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These Minutes were confirmed by City Council on December 4, 2001.

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

**TUESDAY, NOVEMBER 6, 2001,
WEDNESDAY, NOVEMBER 7, 2001, AND
THURSDAY, NOVEMBER 8, 2001**

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

CALL TO ORDER

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

The meeting opened with O Canada.

9.2 **CONFIRMATION OF MINUTES**

Councillor Duguid, seconded by Councillor Berardinetti, moved that the Minutes of the Council meeting held on the 2nd, 3rd and 4th days of October, 2001, be confirmed in the form supplied to the Members, which carried..

9.3 **PETITIONS**

The following were filed with the City Clerk, by Councillor Korwin-Kuczynski, regarding Clause No. 1 of Report No. 7 of The Board of Health, entitled "Strategy to Achieve a Phase Out of Non-Essential Outdoor Uses of Pesticides":

- (a) petition signed by 1,653 residents in opposition to the ban; and
- (b) petition signed by 12 residents in support of the ban.

PRESENTATION OF REPORTS

- 9.4 Councillor Minnan-Wong presented the following Reports for consideration by Council:

Report No. 13 of The Policy and Finance Committee,
Report No. 15 of The Administration Committee,
Report No. 11 of The Community Services Committee,
Report No. 11 of The Planning and Transportation Committee,
Report No. 15 of The Works Committee,
Report No. 7 of The Board of Health,
Report No. 14 of The Policy and Finance Committee,
Report No. 16 of The Administration Committee,
Report No. 12 of The Community Services Committee,
Report No. 10 of The Economic Development and Parks Committee,
Report No. 12 of The Planning and Transportation Committee,
Report No. 16 of The Works Committee,
Report No. 10 of The Scarborough Community Council,
Report No. 8 of The Midtown Community Council,
Report No. 8 of The North York Community Council,
Report No. 9 of The Humber York Community Council,
Report No. 9 of The Etobicoke Community Council, and
Report No. 8 of The Toronto East York Community Council,

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

- 9.5 Councillor Minnan-Wong, with the permission of Council, presented the following Reports for the consideration of Council:

Report No. 9 of The Audit Committee, and
Report No. 8 of The Striking Committee,

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

- 9.6 **DECLARATIONS OF INTEREST**

Councillor Ashton declared his interest in Clause No. 1 of Report No. 16 of The Administration Committee, headed "Toronto Civic Employees' Pension and Benefit Fund

(The Civic Plan) - 2000, Actuarial Valuation Results and Request by the Pension Committee to Refund Contributions Made After 35 Years of Service”, in that his father-in-law is a member of the Toronto Civic Employees’ Pension and Benefit Fund.

Councillor Chow declared her interest in Motion J(6), moved by Councillor Bussin, seconded by Councillor Walker, respecting 245 College Street - Reimbursement of Community Legal Expenses, in that she lives in the vicinity of the proposed development.

Councillor Disero declared her interest in Clause No. 1 of Report No. 12 of The Community Services Committee, headed “Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 Toronto-Danforth”, and Clause No. 2 of Report No. 12 of The Planning and Transportation Committee, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”, in that she is named in a litigation proceeding.

Councillor Korwin-Kuczynski declared his interest in Clause No. 4 of Report No. 10 of The Economic Development and Parks Committee, headed “Harmonized Policy for the Removal of Ornamental Fruit-Bearing Trees (All Wards)”, and Clause No. 45 of Report No. 9 of The Humber York Community Council, headed “Removal of Crab Apple Trees on Summit Avenue (Davenport, Ward 17)”, in that he has a crab-apple tree planted on his property; and in Clause No. 14 of Report No. 9 of The Humber York Community Council, headed “Leaf Blowers (All Wards)”, in that he is the owner of a leaf blower.

Mayor Lastman declared his interest in Clause No. 1 of Report No. 12 of The Community Services Committee, headed “Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 Toronto-Danforth”, in that he is the Honorary Chair of the Homes First Society; and in Clause No. 8 of Report No. 10 of The Economic Development and Parks Committee, headed “Appointments to the Boards of Management for the Hillcrest Village, Kennedy Road and Weston Business Improvement Areas (Various Wards)”, in that his son is the President of the Kennedy Road BIA; and in Clause No. 3 of Report No. 11 of The Planning and Transportation Committee, headed “Parc Downsview Park Inc. Operating Protocol Agreement, File UD03 PDP (Ward 9 - York Centre)”, only insofar as it pertains to the land east of Allen Road and south of Sheppard Avenue, in that his son owns property within the subject area.

Councillor Layton declared his interest in Motion J(6), moved by Councillor Bussin, seconded by Councillor Walker, respecting 245 College Street - Reimbursement of Community Legal Expenses, in that he lives in the vicinity of the proposed development.

Councillor McConnell declared her interest in Motion J(6), moved by Councillor Bussin, seconded by Councillor Walker, respecting 245 College Street - Reimbursement of Community Legal Expenses, in that she is a member of the Metro Credit Union.

Councillor Miller declared his interest in Motion J(13), moved by Councillor Mihevc,

seconded by Councillor Berardinetti, respecting a Limiting Distance Agreement for the portion of the Cedarvale Ravine adjacent to 600 Lonsdale Road (Ward 21 - St. Paul's), in that members of his family live in the vicinity of the subject area.

Councillor Moscoe declared his interest in Motion J(20), moved by Councillor Jones, seconded by Councillor Moeser, respecting the good repair audit of school pools, in that he is a supplier of signs to the School Board; and in Motion J(23), moved by Councillor Pantalone, seconded by Councillor Silva, respecting enforcement of the Election Sign By-law, in that he is a supplier of election signs to candidates and his firm is specifically named in the report appended to the Motion.

Councillor Shiner declared his interest in Item (p), entitled "St. Andrews Playground (Trinity-Spadina, Ward 20)", as embodied in Clause No. 53 of Report No. 8 of The Toronto East York Community Council, headed "Other Items Considered by the Community Council", in that his family owns property in the subject area.

Councillor Walker declared his interest in Clause No. 2 of Report No. 12 of The Planning and Transportation Committee, headed "Toronto Port Authority's Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)", and Clause No. 1 of Report No. 12 of The Community Services Committee, headed "Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 Toronto-Danforth", in that his daughter is an employee of the Outer Harbour Marina and he is named in a litigation proceeding.

CONSIDERATION OF REPORTS CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 13 of The Policy and Finance Committee, Clause No. 1.

Report No. 15 of The Administration Committee, Clauses Nos. 1, 2 and 3.

Report No. 11 of The Community Services Committee, Clause No. 1.

Report No. 11 of The Planning and Transportation Committee, Clauses Nos. 1, 2, 3 and 4.

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

Report No. 7 of The Board of Health, Clause No. 1.

Report No. 14 of The Policy and Finance Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 16, 21, 22 and 24.

Report No. 16 of The Administration Committee, Clauses Nos. 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20 and 21.

Report No. 12 of The Community Services Committee, Clauses Nos. 1, 4, 5, 7, 8, 14, 15, 16 and 17.

Report No. 10 of The Economic Development and Parks Committee, Clauses Nos. 2, 4, 9, 10, 11 and 12.

Report No. 12 of The Planning and Transportation Committee, Clauses Nos. 1, 2, 5, 7 and 8.

Report No. 16 of The Works Committee, Clauses Nos. 1, 2, 3, 7 and 13.

Report No. 10 of The Scarborough Community Council, Clauses Nos. 12 and 13.

Report No. 8 of The Midtown Community Council, Clauses Nos. 23, 30 and 31.

Report No. 8 of The North York Community Council, Clause No. 15.

Report No. 9 of The Humber York Community Council, Clauses Nos. 1, 11, 14 and 45.

Report No. 9 of The Etobicoke Community Council, Clauses Nos. 10 and 13.

Report No. 8 of The Toronto East York Community Council, Clauses Nos. 18, 21, 25, 32, 46 and 49.

Report No. 9 of The Audit Committee, Clause No. 1.

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

Report No. 15 of The Administration Committee, Clause No. 2.

Report No. 15 of The Works Committee, Clause No. 4.

Report No. 14 of The Policy and Finance Committee, Clauses Nos. 4, 9 and 16.

Report No. 16 of The Administration Committee, Clauses Nos. 10, 14, 16, 16, 17, 19, 20 and 21.

Report No. 12 of The Community Services Committee, Clauses Nos. 8 and 17.

Report No. 10 of The Economic Development and Parks Committee, Clause No. 11.

Report No. 16 of The Works Committee, Clauses Nos. 2, 3 and 7.

Report No. 10 of The Scarborough Community Council, Clauses Nos. 12 and 13.

Report No. 8 of The North York Community Council, Clause No. 15.

Report No. 8 of The Toronto East York Community Council, Clause No. 18.

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

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

- 9.8 **Clause No. 9 of Report No. 16 of The Administration Committee, headed “Exchange of Interests in Land Portions of the Keele Valley Landfill Site (Vaughan)”.**

Motion:

Councillor Disero moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on December 4, 2001.

Vote:

The motion by Councillor Disero carried.

- 9.9 **Clause No. 8 of Report No. 16 of The Administration Committee, headed “Environmental Results of the CN Leaside Spur Line Extending South from York Mills Road to North of Eglinton Avenue East (Ward 26 - Don Valley West)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Berardinetti moved that Council adopt the following recommendation:

“It is recommended that the confidential report dated November 2, 2001, from the Commissioner of Corporate Services, be adopted, such report to remain confidential in accordance with the provisions of the Municipal Act, save and except the following

recommendations embodied therein, having regard that it contains information related to the security of property interests of the municipality:

‘It is recommended that:

- (1) authority be granted to waive the environmental condition in favour of the City detailed in the Agreement of Purchase and Sale and outlined in the body of this report;
- (2) authority be granted to the Commissioner of Corporate Services to finalize, to her satisfaction, the terms and conditions of the Communication System Easement, the Communication System Easement Agreement, the Access Easement, the Removal Easement and the Restrictive Covenant, the form of which are to be to the satisfaction of the City Solicitor;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable;
- (4) staff continue negotiations with Imperial Oil/Hydro One regarding the proposal to provide Hydro One with a telecommunications easement and report back thereon; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

9.10 Clause No. 13 of Report No. 16 of The Administration Committee, headed “Proposed Amendment to Council Procedures, Staff Permitted on Floor of Council”.

Vote:

Adoption of Clause, without amendment:

Yes - 37	
Mayor:	Lastman

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

Carried by a majority of 33.

9.11 **Clause No. 14 of Report No. 12 of The Community Services Committee, headed “Children and Youth Action Committee - Federal/Provincial Issues”.**

Motion:

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

“It is further recommended that City Council, on behalf of the children of Toronto, extend its appreciation to Charlie Coffey, Executive Vice-President of the Royal Bank of Canada and member of Ontario’s Promise, and Dr. Margaret Norrie McCain, the former Lieutenant Governor of New Brunswick and co-author, with Fraser Mustard, of the Premier’s Early Years Study. Mr. Coffey and Dr. McCain are the co-chairs of the City’s Early Learning and Child Care Commission which will develop a blueprint to help the City of Toronto and other cities negotiate policy and funding changes with Ottawa and Queen’s Park.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

9.12 **Clause No. 15 of Report No. 12 of The Community Services Committee, headed “Release of Canadian Policy Research Network Document ‘Child Care in Toronto: Can Intergovernmental Relations Respond to Children’s Needs? An Options Paper’.”**

Motion:

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

“It is further recommended that City Council, on behalf of the children of Toronto, extend its appreciation to Charlie Coffey, Executive Vice-President of the Royal Bank of Canada and member of Ontario’s Promise, and Dr. Margaret Norrie McCain, the

former Lieutenant Governor of New Brunswick and co-author, with Fraser Mustard, of the Premier's Early Years Study. Mr. Coffey and Dr. McCain are the co-chairs of the City's Early Learning and Child Care Commission which will develop a blueprint to help the City of Toronto and other cities negotiate policy and funding changes with Ottawa and Queen's Park."

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 9.13 **Clause No. 31 of Report No. 8 of The Midtown Community Council, headed "Sale of Surplus Parcel of Vacant Land Located Between Nos. 141 and 133 Brooke Avenue (Eglinton-Lawrence – Ward 16)".**

Motion:

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

"It is further recommended that the report dated October 31, 2001, from the Commissioner of Corporate Services, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the Offer to Purchase from Yang Fung Huang Teow to purchase the City-owned property located between Nos. 141 and 133 Brooke Avenue, in the amount of \$476,868.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the sale proceeds on closing to fund the outstanding balance of Costing Unit No. RE3005;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of necessary expenses and amending 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.' "

Votes:

The motion by Councillor Johnston carried.

The Clause, as amended, carried.

9.14 **Clause No. 14 of Report No. 9 of The Humber York Community Council, headed “Leaf Blowers (All Wards)”.**

Motion:

Councillor Pantalone moved that the Clause be struck out and referred to the Planning and Transportation Committee for further consideration at its next meeting scheduled to be held on November 12, 2001.

Vote:

The motion by Councillor Pantalone carried.

9.15 **Clause No. 11 of Report No. 9 of The Humber York Community Council, headed “1807 Eglinton Avenue West - Sign By-law Variance Application, Applicant: Print and Promotion (Victor Lang), Owner: Alxor Investments Inc. (Zoran Cocv) (Eglinton-Lawrence, Ward 15)”.**

Motion:

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

“It is recommended that Recommendation No. (1) embodied in the joint report dated October 5, 2001, from the Director of Community Planning, West District and the Director of Building and Chief Building Official, West District, be adopted, viz.:

‘(1) the application for relief from the provisions of By-law No. 3369-79, as amended, to permit a single-faced, off-premise sign at 1807 Eglinton Avenue West, be refused;’.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.16 **Clause No. 32 of Report No. 8 of The Toronto East York Community Council, headed “Provision of “Commercial Loading Zones”, “Disabled Persons Parking Spaces” and other changes to Existing Parking Regulations - Bellair Street and Yorkville Avenue (Toronto Centre-Rosedale, Ward 27)”.**

Motion:

Councillor Rae moved that the Clause be amended by deleting from Recommendation No. (6) embodied in the report dated October 9, 2001, from the Director, Transportation Services, District 1, the words “at a rate of \$1.50 per hour” and inserting in lieu thereof the words “at a rate of \$2.00 per hour”, so that such recommendation shall now read as follows:

- “(6) the Toronto Parking Authority be requested to install parking meters or pay-and-display machines on:
 - (a) the west side of Bellair Street, from Cumberland Street to a point approximately 37.4 metres north and from a point 49.4 metres north of Cumberland Street to Yorkville Avenue; and
 - (b) the north side of Yorkville Avenue, from Bellair Street to a point 65.0 metres west and from a point 85.0 metres west of Bellair Street to Hazelton Avenue;

to operate for a maximum period of two hours, from 8:00 a.m. to 6:00 p.m., Saturday; for a maximum period of three hours, from 6:00 p.m. to 9:00 p.m., Monday to Saturday; and for a maximum period of three hours, from 1:00 p.m. to 9:00 p.m., Sunday; at a rate of \$2.00 per hour;”.

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

9.17 **Clause No. 49 of Report No. 8 of The Toronto East York Community Council, headed “Refinements to Various Traffic By-laws - Stage 3 of F.G. Gardiner East Dismantling Project (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)”.**

Motion:

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

“It is further recommended that the report dated October 30, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the traffic control signals on Commissioners Street at Saulter Street South be removed;
- (2) stop control be introduced for northbound and southbound traffic on Saulter Street South at Commissioners Street; and
- (3) the appropriate City officials be requested to take whatever action is necessary to give effect thereto, including the introduction in Council of any Bills that are required.’ ”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Rae moved that the Clause be further amended by deleting from the last entry of Column 2 of Appendix 1 to the report dated October 10, 2001, from the Director, Transportation Services, District 1, under the heading “One-Way Traffic Lanes to Be Enacted”, the words “The east curb line of Carlaw Avenue and a point 30.5 metres west thereof”, and inserting in lieu thereof the following words:

“The east curb line of Carlaw Avenue and a point 30.5 metres east thereof”.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

9.18 **Clause No. 1 of Report No. 16 of The Works Committee, headed “Pedestrian Safety Initiatives Pilot Program”.**

Motion:

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

“It is further recommended that the second Operative Paragraph of the Resolution of the Toronto Pedestrian Committee embodied in the communication dated October 31, 2001, from the City Clerk, Toronto Pedestrian Committee, be adopted, viz.:

‘**AND BE IT FURTHER RESOLVED THAT** consideration be given to the Toronto Pedestrian Committee memorandum submitted to the July 12, 2000 meeting of the Works Committee by the Commissioner of Works and Emergency Services, in preparing the report scheduled for submission to the Works Committee in the Spring of 2002.’ ”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

9.19 **Clause No. 2 of Report No. 11 of The Planning and Transportation Committee, headed “Preliminary Proposal to Expand the Don Valley Parkway”.**

Motions:

- (a) Councillor Sutherland moved that the Clause be amended by striking out the recommendation of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Toronto City Council accept the proposal from the Ontario Road Development Corporation (ORDC) to explore, at ORDC’s own cost, the feasibility of constructing additional tolled lanes on the Don Valley Parkway while maintaining the existing public non-tolled lanes, and that the following be included in the study:
 - (a) the feasibility of a Light Rapid Transit (LRT) line in the Don Valley Parkway corridor;

- (b) terminating the new tolled lanes at Eglinton Avenue (rather than extending the tolled lanes into the downtown core);
 - (c) the feasibility of widening the Don Valley Parkway without tolls;
 - (d) a full costing analysis of the road widening;
 - (e) that the road widening be paid for and constructed with no tax dollars;
 - (f) that a financial model be prepared and an estimate provided on expected new revenue to the City;
 - (g) that the new revenues be dedicated to City transportation and environmental projects;
 - (h) that the report detail the potential reduction of smog emissions produced from moving vehicles on the new tolled lanes compared to the smog emissions produced by idling vehicles;
 - (i) that the report detail the feasibility of using new asphalt materials that can reduce noise pollution by as much as 50 percent from current levels;
 - (j) that the report provide details on new ice control materials available that would decrease most or all of the salt and oil entering the Don River;
 - (k) that the report indicate methods of using a transponder toll system (compatible with existing Highway 407 toll technology) that would allow for pollution-free, hybrid or alternative fuel vehicles to travel the toll lanes at reduced rates; and
 - (l) that an estimate of daily use of the bus expressway by GO and TTC be provided, including the number of estimated new transit riders;
- (2) a Strategic Transportation Planning Group be established, comprised of the Chief City Planner, the General Manager of Transportation Services, the Chief General Manager of the Toronto Transit Commission and the Managing Director of GO Transit, for technical and process guidance, and that the Strategic Transportation Planning Group report progress, as necessary, to the Planning and Transportation Committee; and

- (3) the Acting Chief Administrative Officer be authorized to enter into an agreement with the Ontario Road Development Corporation that ensures:
 - (a) stakeholder input will be an integral part of all aspects of the project, as outlined in the ORDC proposal;
 - (b) the City of Toronto is under no obligation to pay for the Don Valley Parkway toll road study; and
 - (c) the Strategic Transportation Planning Group gives technical and process guidance, reports progress, as necessary, to the Planning and Transportation Committee, and evaluates the report when it is completed.”

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

“It is further recommended that the Commissioner of Urban Development Services, in consultation with the appropriate staff of other Civic agencies and departments, be requested to research and report to the Planning and Transportation Committee on the GO Transit line within the Don Valley corridor and other north-south transit-related improvements that will relieve the traffic congestion on the Don Valley Parkway/Highway 404 transportation corridor.”

- (c) Councillor Shiner moved that the Clause be amended by:
 - (1) striking out the recommendation of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that consideration of the proposal be deferred to the meeting of Council scheduled to be held on April 16, 2002.”; and
 - (2) adding thereto the following:

“It is further recommended that:

 - (a) the Commissioners of Urban Development Services and Works and Emergency Services, and the Chief General Manager of the Toronto Transit Commission be requested to submit a joint report to the Planning and Transportation Committee on a long-term plan to increase parking along all major public transit routes; and

- (b) the Commissioner of Works and Emergency Services, the Commissioner of Urban Development Services, the Chief General Manager of the Toronto Transit Commission and the Managing Director of GO Transit be requested to submit a joint report to the Planning and Transportation Committee, by April 2002, outlining options to provide additional capacity, both by automobile and public transit, into the downtown core in the Don Valley corridor area, such options to include dedicated car pool lanes.”

- (d) Councillor Moscoe moved that motion (a) by Councillor Sutherland be amended:
 - (1) to provide that:
 - (a) this project not be considered on the basis of an unsolicited, sole source proposal but, rather, a Request for Proposals be issued inviting as many companies as possible to submit proposals;
 - (b) the Terms of Reference of this study be developed by the Transportation Division of the Works and Emergency Services Department and approved by Council; and
 - (c) any studies be commissioned by the Commissioner of Urban Development Services and be pre-paid by all of the companies submitting proposals or the company chosen;

 - (2) by deleting the following Recommendation No. (3)(a):
 - “(3) the Acting Chief Administrative Officer be authorized to enter into an agreement with the Ontario Road Development Corporation that ensures:
 - (a) stakeholder input will be an integral part of all aspects of the project, as outlined in the ORDC proposal;”;

 - (3) by inserting in Recommendation (1)(e), after the words “road widening”, the words “and all related infrastructure improvements”, so that such recommendation shall now read as follows:
 - “(1)(e) that the road widening and all related infrastructure improvements be paid for and constructed with no tax dollars;”;

- (4) by inserting in Recommendation (1)(f), after the words “new revenue”, the words “and costs”, so that such recommendation shall now read as follows:

“(1)(f) that a financial model be prepared and an estimate provided on expected new revenue and costs to the City;” and

- (5) by amending Recommendation No. (1)(h) to provide that the study detailing smog emissions be conducted before and after the road widening.

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

“It is further recommended that the Ontario Road Development Corporation be requested to research, at their cost, and report to the Planning and Transportation Committee on the GO Transit line within the Don Valley corridor and other north-south transit-related improvements that will relieve the traffic congestion on the Don Valley Parkway/Highway 401 transportation corridor.”

