upon the Land; and

**WHEREAS** Hungarian Canadian Cultural Centre (Hungarian House) is desirous of leasing a part of their land to the Canadian Mothercraft Society;

**NOW THEREFORE BE IT RESOLVED THAT** the agreement between the former City of Toronto and the Hungarian Canadian Cultural Centre (Hungarian House) dated December 10, 1984, be terminated and that Instrument No. C192751 be discharged, released, removed from title to the Land, and that authority be granted to give effect hereto;

**AND BE IT FURTHER RESOLVED THAT** By-law No. 10-85 be amended to delete the condition that the tax exemption only applies upon entering into an agreement requiring the repayment of taxes.”

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

(39) **Leaf and Yard Waste Composting Services Request for Proposals #9150-02-7246**

**Moved by: Councillor Duguid**

**Seconded by: Councillor Disero**

“**WHEREAS** City Council at its meeting of November 26, 27, and 28, 2002, by adoption of Clause No. 24 of Report No. 15 of The Policy and Finance Committee, recommended the adoption of the confidential joint report dated October 29, 2002, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer; and

**WHEREAS** there were certain errors contained in the recommendations of the said report and it is necessary that the errors be corrected;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 24 of Report No. 15 of The Policy and Finance Committee, headed ‘Leaf and Yard Waste Composting Services, Request for Proposals No. 9150-02-7246’, be re-opened for further consideration, only insofar as it pertains to correcting the errors in the recommendations embodied in the report dated October 29, 2002, and Council give consideration to the attached confidential report dated February 6, 2003, from the Commissioner of Works and Emergency Services, and that such report be adopted.”

*Disposition: Council re-opened Clause No. 24 of Report No. 15 of The Policy and Finance Committee, headed “Leaf and Yard Waste Composting Services, Request for Proposals No. 9150-02-7246”, for further consideration, only insofar as it pertains to correcting*

*the errors in the recommendations embodied in the report dated October 29, 2002, and adopted the balance of the Motion, without amendment.*

*In so doing, Council, adopted, without amendment, the confidential report dated February 6, 2003, 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, having regard that it contains information related to the security of the property of the municipality.*

(40) **Offer of Settlement made by Riva Glade Holdings Inc., Official Plan, Zoning and Site Plan Appeals to the Ontario Municipal Board**

**Moved by: Councillor Walker**

**Seconded by: Councillor Rae**

**“WHEREAS** Riva Glade Holdings Inc. made application on December 20, 2001, for an Official Plan Amendment, Zoning By-law Amendment and Site Plan to permit the construction of a 27-storey building containing 125 units with underground parking on lands municipally described as 135 St. Clair Avenue West; and

**WHEREAS** Riva Glade Holdings Inc. appealed all applications, in July 2002, to the Ontario Municipal Board on the basis of Council’s refusal of the applications; and

**WHEREAS** Council instructed the City Solicitor to attend at the Ontario Municipal Board hearing and retain an outside planner to support its Decision; and

**WHEREAS** the Ontario Municipal Board hearing is scheduled to commence on February 10, 2003; and

**WHEREAS** Riva Glade Holdings Inc. has modified its applications by reducing the height and density of the proposed building and is proposing a settlement in accordance with the modifications; and

**WHEREAS** the outside planner and planning staff of the City are of the opinion that the proposal, as modified, is acceptable from a planning standpoint; and

**WHEREAS** the local community association is satisfied with the modifications outlined in the report of the City Solicitor, and has, in writing, withdrawn its appeal;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached confidential report dated February 6, 2003, from the City Solicitor, and that such report be adopted;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Works and Emergency Services be directed to investigate the feasibility of closing Foxbar Road at the southerly limit of the entrance of the Bradgate Arms.”

**Disposition:** *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the confidential report dated February 6, 2003, 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) Council accept the settlement offer appended to this report as attachments ‘A and 1A’; and*
- (2) the City Solicitor appear before the Ontario Municipal Board in support of the settlement and to ensure that the implementing planning documents are reflective of the terms of settlement.”*

(41) **Extension for Promotions Link Inc. to Comply With Licensing Agreement**

**Moved by:** Councillor Korwin-Kuczynski

**Seconded by:** Councillor Pantalone

**“WHEREAS** at its meeting held on November 26, 27 and 28, 2002, City Council adopted, without amendment, Notice of Motion J(16), headed ‘PATH Walkway System - Promotions Link Inc. - Proposal for a Public Access Terminal System’; and

