

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Report No. 9 of The Administration Committee,
Report No. 10 of The Administration Committee,
Report No. 5 of The Community Services Committee,
Report No. 6 of The Community Services Committee,
Report No. 6 of The Economic Development and Parks Committee,
Report No. 6 of The Planning and Transportation Committee,
Report No. 9 of The Policy and Finance Committee,
Report No. 8 of The Works Committee,
Report No. 9 of The Works Committee,
Report No. 10 of The Works Committee,
Report No. 5 of The Downtown Community Council,
Report No. 7 of The East Community Council,
Report No. 5 of The Midtown Community Council,
Report No. 5 of The North Community Council,
Report No. 6 of The Southwest Community Council,
Report No. 5 of The West Community Council,
Report No. 5 of The Audit Committee,
Report No. 6 of The Audit Committee,
Report No. 4 of The Board of Health, and
Report No. 5 of The Striking Committee,

and Notices of Motions, Enquiries and Answers, as adopted by the Council of the City of Toronto at its regular meeting held on June 26, 27 and 28, 2001.

REPORT NO. 9 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - "Status of the TEDCO Investigation".

The Clause was struck out and referred to the Budget Advisory Committee for information during its deliberations on the 2002 budget for the Toronto Port Authority; and the Acting Chief Administrative Officer was requested to submit a report to the Budget Advisory Committee, for consideration therewith, on the original ownership of the hockey tickets, from whom they were purchased and at what cost.

Clause No. 2 - “Access to Property Databases by City Councillors”.

The Clause was received.

Clause No. 3 - “Sale of Surplus City-Owned Vacant Land, Southeast Corner of Ellesmere Road and Neilson Road (Ward 43 - Scarborough East)”.

The Clause was amended by striking out the recommendation of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that the report dated June 22, 2001, from the Commissioner of Corporate Services, be adopted, subject to amending Recommendation No. (2) embodied therein by adding thereto the words ‘within the context of the Housing First Policy’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) the report (May 3, 2001) from the Commissioner of Corporate Services, entitled “Sale of Surplus City-Owned Vacant Land, Southeast Corner of Ellesmere Road and Neilson Road”, be received;
- (2) the Commissioner of Corporate Services continue discussions with the Rouge Valley Health System, in consultation with the Commissioner of Community and Neighbourhood Services and the City Solicitor, with respect to the possible sale of all or some portion of Parts 1, 2 and 3, Reference Plan 64R-10780, within the context of the Housing First Policy;
- (3) the Offer to Purchase in the amount of \$1,570,000.00, received from Rouge Valley Health System to purchase the lands at the southeast corner of Ellesmere Road and Neilson Road identified as Parts 1, 2 and 3 on Reference Plan 64R-10780, not be accepted, and the Offer to Purchase, along with the Purchaser’s deposit of \$100,000.00, be returned to the Purchaser; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

REPORT NO. 10 OF THE ADMINISTRATION COMMITTEE

Clause No. 2 - “2001 Access and Equity Grant Program Allocations”.

The Clause was amended by adding thereto the following:

“It is further recommended that the following motion be referred to the Acting Chief Administrative Officer and the Acting Commissioner of Community and Neighbourhood

Services for joint report thereon to the Policy and Finance Committee and the Budget Advisory Committee during the 2002 budget process:

Moved by Councillor Mihevc:

‘That the following motion be approved, in principle, and referred to the Policy and Finance Committee for further consideration in the subsequent year’s budget deliberations:

“**WHEREAS** the Access and Equity Grants Budget of \$465,000.00 is not sufficient to deal with women’s issues, disability issues and gay, lesbian, bisexual and transgendered issues; and

WHEREAS the 1998 review of the Access and Equity Grants program noted that \$1.5 million was required to fund all the Access and Equity areas with which the City is concerned; and

WHEREAS the City of Toronto’s motto is ‘Diversity our Strength’;

NOW THEREFORE BE IT RESOLVED THAT City Council approve a three-year phase-in, from 2002 to 2004, of the Access and Equity Grants Budget to the total of \$1.5 million.” ’ ’ ”

Clause No. 9 - “Request for Additional Funds for Increase in Purchase Order Issued for Chiller Replacement Project at St. Lawrence Market-South”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

(1) the following procedures for dealing with Capital project estimates for Facilities and Real Estate, as outlined in the communication dated June 26, 2001, from the Executive Director, Facilities and Real Estate, be adopted:

‘(1) all capital work that exceeds \$50,000.00 in value will be co-ordinated through the Design, Construction and Asset Preservation Section of Facilities and Real Estate for project estimates; this includes both Capital Budget submissions and emergency projects; and

(2) in preparing the project scope and estimate, the following procedures apply:

(a) a full site visit is to be made to establish extent of work;

(b) a preliminary engineering study, to define the method of remedial repairs, will be conducted;

- (c) a detailed scope of work, based on the engineering study, is to be prepared; this will include all necessary code implications, disruption to the operation of the building and any specialized equipment;
 - (d) a project schedule will be drafted to establish the duration of the project, with milestone dates and any after-hours work;
 - (e) a project schedule, scope of work and a detailed estimate is to be prepared, including quantities and unit costs; and
 - (f) this estimate shall be reviewed with Project Managers for feedback.'; and
- (2) the Acting City Clerk be requested to circulate a copy of the communication dated June 26, 2001, from the Executive Director, Facilities and Real Estate, to all Commissioners, with a request that they submit reports to the Policy and Finance Committee, through the Budget Advisory Committee, by September 2001, on their procedures for dealing with Capital expenditures.”

Clause No. 10 - “Request for Proposals to Restore, Develop and Operate Union Station (Ward 28 - Toronto Centre-Rosedale)”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (a) the Hockey Hall of Fame be consulted in regard to a permanent hockey display in the new Union Station; and
- (b) the report dated May 30, 2001, from the Commissioner of Corporate Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Commissioner of Corporate Services and Director of the Purchasing and Materials Management Division be authorized to issue a Request for Proposals to restore, develop and operate Union Station, to the three pre-qualified respondent groups from the Request for Expressions of Interest, in accordance with the terms identified herein;
- (2) the retainers of Marshall Macklin Monaghan and Davies Ward Phillips & Vineberg, LLP, be continued, to provide advice and assistance as required in connection with the Request for Proposals process, at a cost not to exceed \$250,000.00, to be funded from the net revenues of Union Station;
- (3) the Commissioner of Corporate Services report back to Administration Committee on the results of the Request for Proposals and with a recommended course of action to provide for a transition of Union Station to the governance body; and

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

Clause No. 11 - “Purchase of 117-119 Fermanagh Avenue (Ward 14 - Parkdale-High Park)”.

The Clause was amended in accordance with the confidential report dated June 20, 2001, from the President, Toronto Parking Authority, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information related to the acquisition of property for municipal or local board purposes, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council approve the acquisition of these properties, as set out in my report dated May 30, 2001, to Administration Committee, despite some contamination having been identified in and in relation to the property at 119 Fermanagh Avenue, provided that the Toronto Parking Authority proceeds with remediation of that property to residential/parkland standard following closing in conjunction with its construction of the surface parking lot; an amount of \$70,000.00 will be held back from the purchase price and placed in a reserve fund; this amount will be sufficient to clean up any and all contaminates; and any monies remaining in the reserve fund will be returned to the vendor; and
- (2) the appropriate City officials be authorized to take the actions necessary to give effect thereto.”

Clause No. 13 - “Proposed Acquisition of CN Leaside Spur Line Extending South from York Mills Road to North of Eglinton Avenue East (Ward 25 - Don Valley West)”.

The Clause was amended by adding thereto the following:

“It is further recommended the confidential report dated June 19, 2001, from the Commissioner of Corporate Services, be adopted, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information related to the acquisition of property for municipal or local board purposes, save and except the recommendations embodied therein, subject to adding to Recommendation No. (1) the words ‘and the provision of an Access Agreement for the benefit of CN, in order to allow CN access to their active rail line adjacent to the east of the northerly portion of the property being acquired, and the City Solicitor be authorized to complete the transaction on December 18, 2001, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable’, so that the recommendations embodied in such confidential report shall now read as follows:

‘It is recommended that:

- (1) the Offer to Sell from Canadian National Railway Company (CN) for the sale to the City of the Leaside Spur Line, in the amount of \$2.0 million, be accepted on the terms outlined in the body of this report and the provision of an Access Agreement for the benefit of CN, in order to allow CN access to their active rail line adjacent to the east of the northerly portion of the property being acquired, and the City Solicitor be authorized to complete the transaction on December 18, 2001, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable;
- (2) Council approve up to \$200,000.00 for a Phase II Environmental Report and a Site Specific Risk Assessment Plan (if necessary) to be completed on the property;
- (3) a further report be submitted to Council on the results of the Phase II Environmental investigations and any Site Specific Risk Assessment Plan completed during the due diligence period;
- (4) staff continue negotiations with Imperial Oil/Hydro One regarding the proposal to provide Hydro One with a telecommunications easement; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Clause No. 16 - “By-law No. 181-81 Governing the Metropolitan Toronto Police Benefit Fund - Draft By-law to Increase Minimum Pension”.

Council adopted the following recommendation:

“It is recommended that the report dated June 18, 2001, from the Interim Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the request of the Board of Trustees to increase the minimum pension from \$375.00 to \$500.00, per year of service, be approved; and
- (2) the estimated \$3.96 million cost of this benefit improvement be charged against available surpluses in the Metropolitan Toronto Police Benefit Fund.’ ”

REPORT NO. 5 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 1 - “Provincial Legislation for ‘Rent Roll Back’ ”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 1 - "Transfer of Care Delays on Toronto Emergency Medical Services".

The Clause was amended by:

- (1) inserting in Recommendation No. (2) embodied in the report dated May 28, 2001, from the Commissioner of Works and Emergency Services, as amended by the Community Services Committee, after the words "Toronto area", the words "acute care", so that such recommendation shall now read as follows:

"(2) the Chair of the Community Services Committee, Seniors' Advocate, Commissioner of Works and Emergency Services and the General Manager of Toronto Emergency Medical Services meet with the Chief Executive Officers of Toronto area acute care hospitals to review the impacts that transfer of care delays are having on the Toronto Emergency Medical Services and to develop strategies to effectively deal with this trend;" and

- (2) adding thereto the following:

"It is further recommended that:

- (a) the Mayor or his representative, the Chair of the Community Services Committee and the Seniors' Advocate be requested to meet with the Premier of Ontario and/or the Minister of Health to:
 - (i) recover the \$724,000.00 required to immediately address the transfer of patient care delay crisis; and
 - (ii) seek financial solutions to the health care crisis caused by under-funding of hospitals, health care clinics and long term care facilities;
- (b) City Council recognize the concerns expressed by the hospital Chief Executive Officers regarding the impact of measures to reduce or defer non-emergency, inter-facility patient transfer services, and the General Manager of Toronto Emergency Medical Services be requested to make every effort to minimize the impacts on non-emergency patient transfers, provided transfer of care times improve and response times are returned to an appropriate level;
- (c) all statistics be publicly released on a regular basis and the Commissioner of Works and Emergency Services be directed to ensure that no agreements are executed with the provincial government and/or the hospital sector preventing the full public disclosure of statistics; and

- (d) the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) this report be received for information;
- (2) City Council support and endorse our report to Community Services dated May 28, 2001; and
- (3) the dialogue with the hospital Chief Executive Officers and the Ministry of Health and Long-Term Care continue.’ ”

Clause No. 13 - “Survey of Toronto Shelters”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

REPORT NO. 6 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 4 - “2001 Cultural Grants Recommendations – Major Cultural Organizations (All Wards)”.