- (f) Councillor Miller moved that motion (a) by Councillor Sutherland be amended by adding thereto the following words:

“and further, that any private sector proponent and its affiliated companies and/or partners, that undertake the requested study, be prohibited from participating in any projects recommended by the study that are undertaken by the City of Toronto”.

Councillor Duguid in the Chair.

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Planning and Transportation Committee, by September 2002, on:

- (1) the possibility of installing HOV lanes for cars with two occupants (driver and passenger) on the Don Valley Parkway;
- (2) the possibility of installing toll lanes on the Don Valley Parkway, similar to Highway 407, for single occupant cars; and
- (3) methods used by other major urban centres such as New York, London (England), Seoul (Korea), Beijing (China), Hong Kong, Singapore and Tokyo to cope with their traffic problems.”

Deputy Mayor Ootes in the Chair.

- (h) Councillor McConnell, seconded by Councillor Jones, moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Ontario Road Development Corporation be requested to study stormwater management needs for the existing Don Valley corridor and any further needs for stormwater management, in the event of the expansion of the Don Valley Parkway, and how any expansion of the Don Valley Parkway would improve water quality in the Don River.”

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

“It is further recommended that the Commissioner of Works and Emergency Services, in consultation with the Chief General Manager of the Toronto Transit Commission and the Managing Director of GO Transit be requested to submit a report to the Planning and Transportation Committee on the possibility of a designated bus lane for GO Transit on the Don Valley Parkway, with express TTC buses at each stop, to speed up transit to the downtown core.”

- (j) Councillor Chow moved that motion (a) by Councillor Sutherland be amended by:

- (1) adding the following Part (m) to Recommendation No. (1):

“(m) identify the cost of expanding the Bayview Avenue Extension, Bloor Street, Richmond Street and Adelaide Street, as a result of the Don Valley Parkway road widening;”;

- (2) deleting from Recommendations Nos. (2) and (3)(c), the words “technical and”; and

- (3) adding the following Part (d) to Recommendation No. (3):

“(d) that no City staff’s time be committed to conduct this study;”.

Withdrawal of Motions:

Councillor Chow, with the permission of Council, withdrew Part (3) of her motion (j).

Councillor Cho, with the permission of Council, withdrew Part (2) of his motion (g).

Votes:

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

Yes - 2 Councillors: Disero, Shiner
No - 34 Mayor: Lastman Councillors: Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Sutherland, Walker

Lost by a majority of 32.

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

Yes - 16 Councillors: Ashton, Bussin, Cho, Chow, Disero, Filion, Johnston, Jones, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Rae, Walker
No - 19 Mayor: Lastman Councillors: Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Pitfield, Silva, Sutherland

Lost by a majority of 3.

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (d) by Councillor Moscoe, declared such Part redundant.

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

Yes - 24 Mayor: Lastman Councillors: Ashton, Balkissoon, Berardinetti, Chow, Disero, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Sutherland
No - 11

Councillors: Bussin, Cho, Di Giorgio, Duguid, Li Preti, Lindsay Luby, Pantalone, Pitfield, Rae, Shiner, Walker
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Carried by a majority of 13.

Part (4) of motion (d) by Councillor Moscoe carried.

Part (5) of motion (d) by Councillor Moscoe carried.

Adoption of Part (1) of motion (j) by Councillor Chow:

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

Lost, there being an equal division of votes.

Adoption of Part (2) of motion (j) by Councillor Chow:

Yes - 21 Mayor: Lastman Councillors: Ashton, Bussin, Cho, Chow, Disero, Filion, Hall, Johnston, Jones, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shiner, Silva, Walker
No - 15 Councillors: Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Moeser, Nunziata, Pitfield, Sutherland

Carried by a majority of 6.

Adoption of motion (f) by Councillor Miller:

Yes - 16 Councillors: Bussin, Cho, Chow, Disero, Filion, Hall, Johnston, Jones, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Rae, Walker
No - 20 Mayor: Lastman

Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Pitfield, Shiner, Silva, Sutherland
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Lost by a majority of 4.

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

Yes - 16	
Mayor:	Lastman
Councillors:	Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Moeser, Nunziata, Sutherland
No - 20	
Councillors:	Ashton, Bussin, Cho, Chow, Filion, Hall, Johnston, Jones, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Walker

Lost by a majority of 4.

Adoption of motion (b) by Councillor Pantalone:

Yes - 33	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Sutherland
No - 3	
Councillors:	Li Preti, Moeser, Walker

Carried by a majority of 30.

Adoption of motion (e) by Councillor Li Preti:

Yes - 19	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Moeser, Nunziata, Shiner

No - 16	
Councillors:	Bussin, Cho, Chow, Filion, Hall, Johnston, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Walker

Carried by a majority of 3.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motion (h) by Councillor McConnell, seconded by Councillor Jones, redundant.

Permission to Amend Motion:

Councillor Shiner, with the permission of Council, amended Part (2)(a) of his motion (c) to read as follows:

- “(2)(a) the Commissioners of Urban Development Services and Works and Emergency Services, and the Chief General Manager of the Toronto Transit Commission, in consultation with the Toronto Parking Authority, be requested to submit a joint report to the Planning and Transportation Committee on a long-term plan to increase parking facilities along all major public transit routes;”.

Votes:

Part (2)(a) of motion (c) by Councillor Shiner, carried, as amended.

Adoption of Part (2)(b) of motion (c) by Councillor Shiner:

Yes - 30	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Sutherland, Walker
No - 6	
Councillors:	Bussin, Chow, Filion, Li Preti, Mihevc, Moeser

Carried by a majority of 24.

Adoption of Parts (1) and (3) of motion (g) by Councillor Cho:

Yes - 21

Councillors:	Ashton, Berardinetti, Cho, Chow, Disero, Flint, Hall, Holyday, Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva
No - 14	
Mayor:	Lastman
Councillors:	Balkissoon, Bussin, Di Giorgio, Duguid, Feldman, Filion, Kelly, Li Preti, Moeser, Nunziata, Shiner, Sutherland, Walker

Carried by a majority of 7.

Adoption of motion (i) by Councillor Hall:

Yes - 27	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Bussin, Cho, Chow, Disero, Duguid, Filion, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva
No - 9	
Councillors:	Berardinetti, Di Giorgio, Feldman, Flint, Kelly, Minnan-Wong, Nunziata, Sutherland, Walker

Carried by a majority of 18.

Adoption of Clause, as amended:

Yes - 26	
Mayor:	Lastman
Councillors:	Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Walker
No - 9	
Councillors:	Balkissoon, Feldman, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Nunziata, Sutherland

Carried by a majority of 17.

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

“It is further recommended that:

- (1) the Ontario Road Development Corporation be requested to research, at their cost, and report to the Planning and Transportation Committee on the GO Transit line within the Don Valley corridor and other north-south transit-related improvements that will relieve the traffic congestion on the Don Valley Parkway/Highway 401 transportation corridor;
- (2) the Commissioner of Urban Development Services, in consultation with the appropriate staff of other Civic agencies and departments, be requested to research and report to the Planning and Transportation Committee on the GO Transit line within the Don Valley corridor and other north-south transit-related improvements that will relieve the traffic congestion on the Don Valley Parkway/Highway 404 transportation corridor;
- (3) the Commissioners of Urban Development Services and Works and Emergency Services, and the Chief General Manager of the Toronto Transit Commission, in consultation with the Toronto Parking Authority, be requested to submit a joint report to the Planning and Transportation Committee on a long-term plan to increase parking facilities along all major public transit routes;
- (4) the Commissioner of Works and Emergency Services, the Commissioner of Urban Development Services, the Chief General Manager of the Toronto Transit Commission and the Managing Director of GO Transit be requested to submit a joint report to the Planning and Transportation Committee, by April 2002, outlining options to provide additional capacity, both by automobile and public transit, into the downtown core in the Don Valley corridor area, such options to include dedicated car pool lanes;
- (5) the Commissioner of Works and Emergency Services, in consultation with the Chief General Manager of the Toronto Transit Commission and the Managing Director of GO Transit be requested to submit a report to the Planning and Transportation Committee on the possibility of a designated bus lane for GO Transit on the Don Valley Parkway, with express TTC buses at each stop, to speed up transit to the downtown core; and
- (6) the Commissioner of Works and Emergency Services be requested to submit a report to the Planning and Transportation Committee, by September 2002, on:
 - (a) the possibility of installing HOV lanes for cars with two occupants (driver and passenger) on the Don Valley Parkway; and
 - (b) methods used by other major urban centres such as New York, London (England), Seoul (Korea), Beijing (China), Hong Kong, Singapore and Tokyo to cope with their traffic problems.”

9.20 **Clause No. 1 of Report No. 9 of The Humber York Community Council, headed “1912 St. Clair Avenue West, 761 Keele Street; 35, 65, 117 Weston Road and Parts of 135, 141 & 153 Weston Road Application to Amend the Official Plan and Zoning By-law No. 438-86 (York South-Weston, Ward 11)”.**

Motion:

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

“It is recommended that:

- (1) the report dated October 5, 2001, from the Director, Community Planning, South District, be adopted, subject to the following amendments:
 - (a) amending paragraph 3.(h), in Schedule ‘A’ to Attachment 6 - Proposed Official Plan Amendment, to read as follows:
 - ‘(h) shall provide \$200.00 per unit for a proposed community centre within the Eglinton Avenue West and Black Creek Drive area, payable upon the issuance of building permits;’;
 - (b) to provide that:
 - (i) the developer be required to satisfy the requirements of the April 18, 2001 Noise report;
 - (ii) the 1 percent to be provided for the public art contribution be reduced by \$50,000.00, to reflect the community centre contribution outlined in Recommendation No. (1), above; and
 - (iii) the percent for art contribution be spent on this specific development, or in the area immediately adjacent, in consultation with the area Councillor and the Committee for Art in Public Places;
 - (c) under the heading Parkland Dedication Lands:
 - (i) amending Recommendation No. (4)(c) by adding thereto the words ‘in the event that a public square is provided, the owner may elect to provide the park dedication required instead of cash-in-lieu for the commercial uses or the cash-in-lieu shall be directed to providing amenities for the park or public square as directed by the Commissioner of Economic Development, Culture and Tourism’, so that such recommendation shall now read as follows:

- ‘(4)(c) prior to the issuance of a building permit containing commercial uses, the Owner shall pay cash-in-lieu of parkland for the commercial component of the proposed development; in the event that a public square is provided the owner may elect to provide the park dedication required instead of cash-in-lieu for the commercial uses or the cash-in-lieu shall be directed to providing amenities for the park or public square as directed by the Commissioner of Economic Development, Culture and Tourism;’;
- (ii) amending Recommendation No. (4)(d) by inserting the words ‘dedicate to the City the land allocated for the public square and’ after the words ‘the Owner shall’, and by inserting the word ‘any’ after the word ‘pay’, and by inserting the words ‘or public square’ at the end of the last sentence, so that such recommendation shall now read as follows:
- ‘(4)(d) prior to the issuance of a building permit for the 563rd residential unit or above a residential gross floor area of 44,219 square metres, the Owner shall dedicate to the City the land allocated for the park or public square and pay any cash-in-lieu of parkland. This cash-in-lieu of parkland payment will be used to develop and improve the park or public square;’; and
- (iii) amending Recommendation No. (4)(m), by deleting the words ‘may elect’ and inserting in lieu thereof the word ‘shall’, so that such recommendation shall now read as follows:
- ‘(4)(m) if the Owner has not proceeded with development of the subject lands within five years of the execution of the related agreements, the City shall have the parklands come out of escrow and conveyed for parks purposes and all associated letters of credit for development of the parkland will be cashed;’;

- (d) under the heading Roads and Municipal Services, by amending Recommendation No. (4)(cc) by adding the words ‘fibre optic cable ducts’ after the words ‘street furniture’, so that such recommendation shall now read as follows:

‘(4)(cc) the Owner shall provide a letter of credit in the amount of 120 percent of the estimated cost for all municipal infrastructure or such lesser amount as the Commissioner of Works and Emergency Services may approve, for the development (sewers, waterworks, streets, sidewalks, lanes, street lighting, street furniture, fibre optic cable ducts, etc.), as determined by the Municipal Consulting Engineer and approved by the Commissioner of Works and Emergency Services, prior to the earlier of the issuance of a building permit or commencement of construction of the infrastructure for the development until completion of the work. This letter of credit may be reduced to 25 percent of the value of the completed municipal infrastructure as a maintenance guarantee for a period of two years from the date of completion of the work as certified by the Municipal Consulting Engineer and acceptance by the Commissioner of Works and Emergency Services;’;

- (e) under the heading C.N. Main Line Requirements, by amending Recommendation No. (4)(vv) by adding the words ‘or of a higher standard if so determined through the site plan process’’, so that such recommendation shall now read as follows:

‘(4)(vv) the Owner shall install and maintain a chain link fence of a minimum of 1.83 metres in height along the rear of the property line or of a higher standard if so determined through the site plan process;’;

- (f) to provide that:

- (i) having regard that the owner has requested that the zoning bylaw for the mixed use building and one of the stacked townhouses proposed for the corner of St Clair Avenue West

and Weston Road provide for greater heights than proposed by the development, should this request be granted, the owner be required to provide for a public square at the northeast corner of St Clair Avenue West and Weston Road, on the basis of a formula developed by staff, in consultation with the developer, so that as additional floors or density points are added, the size of the public square increases;

- (ii) the public square, if provided, be the primary focus of funds secured through the percentage for art dedication, as secured under the Section 37 agreement; and
 - (iii) the public square be considered in addition to the parkland dedication provisions of this By-law, and shall be classified as parkland (public space); and
- (g) under the heading Schools, by amending Recommendation No. (4)(bbb) by adding thereto the words ‘and shall post a Letter of Credit in an amount sufficient to replace these signs as may be required, should it become necessary, to the satisfaction of the Commissioner of Urban Development Services’, so that such recommendation shall now read as follows:

‘(4)(bbb) the Owner shall erect and maintain signs, at points of egress and ingress of the development site, advising:

“Despite the best efforts of the Toronto District School Board, sufficient accommodation might not be locally available for all students anticipated from the development area. Students may be accommodated in facilities outside the area, and may later be transferred.”

and shall post a Letter of Credit in an amount sufficient to replace these signs as may be required, should it become necessary, to the satisfaction of the Commissioner of Urban Development Services;’;

- (h) under the heading Noise, to provide that the owner shall include warning clauses with wording satisfactory to the Commissioner of Urban Development Services and the Medical Officer of Health in all development agreements, offers to purchase and Agreements of

- Purchase and Sale or Lease of each dwelling unit warning potential purchasers of potential noise and odour impacts; and shall agree to a form of wording to be included on a sign which shall be affixed to the sign cited in Recommendation No. (4)(bbb); and
- (i) to provide that:
- (1) the owner shall provide a minimum road allowance width of 16 metres on public roads;
 - (2) the developer be required to provide ducts for the installation of fibre optic cables on all public and private roads to the specifications and satisfaction of the Commissioner of Works and Emergency services; and the ducts on the public roadway shall accrue to the ownership of the City of Toronto;
 - (3) there be no charge of any kind for residential visitor parking; and
 - (4) all parking for this development be either fully enclosed or fully exposed or as otherwise authorized by the Commissioner of Urban Development Services as part of Site Plan review; and
- (2) the request for a report from the Commissioner of Urban Development Services by the Humber York Community Council be rescinded, save and except as it pertains to public transit in lieu of parking, as follows:
- ‘(v) That in cases where the parking standards are lower due to the availability of public transit, each resident in the project be provided with a TTC pass for a period of three months, at no charge to the resident, in order to encourage the use of public transit prior to occupancy in the building.’ ”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

9.21 **Clause No. 10 of Report No. 9 of The Etobicoke Community Council, headed “Request to Appeal Committee of Adjustment Decision, File No. B6-01E: 434 The Kingsway (Ward 4 - Etobicoke Centre)”.**

Motion:

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

“It is further recommended that the report dated November 1, 2001, from the City Solicitor, embodying the following recommendation, be adopted:

‘It is recommended that Council not direct the Committee of Adjustment on matters within the Committee’s delegated jurisdiction, including a direction not to process applications for severance within areas proposed for preservative zoning.’ ”

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

9.22 Clause No. 11 of Report No. 16 of The Administration Committee, headed “Café on the Square - City Hall - Catering Exclusivity (Ward 27 - Toronto Centre-Rosedale)”.

Vote:

The Clause was received, having regarding that it was submitted without recommendation, and was subsequently released by Council.

9.23 Clause No. 1 of Report No. 7 of The Board of Health, headed “Strategy to Achieve a Phase Out of Non-Essential Outdoor Uses of Pesticides”.

Motions:

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

“It is further recommended that a final report be forwarded to the Economic Development and Parks Committee following the completion of any consultations and reports undertaken by the Board of Health or any other Committees or Reference Groups.”

- (b) Councillor Mihevc moved that the Clause be amended by striking out the recommendations of the Board of Health and inserting in lieu thereof the following:

“The Board of Health advises City Council of having endorsed, in principle, the regulation of cosmetic pesticides in the City of Toronto and recommends that the Medical Officer of Health prepare a strategy to reduce the cosmetic use of pesticides on private property, such strategy to include:

- (1) the Medical Officer of Health be requested to prepare a public discussion document and seek broad input on the nature and scope of a potential pesticides by-law;

- (2) the Board of Health and Toronto City Council establish a Reference Group of interested Board members, Councillors and representatives from the Economic Development, Culture and Tourism and Works and Emergency Services Departments, to engage in public consultation and to provide input to the Pesticides Sub-Committee of the Toronto Interdepartmental Environment Committee (TIE);
- (3) the Medical Officer of Health be requested to submit an interim report to the Board of Health, as soon as possible, on the public consultation process;
- (4) City Council authorize the Pesticides Sub-Committee of the Toronto Interdepartmental Environmental Committee (TIE) to:
 - (a) determine public attitudes towards greater restriction on the non-essential outdoor use of chemical pesticides on private property;
 - (b) continue to identify alternatives to the outdoor use of chemical pesticides;
 - (c) continue to consult with organic and traditional lawn care companies regarding chemical pesticide phase-out options; and
 - (d) submit recommended strategies to the Board of Health and other appropriate Standing Committees for consideration;
- (5) the Economic Development and Parks Committee be requested to explore opportunities to work with the Organic Landscape Alliance to educate small businesses on pesticide-free lawn care techniques; and
- (6) the appropriate City officials be authorized and directed to take the necessary action and give effect thereto.”

Councillor Disero in the Chair.

- (c) Councillor Korwin-Kuczynski moved that the Clause be amended by:
 - (1) inserting in Recommendation No. (5)(d) of the Board of Health, prior to the word “pesticides”, the word “certain”, so that such recommendation shall now read as follows:
 - “(d) develop a strategy, in consultation with the City Solicitor, to phase out non-essential outdoor uses of certain pesticides on private property, including the proposed enactment of a

by-law, and an expanded education and outreach campaign targeted at pest control companies and the general public;”;
and

- (2) adding thereto the following:

“It is further recommended that the following City officials be requested to submit the following reports to the Economic Development and Parks Committee for further consideration and consultation with all interested stakeholders:

- (a) the Commissioner of Economic Development, Culture and Tourism on the impact of the recommendations;
 - (b) the Commissioner of Urban Development Services on the ability of the City of Toronto to enforce any by-law regulating restrictions on the use of pesticides;
 - (c) the City Solicitor on any amendments to the Town of Hudson, Quebec, By-law No. 270, since its adoption in 1991; and
 - (d) the Medical Officer of Health on all pesticide use by industry and their effect on the environment.”
- (d) Councillor Kelly moved that the Clause be struck out and referred to the Policy and Finance Committee for further consideration, in consultation with the public and the scientific community.

Vote on Referral:

Adoption of motion (d) by Councillor Kelly:

Yes - 12	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Disero, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Nunziata, Ootes
No - 16	
Councillors:	Ashton, Bussin, Chow, Di Giorgio, Duguid, Filion, Flint, Johnston, Jones, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Miller, Silva, Walker

Lost by a majority of 4.

Motions:

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the cost of enforcement as a result of introducing a by-law which would restrict the use of pesticides on private property.”

- (f) Councillor Ashton moved that motion (b) by Councillor Mihevc be amended by:

(1) deleting from the lead-in phrase of the recommendations of the Board of Health, the words “that the Medical Officer of Health prepare a strategy to reduce the cosmetic use of pesticides on private property, such strategy to include”, and inserting in lieu thereof the words “the following”;

(2) adding thereto the following new recommendation:

“and further, that the City Solicitor be requested to submit a report to the Economic Development and Parks Committee on the legality of introducing a by-law to restrict cosmetic pesticide use in the City of Toronto;”; and

(3) inserting in Recommendation No. (2), after the word “Departments”, the words “and appropriate representatives from Landscape Ontario, the Centre for Toxicology, University of Guelph, the Ministry of the Environment and Health Canada”.

Deputy Mayor Ootes in the Chair.

Votes:

Part (1) of motion (f) by Councillor Ashton carried.

Part (2) of motion (f) by Councillor Ashton carried.

Part (3) of motion (f) by Councillor Ashton carried.

Motion (b) by Councillor Mihevc carried, as amended.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of motion (c) by Councillor Korwin-Kuczynski, redundant.

Part (2) of motion (c) by Councillor Korwin-Kuczynski carried.

Motion (e) by Councillor Nunziata carried.

Adoption of motion (a) by Councillor Minnan-Wong:

Yes - 29	Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva
No - 5	Councillors: Bussin, Jones, McConnell, Miller, Walker

Carried by a majority of 24.

Adoption of Clause, as amended:

Yes - 34	Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva, Walker
No - 0	

Carried, without dissent.