**WHEREAS** Promotions Link Inc. has failed to meet the requirements of the Licensing Agreement as directed by City Council; and

**WHEREAS** to date, no functional publicly accessible interactive terminals have been installed in the PATH Walkway system; and

**WHEREAS** City Council directed staff to terminate the Licensing Agreement upon non-compliance; and

**WHEREAS** Promotions Link Inc. has reported that they have entered into an agreement with Seimens Canada and other entities to provide six (6) terminals on February 3, 2003, on a letter of credit by Promotions Link Inc. to the City; and

**WHEREAS** their partners could not provide the way-finding technology (Global Positioning Systems) on time;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code that Notice of Motion J(16), headed 'PATH Walkway System - Promotions Link Inc. - Proposal for a Public Access Terminal System', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council direct staff to extend the Licensing Agreement with Promotions Link Inc. for ninety (90) days, thus giving them one last chance to fully comply with the terms and conditions of the Licensing Agreement.”

*Disposition: Council re-opened Motion J(16), headed “PATH Walkway System - Promotions Link Inc. - Proposal for a Public Access Terminal System”, adopted, without amendment, by City Council at its meeting held on November 26, 27 and 28, 2002, for further consideration, and adopted the balance of the Motion, without amendment.*

(42) **Revised Meeting Dates for Budget Advisory and Policy and Finance Committees**

**Moved by: Councillor Shiner**

**Seconded by: Councillor Soknacki**

“**WHEREAS** the Budget Advisory Committee has had to cancel its meetings scheduled to be held on February 10 and 11, 2003, having regard that City Council has continued to meet; and

**WHEREAS** the Budget Advisory Committee may need additional time to further review the 2003 Capital and Operating Budgets;

**NOW THEREFORE BE IT RESOLVED THAT** a meeting of the Budget Advisory Committee be scheduled on February 18, 2003, in order that the Budget Advisory Committee may give further consideration to the 2003 Capital and Operating Budgets;

**AND BE IT FURTHER RESOLVED THAT** the meeting of the Policy and Finance Committee scheduled to be held on February 18, 2003, be rescheduled to February 19, 2003, or at the call of the Mayor.”

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

(43) **Ontario Municipal Board Hearing - April 8, 2003 - 102 Castlefield Avenue**

**Moved by: Councillor Johnston**

**Seconded by: Councillor McConnell**

“**WHEREAS** on November 8, 2002, the Midtown Committee of Adjustment unanimously refused an application for variance from provisions of the Toronto Zoning By-law, as amended, to construct a three storey semi-detached dwelling on the above-noted property; and

**WHEREAS** the Director of Planning for the South District respectfully recommended that the Committee of Adjustment refuse the below grade variance; and

**WHEREAS** additional variances are required for the proposed gross floor area, front yard setback, building length, building depth and the below-grade integral garage; and

**WHEREAS** the applicant has appealed the November 8, 2002 refusal decision to the Ontario Municipal Board; and

**WHEREAS** the Board will hear the appeal on April 8, 2003; and

**WHEREAS** the community has requested that City Council direct the City Solicitor to attend the Ontario Municipal Board in support of the November 8, 2002 decision of the Committee of Adjustment; and

**WHEREAS** the time sensitive nature of this request requires the endorsement of City Council;

**NOW THEREFORE BE IT RESOLVED THAT** Council direct the City Solicitor to attend the Ontario Municipal Board on April 8, 2003, at the hour of 10:00 a.m.”

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

(44) **Ontario Municipal Board Hearing – 32 Eastern Avenue**

**Moved by:                    Councillor McConnell**

**Seconded by:                Councillor Johnston**

“**WHEREAS** the owners of 32 Eastern Avenue applied to the Committee of Adjustment for certain variances to permit their use; and

**WHEREAS** the Committee of Adjustment refused their application; and

**WHEREAS** the owner has appealed the Committee of Adjustment refusal of their application to the Ontario Municipal Board for a one-day hearing on April 3, 2003;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and City Planning staff attend the hearing in support of the Committee of Adjustment’s refusal.”