The Clause was amended by:

- (1) deleting Recommendation No. (3) embodied in the report dated May 17, 2001, from the Commissioner of Economic Development, Culture and Tourism, and inserting in lieu thereof the following new Recommendation No. (3):

“(3) a grant to the Caribbean Cultural Committee – Caribana – in the amount of \$353,500.00 be approved, subject to the organization meeting the following outstanding grant conditions for the year 2000, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, by July 16, 2001:

- (a) the Caribbean Cultural Committee will have a Chief Executive Officer in place to provide professional management of the Caribana Festival;
- (b) the Caribbean Cultural Committee will produce a complete audit of its financial operations for the year 2000; and
- (c) the Caribbean Cultural Committee be required to submit to the Commissioner of Economic Development, Culture and Tourism a complete audit of its 2001 financial operations no later than December 31, 2001;”;

(2) 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, in January 2002, on:

- (a) the Caribbean Cultural Committee’s progress in implementing a plan to restructure the organization, in order to ensure the future stability of the Caribana Festival; and
- (b) receipt of a complete audit of the 2001 financial operations of the Caribbean Cultural Committee.”

Clause No. 6 - “2001 Community Festivals and Special Events Grants - Recommendations for Organizations (All Wards)”.

The Clause was amended by adding thereto the following:

“It is further recommended that a grant of up to \$5,000.00 be awarded to ‘Sunday in the Park’ (Regent Park’s Community Festival) through the Toronto Christian Resources Centre, and the Commissioner of Economic Development, Culture and Tourism be directed to work with this organization in preparing their community festival grant for 2002.”

Clause No. 11 - “Toronto District School Board - Update on Common Issues and Negotiations on Swimming Pool Usage by the Parks and Recreation Division (All Wards)”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 12 - “Results of the Request for Quotations No. 0203-01-015 for Janitorial Services in the Parks and Recreation East District (Various Wards)”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit report to the Economic Development and Parks Committee on the application of performance metrics and methods of measuring productivity and consumer satisfaction.”

REPORT NO. 6 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 2 - "Proposed Sign By-law Amendments to the Former City of Toronto Municipal Code, Chapter 297, Signs, North York Sign By-law 30788 and Metropolitan Toronto By-law 211-79 - West End of John Street Pumping Station (Ward 20, Trinity-Spadina); and North of Transit Road on the East and West Sides of W.R. Allen Road (Wards 9 & 10, York Centre)".

The Clause was amended:

(1) to provide that Recommendation No. (1) of the Planning and Transportation Committee be adopted, subject to the deletion of the proposed location for an advertising sign on the west side of the W.R. Allen Road approximately 192 metres north of Transit Road (for southbound traffic); and

(2) by adding thereto the following:

"It is further recommended that:

(a) the Commissioner of Works and Emergency Services be requested to prepare a report, together with a draft by-law amendment to North York Sign By-law No. 30788, to permit the installation of a sign at a location on the west side of the W.R. Allen Road approximately 470 metres north of Transit Road, and submit such report and draft by-law to the Planning and Transportation Committee for the holding of a public meeting in accordance with the provisions of the Municipal Act;

(b) the joint confidential report dated June 22, 2001, from the Interim Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, be adopted, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of property interests of the municipality; and

(c) the Bloor Viaduct Suicide Barrier project, as contained in the Transportation Services Division 2001 Capital Program, in the amount of \$6.0 million gross, \$2.5 million net, be released and construction of the barrier be commenced immediately, on the condition that the remaining unsecured contributions for the external financing will be forthcoming through signage other than on the Don Valley Parkway."

Clause No. 4 - “Highway 404 Extension”.

The Clause was amended by adding thereto the following:

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

‘WHEREAS the Province of Ontario has just completed the widening of Highway 404 north of Highway 401; and

WHEREAS the Province of Ontario is planning to extend Highway 404 north from its current terminus at Davis Drive in the Town of Newmarket; and

WHEREAS the recent widening has increased traffic volume on Highway 404 and noise levels in the residential communities located adjacent to Highway 404 south of Steeles Avenue in the City of Toronto; and

WHEREAS the Province of Ontario has a long track record of erecting sound/noise barriers adjacent to expressways under its jurisdiction, such as Highways 401 and 427 and the Queen Elizabeth Way;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the Province of Ontario to erect sound/noise barriers along both sides of Highway 404 between Highway 401 and Steeles Avenue.’ ”

Clause No. 11 - “Removal of Bus Bays on City Streets”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 12 - “Introduction of Bills as Required to Implement Approved Budget Proposals”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Planning and Transportation Committee be authorized to hold a public hearing at its meeting scheduled for July 3, 2001, to consider proposed amendments to the City’s sign by-laws to increase sign permit fees and sign variance fees by five percent.”

REPORT NO. 9 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - "Governance of City-Owned Social Housing Portfolio".

The Clause was amended by amending the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as embodied in the Clause:

(1) by amending Recommendation No. (2) to read as follows:

“(2) the necessary actions, including obtaining all required consents and approvals, be commenced immediately to transfer all THC assets and operations to the newly formed Toronto Community Housing Corporation (TCHC), but not be executed until the new membership of the TCHC Board is in place, and that the THC be dissolved as soon as may be convenient following completion of such executions;”;

(2) in accordance with Recommendations Nos. (1) and (2)(b) embodied in the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, as further amended by Council, viz.:

“(1) Recommendation No. (3) in the joint report dated May 31, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, entitled ‘Governance of City-Owned Social Housing Portfolio’, be amended to read as follows:

‘(3) appropriate steps be taken to appoint a new 13 member Board of Directors for TCHC comprising:

(a) 9 citizens, 2 of whom would be tenants, collectively representing a range of relevant expertise including:

- (i) knowledge of the social housing area;
- (ii) housing advocacy;
- (iii) community development;
- (iv) business and financial management;
- (v) understanding of corporate governance responsibilities;
- (vi) organizational development;
- (vii) labour relations;
- (viii) legal aid experience; and
- (ix) social services for hard to serve tenants;

(b) 3 Councillors; and

(c) the Mayor or a Councillor as the Mayor’s designate;’;

- (2)(b) Council choose, as the method to appoint tenants to the Board of Directors, a tenant nomination process whereby tenants make nominations for the tenant positions on the Board of Directors;

and further that:

- (3) the tenant representatives on the Board of Directors of the new housing company be directly elected, rather than appointed by Council;
- (4) the Council representatives on the new housing company Board of Directors be those who have a social housing component in their respective communities; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”;

- (3) by adding the following words to Recommendation No. (5):

“and that the Reference Group provide policy direction in the following areas:

- (a) mandatory tenant council structure at the local and City-wide levels;
- (b) mandatory Fair Wage Policy, consistent with that of the City of Toronto;
- (c) successor rights for employees of both housing companies; and
- (d) an overarching commitment to set policies and programs consistent with the overall goal of eliminating homelessness and providing affordable housing;

and that staff, Commissioners and interested Councillors be consulted in the preparation of the Shareholder Direction and business plan”;

- (4) to provide that:

- (a) the operations of the Toronto Housing Company (THC) remain with THC until the Shareholder Direction is executed;
- (b) the respective Boards of Directors of the Metro Toronto Housing Authority and THC be directed to maintain all current policies, programs and operations, until such time as Council approves a comprehensive Shareholder Direction;
- (c) any sale or major redevelopment of City-owned housing require approval by Toronto City Council, after an open, public process;
- (d) the new Corporation not be permitted to release an asset from the portfolio that is transferred to the Corporation until receiving specific instructions from City

Council at its meeting to be held on October 2, 2001, or thereafter, according to the Shareholder Direction or business plan;

- (e) any business plan be renamed the “Community Management Plan”, and be developed with the involvement of the residents of the Housing Company;
 - (f) the Shareholder Direction:
 - (i) contain a provision to ensure the role of City Councillors in terms of decisions that are made that impact on their particular community; and
 - (ii) allow for the conversion of the buildings to co-operative units, subject to the approval of City Council; and
 - (g) in the preparation of the draft Shareholder Direction, staff and the reference group be directed to provide recommendations which ensure that the new corporation will develop a new corporate culture, structures and mechanisms that replace those inherited from the previous provincial local housing authority; and
- (5) by adding thereto the following:

“It is further recommended that:

- (a) in developing the Shareholder Direction, staff of the Community and Neighbourhood Services Department be directed to do the following:
 - (i) consult with Toronto Housing Company and Metro Toronto Housing Corporation tenants’ councils and submit the resulting report to the Advisory Committee on Homeless and Socially Isolated Persons for comment;
 - (ii) consult with the Inter-Clinic Public Housing Work Group;
 - (iii) meet with representatives of the staff and unions of the Toronto Housing Company and the Metro Toronto Housing Authority;
- (b) in the preparation of the draft Shareholder Direction, staff and the Reference Group be directed to provide policy direction in the following areas:
 - (i) maintenance of the highest standard of tenant security and tenure and an equitable method of tenant selection;
 - (ii) development of new service standards and levels aimed at improving tenant satisfaction;
 - (iii) enhanced tenant support initiatives;

- (iv) direction regarding maintenance of a service delivery mix that ensures stability of service delivery;
 - (v) the inclusion of a meaningful process for management accountability at the local level;
 - (vi) inclusion of a requirement for the new corporation to involve tenants in decision making, policy formulation and planning, building on the 'Resident Participation System' currently in place in the Toronto Housing Company and the Resident Advisory Council of the Metro Toronto Housing Company;
 - (vii) a provision whereby the annual plan would be forwarded annually to City Council, with a staff report ensuring the plan complies with the Shareholder Direction;
 - (viii) that the Shareholder Direction include requirements to seek Council approval for the removal of any rent-geared-to-income (RGI) or market units;
 - (ix) the inclusion of a requirement that the new corporation recognizes applicable successor rights obligations, including recognition of their existing Collective Agreement rights;
 - (x) the inclusion of an effective eviction prevention policy;
 - (xi) the inclusion of an effective tenant complaint process; and
 - (xii) that the Shareholder Direction include a requirement to maintain levels of service and a requirement to engage in service level adjustments and harmonization only after full tenant consultation;
- (c) the Acting Chief Administrative Officer be directed to have meaningful consultations with the affected parties, such as the Canadian Union of Public Employees, Locals 79 and 416, and the City of Toronto Administrative, Professional Supervisory Association, Incorporated (COTAPSAI), in terms of any changes related to employment issues at the Toronto Housing Company and the Metro Toronto Housing Company;
 - (d) tenants and staff to be consulted be provided with a brief summary of Council's Service Delivery Policy Framework;
 - (e) the appropriate City staff be authorized to work with Councillors wishing to hold meetings in the community and to provide staff support for the consultation process;

- (f) the Shareholder Direction and the business plan of TCHC be submitted to joint meetings of the Community Services and Policy and Finance Committees for approval, prior to City Council's decision;
- (g) the joint report dated June 24, 2001, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the City Solicitor be directed and authorized to undertake the necessary actions to change the name of the local housing corporation that the Provincial Government established under the Social Housing Reform Act, 2000, from "Metro Toronto Housing Corporation" to "Toronto Community Housing Corporation" (TCHC); and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

Clause No. 10 - "Bill 46 - The Public Sector Accountability Act, 2001".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 11 - "Status of City Participation in the Canada-Ontario Infrastructure Program".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 13 - "Enwave District Energy Limited".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 14 - "Sustainability Roundtable: First Status Report".