In summary, Council amended the Clause by striking out the recommendations of the Board of Health and inserting in lieu thereof the following:

“The Board of Health advises City Council of having endorsed, in principle, the regulation of cosmetic pesticides in the City of Toronto and recommends the following:

- (1) the Medical Officer of Health, be requested to prepare a public discussion document and seek broad input on the nature and scope of a potential pesticides by-law;
- (2) the Board of Health and Toronto City Council establish a Reference Group of interested Board members, Councillors and representatives from the Economic Development, Culture and Tourism and Works and Emergency Services

Departments, and appropriate representatives from Landscape Ontario, the Centre for Toxicology, University of Guelph, the Ministry of the Environment and Health Canada, to engage in public consultation and to provide input to the Pesticides Sub-Committee of the Toronto Interdepartmental Environment Committee (TIE);

- (3) the Medical Officer of Health be requested to submit an interim report to the Board of Health, as soon as possible, on the public consultation process;
- (4) City Council authorize the Pesticides Sub-Committee of the Toronto Interdepartmental Environmental Committee (TIE) to:
 - (a) determine public attitudes towards greater restriction on the non-essential outdoor use of chemical pesticides on private property;
 - (b) continue to identify alternatives to the outdoor use of chemical pesticides;
 - (c) continue to consult with organic and traditional lawn care companies regarding chemical pesticide phase out options; and
 - (d) submit recommended strategies to the Board of Health and other appropriate Standing Committees for consideration;
- (5) the Economic Development and Parks Committee be requested to explore opportunities to work with the Organic Landscape Alliance to educate small businesses on pesticide-free lawn care techniques;
- (6) the City Solicitor be requested to submit a report to the Economic Development and Parks Committee on the legality of introducing a by-law to restrict cosmetic pesticide use in the City of Toronto;
- (7) the following City officials be requested to submit the following reports to the Economic Development and Parks Committee for further consideration and consultation with all interested stakeholders:
 - (a) the Commissioner of Economic Development, Culture and Tourism on the impact of the recommendations, such report to also address the cost of enforcement as a result of introducing a by-law which would restrict the use of pesticides on private property;
 - (b) the Commissioner of Urban Development Services on the ability of the City of Toronto to enforce any by-law regulating restrictions on the use of pesticides;

- (c) the City Solicitor on any amendments to the Town of Hudson, Quebec, By-law No. 270, since its adoption in 1991; and
 - (d) the Medical Officer of Health on all pesticide use by industry and their effect on the environment;
- (8) a final report be forwarded to the Economic Development and Parks Committee following the completion of any consultations and reports undertaken by the Board of Health or any other Committees or Reference Groups; and
- (9) the appropriate City officials be authorized and directed to take the necessary action and give effect thereto.”

9.24 Clause No. 7 of Report No. 14 of The Policy and Finance Committee, headed “New Ontario Municipal Act, 2001 (Bill 111)”.

Having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the following recommendations be referred to the Chief Administrative Officer for consideration and incorporation into the Brief to be submitted to the Province of Ontario:

‘Recommendations Regarding the New Municipal Act as it Pertains to Licensing:

- (a) The new Municipal Act should be further amended to make provision for an amalgamated municipality to retain special powers granted one of its constituent parts and apply it to the new municipality without having to go through the cumbersome and time consuming special legislation route. The incorporation of these powers into the new municipality should only require a decision of the new Council.
- (b) The Minister of Municipal Affairs and Housing should be granted the authority to confer upon a municipality, through regulation, a power that has been previously granted by way of

special legislation to another municipality if, in the judgement of the Minister, that power has been successfully in operation for a period of time.

- (c) Where a municipality has established an arms-length, quasi-judicial licensing tribunal, operating under the rule of the law, the tribunal should be granted the right to levy fines as a licensing enforcement mechanism. (Presently, and also as proposed, a municipality has only the power to suspend or revoke a licence.)
- (d) Under the proposed legislation, a municipality can only recover its costs of licensing as defined in the legislation. There is a whole area of administration and enforcement costs that have been left out - those costs that are incurred by health services whose inspections go hand in hand with by-law and licensing but whose costs are not recoverable. These should be referenced and allowed under the new Municipal Act.
- (e) Municipalities are allowed cost recovery in setting licence fees. This means that the cost of enforcement is apportioned over the fees for licences for all businesses in a category. Those businesses that are not problem offenders will be paying the costs of administering licences for those businesses which are problem offenders. The Act should allow cities to charge substantial re-inspection fees to repeat offenders, in order to keep fees down for businesses that operate within the law.
- (f) Cost recovery has a down side. Costs can fluctuate from year to year, causing wild fluctuations in licence fees. There will be more complaints from businesses about swings in licence fees than there will ever be over measured increases in fees. Municipalities ought to be able to charge a specified amount above cost recovery, in order to establish fee equalization reserves that can be used to even out fluctuations in licence fees from year to year.
- (g) Before the Minister, by regulation, makes changes in the licensing regime, there should be some requirement to consult with the municipalities affected, or the Association of Municipalities of Ontario if all municipalities are affected.
- (h) Licensing powers are granted under only three categories:

- (i) health and safety;
- (ii) nuisance control; and
- (iii) consumer protection.

These categories are not broad enough to cover all of those situations for which municipalities presently and legitimately license. For instance, many municipalities license Transient Traders. This licence cannot fit into any of the three categories. In fact, transient trades benefit the consumer but they certainly are not fair to local businesses that pay taxes and participate in the life of a community.

Other categories that might be considered are:

- (a) to ensure the orderly conduct of business; or
- (b) to protect businesses from unfair competition.

- (i) The power to inspect, for municipal inspectors, is severely limited. Unlike the powers granted under the Planning Act and the Building Code Act, property standards inspectors are not permitted entry into a dwelling without consent of a search warrant.

The new Municipal Act should be amended to authorize a single, uniform right-of-entry provision for all regulatory offences, similar to that in place under the Planning Act and the Building Code Act.

- (j) The new Municipal Act should be amended to provide that, if a municipality enacts a by-law concerning parking on private property, the common law right of removal of a vehicle from private property is no longer in force.
- (k) Specific authority with respect to street vending appears to have been removed from the Municipal Act. Re-introduce this Section or expand Section 63 which reads “Impounding of Vehicles”.

Additional Recommendations (not necessarily related to the Municipal Act):

- (l) The Courts should be allowed to apply heavier penalties, in the case of repeat or multiple offences.

- (m) The Province should appoint more Justices of the Peace, in areas where shortages are causing offences to be withdrawn. Last year, 22,000 cases in the Toronto Courts had to be dropped because there were insufficient Justices of the Peace to hear these cases within a reasonable period of time.
 - (n) The Province should develop a system that would allow retired Justices of the Peace to work on a per diem basis.’; and
 - (2) the Chief Administrative Officer be directed to officially request a meeting with the Minister of Municipal Affairs and Housing, specifically to discuss other issues of concern to the City of Toronto with respect to the new Ontario Municipal Act.”
- (b) Councillor Miller moved that Council adopt the following recommendations:

“It is recommended that:

 - (1) the supplementary report dated November 5, 2001, from the Acting Chief Administrative Officer, embodying the following recommendations, be adopted:

‘It is recommended that:

 - (a) City Council reaffirm its position that an appropriate legislative framework for city government in Toronto can be provided through the enactment of a modern Charter for Toronto;
 - (b) copies of this report be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities (FCM) and member municipalities of FCM’s Big City Mayors’ Caucus; and
 - (c) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
 - (2) the supplementary report dated November 1, 2001, from the Commissioner of Works and Emergency Services, entitled ‘The New Municipal Act - Provincial Policy to Prevent Municipal Cost Recovery With Respect to Construction Work Done on Municipal Property by Gas and Electrical Utilities’, be referred to the Chief Administrative Officer for consideration.”

- (c) Councillor Holyday moved that Council adopt the following recommendation:

“It is recommended that the following paragraph, as embodied in the report dated October 24, 2001, from the Acting Chief Administrative Officer, be referred to the Chief Administrative Officer for the submission of a more detailed report thereon to the Policy and Finance Committee:

- ‘(o) Section 283 give municipalities the option of retaining the one-third tax exemption for the remuneration paid to Council Members. If a municipality passes a Resolution, prior to January 1, 2003, stating its intention that one third of the remuneration paid to members of Council shall continue as expenses, the Resolution is deemed to be a by-law on January 1, 2003. Such a by-law must be reviewed at a public meeting at least once every three years. If no such resolution is passed, and no by-law is deemed enacted, then no part of the remuneration of Council Members is deemed expenses that are exempt from income tax.’ ”

- (d) Councillor Johnston moved that Council adopt the following recommendation:

“It is recommended that the matter of sending a delegation comprised of Members of Council to meet with the Minister of Municipal Affairs and Housing be referred to the Office of the Mayor for consideration.”

Votes:

Part (1) of motion (b) by Councillor Miller carried.

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

Part (1) of motion (a) by Councillor Moscoe carried.

Part (2) of motion (a) by Councillor Moscoe carried.

Motion (c) by Councillor Holyday carried.

Motion (d) by Councillor Johnston carried.

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (a) the supplementary report dated November 5, 2001, from the Acting Chief Administrative Officer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) City Council reaffirm its position that an appropriate legislative framework for city government in Toronto can be provided through the enactment of a modern Charter for Toronto;
 - (2) copies of this report be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities (FCM) and member municipalities of FCM’s Big City Mayors’ Caucus; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;
- (b) the supplementary report dated November 1, 2001, from the Commissioner of Works and Emergency Services, entitled ‘The New Municipal Act - Provincial Policy to Prevent Municipal Cost Recovery With Respect to Construction Work Done on Municipal Property by Gas and Electrical Utilities’, be referred to the Chief Administrative Officer for consideration;
- (c) the following recommendations by Councillor Moscoe be referred to the Chief Administrative Officer for consideration and incorporation into the Brief to be submitted to the Province of Ontario:

‘Recommendations Regarding the New Municipal Act as it Pertains to Licensing:

- (1) The new Municipal Act should be further amended to make provision for an amalgamated municipality to retain special powers granted one of its constituent parts and apply it to the new municipality without having to go through the cumbersome and time consuming special legislation route. The incorporation of these powers into the new municipality should only require a decision of the new Council.
- (2) The Minister of Municipal Affairs and Housing should be granted the authority to confer upon a municipality, through regulation, a power that has been previously granted by way of special legislation to another municipality if, in the judgement of the Minister, that power has been successfully in operation for a period of time.

- (3) Where a municipality has established an arms-length, quasi-judicial licensing tribunal, operating under the rule of the law, the tribunal should be granted the right to levy fines as a licensing enforcement mechanism. (Presently, and also as proposed, a municipality has only the power to suspend or revoke a licence.)
- (4) Under the proposed legislation, a municipality can only recover its costs of licensing as defined in the legislation. There is a whole area of administration and enforcement costs that have been left out - those costs that are incurred by health services whose inspections go hand in hand with by-law and licensing but whose costs are not recoverable. These should be referenced and allowed under the new Municipal Act.
- (5) Municipalities are allowed cost recovery in setting licence fees. This means that the cost of enforcement is apportioned over the fees for licences for all businesses in a category. Those businesses that are not problem offenders will be paying the costs of administering licences for those businesses which are problem offenders. The Act should allow cities to charge substantial re-inspection fees to repeat offenders, in order to keep fees down for businesses that operate within the law.
- (6) Cost recovery has a down side. Costs can fluctuate from year to year, causing wild fluctuations in licence fees. There will be more complaints from businesses about swings in licence fees than there will ever be over measured increases in fees. Municipalities ought to be able to charge a specified amount above cost recovery, in order to establish fee equalization reserves that can be used to even out fluctuations in licence fees from year to year.
- (7) Before the Minister, by regulation, makes changes in the licensing regime, there should be some requirement to consult with the municipalities affected, or the Association of Municipalities of Ontario if all municipalities are affected.
- (8) Licensing powers are granted under only three categories:
 - (a) health and safety;
 - (b) nuisance control; and

- (c) consumer protection.

These categories are not broad enough to cover all of those situations for which municipalities presently and legitimately license. For instance, many municipalities license Transient Traders. This licence cannot fit into any of the three categories. In fact, transient trades benefit the consumer but they certainly are not fair to local businesses that pay taxes and participate in the life of a community.

Other categories that might be considered are:

- (a) to ensure the orderly conduct of business; or
- (b) to protect businesses from unfair competition.

- (9) The power to inspect, for municipal inspectors, is severely limited. Unlike the powers granted under the Planning Act and the Building Code Act, property standards inspectors are not permitted entry into a dwelling without consent of a search warrant.

The new Municipal Act should be amended to authorize a single, uniform right-of-entry provision for all regulatory offences, similar to that in place under the Planning Act and the Building Code Act.

- (10) The new Municipal Act should be amended to provide that, if a municipality enacts a by-law concerning parking on private property, the common law right of removal of a vehicle from private property is no longer in force.
- (11) Specific authority with respect to street vending appears to have been removed from the Municipal Act. Re-introduce this Section or expand Section 63 which reads “Impounding of Vehicles”.

Additional Recommendations (not necessarily related to the Municipal Act):

- (12) The Courts should be allowed to apply heavier penalties, in the case of repeat or multiple offences.
- (13) The Province should appoint more Justices of the Peace, in

areas where shortages are causing offences to be withdrawn. Last year, 22,000 cases in the Toronto Courts had to be dropped because there were insufficient Justices of the Peace to hear these cases within a reasonable period of time.

- (14) The Province should develop a system that would allow retired Justices of the Peace to work on a per diem basis.';

- (d) the following paragraph, as embodied in the report dated October 24, 2001, from the Acting Chief Administrative Officer, be referred to the Chief Administrative Officer for the submission of a more detailed report thereon to the Policy and Finance Committee:
 - ‘(o) Section 283 give municipalities the option of retaining the one-third tax exemption for the remuneration paid to Council Members. If a municipality passes a Resolution, prior to January 1, 2003, stating its intention that one third of the remuneration paid to members of Council shall continue as expenses, the Resolution is deemed to be a by-law on January 1, 2003. Such a by-law must be reviewed at a public meeting at least once every three years. If no such resolution is passed, and no by-law is deemed enacted, then no part of the remuneration of Council Members is deemed expenses that are exempt from income tax.’;
- (e) the Chief Administrative Officer be directed to officially request a meeting with the Minister of Municipal Affairs and Housing, specifically to discuss other issues of concern to the City of Toronto with respect to the new Ontario Municipal Act; and
- (f) the matter of sending a delegation comprised of Members of Council to meet with the Minister of Municipal Affairs and Housing be referred to the Office of the Mayor for consideration.”

9.25 **Clause No. 8 of Report No. 14 of The Policy and Finance Committee, headed “Province of Ontario’s Bill 56, Brownfields Statute Law Amendment Act, 2001”.**

Motion:

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

“It is further recommended that the Chief Administrative Officer and Acting Chief Financial Officer, the Acting Treasurer and the Commissioner of Urban Development Services be requested to submit a joint report to the Policy and Finance Committee on the feasibility of implementing a system similar to the ‘Erase Plan’ developed and used by the City of Hamilton.”

Votes:

The motion by Councillor Pitfield carried.

The Clause, as amended, carried.

9.26 **Clause No. 10 of Report No. 14 of The Policy and Finance Committee, headed “2001 Levy on Railway Roadways or Rights-of-Ways and on Power Utility Transmission or Distribution Corridors”.**

Motion:

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

“It is further recommended that City Council again request the Municipal Property Assessment Corporation (MPAC) to abstract the area of one metre on each side of a fibre optic cable installation and assess it at commercial or industrial rates.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.27 **Clause No. 11 of Report No. 14 of The Policy and Finance Committee, headed “Assessment of Railway Corridors, Lands Leased to Telecommunication Companies”.**

Motion:

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

“It is further recommended that City Council request that the Province of Ontario amend the Assessment Act as follows:

- (1) to require that railway companies provide the Province with a statement of acreage of all lands that are utilized for telecommunications infrastructure to a width of one metre on either side of the cable installation; and
- (2) that the value of such lands and the assessment for property tax purposes be determined on a commercial or industrial basis.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.28 **Clause No. 1 of Report No. 15 of The Administration Committee, headed “Municipal Elections Act, 1996 - Amendments and Election 2000 Report”.**

Motions:

(a) Councillor Hall moved that the Clause be amended by:

(1) adding thereto the following:

“It is further recommended that the City Clerk be requested to address in her forthcoming report to the Administration Committee on the issue of mail ballots, the question of whether it is or is not feasible to actually implement the use of mail ballots for the next City of Toronto Municipal Election.”; and

(2) adding the following new Part (iii) to Recommendation No. (3) of the Administration Committee:

“(iii) to require the City Clerk to have voters prove that they meet citizenship and residency requirements.”

(b) Councillor Moscoe moved that the Clause be amended to provide that the following action of the Administration Committee be rescinded:

“The Administration Committee reports, for the information of Council, having:

(1) requested the City Clerk to submit a report to the Administration Committee on how the City of Toronto might allow the use of mail ballots during the next Municipal election;”.

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

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on the outreach program the City of Toronto undertook with regard to apartment buildings.”

Votes:

Motion (b) by Councillor Moscoe carried.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (1) of motion (a) by Councillor Hall, redundant.

Part (2) of motion (a) by Councillor Hall carried.

Motion (c) by Councillor Minnan-Wong carried.

Adoption of Recommendation No. (3)(i) of the Administration Committee, as embodied in the Clause:

Yes - 3 Councillors: Hall, Holyday, Nunziata
No - 21 Councillors: Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Jones, Kelly, Lindsay Luby, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Walker

Lost by a majority of 18.

Adoption of Recommendation No. (1) of the Administration Committee, as embodied in the Clause:

Yes - 16 Councillors: Altobello, Balkissoon, Cho, Duguid, Feldman, Flint, Hall, Holyday, Jones, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes
No - 9 Councillors: Ashton, Bussin, Chow, Di Giorgio, McConnell, Miller, Pantalone, Pitfield, Walker

Carried by a majority of 7.

The balance of the Clause, as amended, carried.

In summary, Council amended the Clause:

- (1) by deleting Recommendation No. (3)(i) of the Administration Committee, having regard that the vote to adopt such Recommendation lost, viz.:

“(3) the Province of Ontario be requested to amend the Municipal Elections Act, 1996:

- (i) to cap the amount of money that a candidate may raise with respect to his/her election campaign;”;
- (2) by adding the following new Part (iii) to Recommendation No. (3) of the Administration Committee:

“(iii) to require the City Clerk to have voters prove that they meet citizenship and residency requirements.”;

- (3) to provide that the following action of the Administration Committee be rescinded:

“The Administration Committee reports, for the information of Council, having:

- (1) requested the City Clerk to submit a report to the Administration Committee on how the City of Toronto might allow the use of mail ballots during the next Municipal election;”;

- (4) by adding thereto the following:

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on the outreach program the City of Toronto undertook with regard to apartment buildings.”

9.29 Clause No. 1 of Report No. 13 of The Policy and Finance Committee, headed “Toronto Police Service - Annual Report 2000”.

Motion:

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

“It is further recommended that the Toronto Police Services Board and the Chief of Police be requested to reconsider the strategic decision to deploy officers away from community response foot and bike patrol on to primary response, thus leading to a deterioration in police presence on the street and an erosion of preventative community policing, and to submit a report to the Community Services Committee, by January 2002, in response to this request.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 9.30 **Clause No. 13 of Report No. 9 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code, Wittington Properties Limited 7, 9 and 11 Burnhamthorpe Crescent File No. CMB 2001 0005 (Ward 5 - Etobicoke-Lakeshore)”.**

Motion:

Councillor Jones moved that the Clause be amended by inserting in Recommendation No. (4) embodied in the report dated October 3, 2001, from the Director, Community Planning, West District, after the words “public benefits”, the words “such as the possibility of playground equipment for a local park”, so that such recommendation shall now read as follows:

- “(4) before introducing the necessary Bills to City Council for enactment, the owner enter into a Section 37 Agreement with the City regarding the provision of public benefits, such as the possibility of playground equipment for a local park, in exchange for the increase in permitted building density on the property as set out in this report and that the Commissioner of Urban Development Services be authorized to report directly to City Council or Community Council if necessary with the details of the Section 37 Agreement.”

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

- 9.31 **Clause No. 18 of Report No. 16 of The Administration Committee, headed “Recipients - 2001 City of Toronto Constance E. Hamilton Award”.**

Motion:

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

- “It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the next meeting of the Administration Committee respecting the restoration of the Civic Award of Merit, such report to also take into consideration the awards given by the former municipalities prior to amalgamation.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

9.32 **Clause No. 16 of Report No. 12 of The Community Services Committee, headed “Cost of Implementing the Ontario Pay Equity Act”.**

Motion:

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

“It is further recommended that:

- (a) the report dated October 29, 2001, from the Acting Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the City of Toronto request the Association of Municipalities of Ontario to seek intervenor status in the Charter Challenge lodged by the Equal Pay Coalition;
 - (2) the City support, in principle, the Charter Challenge launched by the Pay Equity Coalition and request the City Solicitor to report on the City of Toronto’s legal interest in this case; and
 - (3) the appropriate City officials take the necessary action to give effect thereto.’; and
- (b) the report requested from the City Solicitor in Recommendation No. (2), above, be submitted to the Community Services Committee for its meeting scheduled to be held on November 15, 2001.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

9.33 **Clause No. 1 of Report No. 14 of The Policy and Finance Committee, headed “Alternative Service Delivery (ASD) - Policy and Framework”.**

Motion:

Councillor McConnell, at 10:25 a.m. on November 7, 2001, moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to

consider matters of a confidential nature related to this Clause pertaining to labour negotiations.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that labour negotiations were not part of the matter before Council, ruled the motion by Councillor McConnell, out of order.

Councillor McConnell challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 24	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner
No - 12	
Councillors:	Ashton, Bussin, Chow, Jones, Layton, McConnell, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 12.

Extension to Question:

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

Yes - 19	
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Di Giorgio, Filion, Ford, Johnston, Jones, Korwin-Kuczynski, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Sutherland, Walker
No - 13	
Mayor:	Lastman
Councillors:	Cho, Disero, Duguid, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Shiner

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

Motions:

- (a) Councillor Moscoe moved that the Clause be amended:
- (1) to provide that the membership of the Council Reference Group on Alternative Service Delivery be increased by one member and that Councillor Miller be appointed to the Council Reference Group on ASD; and
 - (2) by adding thereto the following:

“It is further recommended that:
 - (a) all meetings of the Council Reference Group on ASD be scheduled and all Members of Council and the public be provided with the schedule and the agendas for such meetings in the same manner as Standing Committees; and
 - (b) the Chief Administrative Officer be requested to include in the ASD policy framework, strict limits or prohibitions against the use of lobbyists to secure contracts.”

Councillor Disero in the Chair.