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

**CONDOLENCE MOTIONS**

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

**Seconded by:** **Councillor Duguid**

“**WHEREAS** the Members of City Council are deeply saddened to learn that James Francis ‘Frank’ Drea passed away on Wednesday, January 15, 2003; and

**WHEREAS** Frank Drea worked as a journalist for various newspapers, including the Toronto Telegram, and helped to pioneer the consumer help column, now carried in so many newspapers; and

**WHEREAS** Frank Drea represented the Provincial riding of Scarborough Centre from 1971 to 1985, as a Member of Provincial Parliament; and

**WHEREAS** Frank Drea held several cabinet posts, including Minister of Correctional Services, Minister of Consumer and Commercial Relations and Minister of Community and Social Services; and

**WHEREAS** Frank Drea represented his constituents with distinction, as demonstrated by his receipt of the Cody Award from the St. Leonard’s Society of Canada and was recognized for his services and commitment to the cause of community-based residential centres in Canada and humanitarian advancement;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk by directed to convey, on behalf of the Members of City Council, our sincere sympathy to the his wife, Jeanne and their children, Catherine, Denise and Kevin.”

*Disposition: The Motion was adopted unanimously.*

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

**Seconded by:** **Councillor Balkissoon**

“**WHEREAS** the City of Toronto recognizes and acknowledges the volunteer contributions of individuals in all communities; and

**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Andrew McLeod; and

**WHEREAS** Mr. McLeod was one of the founding members of the Scarborough Race Relations Committee; and

**WHEREAS** Mr. McLeod worked tirelessly in Trintocan, a group dedicated to the social and other service needs of Caribbean people, particularly from Trinidad and Tobago; and

**WHEREAS** Mr. McLeod raised funds and sent wheelchairs for the disabled in the Caribbean, who were unable to afford it; and

**WHEREAS** Mr. McLeod was primarily responsible for the raising of funds assisting in the separation of Siamese twins, who have recently expressed their appreciation for his successful efforts; and

**WHEREAS** Mr. McLeod dedicated most of his volunteer time to improving race relations in Toronto through his participation on various committees;

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

*Disposition:                   The Motion was adopted unanimously.*

(3) **Moved by:                   Councillor Pitfield**

**Seconded by:               Councillor Ootes**

“**WHEREAS** the Members of City Council are deeply saddened to learn that Perry Clarke Joyce passed away on December 31, 2002, at the age of 34; and

**WHEREAS** Perry Clarke Joyce was a tirelessly devoted community person with a desire to make his community and City a better place; and

**WHEREAS** Perry Clarke Joyce served on the Board of Directors for the Jenner Jean-Marie Community Centre in Thorncliffe Park and as the Communications Co-ordinator for the Pape Village Business Improvement Area; and

**WHEREAS** Perry Clarke Joyce began his career as journalist with the East York Times, prior to becoming a writer for the East York Mirror and the York Guardian; and

**WHEREAS** Perry Clarke Joyce worked to help promote small business through his communications company, which he created so that he could devote time to raising his daughter Samantha; and

**WHEREAS** Perry Clarke Joyce was a dedicated husband, and looking forward to the birth of his second child;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife Elizabeth, and his daughter Samantha.”

*Disposition:                   The Motion was adopted unanimously.*

(4) **Moved by:                   Councillor Nunziata**



**Seconded by: Mayor Lastman**

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn about the passing of the seven students from Strathcona-Tweedsmuir School; and

**WHEREAS** Jeff Trickett, Alex Patillo, Daniel Arato, Ben Albert, Marissa Staddon, Michael Shaw and Scott Broshko were grade 10 high school students on a skiing field trip near Revelstoke, British Columbia; and

**WHEREAS** these innocent children’s lives were taken from them by an avalanche 500 metres wide in Glacier National park on Saturday, February 1, 2003; and

**WHEREAS** citizens across Canada are shocked and saddened by the enormous and unpredictable tragedy experienced by the grief-stricken families and friends of the seven young people;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk by directed to convey, on behalf of the Members of City Council, our sincere sympathy to the Jeff Trickett, Alex Patillo, Daniel Arato, Ben Albert, Marissa Staddon, Michael Shaw and Scott Broshko.”

*Disposition: The Motion was adopted unanimously.*

(5) **Moved by: Councillor Ashton**

**Seconded by: Councillor Kelly**

“**WHEREAS** City Council is saddened to hear of the passing of Dick Shatto, who retired in 1965 as the best offensive player in the history of the Toronto Argos; and

**WHEREAS** Mr. Shatto expressed the wish to have his ashes scattered at Exhibition Stadium;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Board of Governors of Exhibition Place to discuss with the family of Mr. Shatto, the arrangements to carry out Mr. Shatto’s wishes and the matter of any other suitable memorial to Mr. Shatto’s CFL career;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk by directed to convey, on behalf of the Members of City Council, our sincere sympathy to the family of Mr. Shatto.”

*Disposition: The Motion was adopted unanimously.*

February 18, 2003