The Clause was amended by adding thereto the following:

"It is further recommended that the Chair of the Policy and Finance Committee and the Chair of the Community Services Committee be delegated the authority to appoint representatives of their respective Committees to the Sustainability Roundtable."

REPORT NO. 8 OF THE WORKS COMMITTEE

Clause No. 1 - “Dufferin Street Jog Elimination at Queen Street West - Addendum to Environmental Study Report (1992) (Davenport)”.

The Clause was amended by adding thereto the following:

“It is further recommended that the joint report dated June 18, 2001, from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) in accordance with the recommendation of Clause No. 10 of Report No. 2 of The Works Committee, the Commissioner of Works and Emergency Services be authorized to file the Notice of Filing of Addendum for the Dufferin Street Jog Elimination at Queen Street West Environmental Assessment Study Report (ESR) with the City Clerk, and give public notification of such filing in accordance with the requirements of the Class EA;
- (2) authority be granted, in connection with Option “A”, to initiate the expropriation process for the property interests detailed herein;
- (3) authority be granted, in connection with Option “A”, to serve and publish Notices of Application for Approval to Expropriate property interests detailed herein, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer’s recommendations to Council for its consideration;
- (4) authority be granted to negotiate and execute a crossing agreement with CN and GO Transit, on terms acceptable to the City Solicitor, the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Clause No. 2 - “Proposed Bill to Ban Bottles and Cans from State of Michigan Landfills”.

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

Clause No. 3 - “Classification of Road Salt”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

REPORT NO. 9 OF THE WORKS COMMITTEE

Clause No. 1 - **“City-Wide Service Levels of Sidewalk Snow Clearing, Leaf Collection and City Cleanliness (All Wards)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 2 - **“Traffic Calming Policy”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 6 - **“Highway 401/Morningside Avenue - New Road and Modification to Highway 401 Interchange - Proposed Environmental Assessment Study (Ward 42 - Scarborough-Rouge River)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services, in consultation with the City Forester, and in the context of the Environmental Assessment, be requested to investigate landscaping options and ensure that the recommended design includes appropriate landscaping features.”

Clause No. 10 - **“Drain Grant Appeal for 204 Swanwick Avenue (Ward 32 - Beaches-East York)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 11 - **“Drain Grant Appeal for 553 Hillsdale Avenue East (Ward 22 - St. Paul’s)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 12 - **“Drain Grant Appeal for 8 Edgewood Grove (Ward 32 – Beaches-East York)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 13 - **“Drain Grant Appeal for 104 Lascelles Boulevard (Ward 22 - St. Paul’s)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 14 - **“Drain Grant Appeal for 104 Lascelles Boulevard (Ward 22 - St. Paul’s)”**.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 17 **“Rear Yard Drainage - Adair Road and Furnival Road (Ward 31 - Beaches-East York)”**.

The Clause was amended to provide that the project be approved as recommended, but the amount payable by each homeowner be limited to \$2,000.00.

REPORT NO. 10 OF THE WORKS COMMITTEE

Clause No. 1 - **“Report of the City of Toronto Waste Diversion Task Force 2010”**.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the confidential report dated June 27, 2001, from the Commissioner of Works and Emergency Services, be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of property interests of the municipality or local board, save and except the following recommendations embodied therein:

‘It is recommended that:

- (a) the Commissioner of Works and Emergency Services be authorized to conduct a due diligence in respect of the proposal by Canada Composting Inc. for an assignment to it and its partners, BTA, Trow Consulting Engineers Ltd. and W. S. Nicholls Construction Inc. of the Design-Build Contract for the Dufferin Mixed Waste Recycling and Organics Processing Facility and, in addition, negotiate appropriate business terms for the operation of the facility; and
- (b) the Commissioner of Works and Emergency Services report back to the July 2001 meeting of Council on the results of the due diligence and negotiations and, as well, on the details on the process for expansion of the facility.’;

- (2) Councillor Jones, Ward 6, Etobicoke-Lakeshore, be appointed as Chair of the Sub-Committee of the Works Committee established to look at the creation of a 'Take It Back' Program and/or Product Stewardship Initiatives for Household Hazardous Waste, as set out in Recommendation No. (10) of the Waste Diversion Task Force 2010; and
- (3) the Commissioner of Works and Emergency Services be requested to submit a report to the Policy and Finance Committee for its meeting scheduled to be held on July 12, 2001, on a schedule for the weekly collection of organics, recycling and residuals."

REPORT NO. 5 OF THE DOWNTOWN COMMUNITY COUNCIL

Clause No. 2 - "Tree Removal and Injury - 887 - 907 Woodbine Avenue (Beaches-East York, Ward 32)".

The Clause was amended by deleting from Recommendation (c) of the Downtown Community Council, the date "April 12, 2001", and inserting in lieu thereof the date "June 1, 2001", so that such recommendation shall now read as follows:

- "(c) the applicant agreeing to implement the planting plan, Drawing No. L1, prepared by Cosburn Giberson Landscape Architects, date stamped as received by Urban Development Services on June 1, 2001."

Clause No. 5 - "Draft Zoning By-law - 885 Logan Avenue (Toronto-Danforth, Ward 30)".

Council adopted the following recommendation:

"It is recommended that the report dated June 25, 2001, from the Commissioner of Urban Development Services, embodying the following recommendation, be adopted:

'It is recommended that the project be approved and the City Solicitor be instructed to amend the by-law to include a setback of the second storey of 1.67 metres from the west elevation of the building.' "

Clause No. 6 - "Draft By-laws – Official Plan Amendment and Rezoning - 354 and 404 Jarvis Street (Toronto Centre-Rosedale, Ward 27)".

The Clause was amended by adding thereto the following:

"It is further recommended that the report dated June 25, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) City Council encourage the applicant to enter into discussions with Enwave with respect to servicing the proposed building;
- (2) City Council encourage the applicant to enter into discussions with Toronto Hydro Energy Services Inc. to maximize energy efficiency of the buildings and integration with the energy procurement program; and
- (3) the Commissioner of Economic Development, Culture and Tourism be requested to consult with the Toronto Preservation Board and to report directly to Council at its meeting on July 24, 25 and 26, 2001, on:
 - (a) the merits of any applications received to alter or demolish buildings on this designated site; and
 - (b) the matters to be secured in the heritage easement agreement.’ ”

Clause No. 12 - “Commercial Boulevard Parking Fronting 520 Richmond Street West and on the Augusta Avenue Flank (Trinity-Spadina, Ward 20)”.

The Clause was amended by striking out the recommendations of the Downtown Community Council and inserting in lieu thereof the following:

“It is recommended that City Council deny the request for commercial boulevard parking for four vehicles fronting 520 Richmond Street West and for one vehicle on the Augusta Avenue flank.”

Clause No. 18 - “Exemption from former Borough of East York Sign By-law No. 64-87 - 561 O’Connor Drive (Beaches-East York, Ward 31)”.

Council adopted the following recommendation:

“It is recommended that Esso Imperial Oil Canada be permitted to install a pylon sign, having a total sign area of 15.77 square metres, at 561 O’Connor Drive.”

Clause No. 24 - “Appeal to Ontario Municipal Board – Official Plan Amendment and Rezoning Application – 10-12 Market Street (Toronto Centre-Rosedale, Ward 28)”.

The Clause was amended to provide that:

“**WHEREAS** there is a Ontario Municipal Board pre-hearing on Official Plan and Zoning Amendment Application No. 200002 for 10-12 Market Street on Wednesday, June 27, 2001; and

WHEREAS the City Solicitor has been instructed by Toronto - East York Community Council to attend the Ontario Municipal Board in opposition to the application until certain planning issues are resolved; and

WHEREAS Toronto - East York Community Council has requested the Commissioner of Works and Emergency Services to report directly to City Council regarding the option of reducing or eliminating parking in the development;

NOW THEREFORE BE IT RESOLVED THAT City Council consider on Tuesday, June 26, 2001, the report from the Commissioner of Works and Emergency Services dated June 20, 2001, entitled 'Official Plan Amendment and Rezoning Application No. 200002 for Premises Nos. 10-12 Market Street – Elimination of Parking Requirements', which indicates that the requirement for on-site parking spaces could be waived;

AND BE IT FURTHER RESOLVED THAT the requirement for on-site parking spaces be deleted.”

Clause No. 48 - “Requests for Endorsement of Events for Liquor Licensing Purposes”.

The Clause was amended by:

(1) adding the following new Part (e) to Recommendation No. (2) of the Downtown Community Council:

“(e) Toronto ITU World Cup Triathlon, VIP Reception, to be held on Saturday, July 7, 2001, between 11:00 a.m. and 6:00 p.m., at Exhibition Place.”; and

(2) adding thereto the following:

“It is further recommended that City Council, for liquor licensing purposes, declare the Molson Indy, to be held on July 12 to 16, 2001, to be an event of municipal significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place.”

REPORT NO. 5 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 12 - “Final Report – Application to Amend the Official Plan and Zoning By-law - 2722 Bayview Avenue (Don Valley West - Ward 25)”.

The Clause was amended:

(1) to provide that the Draft Official Plan Amendment and Draft Zoning By-law as set out in Attachments Nos. 7 and 8 contained in the report dated May 14, 2001, from the Director, Community Planning, North District, be amended to permit an accessory dispensing

pharmacy only as a temporary use for a period of three years, as per Section 39 of the Planning Act; and

(2) by adding thereto the following:

“It is further recommended that:

- (a) the City Solicitor do all things necessary to make the necessary changes to the draft Official Plan and Zoning By-law amendments, prior to the Bills being brought forward to City Council for enactment; and
- (b) in accordance with Section 34(17) of the Planning Act, no further notice be given in respect of the proposed by-law.”