- (b) Councillor Jones moved that the Clause be amended by striking out the recommendations of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that the report dated October 23, 2001, from the Acting Chief Administrative Officer, be adopted, subject to:
 - (1) amending Recommendation No. (2) embodied therein by striking out the words ‘a Council Reference Group consisting of the Standing Committee Chairs, Chair of the Budget Advisory Committee and two members of the Policy and Finance Committee be established to provide guidance and advice’, and inserting in lieu thereof the words ‘each Standing Committee, in accordance with their mandate, provide guidance and advice’, so that such recommendation shall now read as follows:
 - ‘(2) each Standing Committee, in accordance with their mandate, provide guidance and advice to the Acting Chief Administrative Officer on on-going consultations with the respective union representatives and other critical issues relating to ASD;’; and

(2) deleting the following Recommendation No. (3):

‘(3) the Council Reference Group report early in 2002 on the list of candidate programs for consideration as well as the timelines and processes needed for implementation;’.”

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

“It is further recommended that:

(1) the Chief Administrative Officer be requested to provide all Councillors with the following information:

(a) identification of the staff team that will conduct the systemic review of City services;

(b) a clear work plan and the time line for this staff team and the ASD Council Reference Group;

(c) an analysis of the number of staff that are used in the Information Technology and Finance areas that are now provided by consultants;

(d) an analysis of the consultants that are now used in various capital projects that can be reduced and/or provided in an alternative manner; and

(e) the possibility of establishing a multi-year contract for voluntary sectors that are providing services to the City of Toronto; and

(2) a principle be established that will provide equal payment and terms, to both private and non-profit sectors, when providing services of the same value, with similar duration of contracts for contracted services.”

(d) Councillor Miller moved that the Clause be amended:

(1) by amending the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause:

(a) by deleting from Item No. (3), under the heading “Management Tools Required”, all of the words after the first occurrence of the words “private sector”, so that such Item shall now read as follows:

- “(3) better process for dealing with the private sector;”;
- (b) by inserting at the beginning of Item No. (6)(c), under the heading “Candidate Selection Criteria”, the words “easily measurable and enforceable”, so that such Item shall now read as follows:
- “(c) easily measurable and enforceable performance criteria can be defined for the delivery of the service.”; and
- (c) by amending Appendix 5, entitled “ASD Process Guidelines”, to provide that the cost benefit analysis to assess the financial and economic costs and benefits of service delivery alternatives include an analysis of the risks and costs of accountability and enforcement of City of Toronto standards;
- (2) to provide that:
- (a) the Chief Administrative Officer develop a framework for the analysis of direct delivery options for services currently contracted;
- (b) no ASD initiatives be undertaken until the benchmarking and cost data discussed under the heading “Management Tools Required” become available; and
- (c) any analysis of ASD options include a thorough written analysis of all public policy impacts; and
- (3) by adding thereto the following:
- “It is further recommended that:
- (a) prior to assessing ASD options for a directly-delivered service, the Chief Administrative Officer and relevant Commissioners lead a staff process, including the involvement of bargaining agents and employee associations, to determine what innovations in direct service delivery can be achieved, including an analysis of the best practices of other cities;
- (b) the Chief Administrative Officer be requested to:
- (i) develop a protocol respecting lobbyists; and

- (ii) develop specific measures to assess accountability and enforcement of service, safety and maintenance standards; and
- (c) the Chief Administrative Officer and the City Auditor be requested to submit a report to the Policy and Finance Committee on specific measures to address the potential for corruption in the award of contracts to the private sector, based on lessons learned both from the experiences of the City of Toronto that are currently the subject of Audit reports and from other jurisdictions.”
- (e) Councillor Walker moved that the Clause, together with all motions moved by Members of Council in this regard, be struck out and referred back to the Policy and Finance Committee for further consideration and the hearing of depositions.

Vote on Referral:

Adoption of motion (e) by Councillor Walker:

Yes - 13	
Councillors:	Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Walker
No - 24	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland

Lost by a majority of 11.

Motions:

- (f) Councillor Shiner moved that all motions moved by Members of Council be referred to the Council Reference Group on Alternative Service Delivery (ASD) for further consideration and recommendation to Council, through the Policy and Finance Committee.
- (g) Councillor Cho moved that the Clause be amended:
 - (1) by expanding the membership on the Council Reference Group to include:
 - (a) two representatives from the business community; and

- (b) two representatives from the Canadian Union of Public Employees;
and
- (2) to provide that:
 - (a) consultants not be hired to undertake any portion of the ASD Review;
and
 - (b) Water and Wastewater Services be excluded from the ASD Review.

Councillor Disero in the Chair.

Deputy Mayor Ootes in the Chair.

- (h) Councillor Layton moved that the Clause be amended by amending the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause, by:
 - (1) inserting in Recommendation No. (1), after the words “candidate programs”, the words “for options analysis”, so that such recommendation shall now read as follows:
 - “(1) the Alternative Service Delivery policy framework outlined in this report (which includes criteria for selection of ASD candidate programs for options analysis, procedures, and processes) be adopted;”;
 - (2) adding to Recommendation No. (3) the words “of the options analysis”, so that such recommendation shall now read as follows:
 - “(3) the Council Reference Group report early in 2002 on the list of candidate programs for consideration as well as the timelines and processes needed for implementation of the options analysis;”.
- (i) Councillor Bussin moved that:
 - (1) motion (f) by Councillor Shiner be amended:
 - (a) to provide that only Parts (2)(b) and (3)(b)(ii) of motion (d) by Councillor Miller be referred to the Council Reference Group; and

- (b) by adding thereto the words “such report to be submitted to the Policy and Finance Committee for its meeting scheduled to be held in December 2001”; and
- (2) the Clause be amended by adding thereto the following:

“It is further recommended that Police, Fire and Ambulance Services be included in the ASD Review.”
- (j) Councillor Mihevc moved that the Clause be amended to provide that the definition of the ASD options be expanded by adding the option of bringing in currently contracted-out services.

Permission to Amend Motion:

Councillor Miller, with the permission of Council, amended Parts (2)(a), (3)(a) and (3)(b)(i) of his motion (d) to read as follows:

- “(2)(a) the Chief Administrative Officer ensure that the framework includes the explicit analysis of direct delivery options for services currently contracted;”.
- “(3)(a) prior to proceeding with ASD options, the Chief Administrative Officer and relevant Commissioners review innovations in direct service delivery, in consultation with City of Toronto employees and their associations;”.
- “(3)(b) the Chief Administrative Officer be requested to:
 - (i) develop a protocol respecting the interaction of lobbyists with staff;”.

Permission to Withdraw Motion:

Councillor Cho, with the permission of Council, withdrew Part (2)(b) of his motion (g), viz.:

- “(2)(b) Water and Wastewater Services be excluded from the ASD Review.”

Ruling by Deputy Mayor:

Councillor Moscoe requested Deputy Mayor Ootes to rule on whether motion (f) by Councillor Shiner was in order.

Deputy Mayor Ootes, having regard to the nature of motion (f) by Councillor Shiner, ruled such motion in order.

Mayor Lastman challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 25	Councillors: Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lastman, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 17	Councillors: Ashton, Augimeri, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 8.

Votes:

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

Yes - 18	Councillors: Augimeri, Bussin, Cho, Chow, Filion, Hall, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Walker
No - 24	Mayor: Lastman Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Shaw, Shiner, Sutherland

Lost by a majority of 6.

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

Yes - 18	Councillors: Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24	Mayor: Lastman Councillors: Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland

Lost by a majority of 6.

Adoption of motion (f) by Councillor Shiner, without amendment:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 17	
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 8.

Adoption of Clause, as amended:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 16	
Councillors:	Augimeri, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 10.

Councillor Moscoe requested that his opposition to this Clause, as amended, be noted in the Minutes of this meeting, and having regard that Councillor Moscoe remained in his seat and refused to vote, in accordance with Chapter 27, "Council Procedures", of the City of Toronto Municipal Code, he was recorded as having voted in the negative.

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

"It is further recommended that the following motions be referred to the Council Reference Group on Alternative Service Delivery (ASD) for further consideration and recommendation to Council, through the Policy and Finance Committee:

Moved by Councillor Bussin:

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

“It is further recommended that Police, Fire and Ambulance Services be included in the ASD Review.” ’

Moved by Councillor Cho:

‘That the Clause be amended:

- (1) by expanding the membership on the Council Reference Group to include:
 - (a) two representatives from the business community; and
 - (b) two representatives from the Canadian Union of Public Employees; and
- (2) to provide that consultants not be hired to undertake any portion of the ASD Review.’

Moved by Councillor Chow:

‘It is further recommended that:

- (1) the Chief Administrative Officer be requested to provide all Councillors with the following information:
 - (a) identification of the staff team that will conduct the systemic review of City services;
 - (b) a clear work plan and the time line for this staff team and the ASD Council Reference Group;
 - (c) an analysis of the number of staff that are used in the Information Technology and Finance areas that are now provided by consultants;
 - (d) an analysis of the consultants that are now used in various capital projects that can be reduced and/or provided in an alternative manner; and
 - (e) the possibility of establishing a multi-year contract for voluntary sectors that are providing services to the City

of Toronto; and

- (2) a principle be established that will provide equal payment and terms, to both private and non-profit sectors, when providing services of the same value, with similar duration of contracts for contracted services.'

Moved by Councillor Jones:

'That the Clause be amended by striking out the recommendations of the Policy and Finance Committee and inserting in lieu thereof the following:

"It is recommended that the report dated October 23, 2001, from the Acting Chief Administrative Officer, be adopted, subject to:

- (1) amending Recommendation No. (2) embodied therein by striking out the words 'a Council Reference Group consisting of the Standing Committee Chairs, Chair of the Budget Advisory Committee and two members of the Policy and Finance Committee be established to provide guidance and advice", and inserting in lieu thereof the words "each Standing Committee, in accordance with their mandate, provide guidance and advice", so that such recommendation shall now read as follows:

'(2) each Standing Committee, in accordance with their mandate, provide guidance and advice to the Acting Chief Administrative Officer on on-going consultations with the respective union representatives and other critical issues relating to ASD;'; and

- (2) deleting the following Recommendation No. (3):

'(3) the Council Reference Group report early in 2002 on the list of candidate programs for consideration as well as the timelines and processes needed for implementation;'. "

Moved by Councillor Layton:

‘That the Clause be amended by amending the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause, by:

- (1) inserting in Recommendation No. (1), after the words “candidate programs”, the words “for options analysis”, so that such recommendation shall now read as follows:

“(1) the Alternative Service Delivery policy framework outlined in this report (which includes criteria for selection of ASD candidate programs for options analysis, procedures, and processes) be adopted;”;

- (2) adding to Recommendation No. (3) the words “of the options analysis”, so that such recommendation shall now read as follows:

“(3) the Council Reference Group report early in 2002 on the list of candidate programs for consideration as well as the timelines and processes needed for implementation of the options analysis;”.

Moved by Councillor Mihevc:

‘That the Clause be amended to provide that the definition of the ASD options be expanded by adding the option of bringing in currently contracted-out services.’

Moved by Councillor Miller:

‘That the Clause be amended:

- (1) by amending the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause:
 - (a) by deleting from Item No. (3), under the heading “Management Tools Required”, all of the words after the first occurrence of the words “private sector”, so

that such Item shall now read as follows:

“(3) better process for dealing with the private sector;”;

- (b) by inserting at the beginning of Item No. (6)(c), under the heading “Candidate Selection Criteria”, the words “easily measurable and enforceable”, so that such Item shall now read as follows:

“(c) easily measurable and enforceable performance criteria can be defined for the delivery of the service.”; and

- (c) by amending Appendix 5, entitled “ASD Process Guidelines”, to provide that the cost benefit analysis to assess the financial and economic costs and benefits of service delivery alternatives include an analysis of the risks and costs of accountability and enforcement of City of Toronto standards;

- (2) to provide that:

- (a) the Chief Administrative Officer ensure that the framework includes the explicit analysis of direct delivery options for services currently contracted;
- (b) no ASD initiatives be undertaken until the benchmarking and cost data discussed under the heading “Management Tools Required” become available; and
- (c) any analysis of ASD options include a thorough written analysis of all public policy impacts; and

- (3) by adding thereto the following:

“It is further recommended that:

- (a) prior to proceeding with ASD options, the Chief Administrative Officer and relevant Commissioners review innovations in direct service delivery, in consultation with City of Toronto employees and their

associations;

(b) the Chief Administrative Officer be requested to:

(i) develop a protocol respecting the interaction of lobbyists with staff; and

(ii) develop specific measures to assess accountability and enforcement of service, safety and maintenance standards; and

(c) the Chief Administrative Officer and the City Auditor be requested to submit a report to the Policy and Finance Committee on specific measures to address the potential for corruption in the award of contracts to the private sector, based on lessons learned both from the experiences of the City of Toronto that are currently the subject of Audit reports and from other jurisdictions.” ’

Moved by Councillor Moscoe:

‘That the Clause be amended:

(1) to provide that the membership of the Council Reference Group on Alternative Service Delivery be increased by one member and that Councillor Miller be appointed to the Council Reference Group on ASD; and

(2) by adding thereto the following:

“It is further recommended that:

(a) all meetings of the Council Reference Group on ASD be scheduled and all Members of Council and the public be provided with the schedule and the agendas for such meetings in the same manner as Standing Committees; and

(b) the Chief Administrative Officer be requested to include in the ASD policy framework, strict limits or prohibitions against the use of lobbyists to secure contracts.” ’ ”

9.34 **Clause No. 23 of Report No. 8 of The Midtown Community Council, headed “Final Report - Application to Amend the Official Plan and Zoning By-law No. 438-86 - 319 Merton Street (St. Paul’s - Ward 22)”.**

Motion:

Councillor Mihevc moved that the Clause be amended by deleting the following words from Recommendation No. (1) of the Midtown Community Council:

“subject to amending the draft Zoning By-law Amendment, attached as Appendix C, by amending 1(6) to read:

‘259 parking spaces be provided in accordance with section 4(4)(b) of the Zoning By-law’;”

so that Recommendation No. (1) of the Midtown Community Council shall now read as follows:

“The Midtown Community Council recommends:

- (1) adoption of the report (October 5, 2001) from the Director, Community Planning, South District; and”.

Votes:

Adoption of motion by Councillor Mihevc:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Johnston, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Ootes, Pantalone, Rae, Silva, Walker
No - 4	
Councillors:	Flint, Kelly, Shaw, Sutherland

Carried by a majority of 23.

The Clause, as amended, carried.

Councillor Flint requested that her opposition to the adoption of the Clause, as amended, be also noted in the Minutes of this meeting.

9.35 **Clause No. 13 of Report No. 14 of The Policy and Finance Committee, headed “Purchase of Electricity”.**

Motion:

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

“It is further recommended that:

- (1) all staff be directed to meet green energy targets for fiscal 2002 through the reduction in demand for electricity; and
- (2) for fiscal 2003 and subsequent years, all staff be directed to identify the cost of green energy to be purchased in their overall budgeted energy costs.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

9.36 **Clause No. 7 of Report No. 12 of The Community Services Committee, headed “Construction of a New Home for the Aged, Burnhamthorpe Road and The West Mall - Tender Call No. 212-2001, Ward 3 - Etobicoke Centre”.**

Motion:

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

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be directed to review the tender submission for items priced separately to determine if further savings are possible and ensure that funding for the project can be accommodated within the approved Capital budget envelope for the department.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

9.37 Clause No. 3 of Report No. 14 of The Policy and Finance Committee, headed “Water and Wastewater Rate Increase and Financing Options for the 2002-2006 Capital Projects of the Water and Wastewater Program and Water and Wastewater Services Long-Term Sewer and Watermain Infrastructure Renewal Needs”.

Motion:

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

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

- (1) submit a report to the Works Committee, within 60 days, on a long-term water contract for the supply of water to York Region; and
- (2) submit a report to the Works Committee on the processes used in billing residential, commercial and industrial properties for water, with a view to eliminating the extraordinarily high billings for commercial properties at the end of the ‘equal billing’ season and harmonizing a process.”

Votes:

The motion by Councillor Disero carried.

Adoption of Clause, as amended:

Yes - 24	
Councillors:	Balkissoon, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Ootes, Pitfield, Rae, Shiner, Sutherland
No - 7	
Councillors:	Altobello, Ashton, Augimeri, Holyday, Johnston, Minnan-Wong, Walker

Carried by a majority of 17.

9.38 **Clause No. 1 of Report No. 12 of The Planning and Transportation Committee, headed “Development of a Formula to Determine the Number of Ambassador Taxi Licences to be Issued”.**

Motion:

Councillor Shiner moved that the Clause be amended in accordance with the report dated October 23, 2001, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that Council endorse the workplan, as amended, and as set out in the report.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

9.39 **Clause No. 21 of Report No. 8 of The Toronto East York Community Council, headed “Sale of 566 Palmerston Avenue (Trinity-Spadina, Ward 20)”.**

Motion:

Councillor Shiner moved that the Clause be amended by:

- (1) deleting from the recommendation of the Toronto East York Community Council, all of the words after the words “Corporate Services”, so that such recommendation shall now read as follows:

“The Toronto East York Community Council recommends the adoption of the following report (October 9, 2001) from the Commissioner of Corporate Services:”; and

- (2) adding thereto the following:

“It is further recommended that the Community and Neighbourhood Services Let’s Build Program 2002 budget submission include the balance of the funds available in the Let’s Build Program, the 2002 requests for this Program and the recommended source of funding.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 9.40 **Clause No. 46 of Report No. 8 of The Toronto East York Community Council, headed “Surplus Land Declaration and Proposed Closing and Conveyancing of Portion of Public Lane – extending easterly from Brant Street, south of Adelaide Street West, abutting Premises Nos. 19 and 23 Brant Street (Trinity-Spadina, Ward 20)”.**

Motion:

Councillor Shiner moved that the Clause be amended by:

- (1) deleting Recommendation No. (2) of the Toronto East York Community Council, so that the recommendation of the Toronto East York Community Council shall now read as follows:

“The Toronto East York Community Council recommends that the following joint report (October 1, 2001) from the Commissioner of Works and Emergency Services and Commissioner of Corporate Services, be adopted.”; and

- (2) adding thereto the following:

“It is further recommended that the Community and Neighbourhood Services Let’s Build Program 2002 budget submission include the balance of the funds available in the Let’s Build Program, the 2002 requests for this Program and the recommended source of funding.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

- 9.41 **Clause No. 3 of Report No. 11 of The Planning and Transportation Committee, headed “Parc Downsview Park Inc. Operating Protocol Agreement File UD03 PDP (Ward 9 - York Centre)”.**

Motions:

- (a) Councillor Moscoe, seconded by Councillor Feldman, moved that the Clause be amended by striking out the recommendation of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

‘**WHEREAS** the Government of Canada, in the spirit of co-operation between various levels of government, fully participated with the City of Toronto in the planning process which culminated in creation of the Downsview Lands Secondary Plan (OPA 464); and

WHEREAS the Government of Canada, through the Department of National Defence (DND), subsequently constructed a new Armoury Building on lands within the Downsview Lands Secondary Plan, without reference to the existing City of Toronto building permit process; and

WHEREAS Parc Downsview Park (PDP), a federal crown agency with a 999-year lease of the Downsview Lands, proposes to develop the lands in a manner other than that established through OPA 464, and is already permitting uses of the lands within the Downsview Lands Secondary Plan not contemplated by OPA 464; and

WHEREAS PDP now wishes to establish a different relationship with the City of Toronto in respect of land use and development, servicing and operating and maintenance of the lands within the Downsview Lands Secondary Plan; and

WHEREAS it is critical at this juncture to determine, to the satisfaction of the City of Toronto, the issues raised by PDP, including land use and development, servicing and operating and maintenance of the lands within the Downsview Lands Secondary Plan;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council establish an ad hoc PDP Operating Protocol Committee to address issues relating to the lands within the Downsview Lands Secondary Plan, including land use and development, servicing and operating and maintenance of the lands within the Downsview Lands Secondary Plan;
- (2) the PDP Operating Protocol Committee be comprised of Councillors Augimeri, Feldman, Li Preti and Moscoe;
- (3) the PDP Operating Protocol Committee be directed to meet with the PDP Board of Directors;

- (4) the Commissioners of Urban Development Services and Works and Emergency Services be directed to report jointly on the measures available to the City to encourage compliance by PDP and DND with OPA 464, with respect to development of the Downsview Lands (including the DND lands) within the area of the Secondary Plan;
 - (5) the Acting Chief Financial Officer and Acting Treasurer be directed to report on all payments made by PDP and the DND as cash-in-lieu payments, including any payments made in connection with construction of the new Armoury Building located on the DND lands;
 - (6) the Commissioner of Works and Emergency Services be directed to report:
 - (a) on the mechanisms by which the new road located within the Downsview Lands Secondary Plan was created and to review and provide a safety analysis of the road design; and
 - (b) on the necessity of continuing to maintain the current traffic intersection signals located at Yukon Lane and Sheppard Avenue West in their present configuration;
 - (7) any future request from PDP or DND for any municipal services, approvals or consents (including applications for municipal consent to the issuance of a liquor licence) be directed to the PDP Operating Protocol Committee for review; and
 - (8) the recommendations contained in the joint report dated July 31, 2001, from the Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services and the City Solicitor, be deferred.’ ”
- (b) Councillor Augimeri moved that motion (a) by Councillor Moscoe, seconded by Councillor Feldman, be amended by adding thereto the following:
- “(9) all reports requested be submitted to the Economic Development and Parks Committee and the Planning and Transportation Committee.”.

Votes:

Motion (b) by Councillor Augimeri, moved by Councillor Moscoe in the absence of Councillor Augimeri, carried unanimously.

Motion (a) by Councillor Moscoe, seconded by Councillor Feldman, as amended, carried unanimously.

The Clause, as amended, carried.

9.42 **Clause No. 3 of Report No. 15 of The Works Committee, headed “510 Spadina Streetcar: Closure of Unsafe Unsignalized Opening at Baldwin Street”.**

Motions:

(a) Councillor Ashton moved that the Clause be amended by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Toronto City Council approve the immediate installation of an interim barrier at Baldwin Street, and the construction of a permanent barrier at this location, as has been done at every other unsignalized intersection on Spadina Avenue, as quickly as possible;
- (2) Transportation Services staff be directed to immediately prepare the necessary by-laws to give effect to these changes; and
- (3) authority be granted for the introduction of the necessary Bills in Council to give effect thereto.”