REPORT NO. 6 OF THE SOUTHWEST COMMUNITY COUNCIL

Clause No. 10 - “Final Report - 2133 St. Clair Avenue West and 88 Ethel Avenue, Toronto Stockyards Land Development Board, Amendment to Former City of Toronto Official Plan and Zoning By-law No. 438-86; File No. 100027(York South-Weston, Ward 11)”.

The Clause was amended:

(1) to provide that:

- (a) the number of units be reduced to nine; and
- (b) “auctioneers’ premises” and “art gallery” be deleted from the approved uses; and

(2) by adding thereto the following:

“It is further recommended that the Director, Community Planning, South District, be:

- (a) directed to involve the Junction area, the Junction Business Improvement Area and the Malta Village Business Association in future development applications in the Stockyards area; and
- (b) requested to commence a joint process between the relevant business organizations in the Junction and Stockyards areas on issues of common concern.”

REPORT NO. 5 OF THE WEST COMMUNITY COUNCIL

Clause No. 5 - “Preliminary Report – Applications to Amend the Etobicoke Official Plan and Zoning Code, Toronto District School Board, 2245 Lawrence Avenue West, File No. TA CMB10020007

(Ward 2 - Etobicoke North)".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

Clause No. 6 - **"Final Report – Application to Amend the Etobicoke Official Plan; Reno-Depot Inc., 1608 The Queensway, File No. TA CMB20010001 (Ward 5 - Etobicoke-Lakeshore)"**.

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

Clause No. 9 - **"Application for Approval of Site Plan Control, Zanini Developments Inc., 1 Beaverdale Road, File No. SPC20000033 (Ward 5 - Etobicoke-Lakeshore)"**.

The Clause was amended by adding to Recommendation No. (4) embodied in the report dated May 25, 2001, from the Director, Community Planning, West District, as amended by the West Community Council, the words "and that the developer provide a Letter of Credit in that amount", so that such recommendation shall now read as follows:

"(4) that the developer be responsible for the protection of the trees and the replacement of trees, as necessary, within two years of the completion of all construction on the site, such replacements to be with 200 millimetre calliper trees, up to a value of \$8,000.00, and that the developer provide a Letter of Credit in that amount."

Clause No. 13 - **"Requests for Variances from Chapter 215, Signs of the Former City of Etobicoke Municipal Code"**.

The Clause was amended by deleting Recommendation (b) embodied in the report dated May 22, 2001, from the City Clerk, Etobicoke Sign Variance Advisory Committee, and inserting in lieu thereof the following:

"(b) the recommendation contained in the report (April 27, 2001) from Mr. Tamer Mikhail, Senior Plan Examiner, Building Division, West District, regarding 13803190 Ontario Limited (Division of O.J.S. & Associates Limited), 5481 Dundas Street West (Ward 5 - Etobicoke-Lakeshore), be deleted and the following be inserted in lieu thereof:

'It is recommended that the sign variance be approved as the application does comply with the distance requirements between sites within other former municipalities of the City of Toronto.' "

Clause No. 1 - "Toronto Harbour Commissioners - Financial Review - Further Information".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

REPORT NO. 6 OF THE AUDIT COMMITTEE

Clause No. 4 - "Finance Department Review".

The Clause was amended by adding thereto the following:

"It is further recommended that the Acting Chief Administrative Officer be requested to consider what sections of the current Finance Department can be reorganized corporately, from the Finance Department, and be organized as a separate function to deal with budget and accounting services, and submit a report thereon to the Administration Committee, such report to be considered with the report currently being prepared by the Acting Chief Administrative Officer on the financial review."

REPORT NO. 6 OF THE STRIKING COMMITTEE

Clause No. 1 - "Appointments to the Association of Municipalities of Ontario, Toronto Caucus".

The Clause was amended by adding thereto the following:

"It is further recommended that Councillor Betty Disero be appointed as the additional City of Toronto Caucus Representative on the AMO Board of Directors for a term of office commencing at the Annual Meeting of the Association in August 2001, until the next Annual Meeting in August 2002."

Clause No. 3 - "Appointments to the Waterfront Reference Group".

Council, by its adoption, without amendment, of Motion J(9), moved by Councillor Pantalone, seconded by Councillor Ootes, re-opened Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed "Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative", for further consideration, only insofar as it pertains to the composition of the Waterfront Reference Group, and amended the composition of the Waterfront Reference Group to provide for the additional appointment of two (2) Members at large, as originally recommended in the staff report.

Council subsequently amended this Clause by adding thereto the following:

"It is further recommended that:

- (1) Councillors J. Flint and P. McConnell be appointed to the Waterfront Reference Group, as Members at large, for a term of office expiring May 31, 2002, and until

their successors are appointed, or when the mandate is completed, whichever is earlier;

- (2) leave be granted to permit the introduction of any necessary Bills in Council to give effect thereto; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

ENQUIRY AND ANSWER

From Councillor Walker (May 24, 2001) Regarding the Mayor’s Recent European Trip.

The Enquiry dated May 24, 2001, from Councillor Walker, regarding the Mayor’s recent European Trip, and the Answer thereto dated June 21, 2001, from Mayor Mel Lastman, were received.

NOTICES OF MOTIONS APPEARING UNDER ITEM J

(1) **Moved by:** Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** the Mayor has identified a personnel matter that must be resolved as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT Council resolve itself into Committee of the Whole today, June 26, 2001, to consider this matter.”

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

Council subsequently adopted the following recommendations:

“It is recommended that:

- (1) *the leaving arrangement for Michael R. Garrett, Chief Administrative Officer and Interim Chief Financial Officer and Treasurer, in accordance with the terms of his employment contract with the City of Toronto, be approved;*
- (2) *the appointment of Michael R. Garrett as Chief Administrative Officer and Interim Chief Financial Officer for the City of Toronto be rescinded;*
- (3) *Shirley Hoy be appointed as Acting Chief Administrative Officer and Acting Chief Financial*

Officer, Al Shultz be appointed Acting Treasurer, and Eric Gam be appointed Acting Commissioner of Community and Neighbourhood Services;

- (4) Council appoint the Acting Chief Administrative Officer, Shirley Hoy, as the Chair of the Toronto Waterfront Revitalization Corporation, as sole director on an interim basis, and also as one of the two City of Toronto representatives on the Intergovernmental Steering Committee administering the Contribution Agreement regarding the funding of the revitalization of the waterfront, and that the appointments of Michael R. Garrett in that regard be rescinded;*
- (5) the appointments described in Recommendations Nos. (2), (3) and (4), above, be in effect until such time as the respective successors have been appointed by Council;*
- (6) the Acting Chief Administrative Officer have all the duties and responsibilities imposed upon the Chief Administrative Officer by Article I of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;*
- (7) the Acting Chief Financial Officer have all the duties and responsibilities imposed upon the Chief Financial Officer and Treasurer by Article III, of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time, with the exception that:*

 - (i) the duties imposed upon a Treasurer and a collector by the Municipal Act and any other statute, and by any by-law of Council, shall be the duties of the Acting Treasurer, on an interim basis;*
 - (ii) all other collectors for the City shall report to the Acting Treasurer; and*
 - (iii) the Acting Treasurer shall report to the Acting Chief Financial Officer;*

- (8) *the Acting Commissioner of Community and Neighbourhood Services have all the duties and responsibilities imposed upon the Commissioner of Community and Neighbourhood Services by Article IX of Chapter 169, City Officials, of the City of Toronto Municipal Code, and any such additional duties and responsibilities as Council may prescribe from time to time;*
- (9) *the Acting Chief Financial Officer be authorized to delegate to the Acting Treasurer the signing of cheques if the signatures are stamped, lithographed or engraved on any City cheque, and in that regard §257-1 of the City of Toronto Municipal Code be amended by adding the words “the Acting Treasurer or” before the words “the Director, Accounting Services or the Director, Treasury and Financial Services”;*
- (10) *the Acting Chief Administrative Officer and Chief Financial Officer, the Acting Treasurer and the Acting Commissioner of Community and Neighbourhood Services be paid additional compensation for Acting, in accordance with City policy;*
- (11) *a selection panel, consisting of the Mayor, the Deputy Mayor, the Chair of the Administration Committee, the Chair of the Personnel Sub-Committee, and further expanded to be equivalent to the selection panel for the recent hiring of Commissioners, be established, and those Councillors who are not on the selection panel be allowed to audit the interviews for the various candidates;*
- (12) *an internal/external search be initiated immediately by the selection panel, with the support of a designated member of the Human Resources Division of the Corporate Services Department;*
- (13) *the Personnel Sub-Committee and the selection panel jointly establish a new job description for the Chief Administrative Officer;*
- (14) *the selection panel look at a process whereby the deliverables and priorities for the Chief*

Administrative Officer for the next two years are clearly established, and report thereon to a future in-camera meeting of City Council;

- (15) leave be granted to introduce the necessary Bills in Council to give effect thereto, and the appropriate City officials be authorized to take any necessary action; and*
- (16) the following motion be referred to the Personnel Sub-Committee:*

Moved by Councillor Hall:

“It is recommended that a review be undertaken of the hiring process, contract development and performance appraisal of senior officials.”

(2) Grant to Tenants of 30 Charles Street East

Moved by: Councillor Rae

Seconded by: Councillor Walker

“WHEREAS the landlord of 30 Charles Street East applied to the Ontario Rental Housing Tribunal for an order to increase the rent charged by more than the guidelines for all residential units in the residential complex at 30 Charles Street East; and

WHEREAS the basis for the landlord’s application was that he was required to expend funds to undertake work required pursuant to a Heritage Easement Agreement with the City of Toronto; and

WHEREAS in a decision dated May 17, 2001, the Ontario Rental Housing Tribunal dismissed the landlord’s application on the basis that the landlord received consideration in exchange for doing the specific work on the exterior of the building upon which the application is based; and

WHEREAS in a decision dated June 7, 2001, the Ontario Rental Housing Tribunal denied the landlord’s request to review the May 17, 2001 decision of the Ontario Rental Housing Tribunal; and

WHEREAS the landlord has now filed a Notice of Appeal with the Superior Court of Justice, Divisional Court for an order that the Ontario Rental Housing Tribunal decision be set aside; and

WHEREAS if the appeal is granted, it will likely result in an above guideline rent increase for the tenants of 30 Charles Street East because of capital expenditures required pursuant to the Heritage Easement Agreement; and

WHEREAS the tenants of 30 Charles Street East have already expended considerable time and effort to oppose the landlord's application for an above guideline rent increase and do not have the financial resources necessary to participate in the appeal; and

WHEREAS the City has an interest in ensuring that the tenants are properly represented before the courts;

NOW THEREFORE BE IT RESOLVED THAT City Council ensure that the tenants of 30 Charles Street East are represented in the appeal of the decision of the Ontario Rental Housing Tribunal by making a grant of up to \$5,000.00 to the tenants for the purpose of covering the cost of legal representation in this matter, with funds to be allocated from the Tenant Support Grants Program.”