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

“It is further recommended that Transportation Services staff be directed to erect improved signage to ensure that northbound vehicles clearly understand that the turn-around lane north of Baldwin Street is the indirect entrance to the Kensington Market.”

Votes:

Adoption of motion (a) by Councillor Ashton:

Yes - 25	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Di Giorgio, Disero, Duguid, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Li Preti, McConnell, Milczyn, Moeser, Nunziata, Ootes, Pantalone, Shaw, Shiner, Silva
No - 7	
Councillors:	Chow, Layton, Miller, Moscoe, Pitfield, Rae, Walker

Carried by a majority of 18.

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, carried.

In summary, Council amended this Clause by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Toronto City Council approve the immediate installation of an interim barrier at Baldwin Street, and the construction of a permanent barrier at this location, as has been done at every other unsignalized intersection on Spadina Avenue, as quickly as possible;
- (2) Transportation Services staff be directed to:
 - (a) immediately prepare the necessary by-laws to give effect to these changes; and
 - (b) erect improved signage to ensure that northbound vehicles clearly understand that the turn-around lane north of Baldwin Street is the indirect entrance to the Kensington Market; and
- (3) authority be granted for the introduction of the necessary Bills in Council to give effect thereto.”

9.43 **Clause No. 7 of Report No. 16 of The Administration Committee, headed “Toronto Public Library, Surplus Property, 610 Jane Street (Ward 13 - Parkdale-High Park)”.**

Motion:

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

“It is further recommended that staff be directed to include in the Financial Implications and Impact section of all future reports, when requests are being made for the use of property owned by the City of Toronto or its agencies, boards and commissions for program purposes, the value of the property and all other costs, including in-kind costs, in order that City Council, having all information, can assess the merits of the requested utilization.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

9.44 **Clause No. 24 of Report No. 14 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (g), entitled “Request for Public Inquiry – Anthony (Dudley) George”, embodied therein, back to the Policy and Finance Committee for further consideration.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

9.45 **Clause No. 7 of Report No. 12 of The Planning and Transportation Committee, headed “Oak Ridges Moraine - Response to Province of Ontario’s Draft Strategy”.**

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by striking out the recommendations of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the supplementary report dated October 24, 2001, from the Commissioner of Urban Development Services, be received; and
- (2) the Minister of Municipal Affairs and Housing be congratulated on his bold initiative to protect the Oak Ridges Moraine.”

- (b) Councillor Miller moved that the Clause be amended by striking out the recommendations of the Planning and Transportation Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the City of Toronto’s position as set out in the communication dated November 7, 2001, to Members of Council, from the Oak Ridges Moraine Steering Committee, form the basis of the City’s response to Bill 122, in addition to any previous Council position, and the Chief

Administrative Officer be requested to forward a communication in this regard to the Minister of Municipal Affairs and Housing; and

- (2) the Oak Ridges Moraine Steering Committee be permitted to make representation to any legislative committee dealing with Bill 122.”

Votes:

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Miller carried.

The Clause, as amended, carried.

9.46 **Clause No. 6 of Report No. 14 of The Policy and Finance Committee, headed “Residential On-Street Permit Parking By-law”.**

Motion:

Councillor Disero moved that the Clause be amended in accordance with the report dated October 31, 2001, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) in order to accommodate an applicant for his/her first ‘high priority’, on-street parking permit (where on-site parking is not available) on a street or within an area that is wait-listed:
 - (a) a ‘low priority’ permit may be rescinded, based on reverse date of original issuance; and
 - (b) a ‘high priority’ permit of a multiple permit holder may be rescinded, starting with the holder of the highest number of permits, and then based on reverse date of original issuance; and
- (2) Policy and Finance Committee Clause No. 6 of Report No. 14 as amended by Recommendation No. (1), above, be adopted.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

9.47 **Clause No. 45 of Report No. 9 of The Humber York Community Council, headed “Removal of Crab Apple Trees on Summit Avenue (Davenport, Ward 17)”.**

Motion:

Councillor Pantalone moved that the Clause be struck out and referred to Councillor Pantalone, the City of Toronto’s Tree Advocate, and the Commissioner of Economic Development, Culture and Tourism for review and recommendation to a future meeting of Council, through the Economic Development and Parks Committee.

Vote:

The motion by Councillor Pantalone carried.

9.48 **Clause No. 30 of Report No. 8 of The Midtown Community Council, headed “Petro-Canada Retail Gasoline Outlet – Amended Remedial Action Plan - 1467 Bathurst Street (St. Paul’s - Ward 21)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Mihevc moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the Commissioner of Works and Emergency Services be requested to:
 - (a) develop a policy for approval by City Council, such policy to be centred around cost recovery of expenses through the issuance of licences related to the City of Toronto’s processing and managing of applications involving environmental contamination of public lands by private entities; and
 - (b) submit such policy to City Council, through the Works Committee, by the spring of 2002;
- (2) no licences or agreements for the Petro Canada site at St. Clair Avenue West and Bathurst Street be issued until the policy outlined in Recommendation No. (1) is adopted by City Council; and

- (3) the supplementary report dated November 5, 2001, from the Commissioner of Works and Emergency Services, be referred back to the Commissioner of Works and Emergency Services for resubmission at such time as the policy is adopted by City Council.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

9.49 **Clause No. 1 of Report No. 12 of The Community Services Committee, headed “Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 - Toronto-Danforth”.**

Motions:

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

“It is further recommended that Recommendation Nos. (1), (3), (4) and (5) embodied in the supplementary report dated November 6, 2001, from the Acting Commissioner of Community and Neighbourhood Services, be adopted, subject to amending Recommendation No. (4) to read as follows:

- ‘(4) staff from all relevant City departments and agencies actively work with the recommended proponent, Homes First Society, to resolve outstanding issues with regard to 525 Commissioners Street, including further evaluation of this project with respect to the proposed Central Waterfront Plan and the legal action brought by the Toronto Port Authority against the City.’,

so that such recommendations shall now read as follows:

‘It is recommended that:

- (1) Council request the recommended proponent, Homes First Society, to submit a modified proposal that enhances the development in their original proposal, and the Acting Commissioner of Community and Neighbourhood Services be delegated authority to negotiate with Homes First Society for this purpose, and report back to City Council at its meeting of December 4, 5 and 6, 2001, on the modified proposal, which:

- (a) demonstrates how more transitional units could be developed on the entire site for people with greater needs, including for people living on the Home Depot site;
 - (b) uses the built form of the transitional manufactured structures recommended in the original proposal from Homes First Society;
 - (c) identifies the capital funding being made available from non-public sector sources to help finance the modified proposal;
 - (d) details the additional capital funding required from the Transitional Housing Envelope of the Supporting Communities Partnership Initiative;
 - (e) details the projected operating funding necessary to adequately staff and resource the additional transitional housing for hard to house clients, including some people living on the Home Depot site, so long as the prospective tenants meet all eligibility and selection criteria of the Homes First Society;
 - (f) provides an accurate account of the number of people residing on the Home Depot site and a basic assessment of their housing and shelter needs;
 - (g) contains a plan to vacate the Home Depot site, including the phase out of all residential occupancies on the site, including the removal of Durakit structures and other temporary shelters such as tents or other homemade structures; and
 - (h) provides written concurrence and support for the modified proposal from the other short-listed proponent Home Aid Housing Corporation;
- (3) up to \$150,000.00 from the Provincial Off the Street, Into Shelter Homelessness Initiative funding be made available to one or more community-based organizations to help people living at the Home Depot site to find alternative and appropriate shelter and housing options, and the Acting Commissioner of Community and Neighbourhood Services be delegated authority to enter into service agreements with one or more community-based organizations for this purpose;
- (4) staff from all relevant City departments and agencies actively work with the recommended proponent, Homes First Society, to resolve

outstanding issues with regard to 525 Commissioners Street, including further evaluation of this project with respect to the proposed Central Waterfront Plan and the legal action brought by the Toronto Port Authority against the City; and

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

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

“It is further recommended that the Acting Commissioner of Community and Neighbourhood Services be requested to:

- (1) submit a report to the Community Services Committee, in six months, providing an update on the transitional housing; and
- (2) submit status reports to the Community Services Committee, on an annual basis, thereafter.”

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

“It is further recommended that:

- (1) the Acting Commissioner of Community and Neighbourhood Services and the Acting Chief Financial Officer be requested to submit a joint report to the Community Services Committee on all financial impacts and potential costs, including operating costs, opportunity costs and property taxes; and
- (2) any additional City financial responsibilities above those approved in the 2001 Budget be considered with the 2002 budget submission.”

Votes:

Adoption of motion (a) by Councillor Pantalone:

Yes - 28	Councillors: Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Flint, Ford, Hall, Jones, Kelly, Layton, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki
No - 5	Councillors: Altobello, Balkissoon, Korwin-Kuczynski, Ootes, Sutherland

Carried by a majority of 23.

Motion (b) by Councillor Moeser carried.

Motion (c) by Councillor Shiner carried.

Adoption of Clause, as amended:

Yes - 23	
Councillors:	Ashton, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Jones, Layton, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Rae, Shaw, Shiner, Silva
No - 10	
Councillors:	Altobello, Balkissoon, Filion, Ford, Kelly, Korwin-Kuczynski, Ootes, Pitfield, Soknacki, Sutherland

Carried by a majority of 13.

9.50 Clause No. 2 of Report No. 14 of The Policy and Finance Committee, headed “Proposed Water and Wastewater Utility Study”.

Extension to Question:

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

Yes - 24	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Chow, Di Giorgio, Filion, Flint, Ford, Jones, Layton, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shaw, Silva, Sutherland, Walker
No - 4	
Councillors:	Cho, Duguid, Holyday, Ootes

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

Motions:

- (a) Councillor Jones moved that the Clause be amended:
 - (1) to provide that:

- (a) notwithstanding any study, City Council declare its opposition to the privatization of the City of Toronto's water and wastewater system; and
 - (b) Council declare its opposition to the corporate ownership of all or part of the City of Toronto's water system; and
- (2) by adding thereto the following:

"It is further recommended that:

- (a) City Council reject the disastrous water utility model used in Walkerton and oppose the creation of a water utility in the City of Toronto;
 - (b) City Council not proceed with any arms-length water management models until the Walkerton Inquiry submits its final report, scheduled in March 2002, on the impact of these models on water safety;
 - (c) the City Solicitor be requested to submit a report to Council, through the Works Committee, on mechanisms for protecting the public water system from privatization;
 - (d) as part of the public consultation process, the study document be placed on the agenda of the January 2002 Community Council meetings; and
 - (e) the public be notified of the Community Council meetings through the community and ethnic newspapers."
- (b) Councillor Mihevc moved that the Clause be amended by adding thereto the following:

"It is further recommended that the Chief Administrative Officer be requested to:

- (1) evaluate each option related to water and wastewater, in terms of democratic control and public transparency; and
- (2) explore, among the models to be reviewed, a Water and Wastewater Department overseen by a Committee of Council."

Councillor Lindsay Luby in the Chair.

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

“It is further recommended that, in the event there is a recommendation to establish a Water/Wastewater Utility, the Chief Administrative Officer be directed to ensure that there is extensive discussion with Council regarding the Shareholder Direction, at the onset.”; or
 - (2) striking out the recommendations of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that, as an alternative to this proposal, a Sub-Committee of the Works Committee be established to deal directly with Water and Wastewater.”
- (d) Councillor Bussin moved that:
- (1) Part (2) of motion (c) by Councillor Moscoe be amended to provide that a Standing Committee of Council be established to deal with Water and Wastewater, and interested Members of Council who have a commitment to this issue be appointed to such Standing Committee; and
 - (2) the Clause be amended by adding thereto the following:

“It is further recommended that the Mayor request the Chief Administrative Officer to conduct a public poll to determine public opinion concerning the quality of delivery of water and wastewater services to the City of Toronto.”
- (e) Councillor Layton moved that the Clause be amended:
- (1) by amending Recommendation No. (1) embodied in the report dated October 23, 2001, from the Acting Chief Administrative Officer, as amended by the Policy and Finance Committee, by deleting the words “utility/corporation”, and inserting in lieu thereof the word “utility”, so that such recommendation shall now read as follows:

“(1) the Acting Chief Administrative Officer proceed with a study which assesses governance models, including status quo and enhancements thereto, for the creation of a publicly-owned water and wastewater utility, detailing implementation plans for the recommended model;”;

- (2) to provide that the membership of the work team include the Department of Public Health; and
- (3) by inserting in Recommendation No. (2)(d) embodied in the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause, the words “and energy”, prior to the word “issues”, so that such recommendation shall now read as follows:

“(2)(d) assessment of safety, security and environmental and energy issues;”.
- (f) Councillor Disero moved that the following motions be referred to the Commissioner of Works and Emergency Services for further consideration as part of the study:
 - (1) Part (1)(b) of motion (a) by Councillor Jones;
 - (2) Part (2)(a) of motion (a) by Councillor Jones;
 - (3) Part (2)(b) of motion (a) by Councillor Jones;
 - (4) Part (2)(d) of motion (a) by Councillor Jones;
 - (5) Part (2)(e) of motion (a) by Councillor Jones;
 - (6) Part (2) of motion (c) by Councillor Moscoe;
 - (7) Part (1) of motion (d) by Councillor Bussin;
 - (8) Part (2) of motion (d) by Councillor Bussin; and
 - (9) Part (1) of motion (e) by Councillor Layton.

Deputy Mayor Ootes in the Chair.

- (g) Councillor Moeser moved that the following motions be referred to the Commissioner of Works and Emergency Services for further consideration as part of the study:
 - (1) Part (1)(a) of motion (a) by Councillor Jones;
 - (2) Part (2)(c) of motion (a) by Councillor Jones;
 - (3) Part (1) of motion (b) by Councillor Mihevc;
 - (4) Part (2) of motion (b) by Councillor Mihevc;
 - (5) Part (1) of motion (c) by Councillor Moscoe;
 - (6) Part (2) of motion (e) by Councillor Layton; and
 - (7) Part (3) of motion (e) by Councillor Layton.

Votes:

Adoption of Part (7) of motion (f) by Councillor Disero:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 12	
Councillors:	Bussin, Chow, Johnston, Jones, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker

Carried by a majority of 17.

Adoption of Part (6) of motion (f) by Councillor Disero:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 12	
Councillors:	Bussin, Chow, Filion, Johnston, Jones, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 17.

Adoption of Part (9) of motion (f) by Councillor Disero:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 13	
Councillors:	Ashton, Bussin, Chow, Flint, Johnston, Jones, Layton, McConnell, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 15.

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

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 15	
Councillors:	Ashton, Bussin, Cho, Chow, Flint, Johnston, Jones, Layton, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 11.

Withdrawal of Motion:

Councillor Moeser, with the permission of Council, withdrew Part (6) of his motion (g).

Votes:

Part (2) of motion (e) by Councillor Layton carried, without amendment.

Withdrawal of Motion:

Councillor Moeser requested the permission of Council to withdraw Part (7) of his motion (g), the vote upon which was taken as follows:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Walker
No - 5	
Councillors:	Feldman, Flint, Minnan-Wong, Shiner, Sutherland

Carried by a majority of 30.

Votes:

Adoption of Part (3) of motion (e) by Councillor Layton:

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 4	
Councillors:	Flint, Kelly, Ootes, Sutherland

Carried by a majority of 33.

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

Yes - 16	
Councillors:	Ashton, Berardinetti, Di Giorgio, Feldman, Ford, Holyday, Kelly, Li Preti, Milczyn, Minnan-Wong, Moeser, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Walker

Lost by a majority of 9.

Adoption of Part (1)(a) of motion (a) by Councillor Jones, without amendment:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Sutherland, Walker
No - 7	

Councillors:	Di Giorgio, Ford, Holyday, Kelly, Li Preti, Pitfield, Soknacki
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Carried by a majority of 27.

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

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 14	
Councillors:	Bussin, Cho, Chow, Johnston, Jones, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 13.

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

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 16	
Councillors:	Ashton, Bussin, Cho, Chow, Flint, Johnston, Jones, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 9.

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

Yes - 20	
Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Ford, Holyday, Layton, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 21	
Mayor:	Lastman

Councillors:	Altobello, Bussin, Cho, Chow, Disero, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Rae, Silva, Walker
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Lost by a majority of 1.

Adoption of Part (2)(c) of motion (a) by Councillor Jones, without amendment:

Yes – 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Flint, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Walker
No – 8	
Councillors:	Duguid, Ford, Holyday, Kelly, Li Preti, Pitfield, Soknacki, Sutherland

Carried by a majority of 25.

Adoption of Part (4) of motion (f) by Councillor Disero:

Yes - 22	
Mayor:	Lastman
Councillors:	Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki
No - 19	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Rae, Shaw, Silva, Sutherland, Walker

Carried by a majority of 3.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (5) of motion (f) by Councillor Disero, and Part (2)(e) of motion (a) by Councillor Jones, redundant.

Withdrawal of Motion:

Councillor Moeser, with the permission of Council, withdrew Part (3) of his motion (g).

Votes:

Adoption of Part (1) of motion (b) by Councillor Mihevc, without amendment:

Yes - 38	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 3	
Councillors:	Ashton, Ford, Holyday

Carried by a majority of 35.

Ruling by Deputy Mayor:

Councillor Kelly requested Deputy Mayor Ootes to rule on whether Part (4) of motion (g) by Councillor Moeser, was in order or was, in fact, redundant.

Deputy Mayor Ootes, having regard to the nature of Part (4) of motion (g) by Councillor Moeser, ruled that such motion was in order and was not redundant.

Votes:

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

Yes - 23	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Di Giorgio, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki
No - 18	
Councillors:	Altobello, Bussin, Cho, Chow, Disero, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, Mihevc, Moscoe, Pantalone, Rae, Silva, Sutherland, Walker

Carried by a majority of 5.

Withdrawal of Motion:

Councillor Moeser, with the permission of Council, withdrew Part (5) of his motion (g).

Votes:

Adoption of Part (1) of motion (c) by Councillor Moscoe, without amendment:

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

Carried, without dissent.

Adoption of Part (8) of motion (f) by Councillor Disero:

Yes - 26
Mayor: Lastman
Councillors: Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 15
Councillors: Ashton, Bussin, Cho, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 11.

Adoption of Clause, as amended:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 11	
Councillors:	Bussin, Chow, Johnston, Layton, McConnell, Mihevc, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 19.

In summary, Council amended this Clause:

- (1) by inserting in Recommendation No. (2)(d) embodied in the report dated October 23, 2001, from the Acting Chief Administrative Officer, as embodied in the Clause, the words “and energy”, prior to the word “issues”, so that such recommendation shall now read as follows:

“(2)(d) assessment of safety, security and environmental and energy issues;”;

- (2) to provide that:
- (a) notwithstanding any study, City Council declare its opposition to the privatization of the City of Toronto’s water and wastewater system; and
 - (b) the membership of the work team include the Department of Public Health; and
- (3) by adding thereto the following:

“It is further recommended that:

- (a) in the event there is a recommendation to establish a Water/Wastewater Utility, the Chief Administrative Officer be directed to ensure that there is extensive discussion with Council regarding the Shareholder Direction, at the onset;
- (b) the Chief Administrative Officer be requested to evaluate each option related to water and wastewater, in terms of democratic control and public

transparency;

- (c) the City Solicitor be requested to submit a report to Council, through the Works Committee, on mechanisms for protecting the public water system from privatization; and
- (d) the following motions be referred to the Commissioner of Works and Emergency Services for further consideration as part of the study:

Moved by Councillor Bussin:

‘That:

- (1) the motion by Councillor Moscoe be amended to provide that a Standing Committee of Council be established to deal with Water and Wastewater, and interested Members of Council who have a commitment to this issue be appointed to such Standing Committee; and

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

“It is further recommended that the Mayor request the Chief Administrative Officer to conduct a public poll to determine public opinion concerning the quality of delivery of water and wastewater services to the City of Toronto.” ’

Moved by Councillor Jones:

‘That the Clause be amended:

- (1) to provide that Council declare its opposition to the corporate ownership of all or part of the City of Toronto’s water system; and

- (2) by adding thereto the following:

“It is further recommended that:

- (a) City Council reject the disastrous water utility model used in Walkerton and oppose the creation of a water utility in the City of

Toronto;

- (b) City Council not proceed with any arms-length water management models until the Walkerton Inquiry submits its final report, scheduled in March 2002, on the impact of these models on water safety; and
- (c) as part of the public consultation process, the study document be placed on the agenda of the January 2002 Community Council meetings.”’

Moved by Councillor Layton:

‘That the Clause be amended by amending Recommendation No. (1) embodied in the report dated October 23, 2001, from the Acting Chief Administrative Officer, as amended by the Policy and Finance Committee, by deleting the words “utility/corporation”, and inserting in lieu thereof the word “utility”, so that such recommendation shall now read as follows:

- “(1) the Acting Chief Administrative Officer proceed with a study which assesses governance models, including status quo and enhancements thereto, for the creation of a publicly-owned water and wastewater utility, detailing implementation plans for the recommended model;”.’

Moved by Councillor Mihevc:

‘It is further recommended that the Chief Administrative Officer be requested to explore, among the models to be reviewed, a Water and Wastewater Department overseen by a Committee of Council.’