Disposition: The Motion was adopted, without amendment.

(3) **Alteration to Designated Heritage Properties – 444 Yonge Street and 354 and 404 Jarvis Street**

Moved by: Councillor Rae

Seconded by: Councillor Prue

“**WHEREAS** City Council, at its meeting held May 30, 31 and June 1, 2001, adopted Clause No. 53 of Report No. 4 of The Downtown Community Council, headed ‘Alteration to Designated Heritage Property – 444 Yonge Street (College Park)’, and in so doing, approved alterations to the foyer on the seventh floor of College Park; and

WHEREAS the owner of College Park has subsequently informed City staff that it is in a position to be able to undertake further alterations to the seventh floor, including the restoration of the Auditorium and the Round Room (restaurant), and intends to apply for the necessary permits shortly; and

WHEREAS under the Ontario Heritage Act, the proposed alterations must be approved by Council and, before reaching a decision, Council must consult with the Toronto Preservation Board; and

WHEREAS the Toronto Preservation Board is not scheduled to meet prior to the next meeting of the Downtown Community Council scheduled for July 10, 2001; and

WHEREAS the Toronto Preservation Board is scheduled to meet on July 19, 2001 and could consider the proposed application at that time; and

WHEREAS the owner has indicated that, in order to meet tenant obligations, it must obtain the approval of Council prior to the Council meeting scheduled for October 2, 3, and 4, 2001; and

WHEREAS the Auditorium and the Round Room are significant heritage elements that have been awaiting restoration for almost 25 years;

NOW THEREFORE BE IT RESOLVED THAT, in order to expedite the processing of the application to restore the Auditorium and Round Room, the Commissioner of Economic Development, Culture and Tourism be directed to report directly to Council for its meeting to be held July 24, 25 and 26, 2001, on the merits of the application, provided that the Toronto Preservation Board supports the application at its meeting on July 19, 2001.”

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

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development Culture and Tourism be directed to also report directly to City Council for its meeting to be held on July 24, 25 and 26, 2001, with respect to 354 and 404 Jarvis Street, provided that the Toronto Preservation Board supports the application with regard thereto at its meeting on July 19, 2001.”

(4) **39 McGlashan Road and 596-598 Marlee Avenue – Tax Sale Matters**

Moved by: Councillor Johnston

Seconded by: Councillor Walker

“**WHEREAS** on December 5, 6 and 7, 2000, with Councillor Johnston’s Motion No. P(9) remaining on the Order Paper to be heard at the next following January meeting of Council, the tax deed to 39 McGlashan Road was delivered to the tax sale purchaser, Lone Star Realty Ltd; and

WHEREAS the tax deed was delivered without the intended transfer being disclosed to Council at its meeting on December 7, 2000 considering the matter, and notwithstanding that Motion No. P(9) specifically asked that independent legal counsel be retained to advise City Council on all matters related to the tax sale and, pending Council’s receipt and consideration of the report of outside legal counsel and any rebuttal of the Elliott family’s counsel, there be no steps taken in furtherance of this tax sale, including, specifically, the delivery of the tax deed to the tax sale purchaser; and

WHEREAS the Elliott Family commenced legal proceedings against the City, former Chief Financial Officer and Treasurer Wanda Liczyk, Assistant City Solicitor Susan Ungar and Mayor Lastman, alleging misrepresentation, fraud and abuse of power, and seeking damages in the amount of \$8 million, plus costs, which litigation is now before the Ontario Court of Appeal (the ‘Elliott Litigation’); and

WHEREAS in the course of the Elliotts Litigation the Elliotts have sought to rely upon: written reports and oral submissions made to City Council and to Councillors individually, in open Council, in in-camera sessions of Council, in Administration Committee meetings, and in outside meetings; offers to settle made to or by the City and all related settlement meetings and discussions; videotape recordings of City Council, City files and records including computer files and records; and, telephone records (the 'Privileged Materials'); and

WHEREAS the Elliotts have examined the City's Mr. Doyle, Ms. Liczyk, Mr. Phillips and Ms. Brunning, and the Elliotts report all these witnesses have refused to answer questions about the Privileged Materials and to produce the Privileged Materials requested of them, claiming solicitor/client privilege and privilege in settlement discussion matters; and

WHEREAS City Council by resolution has the authority to waive privilege over the Privileged Materials; and

WHEREAS as a public body responding to the complaint of a constituent citizen, City Council should be held to the highest standard of full, plain and true disclosure so as the citizen complaint can be justly and fairly considered; and

WHEREAS the retainer of Lerner & Associates LLP to represent the City in the Elliott Litigation and the related terms of engagement have never come before City Council for its consideration and approval; and

WHEREAS it is reported by the Elliotts that they are advised the City has incurred legal fees exceeding \$550,000.00 in all its litigation with them, including over \$200,000.00 to Lerner & Associates LLP alone over the last four months; and

WHEREAS there was a tax sale in June 1997, pursuant to which a property at 596-598 Marlee Avenue in the former City of North York was sold by the former City of North York to the same purchaser that purchased the Elliotts' home by tax sale in December 1997, Lone Star Realty Ltd.;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council waive privilege over the Privileged Materials;
- (2) City Council be informed of the details of the retainer of Lerner & Associates LLP, and the terms of engagement, for its consideration and the approval of City Council;
- (3) City Council be fully informed of the legal costs incurred to date by the City in all the legal proceedings with the Elliotts since December 1997, specifically including the legal fees paid or due to Lerner & Associates LLP, and an estimate of the legal fees expected to be incurred in the future, for the consideration and approval of City Council; and

- (4) an internal audit be conducted into the circumstances of the sale of 596-598 Marlee Avenue and to consider the procedures followed with respect to this tax sale, and that the results of the internal audit be reported back to City Council for its consideration.”

Disposition: Having regard that the motion to waive notice did not carry, Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on July 24, 2001.

- (5) **Installation of Underground Cables – 825 Coxwell Avenue and 840 Coxwell Avenue**

Moved by: Councillor Ootes

Seconded by: Councillor Balkissoon

“**WHEREAS** an application has been received by Works and Emergency Services from H. H. Angus and Associates Limited, Consulting Engineers, on behalf of Toronto East General Hospital, for the installation of underground cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue for computer, alarm, annunciator and buzzer, fire alarm and emergency voice communication and CCTV systems; and

WHEREAS there is an urgency to commence work to service Toronto East General Hospital’s new administrative offices;

NOW THEREFORE BE IT RESOLVED THAT the Council give consideration to the report dated June 21, 2001, from the Commissioner of Works and Emergency Services, entitled ‘Installation of Underground Cables – 825 Coxwell Avenue and 840 Coxwell Avenue’, and that such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 21, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that City Council approve the installation of underground fibre optic cables under and across Coxwell Avenue, linking 825 Coxwell Avenue and 840 Coxwell Avenue, provided the owner and such other licensees as may be required by the City Solicitor enter into an agreement with the City of Toronto, agreeing to:

- (1) *indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;*

- (2) *maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;*
- (3) *provide ‘as built’ drawings upon completion of all installations;*
- (4) *remove the fibre optic cables upon receiving 90 days notice so to do;*
- (5) *pay an annual encroachment fee as approved by City Council for this type of use (2001 rate is \$10.63 per linear metre of cable in this area) within the public right of way, which fee shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);*
- (6) *notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and*
- (7) *accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City.”*

(6) **Child Care Centre – Possible Renovations to 610 Jane Street**

Moved by: Councillor Miller

Seconded by: Councillor Chow

“**WHEREAS** the Toronto City Council on June 7, 2000, by its adoption, as amended, of Clause No. 10 of Report No. 13 of The Administration Committee, headed ‘Disposal of Surplus Library Property’, directed that ‘the Commissioner of Community and Neighbourhood Services, be requested to submit a report to the Administration Committee on opportunities for non-profit and community service organizations to acquire the use of surplus Library Board properties’; and

WHEREAS the overall policy has not yet been submitted to the Administration Committee; and

WHEREAS the former City of York Library Board property on 610 Jane Street has been declared surplus by the Toronto Public Library; and

WHEREAS the property lies within an area defined within the Child Care Service Plan as ‘under-served’ and not receiving an equitable share of resources due to the lack of licensed child care capacity;

NOW THEREFORE BE IT RESOLVED THAT the Acting Commissioner of Community and Neighbourhood Services, Children’s Services Division, be directed to report, as soon as possible, to the Community Services Committee, on the programmatic and financial feasibility of renovating the existing building into a child care centre.”

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

“AND BE IT FURTHER RESOLVED THAT the Acting Commissioner of Community and Neighbourhood Services be directed to report to the Community Services Committee, following consultation with the Ward Councillors and the service providers, on the need for child care spaces in the immediate area.”

(7) Calcorp Incorporated Option to Purchase Part of Viking Road

Moved by: Councillor Milczyn

Seconded by: Councillor Holyday

“WHEREAS Council of the former City of Etobicoke amended and adopted Clause 240-A-97 of the Sixteenth Report of the Administration Committee, 1997, and authorized the City of Etobicoke to enter into an option to purchase agreement (the ‘Option Agreement’) with Calcorp Inc. for the purchase of part of Viking Road, subject to, among other things, the necessary zoning by-law for the proposed re-development of the lands to the south of Viking Road being approved; and

WHEREAS Toronto City Council, at its meeting of December 14, 15 and 16, 1999, adopted Clause No. 11 of Report No. 14 of The Etobicoke Community Council, headed ‘Calcorp Incorporated Option to Purchase Part of Viking Road – Request for Extension’, and approved a 12-month extension to the Option Agreement until December 4, 2000; and

WHEREAS Toronto City Council, at its regular meeting of October 3, 4 and 5, 2000, and its Special Meeting held on October 6, 2000, October 10 and 11, 2000 and October 12, 2000, by its adoption of Motion J(35), approved a 6-month extension to the Option Agreement until July 4, 2001; and

WHEREAS Calcorp Inc. has made a development application which is currently being processed; and

WHEREAS the Option Agreement expires on July 4, 2001, prior to the completion of review of the aforesaid application; and

WHEREAS a further 12-month extension until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003, has been requested by Calcorp Inc.; and

WHEREAS the Commissioner of Corporate Services has submitted a report dated June 22, 2001, recommending that the Option Agreement be extended, on the terms and conditions set out in such report; and

WHEREAS it is necessary that Council consider this matter immediately, as the Option Agreement will expire on July 4, 2001 unless, prior to that date, Council agrees to extend it;

NOW THEREFORE BE IT RESOLVED THAT COUNCIL give consideration to the report dated June 22, 2001, from the Commissioner of Corporate Services, entitled 'Calcorp Incorporated Option to Purchase Part of Viking Road – Request for Extension', and that such report be adopted."