Moved by Councillor Moscoe:

‘That the Clause be amended by striking out the recommendations of the Policy and Finance Committee and inserting in lieu thereof the following:

- “It is recommended that, as an alternative to this

proposal, a Sub-Committee of the Works Committee be established to deal directly with Water and Wastewater.” ’ ’ ”

9.51 **Clause No. 5 of Report No. 14 of The Policy and Finance Committee, headed “Basement Flooding Investigation and Assessment, Status Report (All Wards)”.**

Motion:

Councillor Moscoe moved that the Clause be amended to provide that Cluster 8 in Ward 15 be referred to the Commissioner of Works and Emergency Services for discussions with Councillor Moscoe, Ward 15, Eglinton-Lawrence, and the Commissioner of Works and Emergency Services be requested to submit a subsequent, more detailed report to the Works Committee after meeting with the community and Councillor Moscoe.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.52 **Clause No. 5 of Report No. 12 of The Planning and Transportation Committee, headed “Review of Parking Requirements for Rental Apartment Buildings”.**

Motion:

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

“It is further recommended that there be an additional provision that there be no relaxation of present City standards for visitor parking at rental buildings.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

9.53 **Clause No. 10 of Report No. 10 of The Economic Development and Parks Committee, headed “Parkland Acquisition Strategic Directions Report (All Wards)”.**

Motion:

Councillor Pantalone moved that the Clause be amended by inserting in Recommendation No. (2) embodied in the report dated September 27, 2001, from the Commissioner of

Economic Development, Culture and Tourism, as embodied in the Clause, after the words “Community Councils”, the words “and the Planning and Transportation Committee”, so that such recommendation shall now read as follows:

“(2) the Parkland Acquisition Strategic Directions Report be forwarded to Community Councils and the Planning and Transportation Committee for their consideration and report back to the January 21, 2002 meeting of Economic Development and Parks Committee;”.

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

9.54 **Clause No. 8 of Report No. 12 of The Planning and Transportation Committee, headed “Others Items Considered by the Committee”.**

Motion:

Councillor Milczyn moved that the Clause be received as information, subject to striking out and referring Item (c), entitled “Closure of Specific Streets in Toronto”, embodied therein, back to the Planning and Transportation Committee for further consideration.

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, was received as information.

9.55 **Clause No. 2 of Report No. 10 of The Economic Development and Parks Committee, headed “Action Plans for Small Office/Home Office and New Business Immigrant, ‘Your Passport to Business Success’ (All Wards)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Kelly requested that his opposition to this Clause be noted in the Minutes of this meeting.

9.56 Clause No. 13 of Report No. 16 of The Works Committee, headed “Other Items Considered by the Committee”.

Motion:

Councillor Kelly moved that the Clause be received as information, subject to striking out and referring Item (c), entitled “Chemicals in Drinking Water”, embodied therein, back to the Works Committee for further consideration.

Votes:

The motion by Councillor Kelly carried.

The Clause, as amended, was received as information.

9.57 Clause No. 22 of Report No. 14 of The Policy and Finance Committee, headed “Toronto Atmospheric Fund - Summary of 1999 and 2000 Grants and Consulting Expenditures”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Soknacki moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the supplementary report dated November 1, 2001, from the Executive Director, Toronto Atmospheric Fund (TAF), be received; and
- (2) the Toronto Atmospheric Fund, as part of its 2002 work plan, be requested to establish a budget item for outside professional services and to describe the process to be undertaken for the engagement of such services.”

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

9.58 **Clause No. 1 of Report No. 11 of The Community Services Committee, headed “Social Housing Services Corporation”.**

Motion:

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

“It is further recommended that the Chief Administrative Officer and the Chief Executive Officer of the Toronto Housing Company be requested to make arrangements for the Deputy Mayor and Members of Council who are Toronto Hydro Directors, to approach the Minister of Municipal Affairs and Housing, once again, in an attempt to negotiate the ability of the Toronto Housing Company to purchase its gas as part of the gas agreement which the City of Toronto has prepared for all its agencies.”

Votes:

The motion by Councillor Layton carried.

The Clause, as amended, carried.

9.59 **Clause No. 2 of Report No. 15 of The Works Committee, headed “Traffic Calming Policy”.**

Motion:

Councillor Moscoe moved that consideration of the Clause be deferred to the regular meeting of City Council scheduled to be held on February 13, 2002, and the City Clerk be requested to append the communication dated October 23, 2001, from the Minister of the Environment, as submitted by Councillor Moscoe, to the Clause.

Vote:

The motion by Councillor Moscoe carried.

9.60 **Clause No. 25 of Report No. 8 of The Toronto East York Community Council, headed “Bathurst/Strachan Part II Official Plan and Zoning By-law Amendments and Site Plan Approval - 640 and 650 Fleet Street (Trinity-Spadina, Ward 19)”.**

Motions:

- (a) Councillor Pantalone moved that the Clause be amended by striking out the recommendations of the Toronto East York Community Council and inserting in lieu thereof the following:

“It is recommended that the supplementary report dated November 8, 2001, from the Commissioner of Urban Development Services, be adopted.”

- (b) Councillor Moscoe moved that motion (a) by Councillor Pantalone be amended by adding thereto the following words:

“subject to the 28-storey building being moved to the northeast corner of Fleet Street and Fort York Boulevard and the density being re-apportioned across the site accordingly”.

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

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Toronto East York Community Council on possible future developments in the Bathurst/Strachan Planning Area, such report to address the number of towers, the spacing of towers and the height of towers, and the possibility of pushing such developments back, as far as possible, from Fort York and its Heritage Conservation District.”

Councillor Disero in the Chair.

- (d) Councillor McConnell moved that motion (a) by Councillor Pantalone be amended by adding thereto the following words:

“subject to amending Recommendation No. (2) embodied therein by adding thereto the words ‘as further amended pursuant to the outcomes of further discussions addressed in the following Recommendation No. (3)’”.

Deputy Mayor Ootes in the Chair.

- (e) Councillor Bussin moved that motion (a) by Councillor Pantalone be amended by adding thereto the following words:

“subject to deleting Recommendation No. (2) and inserting in lieu thereof the following new Recommendation No. (2):

‘(2) the City Solicitor attend the Ontario Municipal Board in opposition to the application;’.”

Ruling by Deputy Mayor:

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

Votes:

Adoption of motion (b) by Councillor Moscoe, moved by Councillor Walker, in the absence of Councillor Moscoe:

Yes - 8	Councillors: Bussin, Chow, Flint, Jones, Korwin-Kuczynski, McConnell, Milczyn, Walker
No - 24	Mayor: Lastman Councillors: Altobello, Ashton, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Layton, Lindsay Luby, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland

Lost by a majority of 16.

Adoption of motion (d) by Councillor McConnell:

Yes - 14	Councillors: Altobello, Ashton, Bussin, Chow, Flint, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Milczyn, Pitfield, Sutherland, Walker
No - 18	Mayor: Lastman Councillors: Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Mihevc, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki

Lost by a majority of 4.

Adoption of motion (a) by Councillor Pantalone, without amendment:

Yes - 19	Mayor: Lastman Councillors: Altobello, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Mihevc, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki
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No - 13
Councillors: Ashton, Bussin, Chow, Flint, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Milczyn, Pitfield, Sutherland, Walker

Carried by a majority of 6.

Motion (c) by Councillor Rae carried.

Request to Place Additional Motion:

Councillor Ashton requested the permission of Council to move an additional amendment to this Clause.

Council concurred in the request of Councillor Ashton.

Motion:

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

“It is further recommended that the Commissioner of Urban Development Services be directed to request the applicant, in future sales, to include a Noise Warning Clause in the sales agreement with respect to potential noise which may emanate from Fort York, such as cannon or musket fire, during Fort York festivals.”

Vote:

The motion by Councillor Ashton carried.

Adoption of Clause, as amended:

Yes - 20
Mayor: Lastman
Councillors: Altobello, Berardinetti, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Layton, Mihevc, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki
No - 12
Councillors: Ashton, Bussin, Chow, Flint, Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Milczyn, Pitfield, Sutherland, Walker

Carried by a majority of 8.

In summary, Council amended this Clause by striking out the recommendations of the

Toronto East York Community Council and inserting in lieu thereof the following:

“It is recommended that:

- (a) the supplementary report dated November 8, 2001, from the Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

‘It is recommended that City Council:

- (1) support the revised application to amend the Official Plan and Zoning By-law for 640 and 650 Fleet Street, as shown on the plans submitted by H and R Developments dated November 5, 2001;
- (2) authorize the City Solicitor and other City staff, as required, to attend the Ontario Municipal Board hearing scheduled to begin November 13, 2001, and support the application;
- (3) request the applicant and the City Solicitor to seek a two-day adjournment of the hearing to permit further settlement discussions between the parties, to determine if any outstanding issues can be resolved;
- (4) approve the Urban Design Guidelines submitted by the applicant for this development, subject to the approval by the Commissioner of Urban Development Services of any amendments required by recent amendments to the applicant’s proposal;
- (5) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (6) support any required amendments to the Official Plan, Zoning By-law and Section 37 Agreements to incorporate and implement the Memorandum of Understanding, substantially in the form attached as Appendix “A” to this report;
- (7) authorize the execution of Section 37 Agreements and any other agreements required to implement the proposed development;
- (8) authorize staff to take any actions required to implement

approval of this development;

- (9) authorize the City Solicitor to request the Ontario Municipal Board to withhold any order until a revised Section 37 Agreement and a Site Plan Agreement/Undertaking for the applicant's site have been entered into and the form of the Official Plan and Zoning By-law amendments has been determined;
- (10) authorize staff to establish an SAP account within the Department of Works and Emergency Services to receive and expend the \$60,000.00 cost contributions for the deleted Street "A" for the construction of Fort York Boulevard;
- (11) authorize staff to establish an SAP account within the Department of Economic Development, Culture and Tourism to receive and expend the former Link Park Levies, now called the Fort York Open Space Improvement Levies, for the development of parks in the vicinity of Fort York;
- (12) authorize staff to prepare and execute revised Section 37 Agreements and other required agreements for Blocks 3A and 5 and for Block 7 of the Bathurst/Strachan Part II Official Plan, consistent with the Memorandum of Understanding attached as Appendix "A" to this report;
- (13) require the owner to contribute the full cost of implementing new transit platforms on Fleet Street at the planned intersection with Fort York Boulevard, estimated to be \$140,000.00, as a condition of Site Plan Approval;
- (14) advise the owner that City staff, in consultation with Toronto Transit Commission staff, will develop an appropriate design for the new intersection of Fort York Boulevard and Fleet Street, and build the new transit platforms in conjunction with the construction of Fort York Boulevard, or as soon as possible thereafter;
- (15) advise the owner that the existing agreements with the Toronto District School Board and the Toronto Separate School Board regarding land and/or financial contribution towards school facilities must be reviewed and amended as necessary as a condition to the passing of a Zoning By-law to permit development;

- (16) require the owner to contribute the full cost of implementing new transit platforms on Fleet Street at the planned intersection with Fort York Boulevard, estimated to be \$140,000.00, as a condition of Site Plan Approval;

- (17) request the Commissioner of Urban Development Services to study the issue of height in the Bathurst/Strachan Area and in the Railway Land West immediately east of Bathurst Street to develop guidelines for the review of any other proposals in the area; and
 - (18) request the Commissioner of Urban Development Services to report back to Toronto East York Community Council on the findings of the study.’; and
- (b) the Commissioner of Urban Development Services be:
- (i) directed to request the applicant, in future sales, to include a Noise Warning Clause in the sales agreement with respect to potential noise which may emanate from Fort York, such as cannon or musket fire, during Fort York festivals; and
 - (ii) requested to submit a report to the Toronto East York Community Council on possible future developments in the Bathurst/Strachan Planning Area, such report to address the number of towers, the spacing of towers and the height of towers, and the possibility of pushing such developments back, as far as possible, from Fort York and its Heritage Conservation District.”

9.61 **Clause No. 1 of Report No. 9 of The Audit Committee, headed “2000 City of Toronto Consolidated Financial Statements”.**

Motions:

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

“It is further recommended that:

- (1) the Toronto Parking Authority be requested to submit a report to the Audit Committee on the components of its year 2000 expenditures on maintenance, taxes and other management costs;
- (2) the Chief Administrative Officer be requested to ensure that the practice of maintenance of suspense accounts is strongly discouraged and, where considered necessary, separate suspense accounts be maintained for each program and be further segregated as relating to assets, liabilities, revenues or expenditures, as the case may be;

- (3) effective immediately, all future quarterly variance reports provide a listing of all suspense accounts maintained, the reasons for doing so and their respective balances in the quarter being reported, as well as the three previous quarters, to show the trend;
 - (4) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on how the losses of City-held business enterprises impact the City of Toronto's budget and financial resources and how such losses are to be managed;
 - (5) having regard that the Federal Government has recently introduced a detailed Financial Information Strategy accounting manual which contains significant information relating to accounting policies and procedures, the purpose of such manual, as indicated in its body, being to improve accountability and tracking of fixed assets (equipment, property, computers, etc.), the City Auditor, in consultation with the Chief Administrative Officer, be requested to review this document and report thereon to the Audit Committee by February 2002; and
 - (6) the Acting Chief Financial Officer be requested to submit reports to the Audit Committee on:
 - (a) the components of the 'other' revenue category, providing an explanation of the sharp drop in 2000; and
 - (b) a reconciliation between the year-end surplus as per the variance report and the year-end audited surplus."
- (b) Councillor Balkissoon moved that the Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the following motion be adopted:

‘WHEREAS Audit Management Letters from the external Auditors have traditionally been presented in two formats, one of which is forwarded to the Audit Committee, while the second one has been forwarded to the Chief Financial Officer and Treasurer; and

WHEREAS, while the content of the Audit Committee Letter is at a high level and fairly general, the Letter presented to the Chief Financial Officer and Treasurer contains specific and detailed

information; and

WHEREAS it is important that the Audit Committee be aware of all issues, particularly for the purpose of ensuring that all recommendations are implemented on a timely basis;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) the external Auditors be directed to forward all Management Letters to the Audit Committee;
 - (b) all such Letters, in future, be included as part of the financial statement package; and
 - (c) management be afforded the opportunity to respond to the recommendations with an implementation plan which includes action to be taken and time frames.’; and
- (2) the following motion be adopted:

‘**WHEREAS** the Audit Committee is unaware of the contents of Management Letters submitted to the City of Toronto’s agencies, boards and commissions by the City’s external Auditors; and

WHEREAS access to the information in these Management Letters will assist the City Auditor and the Audit Committee in the development of the City of Toronto’s annual Audit workplan;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Boards of Directors of the City of Toronto’s agencies, boards and commissions to forward the Management Letters provided to the administration of the agencies, boards and commissions, with the accompanying management responses, to the Audit Committee and Council, for information purposes.’ ”

Votes:

Motion (a) by Councillor Pitfield carried.

Motion (b) by Councillor Balkissoon carried.

The Clause, as amended, carried.

9.62 **Clause No. 12 of Report No. 10 of The Economic Development and Parks Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (a), entitled “Guild Revitalization Project”, embodied therein, back to the Economic Development and Parks Committee for further consideration.

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

9.63 **Clause No. 4 of Report No. 12 of The Community Services Committee, headed “Illegal Rents and Deposits”.**

Motion:

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

“It is further recommended that the following motion be referred to the Acting Commissioner of Community and Neighbourhood Services for report thereon to the Community Services Committee:

Moved by Councillor Walker:

‘It is further recommended that the following recommendation of the Tenant Defence Sub-Committee be adopted:

“The Tenant Defence Sub-Committee recommends that the Acting Commissioner of Community and Neighbourhood Services be requested to monitor formal complaints to the Rental Housing Tribunal and convictions registered at the Rental Housing Tribunal against landlords who, in fact, charge illegal rent deposits, and bring such matters to the attention of the Community Services Committee.” ’ ’ ”

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

- 9.64 **Clause No. 5 of Report No. 12 of The Community Services Committee, headed “Learning Enrichment Foundation Demonstration Pilot Project: Review of Contract and Financial Reconciliation”.**

Motion:

Councillor Di Giorgio moved that the Clause be struck out and referred back to the Community Services Committee for further consideration at its next meeting scheduled to be held on November 15, 2001, and the City Solicitor be requested to submit a report to the Committee, for consideration therewith, providing an update on the progress of litigation.

Vote:

The motion by Councillor Di Giorgio carried.

- 9.65 **Clause No. 1 of Report No. 15 of The Works Committee, headed “Classification of Road Salt”.**

Motion:

Councillor Disero moved that the Clause be struck out and referred back to the Works Committee for further consideration at its next meeting scheduled to be held on November 14, 2001.

Vote:

The motion by Councillor Disero carried.

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

November 7, 2001:

Motion:

Deputy Mayor Ootes, at 4:48 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 2 of Report No. 12 of The Planning and Transportation Committee, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”, in accordance with the provisions of the Municipal Act, having

regard that such Clause contains information related to the security of property interests of the municipality.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 6:35 p.m., and met in public session in the Council Chamber.

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

9.67 **Clause No. 2 of Report No. 12 of The Planning and Transportation Committee, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”.**

Motions:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

- (a) Councillor Pantalone moved that the Clause be amended in accordance with the joint confidential report dated November 6, 2001, from the City Solicitor and the Commissioner of Urban Development Services, thereby deferring consideration of Recommendation No. (2) of the Planning and Transportation Committee concerning future levels of activity at the Toronto Island Airport, subject to adding to Recommendation No. (2), as embodied in the joint confidential report, the words “until the Chief Administrative Officer has reported back on the negotiations with the Toronto Port Authority”, so that such recommendations shall now read as follows, the balance of such joint 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:

“It is recommended that:

- (1) this report be received for information; and
- (2) City Council defer consideration of Recommendation No. (2) of the Planning and Transportation Committee concerning future levels of

activity at the Toronto Island Airport, until the Chief Administrative Officer has reported back on the negotiations with the Toronto Port Authority.”

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

“It is further recommended that the Chief Administrative Officer be directed to request the Minister of Transport to review and report on a security flight path protocol without further delay.”

Additional Motions - Public Session

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, called for additional motions with respect to this Clause.

Motions:

- (c) Councillor McConnell moved that, in the event motion (a) by Councillor Pantalone is not adopted, Council adopt the following recommendation:

“**WHEREAS** any expansion of aviation activity from the Toronto Island Airport will undermine the greening and redevelopment of the Toronto waterfront, as contemplated by the City’s Draft Waterfront Part II Plan; and

WHEREAS expansion of air operations will worsen an already unacceptable air pollution problem in Toronto’s downtown core and along the Airport’s main flight paths; and

WHEREAS the current level of operation of the Airport is not economically viable, thereby making it necessary to choose between the closure or expansion of the Airport;

NOW THEREFORE BE IT RESOLVED THAT the Toronto Port Authority and the Minister of Transport be requested to take the necessary steps to close the Toronto Island Airport and to restore the Island Airport lands to the City of Toronto, for uses compatible with the City’s Draft Waterfront Part II Plan.”

- (d) Councillor Pitfield moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Toronto Port Authority be requested to publicize its public consultation meeting in regard to its Land Use Plan, and to hold such meeting in the evening in a central mainland location; and
- (2) the Commissioner of Urban Development Services be requested to ensure that Members of Council are provided with copies of the Airport Study when the report on the Land Use Plan is submitted.”

Votes:

Motion (a) by Councillor Pantalone carried.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motion (c) by Councillor McConnell, redundant.

Motion (b) by Councillor Bussin carried.

Part (1) of motion (d) by Councillor Pitfield carried.

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

The Clause, as amended, carried.

In summary, Council amended this Clause:

- (1) in accordance with the joint confidential report dated November 6, 2001, from the City Solicitor and the Commissioner of Urban Development Services, thereby deferring consideration of Recommendation No. (2) of the Planning and Transportation Committee concerning future levels of activity at the Toronto Island Airport, subject to adding to Recommendation No. (2), as embodied in the joint confidential report, the words “until the Chief Administrative Officer has reported back on the negotiations with the Toronto Port Authority”, so that such recommendations shall now read as follows, the balance of such joint 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:

“It is recommended that:

- (1) this report be received for information; and
- (2) City Council defer consideration of Recommendation No. (2) of the Planning and Transportation Committee concerning future levels of activity at the Toronto Island Airport, until the Chief Administrative

Officer has reported back on the negotiations with the Toronto Port Authority.”; and

(2) by adding thereto the following:

“It is further recommended that:

- (a) the Toronto Port Authority be requested to publicize its public consultation meeting in regard to its Land Use Plan, and to hold such meeting in the evening in a central mainland location;
- (b) the Chief Administrative Officer be directed to request the Minister of Transport to review and report on a security flight path protocol without further delay; and
- (c) the Commissioner of Urban Development Services be requested to ensure that Members of Council are provided with copies of the Airport Study when the report on the Land Use Plan is submitted.”

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, further reported that Council, at the in-camera portion of its meeting, had also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they relate to the security of property interests of the municipality.

9.68 **ADDITIONAL MATTER CONSIDERED BY COUNCIL**

November 8, 2001

“Canada Loves New York Weekend”:

Councillor Moscoe, with the permission of Council, moved that Council adopt the following recommendation:

“It is recommended that Members of Council be authorized to represent the City of Toronto at the ‘Canada Loves New York Weekend’.”

Vote:

The motion by Councillor Moscoe carried.

Motion to Re-Open:

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

Motions:

- (a) Councillor Soknacki moved that the motion by Councillor Moscoe be amended by adding thereto the following words:

“and any expenditures in this regard be taken from the individual office budgets of Members of Council, in accordance with Council policy”.

- (b) Councillor Duguid moved that, in the event that motion (a) by Councillor Soknacki fails, the motion by Councillor Moscoe be amended to provide that the Mayor be permitted to cover the costs associated with the “Canada Loves New York Weekend” from the appropriate City budget, having regard that the Mayor is only available to attend the event for a short period of time.

- (c) Councillor Ford moved that the previous decision of City Council in this regard be rescinded and that Council adopt the following recommendation:

“It is recommended that any elected official or any City of Toronto employee pay their own way to the ‘Canada Loves New York Weekend’.”

Vote:

Adoption of motion (c) by Councillor Ford:

Yes - 24	
Councillors:	Ashton, Bussin, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Nunziata, Ootes, Pantalone, Shaw, Silva, Soknacki, Sutherland, Walker
No - 0	

Carried, without dissent.