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 22, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

"It is recommended that:

- (1) a portion of Viking Road, having a total area of approximately 0.60 acres, as shown on the attached sketch ('Viking Road') be declared surplus to municipal requirements and notice of the proposed sale be given to the public in accordance with the requirements of City of Toronto Municipal Code Chapter 213;*
- (2) the Option Agreement be extended until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003, on the terms and conditions set out in the body of this report;*
- (3) the City Solicitor be authorized and directed to complete the transaction on the terms and conditions set out in the body of this report and pay any City costs incidental to the closing and be further authorized to amend the closing date to such earlier or later date as he considers reasonable; and*
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."*

(8) **Former North York Noise By-law No. 31857**

Moved by: Councillor Johnston

Seconded by: Councillor Miller

“WHEREAS on November 24, 2000 the City of Toronto Department of Urban Development Services, Municipal Licencing, Standards and Court Services Division, wrote to a taxpayer stating that the Noise By-law No. 31857 (of the former City of North York) states that ‘no person shall ring bells, blow horns, shout or make or permit unusual noises, or noises likely to disturb the inhabitants’; and

WHEREAS the aforementioned City Department letter then quoted the Oxford dictionary definition of inhabitants as ‘persons or animals that live in or occupy a place’; and

WHEREAS the aforementioned Licencing, Standards and Court Services Division decreed that under the Oxford dictionary definition (and I quote) ‘in the context of the By-law 31857 means more than one person which has been adopted by our division for the purpose of adjudication’; and

WHEREAS the taxpayer was then advised in writing ‘...it is not possible for us to bring the matter before the Courts at this time given the aforementioned definition’; and

WHEREAS the aforementioned Division concluded its November 24, 2000 letter to the taxpayer by advising ‘...it is our decision that this matter be better dealt with through mediation or in a civil court action’; and

WHEREAS I have been advised that the Noise By-law No. 31857 contains no explicit requirement that ‘two or more inhabitants’ be disturbed before the By-law can be evoked; and

WHEREAS a restrictive pre-condition that more than one person needs to be disturbed before enforcement proceedings will commence should not be imported into the By-law through an administrator’s interpretation of the word ‘inhabitants’; and

WHEREAS this restrictive pre-condition arbitrarily applied can, and has in this specific case, deny the benefit and protection of By-law No. 31857 to a significant number of taxpayers living alone; and

WHEREAS, as the City’s Seniors’ Advocate, I am concerned for the well being of the more than 300,000 seniors who call Toronto home; and

WHEREAS one in four of Toronto’s seniors live alone, and the majority is female;

NOW THEREFORE BE RESOLVED THAT City Council ensure that a person living alone will have access and redress to Noise By-law No. 31857 and the quiet enjoyment of their home; and that Council comply with the Ontario Human Rights Code, which guarantees access to services without discrimination on the basis of sex, family or marital status, through a clear directive to prevent the aforementioned interpretation of Noise By-law No. 31857, as set out in this Motion.”

Disposition: The Motion was referred to the Commissioner of Urban Development Services and the City Solicitor for a joint report thereon to the Planning and Transportation Committee on the status of the work on the proposed harmonized Noise By-law; and the Commissioner of Urban Development Services and the City Solicitor were directed to include in the harmonized Noise By-law, a statement that “inhabitants” means one or more persons.

(9) **Appointments to the Waterfront Reference Group**

Moved by: Councillor Pantalone

Seconded by: Councillor Ootes

“**WHEREAS** Council, at its meeting held on May 30, 31, and June 1, 2001, by its adoption of Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed ‘Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative’ established the Waterfront Reference Group, comprised of Members of Council to include representation from the Policy and Finance, Planning and Transportation, Economic Development and Parks, and Works Committees, as well as a Councillor sitting on the Sustainability Round Table, to be determined by the Round Table, a Member of Council who is a member of the Toronto Transit Commission and a Councillor representative of the Toronto and Region Conservation Authority; and the Mayor and the Chair of the Planning and Transportation Committee as ex-officio voting members; and

WHEREAS it is important for the City of Toronto to demonstrate the breadth of its support for the Waterfront Regeneration initiative at such a critical time, and it is desirable to have participation from additional Members of Council who expressed their interest in being considered for appointment to this Group, while maintaining a size of committee that may function effectively; and

WHEREAS in accordance with provisions of §27-106 of the Municipal Code, Members of Council have already been advised of the vacancies and have been permitted to submit names for consideration for appointment to said Group; and

WHEREAS there are no financial impacts associated with this Motion;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed 'Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative', be re-opened for further consideration, only insofar as it pertains to the composition of the Waterfront Reference Group;

AND BE IT FURTHER RESOLVED THAT the composition of the Waterfront Reference Group be amended to provide for the additional appointment of two Members 'at large' as originally recommended in the staff report, and that the following Members of Council be appointed, in accordance with the recommendations contained in Clause No. 3 of Report No. 6 of The Striking Committee, headed 'Appointments to the Waterfront Reference Group':

J. Flint
P. McConnell;

AND BE IT FURTHER RESOLVED THAT leave be granted to permit the introduction of any necessary Bills in Council to give effect thereto;

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

Disposition: Council re-opened Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed 'Governance Structure and Funding to Implement the Toronto Waterfront Revitalization Initiative', for further consideration, only insofar as it pertains to the composition of the Waterfront Reference Group, and adopted the balance of the Motion, without amendment.

(See also Page 25 for the companion amendment to Clause No. 3 of Report No. 6 of The Striking Committee.)

(10) **Exemption from Noise By-law – Caribbean Concert Productions**

Moved by: Councillor Mihevc

Seconded by: Councillor Ootes

“WHEREAS Lamport Stadium has been used by Caribana organizers on the evening of the festival for the past thirteen years; and

WHEREAS Caribbean Concert Productions, in conjunction with AFRI/CAN FOOD BASKET, has applied for an exemption to the Noise By-law to allow them to continue the Caribana festival-related event to be held on Saturday, August 4, 2001 until 1:00 a.m.; and

WHEREAS Caribana artists have been booked to perform from as far as Africa for the Caribana Festival-related show;

NOW THEREFORE BE IT RESOLVED THAT Caribbean Concert Productions be granted an exemption from the Noise By-law to permit the event to be held on Saturday, August 4, 2001 to proceed until 1:00 a.m.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on July 24, 2001.

(11) **Downtown Yonge Street Business Improvement Area – Special Charge By-law**

Moved by: Councillor Rae

Seconded by: Mayor Lastman

“**WHEREAS** the Downtown Yonge Street Business Improvement Area was designated by By-law No. 27-2001 enacted February 11, 2001 and approved by the Ontario Municipal Board on April 20, 2001; and

WHEREAS pursuant to Council’s action at its meeting held on January 30, 31 and February 1, 2001, and in accordance with section 220 of the Municipal Act, the City Clerk published notice of Council’s intention to pass a minimum and maximum special charge By-law applicable to rateable property in the Downtown Yonge Street Business Improvement Area; and

WHEREAS no objections to the passage of the minimum and maximum special charge By-law have been received by the City Clerk within the time frame for the receiving of objections; and

WHEREAS City Council must appoint a Board of Management for the BIA to create the body corporate that manages the BIA’s budget and undertakes the activities authorized by the BIA’s general membership; and

WHEREAS the Downtown Yonge Street BIA held its inaugural annual general meeting on May 29, 2001 to nominate members of its Board of Management; and

WHEREAS a report dated June 4, 2001 by the Commissioner of Economic Development, Culture and Tourism recommending appointments to the BIA’s Board of Management was approved by the Economic Development and Parks Committee at its meeting held on June 11, 2001 and is before Council at this meeting as Economic Development and Parks Committee Report No. 6, Clause No. 18; and

WHEREAS the BIA’s Board of Management must submit a budget for approval by City Council; and

WHEREAS the draft budget of the BIA was approved by the general membership of the BIA on June 11, 2001; and

WHEREAS the BIA's budget must be approved by its Board of Management before it can be considered by Council, and since the Board has not yet been appointed, the adoption of the budget must be subject to Council first approving the Board members and is also subject to the Board members then approving the draft budget; and

WHEREAS it is necessary for Council to enact a BIA Levy By-law based on the Board of Management's approved budget, in order that funds may be raised for the purposes of the BIA; and

WHEREAS the minimum and maximum special charge By-law must be enacted before the enactment of a BIA Levy By-law; and

WHEREAS there is an urgency in enacting both the minimum and maximum special charge By-law and the BIA Levy By-law, so that the BIA will have funds to carry out its objectives as identified in its draft budget;

NOW THEREFORE BE IT RESOLVED THAT the report dated June 22, 2001 from the Acting City Clerk, and the report dated June 20, 2001 from the Chief Administrative Officer and Acting Chief Financial Officer and Treasurer, be adopted."

Disposition: The Motion was adopted, without amendment, and in so doing, Council, adopted, without amendment:

- (a) *the report dated June 20, 2001, from the Chief Administrative Officer and the Acting Chief Financial Officer and Treasurer, embodying the following recommendations:*

"It is recommended that:

- (1) *Economic Development and Parks Committee adopt and certify to City Council the 2001 expenditure request of the Downtown Yonge Street Business Improvement Area totalling \$668,997.00 and a 2001 BIA levy of \$668,997.00 subject to appointment of the BIA's Board of Management by City Council and subject to submission of documentation indicating that the BIA's proposed 2001 operating budget was adopted by its Board of Management;*
- (2) *a copy of this report be forwarded to the Policy and Finance Committee for its information;*
- (3) *authority be granted for the introduction of the necessary bill in Council; and*

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

(b) *the report dated June 22, 2001, from the Acting City Clerk, embodying the following recommendations:*

“It is recommended that:

(1) *Council approve the attached draft by-law respecting a minimum and maximum special charge for the Downtown Yonge Street Business Improvement Area; and*

(2) *the appropriate City Officials be authorized to take the necessary action to give effect thereto including the introduction of the necessary bill in Council.”*

(12) **Speed Recovery to Councillor Moscoe**

Moved by: Councillor Pantalone

Seconded by: Councillor Miller

“WHEREAS Councillor Howard Moscoe has recently undergone surgery; and

WHEREAS Councillor Moscoe is currently convalescing at home; and

WHEREAS he is greatly missed for his good humour, his energy, his dedication to the various needs of his community, and the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT City Council convey to Councillor Moscoe and to his family their very best wishes for a safe and speedy recovery, and for his return to every day activities and challenges.”

Disposition: The Motion was adopted unanimously.

(13) **Parking Fees – Toronto Waterfront Parks**

Moved by: Councillor Jones

Seconded by: Councillor Miller

“WHEREAS City Council at its regular meeting held on April 23, 24, 25, 26 and 27, 2001, and its special meeting held on April 30, May 1 and 2, 2001, adopted, as amended, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’; and

WHEREAS the waterfront parks in our Wards have been burdened with new parking fees causing undue costs to the residents of the City who wish to enjoy the waterfront; and

WHEREAS many of the residents in our Wards live in apartments and many are low-income families and the waterfront parks are one of the only free summer recreation facilities available to them; and

WHEREAS our offices have received a large number of complaints from people across the City. The public has told us that the fees have had a huge impact on people who cannot leave the city for cottage country; on frequent users of the waterfront; on low-income families; on those trying to adopt a healthy lifestyle; on the Dragon Boat Race teams; on residential neighbourhood congestion; and on the reputation of Toronto as a green city;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, be reopened for further consideration, only insofar as it pertains to the charging of fees for parking at Toronto’s Waterfront Parks;

AND BE IT FURTHER RESOLVED THAT the City of Toronto Council rescind its decision to charge for parking at Toronto's Waterfront Parks.”

Disposition: Council re-opened Clause No. 2 of Report No. 5 of The Policy and Finance Committee, headed ‘City of Toronto 2001 Operating Budget’, for further consideration, only insofar as it pertains to the charging of fees for parking at Toronto’s Waterfront Parks and referred the balance of the Motion to the Policy and Finance Committee.

(14) **“Cycle Right” Campaign**

Moved by: Councillor Pitfield

Seconded by: Councillor Mihevc

“WHEREAS cycling is becoming an ever-increasingly popular and environmentally friendly mode of transportation and recreation in the City of Toronto; and

WHEREAS many citizens of Toronto rely on cycling in order to fulfil their employment requirements, namely couriers; and

WHEREAS with this increase comes the potential for serious injuries, when cyclists travel the wrong way on one-way streets, in pedestrian crosswalks, through red lights and stop signs and on sidewalks; and

WHEREAS the Toronto Police Services recently ran an educational campaign titled ‘Cycle Right’ with the intent of raising public awareness and to remind cyclists to obey the rules of the road; and

WHEREAS cycling traffic increases with the onset of the summer season;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto supports and endorses the Toronto Police Services message of the ‘Cycle Right’ Campaign and consider launching a companion awareness campaign;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the possibility of the City of Toronto launching such a campaign, including a review of the financial implications and opportunities for partnerships.”

Disposition: The Motion was adopted, subject to adding to the end of the first Operative Paragraph, the words:

“on the condition that the City of Toronto and Toronto Police Services conduct a parallel campaign to advise drivers:

(a) to check blind spots prior to making a right turn, or opening doors; and

(b) that it is illegal to park, or stop, on bike lanes.”

(15) **Wychwood Car Barns Site – Feasibility Study**

Moved by: Councillor Mihevc

Seconded by: Councillor Feldman

“**WHEREAS** City Council at its meeting held on October 3, 4 and 5, 2000, and Special Meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, in considering Toronto Community Council Report No. 17, Clause No. 37, headed ‘Wychwood Carhouse Redevelopment Study - 76 Wychwood Avenue – Status Report (Midtown)’, designated the Wychwood Barns Site for Parks and Public Purposes; and

WHEREAS an early analysis of the Barns has raised the possibility of a multi-use community Arts Centre with a mix of community performance and meeting space, public gallery space, studios and a component of affordable live work space for low-income artists; and

WHEREAS Artscape is partnering with the City on this project and requires feasibility money to undertake appropriate studies and planning;

NOW THEREFORE BE IT RESOLVED THAT the Council Reference Group for the Capital Revolving Fund, at its meeting on July 10, 2001, consider a proposal from Artscape for the funding for \$20,000.00 to conduct a feasibility study to determine the feasibility of affordable housing as a component of a multi-use development program for the Wychwood Car Barns Site.”

Disposition: The Motion was adopted, without amendment.

(16) **Proposed Pavement Narrowing - Roncesvalles Avenue at The Queensway/Queen Street West**

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Miller

“WHEREAS a request has been received by the Works and Emergency Services Department, from the Toronto Transit Commission, to narrow the pavement width by extending the sidewalk on the west side of Roncesvalles Avenue, from The Queensway to the transit loop approximately 61 metres north of The Queensway, to enhance the safety of pedestrians; and

WHEREAS it is vital to commence the statutory advertising process in order to expedite the pavement narrowing in conjunction with the existing streetcar track allowance reconstruction that is currently underway on Roncesvalles Avenue and Queen Street West/The Queensway;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated June 22, 2001, from the Commissioner of Works and Emergency Services, entitled ‘Roncesvalles Avenue at The Queensway/Queen Street West - Proposed Pavement Narrowing (Parkdale- High Park, Ward 14), and that such report be adopted.’”

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

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to ensure that tree planting is carried out at this site, at the expense of the proponents, if, in the opinion of the Commissioner of Urban Development Services (Urban Design Division), such planting is feasible.”

Council, by its adoption of the Motion, as amended, adopted, without amendment, the report dated June 22, 2001 from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

(1) a road alteration by-law be prepared and advertising commence to extend the existing sidewalk on the west side of Roncesvalles Avenue described as follows:

‘extend the existing sidewalk from a width of approximately 2 metres to a width of approximately 4.3 metres on the west side of Roncesvalles Avenue, from The Queensway to a point approximately 61 metres north thereof, as described in the body of this report and

generally as shown on the attached print Drawing No. M-4310-4, dated March 15, 2001'; and

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

(17) **109 Front Street East – Legal Agreements**

Moved by: Councillor McConnell

Seconded by: Councillor Rae

“WHEREAS the City of Toronto entered into legal agreements with 109 Front Street East Inc. in 1997, requiring among other things, that they construct a pedestrian bridge joining public parking in their development, across Jarvis Street to South St. Lawrence Market Street; and

WHEREAS the tender quotes received by 109 Front Street East Inc. for construction of the pedestrian bridge exceeded the construction upset limit of approximately \$330,000.00 required by their legal agreements with the City, and whereby the City is responsible for any construction costs beyond the upset limit; and

WHEREAS the City and 109 Front Street East Inc. has discussed a revised funding arrangement for the pedestrian bridge with City staff; and

WHEREAS 109 Front Street East Inc. wants to complete its development, including construction of the pedestrian bridge as quickly as possible; and

WHEREAS a revised funding arrangement to construct the pedestrian bridge requires the consent of City Council in order to gain authority to amend certain legal agreements; and

WHEREAS the Condominium Agreement, which has already been delayed for many months, cannot be registered until these Legal Agreements are finalized;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the joint confidential report dated June 26, 2001, from the Commissioners of Urban Development Services and of Corporate Services entitled ‘Construction of a Pedestrian Bridge connecting 109 Front Street East with South St. Lawrence Market’.”

Disposition: *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint confidential report dated June 26, 2001, from the Commissioners of Urban Development Services and Corporate Services, such joint report to remain confidential, in accordance with the provisions of the Municipal Act having regard that it concerns the security of the*

property interest of the municipality or local board, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council approve the revisions to the agreements with 109 Front Street East Inc. respecting the construction of the pedestrian bridge for 109 Front Street East as set out in the body of this report;*
- (2) prior to registration of the condominium for Phase IIC of 109 Front Street East, that 109 Front Street East Inc. deposit with the City Solicitor, in the form of a Letter of Credit, an amount equal to the difference between their current commitment and design and other fees they have already incurred, to secure completion of the pedestrian bridge;*
- (3) authorization be given to reallocate up to \$125,000.00 in the 2001 Corporate Services Capital Budget for the St. Lawrence Market Complex to be used as the City's contribution to the bridge construction;*
- (4) the City Solicitor be authorized to prepare and have executed any necessary amendments to legal agreements to implement the revised arrangements for construction of the pedestrian bridge as set out in this report; and*
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(18) Declarations on Clean Air

Moved by: Councillor Layton

Seconded by: Councillor Ootes

“WHEREAS Toronto held the Second Annual Smog Summit from June 11 to June 20, 2001; and

WHEREAS the Honourable David Collenette, Federal Minister of Transportation, the Honourable Ralph Goodale, Federal Minister of Natural Resources, the Honourable David Anderson, Federal Minister of Environment David Anderson, the Honourable Elizabeth Witmer, Provincial Minister of Environment, Deputy Mayor Case Ootes and a host of Councillors and Mayors from across the GTA signed the Toronto 2001 Inter-Governmental Declaration on Clean Air on June 11, 2001; and

WHEREAS City of Toronto Councillors Lorenzo Berardinetti, Sandra Bussin, Jack Layton, David Miller, Jane Pitfield, Sherene Shaw, and Mario Silva, as well as participants from 16 local authorities from 12 nations around the world, who have taken a

leadership role to reduce greenhouse gas emissions and smog reduction, met in Toronto from June 17 to June 20, 2001, as part of the Best Practices Exchange, sponsored by the City of Toronto, the Toronto Atmospheric Fund, and the International Council for Local Environmental Initiatives (ICLEI); and

WHEREAS the estimated 1,000 smog deaths each year in Toronto are caused by the same actions which cause climate change; and

WHEREAS climate change is the most critical threat to the sustainability of our planet and the health of millions of people is at risk from smog, rising heat, increased disease, more frequent extreme weather events and rising sea levels; and

WHEREAS representatives from 16 local authorities signed the Toronto Declaration pledging to continue their collective efforts to reduce greenhouse gas emissions and resolving to submit a Communiqué to the United Nations Conference of the Parties Meeting on Climate Change in Fall 2001; and

WHEREAS the next United Nations Conference of the Parties Meeting, being held in Berlin on July 16 to 26, 2001, will be the single most important opportunity to build world-wide support for the Toronto Declaration;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the Toronto 2001 Inter-governmental Declaration on Clean Air signed by the Deputy Mayor on June 11, 2001;

AND BE IT FURTHER RESOLVED THAT the City of Toronto endorse the attached Toronto Declaration and the Communiqué to the United Nations Conference of Parties 7th Meeting on October 29 to November 9, 2001, signed in Toronto on June 20, 2001.”

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

“AND BE IT FURTHER RESOLVED THAT a copy of this Motion also be forwarded to the Board of Health and the Federation of Canadian Municipalities.”