Having regard to the foregoing decision of Council, motions (a) and (b), by Councillors Soknacki and Duguid, respectively, were not put to a vote.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION**9.69 Change to December 2001 Schedule of Meetings**

Councillor Layton, with the permission of Council, withdrew Notice of Motion F appearing on the Order Paper, as follows:

Moved by: Councillor Layton

Seconded by: Councillor Moscoe

“WHEREAS City Council at its meeting held on December 5, 6 and 7, 2000, in its adoption of The Striking Committee Report No. 1, Clause 2, headed ‘2001 Schedule of Meetings’, scheduled a City Council meeting for December 4, 5 and 6, 2001; and

WHEREAS both the former City of Toronto Council and the former Metropolitan Toronto Council had official positions preventing Council meetings from occurring in conflict with Federation of Canadian Municipalities (FCM) Board Meetings; and

WHEREAS the FCM Board of Directors is scheduled to meet in Dawson City, Yukon Territory on December 5, 6, 7 and 8, 2001; and

WHEREAS it will take FCM Board members from the City of Toronto two days to travel to Dawson City; and

WHEREAS any potential changes to the Council meeting schedule should be made, as quickly as possible, to allow all affected people to revise their plans;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Striking Committee Report No. 1, Clause No. 2, headed ‘2001 Schedule of Meetings’, be re-opened for further consideration, insofar as it pertains to the meeting of Council scheduled for December 2001;

AND BE IT FURTHER RESOLVED THAT the City Council meeting schedule for December 4, 5 and 6, 2001, be rescheduled for December 11, 12 and 13, 2001.”

Council also had before it, for consideration with Motion F, a communication dated October 4, 2001, from Councillor Miller, a copy of which is on file in the Office of the City Clerk.

9.70 **Parking Fees – Toronto Waterfront Parks (Woodbine Beach and Ashbridge’s Bay Parks)**

Deputy Mayor Ootes called upon Notice of Motion I appearing on the Order Paper, as follows:

Moved by: Councillor Bussin

Seconded by: Councillor Korwin-Kuczynski

“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 City Council at its meeting held on June 26, 27 and 28, 2001, in its consideration of Motion J(13) re-opened Policy and Finance Committee Report No. 5, Clause No. 2, headed ‘City of Toronto 2001 Operating Budget’, for further consideration, only insofar as it pertained to the charging of fees for parking at Toronto’s Waterfront Parks and referred the balance of Motion J(13) to the Policy and Finance Committee for consideration; and

WHEREAS the Policy and Finance Committee, at its meeting held on July 12, 2001, had before it the aforementioned Motion and a report dated July 3, 2001, from the Commissioner of Economic Development, Culture and Tourism, regarding the operation of paid parking at waterfront park locations; and

WHEREAS the Policy and Finance received the Motion and report, and Council, at its meeting held on July 24, 25 and 26, 2001, subsequently referred the matter back to the Policy and Finance Committee for further consideration; and

WHEREAS the Policy and Finance Committee at its meeting held on September 20, 2001, again received the staff report on the charging fees for parking at Toronto’s Waterfront Parks, a report that failed to address the serious impairment of traffic flow at the entrance of Woodbine Beach Park on Lake Shore Boulevard East caused by the collecting of parking fees (Policy and Finance Committee Report No. 12, Clause 20(g)); and

WHEREAS a provision in the pilot project agreement to direct a portion of the parking revenues for park improvements at Woodbine Beach and Ashbridges Bay Park has not been carried forward in the new policy;

NOW THEREFORE BE IT RESOLVED THAT Council waive the provisions of Chapter 27 of the City of Toronto Municipal Code, in order to give consideration to Item (g), entitled 'Paid Parking at Waterfront Locations', as embodied in Policy and Finance Committee Report No. 12, Clause No. 20;

AND BE IT FURTHER RESOLVED THAT City Council request the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services to develop, in concert with the local City Councillor and relevant stakeholders, a traffic plan that addresses the serious traffic impacts on Lake Shore Boulevard East caused by parking fee collection at the main gate of Woodbine Beach Park;

AND BE IT FURTHER RESOLVED THAT the principle of returning a portion of the parking revenues to the host park, as contained in Woodbine Beach/Ashbridges Bay paid parking pilot project agreement, be reinstated in the Parking Fees - Toronto Waterfront Parks policy.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion I to the Policy and Finance Committee was taken as follows:

Yes - 11	
Councillors:	Altobello, Berardinetti, Bussin, Flint, Korwin-Kuczynski, Layton, McConnell, Shaw, Silva, Sutherland, Walker
No - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Rae

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

Council also had before it, for consideration with Motion I, the following communications/reports, which are on file in the Office of the City Clerk:

- (August 1, 2001) from the Acting City Clerk, addressed to the Policy and Finance Committee;
- (July 3, 2001) from the Commissioner of Economic Development, Culture and Tourism, entitled “Paid Parking at Waterfront Locations Various Wards”; and
- (July 5, 2001) from the Acting City Clerk, addressed to the Policy and Finance Committee.

Having regard to the foregoing decision of Council, Motion I was referred to the Policy and Finance Committee.

9.71 **Ontarians with Disabilities Act**

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

Moved by: Councillor Mihevc

Seconded by: Councillor Johnston

“WHEREAS over 17 percent of Toronto’s 2.4 million residents have some form of disability; and

WHEREAS the City of Toronto recognizes the valid and valuable contribution of people with disabilities in all facets of City life; and

WHEREAS all people with disabilities deserve fair and equitable treatment in all areas of their lives; and

WHEREAS the Council of the City of Toronto is committed to making Toronto a truly barrier-free City by 2008; and

WHEREAS the Government of Ontario, before the 1995 provincial election, promised to pass an Ontarians with Disabilities Act during its first term; and

WHEREAS the Government of Ontario introduced the long awaited Ontarians with Disabilities Act and was given its first reading on November 5, 2001;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto applaud the Government of Ontario for initiating the process and providing a beginning framework to ensure the right of persons with disabilities to equal treatment and equal opportunity;

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto reiterate to the Premier of Ontario the position it unanimously adopted at its meeting held on February 29, March 1 and 2, 2001 that any legislation applying to the prevention and removal of barriers for Ontarians with Disabilities be mandatory and apply to all sectors; public, private or non-profit;

AND BE IT FURTHER RESOLVED THAT the City of Toronto's Community Advisory Committee on Disability Issues be directed to consult with the Province of Ontario through all appropriate channels to ensure that the Ontarians with Disabilities Act will be strong, effective and mandatory; and further, that it be directed to consult with the disabilities' community and other stakeholder groups as well as the architectural and development community regarding the full and equal access for persons with disabilities;

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto urge the Premier of Ontario to recognize that the capacity to finance is a key component to effective policy implementation. In the absence of municipal financial capacity, the provincial government should fund the costs of implementing an ODA at the municipal level."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(1) to the Administration Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(1) to the Administration Committee was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Johnston, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Walker
No - 4	

Councillors: Holyday, Kelly, Milczyn, Sutherland

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

Motion:

Councillor Johnston moved that Motion J(1) be adopted, subject to adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit to the Planning and Transportation Committee, as soon as possible, the previously requested report on the inclusion of housing for persons with disabilities in the evaluation of planning applications.”

Votes:

The motion by Councillor Johnston carried.

Motion J(1), as amended, carried.

9.72 **Funding for Public Infrastructure**

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

Moved by: Councillor Moscoe

Seconded by: Councillor Disero

“WHEREAS public infrastructure is the backbone of a successful, dynamic economy; and

WHEREAS federal and provincial financial support is essential for public infrastructure upgrades, replacement and expansion; and

WHEREAS the current economic downturn, combined with the tragic events of September 11, 2001, have created substantial uncertainty in the Canadian economy, particularly in Ontario; and

WHEREAS the City of Toronto welcomes the Ontario Government’s renewed commitment towards supporting public infrastructure with its recent announcement of financial assistance for public transit; and

WHEREAS the current federal share of the Infrastructure Canada Program in Ontario is significantly less than that of the Province and municipalities; and

WHEREAS at its meeting on Friday, October 26, 2001 the Association of Municipalities of Ontario (AMO) Board adopted a resolution ‘that the Provincial Government be requested to amend the criteria for SuperBuild to allow the City of Toronto to participate on an equal footing with other municipalities’;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto support AMO’s call on the Federal Government to follow the Ontario Government’s lead and commit itself to a higher level of funding for public infrastructure;

AND BE IT FURTHER RESOLVED THAT the City of Toronto support AMO’s call on both the Federal and Provincial Governments to speed up the existing infrastructure funding process under the Canada-Ontario Infrastructure Program (COIP) and SuperBuild, in order to provide a much needed economic stimulus in the face of the current economic downturn;

AND BE IT FURTHER RESOLVED THAT the City of Toronto support AMO’s calls for the Federal and Ontario Government to return a straightforward 1/3, 1/3, 1/3 funding formula for COIP and SuperBuild funded projects.”

Advice by Deputy Mayor:

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

Procedural Vote:

The vote to waive referral of Motion J(2) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(2) was adopted, without amendment.

9.73 **Ontario Municipal Board Hearing Respecting 271 Kenilworth Avenue**

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

Moved by: Councillor Bussin

Seconded by: Councillor Rae

“**WHEREAS** the City of Toronto has a responsibility to maintain and protect neighbourhoods from excessive development; and

WHEREAS the proposed development of 271 Kenilworth Avenue, in the Beach, represents unacceptable residential development that has been denied twice by the City of Toronto’s Committee of Adjustment and once by the Toronto Community Council because of the plan to remove mature healthy trees to accommodate the development’s two integral garages; and

WHEREAS this proposed development fails to respect the unique hilly terrain of the street and would alter the character and continuity of the neighbourhood’s distinctive traditional Beach streetscape and house-form; and

WHEREAS the successful appeal of the Committee of Adjustment’s decision regarding 271 Kenilworth Avenue at the Ontario Municipal Board may result in establishing a precedent for development in the Beach;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to attend the hearing of the Ontario Municipal Board on Thursday, November 22, 2001, in support of the Committee of Adjustment’s decision respecting the property at 271 Kenilworth Avenue.”

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(3) was adopted, without amendment.

9.74 Proposed Toronto Police Service Video Surveillance on Toronto Streets

Councillor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(4):

Moved by: Councillor Bussin

Seconded by: Councillor Miller

“WHEREAS Toronto City Council and the Toronto Police Services Board must ensure that the right to privacy of Toronto residents is protected from unwarranted police video surveillance of our streets and other public places; and

WHEREAS the proposed video camera monitoring by the Toronto Police Service of areas of the City perceived as having high rates of crime, such as Dundas Square, poses a threat to our right to privacy and civil liberties; and

WHEREAS this concern for citizens’ right to privacy has been confirmed by a recent ruling of the federal Privacy Commissioner that cameras monitoring a street corner in a British Columbia municipality violates the right to privacy; and

WHEREAS it is abundantly evident that community policing works – that when police officers patrol downtown areas on foot or bicycle, they become part of the community and crime rates fall; and

WHEREAS the cost of installing, maintaining and manning the video surveillance equipment will undoubtedly deplete police budgets which would be better used in supporting proven and effective methods of controlling street crime, such as community policing;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the Toronto Police Services Board to not proceed with the proposed use of video surveillance of public places by the Toronto Police Service in the City of Toronto.”,

the vote upon which was taken as follows:

Yes – 16	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Flint, Jones, Kelly, Layton, McConnell, Mihevc, Milczyn, Miller, Ootes, Silva, Sutherland, Walker
No – 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Johnston, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Rae, Shaw

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

Having regard that the motion to waive notice did not carry, Councillor Bussin gave Notice

of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on December 4, 2001.

9.75 Installation of Speed Humps - Bartlett Avenue Between Hallam Street and Dupont Street

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Silva

“WHEREAS City Council at its meeting held on October 2, 3 and 4, 2001 adopted, without amendment, Humber York Community Council Report No. 8, Clause No. 9, headed ‘Draft By-law – Bartlett Avenue between Hallam Street and Dupont Street – Installation of Speed Humps (Davenport, Ward 18)’; and

WHEREAS the report dated September 10, 2001 from the Director, Transportation Services, District 1, as contained in the aforementioned Clause contained typographical errors in that the street name ‘Huron Street’ was referenced instead of the street name ‘Hallam Street’; and

WHEREAS By-law No. 804-2001, enacted by City Council on October 2, 3 and 4, 2001, in connection with the aforementioned Clause, referenced the correct street name of ‘Hallam Street’;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Humber York Community Council Report No. 8, Clause No. 9, headed ‘Draft By-law – Bartlett Avenue Between Hallam Street and Dupont Street – Installation of Speed Humps (Davenport, Ward 18)’ be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the report dated September 10, 2001, from the Director, Transportation Services, District 1, contained in the aforementioned be amended by deleting all references to ‘Huron Street’ and replacing same with ‘Hallam Street’.”

Votes:

The first Operative Paragraph embodied in Motion J(5) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(5) was adopted, without amendment.

9.76 **245 College Street - Reimbursement of Community Legal Expenses**

Councillor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(6):

Moved by: Councillor Bussin

Seconded by: Councillor Walker

“WHEREAS at its meeting held on October 2, 3 and 4, 2001, City Council adopted, as amended, Toronto East York Community Council Report No. 7, Clause No. 31, headed ‘Ontario Municipal Board Appeal – South-East Spadina Part II Plan Amendment and Re-zoning – 245 College Street and 39 Glasgow Street (Metro Credit Union) (Trinity-Spadina, Ward 20)’; and

WHEREAS, in so doing Council, amended the Community Council’s decision by requesting the City Solicitor to appear at the Ontario Municipal Board and convey the concerns of City Council as to the lack of due process in this application; and

WHEREAS the residents of the community have already spent a significant amount of effort and money preparing to protect their neighbourhood at the Ontario Municipal Board; and

WHEREAS the appeal was withdrawn on the afternoon before the Ontario Municipal Board hearing, giving less than 24 hours notice; and

WHEREAS the community no longer has a lawyer, because of the high costs for legal help, and the review of the proposal is ongoing and future involvement in the process by the community will be costly; and

WHEREAS the community has forwarded to Toronto City Council a letter and has attached an invoice for professional services rendered to them by Aird & Berlis, LLP;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize a grant to be made to Larry Lee, et al, in the amount of \$6,716.66, or alternately, City Staff be instructed to negotiate a ‘proportional relief’ or ‘relief’ from payment and that such a grant be deemed in the interest of the Municipality.”,

the vote upon which was taken as follows:

Yes – 11	
Councillors:	Bussin, Filion, Johnston, Jones, Kelly, Mihevc, Miller, Moscoe, Shaw, Silva, Walker
No – 26	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Sutherland

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

Council also had before it, for consideration with Motion J(6), a confidential communication (October 25, 2001) from L. Lee, for Residents of Spadina-College South, submitted by Councillor Bussin, such communication to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege.

Council also had before it, for consideration with Motion J(6), a communication dated November 2, 2001, from Mr. Stanley Makuch, Cassels Brock and Blackwell, Barristers and Solicitors, a copy of which is on file in the Office of the City Clerk.

Having regard that the motion to waive notice did not carry, Councillor Bussin gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on December 4, 2001.

9.77 **Front Yard Parking – 40 Emerson Avenue**

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

Moved by: Councillor Silva

Seconded by: Councillor Disero

“**WHEREAS** City Council at its regular meeting held on April 23, 24, 25, 26, 27, 2001, and its special meeting held on April 30, May 1 and 2, 2001, adopted, without amendment, Southwest Community Council Report No. 4, Clause No. 17, headed, ‘Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles at 40 Emerson

Avenue (Davenport, Ward 18)'; and

WHEREAS Recommendation No. (2)(c) in the above-mentioned Clause No. 17, required the applicant to pay all applicable fees and to comply with all other criteria set out in Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code; and

WHEREAS the applicant has undertaken extensive landscaping, incorporating substantial vegetation and shrubs, thus softening the impact of the front yard parking;

NOW THEREFORE BE IT RESOLVED THAT, in accordance §27-49 of Chapter 27 of the City of Toronto Municipal Code, Southwest Community Council Report No. 4, Clause No. 17, headed 'Request for an Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking for Two Vehicles at 40 Emerson Avenue (Davenport, Ward 18)', be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT the requirement for the tree planting payment-in-lieu be waived."

Vote:

The first Operative Paragraph embodied in Motion J(7) carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

Consideration of the balance of Motion J(7) was deferred to the next regular meeting of City Council scheduled to be held on December 4, 2001.

9.78 **Falun Gong Practices in Canada and in The People's Republic of China**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(8):

Moved by: Councillor Walker

Seconded by: Councillor Korwin-Kuczynski

"WHEREAS Falun Gong is a peaceful and non-violent form of personal belief and is practiced by millions of adherents inside and outside China and thousands in Canada; and

WHEREAS Canadian citizen Kunlun Zhang, former McGill University art professor was sentenced to three years in a labour camp, without trial, when he returned to China, just because he openly practiced Falun Gong in a public park (and he was released and came back to Canada thanks to the legal actions taken by the Canadian Government); and

WHEREAS a number of Falun Gong members in Canada were interfered with, harassed, followed and even threatened by strangers. Interference of other forms include threatening phone calls and public rallies to openly condemn Canadian Falun Gong practitioners in Canada; and

WHEREAS female practitioners have been physically and mentally tortured by being stripped, beaten and raped at the Masanjia Labour Camp in China, for openly practicing Falun Gong; and

WHEREAS the persecution of Falun Gong is a brutal attack on the most fundamental human rights of the freedom of belief and freedom of expression; and

WHEREAS Falun Gong practitioners volunteer, free of charge, to teach interested people qualities of truth, compassion and tolerance, through meditation exercises in public places, including parks and community centres; and

WHEREAS Falun Gong practitioners have always resorted to peaceful appeal under such pressure and their events typically include peaceful assembly;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the Federal Government of Canada to request The People's Republic of China to stop persecuting Falun Gong practitioners and to put an immediate end to the practices of torture and direct interference with their activities;

AND BE IT FURTHER RESOLVED THAT the City of Toronto help to protect Falun Gong practitioners rights to legally assemble and organize events in the public places in the City of Toronto, and in Canada.”

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the subject matter of Motion J(8), ruled such Motion out of order.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Cho, Di Giorgio, Disero, Duguid, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Silva, Sutherland
No - 15	
Councillors:	Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Rae, Walker

Carried by a majority of 10.

Council also had before it, for consideration with Motion J(8), a communication dated October 31, 2001, from Mr. Don C. Lim, Chairperson, Confederation of Toronto Chinese Canadian Organizations, a copy of which is on file in the Office of the City Clerk.

9.79 Appointment of Chief Administrative Officer

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

Moved By: Mayor Lastman

Seconded By: Councillor Ootes

“WHEREAS Council at its meetings held on June 26, 27 and 28, 2001, and July 24, 25, and 26, 2001, determined the recruitment and selection process for the Chief Administrative Officer;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated November 2, 2001 from the Chair of the Selection Committee, pertaining to this matter, and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(9), a confidential report dated November 5, 2001, from Mayor Lastman, entitled “Appointment – Chief Administrative Officer”. (See Attachment No. 1, Page 196.)

Vote:

Adoption of Motion J(9), without amendment:

Yes - 39	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Sutherland, Walker
No - 1	
Councillor:	Silva

Carried by a majority of 38.

Council, by its adoption of Motion J(9), without amendment, adopted, without amendment, the confidential report dated November 5, 2001, from Mayor Lastman, embodying the following recommendations, such report now public, save and except the curriculum vitae referred to therein which is to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual:

“It is recommended that:

- (1) Shirley Hoy be appointed to the position of Chief Administrative Officer and that such appointment be effective November 6, 2001;
- (2) the appointment of the Acting Chief Administrative Officer be repealed; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any necessary bills.”

Additional Motions:

During consideration of Motion J(9), the following additional motions were moved:

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

“It is recommended that the City investigate what steps can be taken to protect the

identity of candidates who apply for positions within the City of Toronto.”

- (b) Councillor Minnan-Wong moved that motion (a) by Councillor Chow be referred to the Administration Committee for consideration.
- (c) Councillor Lindsay Luby moved that motion (a) by Councillor Chow also be referred to the Ethics Steering Committee for consideration.

Motion (b) by Councillor Minnan-Wong carried.

Motion (c) by Councillor Lindsay Luby carried.

In summary, Council referred the following motion to the Administration Committee and the Ethics Steering Committee, for consideration:

“It is recommended that the City investigate what steps can be taken to protect the identity of candidates who apply for positions within the City of Toronto.”

9.80 Proposed Amendment to Canada Lands Conditions of Draft Plan Approval 55T99611

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

Moved by: Councillor Balkissoon

Seconded by: Councillor Duguid

“**WHEREAS** City Council as its meeting held on February 1, 2 and 3, 2000, adopted, without amendment, Scarborough Community Council Report No. 1, Clause No. 19, headed ‘Official Plan Amendment Application SC-P1999014, Zoning By-law Amendment Application SC-Z19990021, Draft Plan of Subdivision SC-T19990011, Canada Lands Company, North Side of McLevin Avenue, East & West of Tapscott Road (Ward 18 - Scarborough Malvern)’, which dealt with the draft plan conditions for the Canada Lands Company (CLC) Limited draft plan at McLevin Avenue and Tapscott Road; and

WHEREAS one of the conditions added by Scarborough Community Council required that for Lots with rear lot drainage and catchbasins, owners with lands abutting these Lots along the rear property lines shall have common drainage easements registered on title satisfactory to the Commissioner of Works and Emergency Services; and

WHEREAS the owner's solicitor has requested that Condition No. 39 be deleted, because it would require complex cross easements among all owners causing a significant cloud on their title; has never been required in subdivisions in the former City of Scarborough; and is not deemed necessary by Works and Emergency Services staff; and

WHEREAS Works and Emergency Services staff concur with deletion of Condition No. 39; and

WHEREAS the owner's solicitor has indicated that there is an urgent need to resolve this matter to meet conditions of a sale of part of the property;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council support the deletion of Condition No. 39 of the Canada Land Company (CLC) Limited draft plan approval 55T99611, and the Chief Planner be so advised."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Scarborough Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(10) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(10) was adopted, without amendment.