(19) **Menkes 5000 Yonge Development Ltd. - 5000 Yonge Street - Official Plan Amendment and Zoning By-law Amendment including Section 37 Provisions**

Moved by: Councillor Feldman

Seconded by: Councillor Li Preti

“**WHEREAS** City Council at its meeting held on May 30, 31, and June 1, 2001, adopted, as amended, North Community Council Report No. 4, Clause No. 18, headed ‘Final Report - Application for Official Plan and Zoning By-law Amendments - TB CMB 2000 0002 – Menkes 5000 Yonge Developments Inc. - 5000 Yonge Street - Ward 23 – Willowdale’; and

WHEREAS, since the holding of the statutory public meeting, the applicant has requested that the existing height limits in the draft zoning by-law be varied to match the height standards presently allowed under the existing site specific zoning rather than the height limits referenced in the final report from the Director of Community Planning, North District dated April 30, 2001; and

WHEREAS the schedule attached to the zoning by-law which was before Community Council should be amended to reflect the presently allowed height limits; and

WHEREAS City Council has considered Section 34(17) of the Planning Act and has determined that the changes are minor and that no further notice is required;

NOW THEREFORE BE IT RESOLVED THAT the proposed revisions to the Draft Zoning By-law Amendment and Official Plan Amendment reflecting the height standards presently allowed under the existing site specific zoning, rather than the height limits referenced in the final report from the Director of Community Planning, North District dated April 30, 2001, be approved, and the City Solicitor be authorized to introduce the necessary bills in Council to give effect thereto;

AND BE IT FURTHER RESOLVED that no further notice be given in respect of the proposed Zoning By-law and Official Plan Amendment.”

Disposition: The Motion was adopted, without amendment.

(20) **City of Toronto 2001 Operating Budget – Public Health**

Moved by: Councillor Mihevc

Seconded by: Councillor Jones

“**WHEREAS** City Council, at its regular meeting held on April 23, 24, 25, 26 and 27, 2001 and its special meeting held on April 30, May 1 and 2, 2001, in adopting, as amended, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, approved the 2001 Operating Budget for Public Health; and

WHEREAS the Budget Advisory Committee at its meeting held on April 2 and 6, 2001, had before it a report from the Medical Officer of Health which recommended that City of Toronto dog and cat registration and license fees be increased; and

WHEREAS the Budget Advisory Committee received the report; and

WHEREAS increased revenue is essential to offset the operating costs for Toronto Animal services which is 100 percent municipally funded;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, be re-opened for further consideration, only insofar as it pertains to the 2001 Operating Budget for Public Health;

AND BE IT FURTHER RESOLVED THAT the license and registration fees for dogs and cats be increased, as outlined in the memorandum dated June 27, 2001, from the Medical Officer of Health, addressed to the Chair, Board of Health;

AND BE IT FURTHER RESOLVED THAT authority be granted to introduce the necessary Bill to amend Chapter 349 of the City of Toronto Municipal Code – Animals.”

Disposition: Council re-opened Clause No. 2 of Report No. 5 of The Policy and Finance Committee, headed ‘City of Toronto 2001 Operating Budget’, for further consideration, only insofar as it pertains to the 2001 Operating Budget for Public Health, and adopted the balance of the Motion, without amendment. In so doing, Council has approved the following proposed registration fees for dogs and cats, effective September 1, 2001:

<i>Dogs and Cats</i>	<i>Current Fees</i>	<i>Proposed Fees</i>
<i>Unaltered</i>	<i>\$35.00 (1 year) \$140.00 (5 years)</i>	<i>\$50.00 (1 year) No longer available</i>
<i>Identified with a microchip</i>	<i>\$25.00 (1 year) \$15.00 (1 year) if senior citizen \$75.00 (5 years) \$50.00 (5 years) if senior citizen</i>	<i>\$25.00 (1 year) \$15.00 (1 year) if senior citizen No longer available No longer available</i>
<i>Spayed or neutered</i>	<i>\$15.00 (1 year) \$50.00 (5 years) No fee if senior citizen</i>	<i>\$15.00 (1 year) No longer available \$10.00 (1 year) if senior citizen</i>
<i>Spayed or neutered and identified with a microchip</i>	<i>No fee</i>	<i>\$10.00</i>
<i>Replacement tag</i>	<i>\$3.00</i>	<i>\$3.00</i>
<i>Personal assistance – dogs only</i>	<i>No fee</i>	<i>No fee</i>

CONDOLENCE MOTIONS

(1) **Moved by:** Councillor Korwin-Kuczynski

Seconded by: Councillor Walker

“**WHEREAS** the Members of City Council are deeply saddened to learn of the sudden passing of their friend and colleague, former City of Toronto Commissioner Michael Nixon on June 10, 2001; and

WHEREAS in 1941 Michael was born in Belfast, Northern Ireland, received his education earning a degree in mechanical engineering at Queen’s University in Belfast, Michael immigrated to Canada in 1964 and worked at a variety of engineering jobs before joining the City of Toronto in 1974; and

WHEREAS Mr. Michael Nixon joined the City of Toronto in 1974, as the Director of Plan Examination and four years later was appointed Toronto’s Commissioner of Buildings and Inspections and the Chief Building Official. Over the years, he and his staff were involved in many major building projects, such as the SkyDome and BCE Place; and

WHEREAS Mr. Michael Nixon was a strong supporter of the annual United Way campaign and was known on a first-name basis by many of the employees in his department. Personal integrity and providing high-quality services to the residents of the City of Toronto, were always top priorities under his leadership; and

WHEREAS Michael retired from the City of Toronto in 1995 and had been living on his 40-foot mahogany sailboat, the Vanguard, which was moored in Whitby Harbour;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Mr. Michael Nixon.”

Disposition: The Motion was adopted unanimously.

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

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. Edgar Elliot on May 31, 2001; and

WHEREAS Mr. Elliot, affectionately known to friends and family alike as ‘Fast Eddy’, gave tirelessly from his bountiful energy and large heart, as one of the most active volunteers in the Beaches community, to the Canadian Cancer Society, Community Centre 55, East Toronto’s Senior Link and the Beaches Lions Club, to mention only a few; and

WHEREAS Mr. Elliot was a well-known and well-liked, long-term employee of the City of Toronto, from 1953 to 1992, serving in a number of different occupations, most notably as the Mayor’s chauffeur for Mayors Philip Givens, William Denison and David Crombie, eventually becoming the Supervisor of Transportation for Councillors, from 1978 until his retirement; and

WHEREAS generations of Beachers will always remember Ed as Santa Claus, who for many years, from the beginning of December until Christmas Eve, would daily don his artificial beard, red suit, boots, cap and natural jolliness to appear at the Tree lighting in Kew Gardens, seniors and children’s parties, City Hall and wherever Santa was needed;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the Elliott family.”

Disposition: The Motion was adopted unanimously.

(3) **Moved by: Councillor Duguid**

Seconded by: Mayor Lastman

“**WHEREAS** Anton Tyukodi, an Advanced Care Paramedic with Toronto Emergency Medical Services, passed away suddenly and tragically in a helicopter accident on June 20, 2001; and

WHEREAS Anton entered municipal service, along with his brother Steve, as frontline care providers with Toronto Emergency Medical Services 26 years ago and, in that time, gave unselfishly, and with compassion, to his patients and to the profession he loved and willingly and with great enthusiasm participated in many pilot projects to improve service such as the Emergency Response Units, the Emergency Support Units, the Air Ambulance Programme and the Advanced Life Support Programme with which he was one of our first paramedics in Toronto; and

WHEREAS Anton was an enthusiastic sailor, as well as an avid pilot who for several years participated in the opening act of the Toronto International Air Show, and an active member of the film industry in Toronto, appearing in numerous feature films and television productions as an actor, a stunt-performer, and a stunt-coordinator; and

WHEREAS Anton took the time to become a storied, well-liked, legendary and respected resource helping not only his patients and co-workers, but also realizing the success of truly having made a difference;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to Anton’s mother, his son, his sister and his brother and to his many co-workers and colleagues; his kindness, caring and compassion will always be remembered.”

Disposition: The Motion was adopted unanimously.

(4) **Moved by:** **Councillor McConnell**

Seconded by: **Councillor Pitfield**

“**WHEREAS** Leonard and Brian Baskatawang, aged 6 and 4, passed away on Monday, June 4, 2001, the day after their home was destroyed by fire; and

WHEREAS the tragic, early loss of these two young boys brought great sorrow to their mother, Sharon Martin, who was in hospital recovering from childbirth at the time of the fire, and to their father, Perry Baskatawang, who was in hospital recovering from the injuries he received in his repeated efforts to rescue his sons; and

WHEREAS this tragedy has deeply affected their classmates from the First Nations School of Toronto, and has brought great sadness to the First Nations Community of Toronto which has offered spiritual support and made donations to help the Baskatawang family; and

WHEREAS the loss of the Baskatawang brothers deeply touched the hearts of the people of Regent Park, bringing an outpouring of emotion and mourning from across the whole community; and

WHEREAS the fire fighters, police officers and emergency service workers who fought so valiantly to save the children were also incredibly moved by this heartbreaking event;

NOW THEREFORE BE IT RESOLVED THAT the Acting City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Leonard and Brian Baskatawang.”

Disposition: ***The Motion was adopted unanimously.***

Toronto, Ontario
July 4, 2001

Acting City Clerk

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ADDENDUM
TO
CERTIFICATE OF AMENDMENTS

as adopted by the Council of the City of Toronto at its regular meeting held on June 26, 27 and 28, 2001.

The amendment to Clause No. 11 of Report No. 6 of The Economic Development and Parks Committee, headed “Toronto District School Board, Update on Common Issues and Negotiations on Swimming Pool Usage by the Parks and Recreation Division (All Wards)”, should read as follows:

“The Clause was amended by adding thereto the following:

‘It is further recommended that:

- (1) the City of Toronto endorse the Toronto District School Board’s proposal to establish a “Pool Working Committee” comprised of three trustees, three City Councillors plus staff from each organization to continue discussions on the funding of Board pools, such Working Group to be a Sub-Committee of the School Advisory Committee;
- (2) the Pool Working Committee also include representatives from the various swimming constituents, among them Sink or Swim (SOS), Swim Canada, Swim Ontario, Sport Alliance of Ontario, Lifesaving, Red Cross, Water Polo, etc.;
- (3) the Pool Working Committee report through the School Advisory Committee, in October 2001, regarding the progress of pool funding negotiations and recommend a protocol, including the implementation of joint-use agreements and land leases, for any future funding arrangements between the City and the Board;

- (4) the Mayor or his representative request a meeting with the Premier of Ontario, together with the Chair of the Toronto District School Board, to discuss the crisis caused by the provincial funding formula not mandating swimming or all maintenance, utility and care-taking tasks associated with pools, as educational expenses;
- (5) the City of Toronto attempt to apply for funding through the federal/provincial infrastructure program (Sports and Culture section) to repair old pools or build new ones to replace those pools that may have to be closed due to disrepair; and
- (6) the City accept the offer from Bruce Kidd of the Olympic Bid Team to assist in the effort to bring all levels of government together to increase physical education and sports for all of Toronto.' ”

Toronto, Ontario
July 5, 2001

Acting City Clerk