9.81 **Part-Lot Control Exemption Application – Salena Holdings Inc., Triple Crown Avenue, Stallion Place and Mare Crescent**

Councillor Ford moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ford

Seconded by: Councillor Milczyn

“WHEREAS City Council at its regular meeting held on October 3, 4 and 5, 2000,

and its Special Meetings held on October 6, 2000, October 10 and 11, 2000 and October 12, 2000 adopted, without amendment, Etobicoke Community Council Report No. 11, Clause No. 36, headed 'Application for Removal of Part-Lot Control, Salena Holdings Inc.; Various Lots on Triple Crown Avenue and Mare Crescent, File No. PLC20000002 (Rexdale-Thistletown)', and, in so doing, approved an application by Salena Holdings Inc. to remove part-lot control for certain lots on Plan 66M-2338 to allow the conveyancing of maintenance easements between properties; and

WHEREAS City Council enacted By-law No. 681-2000, to remove part-lot control on certain lots on Plan 66M-2338 for a period of one year; and

WHEREAS By-law No. 681-2000 expired on October 5, 2001, and sales transactions have yet to be completed on Lots 40, 41, 42, 43, 46, 48, 49, 51, 53, 56, 63, 66, 67, 77, 133, 134, 135 and 136 of Plan 66M-2338; and

WHEREAS imminent real estate transactions on several of the above-noted lots require the removal of part-lot control, the applicant has requested that a by-law to remove part-lot control for the above-noted lots be enacted for a period of two years; and

WHEREAS the Commissioner of Urban Development Services has reviewed the applicant's request and recommends the enactment of a part-lot control exemption by-law for the above-noted lots;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Council enact a by-law to remove part-lot control on Lots 40, 41, 42, 43, 46, 48, 49, 51, 53, 56, 63, 66, 67, 77, 133, 134, 135 and 136 of Plan 66M-2338, which shall expire two years from the date of passage; and
- (2) the City Solicitor be authorized to submit the necessary Bills to Council that are required to give effect to the foregoing."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(11) to the Etobicoke Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(11) to the Etobicoke Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(11) was adopted, without amendment.

9.82 **Liquor Licence Hearing - 1374 St. Clair Avenue West**

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Silva

“WHEREAS the establishment at 1374 St. Clair Avenue West, known as L’Espresso Bar, has applied to the Alcohol and Gaming Commission for a patio liquor licence; and

WHEREAS the operators of this establishment have not applied to the City for a patio licence; and

WHEREAS this location has been a source of ongoing complaints by area residents for years; and

WHEREAS this location was the scene of a shooting in August 2001, and the community feels that this incident was directly related to this establishment and the clientele that frequent this premise; and

WHEREAS the residents who live near the establishment are reluctant to voice their opinion against the issuance of a liquor licence at this location, having regard for its past history; and

WHEREAS I am requesting Council to consider this Motion prior to a hearing date being set, due to the timing of the next City Council meeting and the possibility of a hearing being called prior to that session;

NOW THEREFORE BE IT RESOLVED THAT City Council instruct the City Solicitor to attend the Alcohol and Gaming Commission hearing, on behalf of the City and local residents of the community, in opposition to the application.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Humber York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(12) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(12) was adopted, without amendment.

9.83 **Limiting Distance Agreement - Cedarvale Ravine Adjacent to 600 Lonsdale Road (Ward 21 - St. Paul's)**

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Berardinetti

“**WHEREAS** in November of 2000, the Committee of Adjustment granted a minor variance to facilitate the renovation of the existing four-storey apartment building and the construction of a fifth floor addition at 600 Lonsdale Road; and

WHEREAS a building permit was applied for and issued on the premise that the limiting distance requirement of Section 3.2.3.1 of the Ontario Building Code would be met; and

WHEREAS renovation of 600 Lonsdale Road commenced on the basis that the limiting distance requirement of the Ontario Building Code would be fulfilled by installing additional fire protection; and

WHEREAS the property owner of 600 Lonsdale Road, after considering quotes on the additional fire sprinklers, determined that the cost was prohibitive and halted the construction; and

WHEREAS the property owner of 600 Lonsdale Road, to avert the need to install a fire curtain and sprinkler system, wishes to enter into a Limiting Distance Agreement with the City; and

WHEREAS the matter has been reviewed by the affected Departments and no objections to the proposed Limiting Distance Agreement were received; and

WHEREAS due to the forthcoming winter weather, the matter cannot wait till the next meeting of the Administration Committee, inasmuch as the roof of 600 Lonsdale Road is currently under a tarpaulin and the installation of a permanent roof is awaiting this decision;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated November 1, 2001, from the Commissioner of the Corporate Services, and that the recommendations contained in such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(13) to the Administration Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(13) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(13), a report dated November 1, 2001, entitled “Limiting Distance Agreement – Cedarvale Ravine Adjacent to 600 Lonsdale Road (Ward 21 – St. Paul’s)”. (See Attachment No. 2, Page 198.)

Vote:

Motion J(13) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated November 1, 2001, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) the City enter into a Limiting Distance Agreement with the owner of 600 Lonsdale Road on approximately the most western 8.2 metres (totalling an approximate area of 121.5 m²) and the most southern 6 metres (totalling an approximate area of 106 m²) of Cedarvale Ravine located immediately to the east and north of 600 Lonsdale Road, subject to the owners paying an administration fee of \$600.00; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

9.84 **Ontario Municipal Board Respecting 14 Ashdale Avenue (OMB File No. V010441) - Ward 32, Beaches-East York**

Councillor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bussin

Seconded by: Councillor McConnell

“WHEREAS the City of Toronto has a responsibility to maintain and protect neighbourhoods from excessive development; and

WHEREAS the existing basement unit at 14 Ashdale Avenue (a unit apparently commenced without permission and before application was made to the Committee of Adjustment) represents unacceptable residential development that has been denied at the August 22nd hearing of the City of Toronto’s Committee of Adjustment, due to a one motor vehicle parking space that will not be provided, as required by the by-law; and

WHEREAS this current development fails to respect the safety of tenants living in the building that appears to be in a poor state of repair; and

WHEREAS the successful appeal of the COA’s decision regarding 14 Ashdale Avenue at the Ontario Municipal Board (OMB) may result in undue intensification and parking difficulties in an otherwise stable neighbourhood;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to attend the hearing of the OMB on Tuesday, November 27, 2001 in support of the Committee of Adjustment’s decision respecting the property at 14 Ashdale Avenue.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(14) to the Toronto East York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(14) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(14) was adopted, without amendment.

9.85 140 Elm Ridge Drive and 111 Ridelle Avenue – Tenant Grant

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Mihevc

“WHEREAS City Council has established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases, participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications and in making appeals to Divisional Court, in defence of tenants interests; and

WHEREAS City Council enacted By-law No. 48-2000 on February 3, 2000 and By-law No. 838-2000 on October 3, 2000, to establish the Tenant Support Grants Program and to make grants to tenants meeting the criteria set out therein; and

WHEREAS City Council established the Tenant Defence Sub-Committee to monitor the Tenant Defence Fund Program and to recommend to the Community Services Committee actions in defence of tenants in the City of Toronto; and

WHEREAS the Tenant Defence Sub-Committee may make a recommendation to Council that a tenant group receive a grant despite the fact that staff have determined that the group does not meet the eligibility criteria set out in the by-laws; and

WHEREAS the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Drive has submitted an application for a basic grant under the Tenant Support Grants Programs to dispute their landlord’s application for an above-guideline rent increase (AGI) at the Ontario Rental Housing Tribunal; and

WHEREAS there are 363 units in 140 Elm Ridge Drive and 111 Ridelle Drive that are affected by the AGI application; and

WHEREAS more than one-third of the tenants (128 tenants) in the buildings signed the petition for their grant application, which meets the program guideline; and

WHEREAS based on staff review, the application is not eligible for a grant under the Tenant Support Grants Program, as an insufficient number of tenants have rents that meet qualifying rent levels as set out in the by-laws; and

WHEREAS the Tribunal hearing was completed on October 12, 2001 and the Tenants Committee has incurred legal and administrative expenses; and

WHEREAS the Tenant Defence Sub-Committee met on October 30, 2001 and discussed the matters raised in the communication (October 12, 2001) from Councillor Mihevc requesting a basic grant of up to \$1,000 for the tenants association; and

WHEREAS the Tenant Defence Sub-Committee has a concern that the rents have increased dramatically in the Elm Ridge and Ridelle apartments and that the tenants are of modest income; and

WHEREAS staff will be reviewing and updating qualifying rent levels after the 2001 rental market survey is completed by the Canada Mortgage and Housing Corporation; and

WHEREAS section 113 of the Municipal Act provides that the council of every municipality may, subject to section 111 of the Municipal Act, makes grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the council, is in the interests of the municipality; and

WHEREAS providing grants to tenant groups for disputing landlords' applications can assist in the preservation and maintenance of affordable housing supply and is therefore in the interests of the City; and

WHEREAS there are sufficient funds in the Tenant Support Grants Program to provide a basic grant to the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue to assist them with their expenses incurred for the preparation for the Tribunal hearing;

NOW THEREFORE BE IT RESOLVED THAT Council make a grant of up to \$1,000.00 to the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue, to be allocated from the Tenant Support Grants Program, and deem such grant to be in the municipal interest."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Community Services Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(15) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(15), a report dated October 31, 2001, from the Acting Commissioner of Community and Neighbourhood Services, entitled "Tenant Support Grants Application from 140 Elm Ridge Drive and 111 Ridelle Avenue. (See Attachment No. 3, Page 200.)

Motion:

Councillor Nunziata moved that Motion J(15) be adopted, subject to adding thereto the following new Operative Paragraph:

"AND BE IT FURTHER RESOLVED THAT any future requests for grants under the Tenant Support Grants Program presented to Council, depict the balance remaining in the Program."

Votes:

The motion by Councillor Nunziata carried.

Adoption of Motion J(15), as amended:

Yes - 18	
Councillors:	Altobello, Bussin, Di Giorgio, Disero, Duguid, Ford, Hall, Jones, Korwin-Kuczynski, McConnell, Mihevc, Milczyn, Nunziata, Pantalone, Rae, Silva, Soknacki, Walker
No - 7	
Councillors:	Berardinetti, Flint, Holyday, Lindsay Luby, Ootes, Shiner, Sutherland

Carried by a majority of 11.

9.86 Support for Toronto Symphony Orchestra

Councillor Rae moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Rae

Seconded by: Councillor Miller

“WHEREAS The Toronto Symphony Orchestra (TSO) was formed in 1921 and is one of the leading orchestras in North America; and

WHEREAS The TSO is one of the major pillars in the City’s cultural life and contributes to the economy and vibrancy of the community; and

WHEREAS The TSO stages over 140 performances per year and reaches over 100,000 young people through its programs; and

WHEREAS the people of Toronto, Ontario and Canada, through their governments, invested over \$3 million in the Toronto Symphony Orchestra this year, representing 18 percent of the organization’s total revenue; and

WHEREAS the three levels of government have invested tens of millions of dollars spread over decades to create a Toronto Symphony Orchestra that is artistically excellent; and

WHEREAS the TSO faces an unprecedented financial crisis that threatens its existence;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council express its support for the Toronto Symphony Orchestra and urge the Federal Government to provide access to the \$5 million being held by the Toronto Symphony Foundation in order to avert this crisis.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Economic Development and Parks Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(16) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(16) was adopted, without amendment.

9.87 Amendment to Etobicoke Zoning Code – 2 and 4 Sand Beach Road

Councillor Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Jones

Seconded by: Councillor Flint

“WHEREAS City Council at its meeting held on June 26, 27 and 28, 2001, adopted Clause No. 8 of Report No. 5 of The West Community Council, thereby endorsing the May 25, 2001 report of the Director of Community Planning – West District, recommending passage, subject to conditions, of the proposed amendment to the Etobicoke Zoning Code in respect of the property known municipally as 2 and 4 Sand Beach Road (File No. Z-2179, Ward 6 – Etobicoke-Lakeshore); and

WHEREAS one of the conditions to bringing forward the zoning by-law for passage was Condition (b) which required the applicant to transfer lands located south of the retaining wall and a 0.3 metre strip of land immediately north of the wall to the Toronto Region Conservation Authority; and

WHEREAS in response to receipt of a Letter of Undertaking from the applicant to the Toronto Region Conservation Authority, the Toronto Region Conservation Authority forwarded a letter dated March 26, 2001, to Community Planning, West District, confirming that the Conservation Authority had no objection to the approval of the Zoning By-law; and

WHEREAS the May 25, 2001 report of the Director of Community Planning, West District, which was before Etobicoke Community Council at the Public Meeting held on June 13, 2001, stated the proposed maximum heights of Block ‘A’ and Block ‘B’ of the townhouses to be 13.17 metres and 12.3 metres respectively; and

WHEREAS the applicant has requested that the maximum permitted heights of the two townhouse blocks be reversed so that the rounded maximum heights of Block ‘A’ and Block ‘B’ would be 12.3 metres and 13.2 metres respectively;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 8 of Report No. 5 of The West Community Council, headed, ‘Final Report - Application to Amend the Etobicoke Zoning Code; Zanini Developments Inc. 2 and 4 Sand Beach Road, File No. Z-2179 (Ward 6 - Etobicoke-Lakeshore)’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council amends Condition (b) which required the conveyance of the lands located south of the retaining wall and a 0.3-metre strip of land immediately north of the wall to the Toronto Region Conservation Authority to only require receipt of a letter from the Conservation Authority confirming that it has no objection to the passage of the Zoning By-law and directs staff to bring forward the Zoning By-law at this meeting of Council, given that the Conservation Authority has provided a letter dated March 26, 2001 confirming that it has no objection to the passage of the Zoning By-law;

AND BE IT FURTHER BE RESOLVED THAT Council directs that the proposed by-law amendment be revised to apply a maximum height to Block 'A' and Block 'B' of 12.3 metres and 13.2 metres respectively;

AND IT FURTHER BE RESOLVED THAT Council, under Section 34(17) of the Planning Act, determine that no further notice to the public is required of the change in height."

Votes:

The first Operative Paragraph embodied in Motion J(17) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(17) was adopted, without amendment.

9.88 **Market Customized Taxicab Driver/Owner Training Programs**

Councillor Minnan-Wong moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Moscoe

"WHEREAS the City of Toronto is recognized internationally for its exemplary taxi driver/owner training programs which include the following: 40-day Ambassador Taxicab Training Program, 17 day Effective Taxicab Driver Training Program for new drivers, Five-day Taxicab Driver Refresher Course, Four-day Accessible Taxicab Driver/Owner Training Programs; and

WHEREAS the City of Toronto has received expressions of interest from various

municipalities nation-wide and internationally, to acquire the rights to use and purchase customized Taxicab Driver/Owner Training Programs; and

WHEREAS the City of Toronto will enhance its profile as an industry leader throughout the international community and demonstrate its willingness to build partnerships and share its knowledge and expertise with other municipalities in the area of taxicab driver/owner training; and

WHEREAS the City of Toronto has identified the need to explore innovative revenue generating sources;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto authorize the Commissioner of Urban Development Services to enter into purchase agreements/contracts with municipalities for the sale of customized Taxicab Driver/Owner Training Programs, as offered by the Municipal Licensing and Standards, Taxi Industry Unit, Training Section;

AND BE IT FURTHER RESOLVED THAT the City of Toronto authorize the Commissioner of Urban Development Services to market such customized training programs on behalf of the City of Toronto, at a fair market value.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Planning and Transportation Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(18) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Minnan-Wong moved that Motion J(18) be adopted, subject to adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** funds raised be used to improve, administer and market the Ambassador Program.”

Votes:

The motion by Councillor Minnan-Wong carried.

Motion J(18), as amended, carried.

9.89 **Front Yard Parking and Driveway Widening**

Councillor Flint moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Johnston

“WHEREAS Midtown Community Council is experiencing an increase in the number of applications for driveway widening and front yard parking; and

WHEREAS there is a policy that provides successful applicants with an opportunity to meet urban design standards with help of City staff; and

WHEREAS Midtown Community Council members are hesitant to grant front yard parking and driveway widening without first seeing how it impacts on the neighbourhood and streetscape; and

WHEREAS Urban Development Services staff members are available to assist in the review of applicants’ site plans when required by Works and Emergency Services;

NOW THEREFORE BE IT RESOLVED THAT applicants for front yard parking and driveway widening be required to submit a site plan, that includes a landscaping component, to the satisfaction of the Commissioner of Works and Emergency Services prior to the request being put before Midtown Community Council;

AND BE IT FURTHER RESOLVED THAT the site plan be included with the staff report for each front yard parking or driveway widening request to Midtown Community Council.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(19) to the Midtown Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(19) to the Midtown Community Council carried, more

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

Vote:

Motion J(19) was adopted, without amendment.

9.90 **Good Repair Audit of School Pools**

Councillor Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(20):

Moved by: Councillor Jones

Seconded by: Councillor Moeser

“WHEREAS the Province of Ontario no longer funds the Toronto District School Board (TDSB) for activities outside of the classroom; and

WHEREAS, due to changes in the Province’s funding formula, the TDSB has indicated they can no longer operate 85 school pools; and

WHEREAS the TDSB has decided to close school pools in June of 2002; and

WHEREAS the City currently operates aquatic programs in 47 of the TDSB pools; and

WHEREAS a state of good repair audit is required to determine the structural integrity and improvement costs for the TDSB pools which will allow the City to determine the feasibility of potentially operating some or all of these locations; and

WHEREAS the School Advisory Committee, at its meeting held on October 16, 2001, made a motion to pay for 50 percent of the cost of an audit, at a cost to the City of \$127,500.00 for 85 pools; and

WHEREAS City Council at their meeting held on June 26, 27 and 28, 2001, agreed not to share in funding the state of good repair audit for the TDSB school pools;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Economic Development and Parks Committee Report No. 6, Clause No. 11, headed ‘Toronto District School Board, Update on Common Issues and Negotiations on Swimming Pool Usage by the Parks and Recreation Division (All Wards)’, be re-opened for further consideration, only insofar as it pertains to the sharing of the cost of a state of good repair audit of Toronto District School Board indoor pool facilities;

AND BE IT FURTHER RESOLVED THAT the City of Toronto cost share up to a maximum cost to the City of \$127,500.00 to allow the TDSB to issue the RFP on behalf of the City and the TDSB, in accordance with the TDSB policies, procedures and evaluation process.”,

the vote upon which was taken as follows:

Yes - 25 Councillors:	Altobello, Augimeri, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Silva, Walker
No – 17 Mayor: Councillors:	Lastman Ashton, Balkissoon, Berardinetti, Feldman, Ford, Holyday, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland

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

Having regard that the motion to waive notice did not carry, Councillor Jones gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on December 4, 2001.

9.91 **Liquor Licence Board Hearing – 1375 Danforth Road**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Berardinetti

“WHEREAS Incline Restaurant, located in Unit 1 at 1375 Danforth Road in Scarborough, has been in violation of a number of property standards; and

WHEREAS the local Members of Provincial Parliament and Councillor’s offices have received numerous complaints of excessive noise and loitering in regards to the above address; and

WHEREAS concerns have been raised regarding allegations of illegal drug use at this premises and connections to illegal drug violations involving the owner/operator; and

WHEREAS the owner/operator of Incline Restaurant promised the community representative and the local Councillor on April 30, 1999, at a Liquor Board hearing to extend his licence, that the difficulties experienced by the community as a result of his restaurant/bar would be resolved if his application was renewed; and

WHEREAS Toronto Police Services have been called on to respond to numerous complaints emanating from the above establishment; and

WHEREAS members of the community are calling on Council to assist in revoking the Liquor Licence of the above-said establishment;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council support the community in the vicinity of 1375 Danforth Road by instructing the City Solicitor to attend the upcoming Liquor Board hearing in support of the community respecting 1375 Danforth Road.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(21) to the Scarborough Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(21) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(21) was adopted, without amendment.

9.92 **Nomination of Hummingbird Centre as a National Historic Site**

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(22):

Moved by: Councillor Mihevc

Seconded by: Councillor Johnston

“**WHEREAS** the City of Toronto owns the property at 1 Front Street East (Hummingbird Centre); and

WHEREAS the property at 1 Front Street East (Hummingbird Centre) is listed on the City of Toronto's Inventory of Heritage Properties; and

WHEREAS the Hummingbird Centre is an important example of Modern architecture in Toronto and contains an interior mural ('The Seven Lively Arts') by the important Canadian artist, R. York Wilson;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council supports the nomination of the Hummingbird Centre as a National Historic site;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Historic Sites and Monuments Board of Canada to evaluate the building on the grounds that it has national historic significance, including the interior mural, 'The Seven Lively Arts' by Canadian artist R. York Wilson.”,

the vote upon which was taken as follows:

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

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

Having regard that the motion to waive notice did not carry, Councillor Mihevc gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on December 4, 2001.

9.93 **Enforcement of Election Sign By-law**

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Pantalone**

Seconded by: **Councillor Silva**

“**WHEREAS** City Council, at its meeting held October 2, 3 and 4, 2001, considered a confidential report from the City Solicitor dated September 5, 2001 contained in Clause No. 1 of Report No. 10 of the Planning and Transportation Committee headed ‘Harmonization of the Sign By-law concerning Posters on Public Property, including Signs on Utility Poles’; and

WHEREAS City Council struck out Recommendations (1) and (2) of the confidential report and referred them back, along with the balance of the Clause, to the Commissioner of Urban Development Services for a further report; and

WHEREAS there is a need for direction from City Council concerning the subject matter to which Recommendations (1) and (2) relate prior to the upcoming by-election in Ward 31; and

WHEREAS this is the last City Council meeting scheduled prior to the by-election in Ward 31;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report dated October 31, 2001 from the City Solicitor and adopt the recommendations set out therein.”

Council also had before it, during consideration of Motion J(23), a confidential report dated October 31, 2001, from the City Solicitor.

Vote:

Motion J(23) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated October 31, 2001, from the City Solicitor, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it pertains to litigation or potential litigation.

9.94 **Amendment to Draft Plan of Subdivision for 275 Wallace Avenue**

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Silva**

Seconded by: **Councillor Disero**

“WHEREAS City Council has considered and approved applications for Official Plan and Zoning By-law Amendments and recommended conditions of approval for a draft plan of subdivision to permit the construction of 8 detached dwellings and 54 semi-detached dwellings at 275 Wallace Avenue at its meeting held on February 1, 2 and 3, 2000; and

WHEREAS City Council at its meeting held on July 4, 5 and 6, 2000, further amended the conditions of draft approval for the plan of subdivision; and

WHEREAS City Council at its regular meeting held on April 23, 23, 35, 26,27, and its special meeting held on April 30, May 1 and 2, 2001, further amended the conditions of draft approval for the plan of subdivision with respect to a crash barrier/noise wall; and

WHEREAS in preparing the subdivision agreement for this plan of subdivision, it was determined that further technical amendments to the conditions of draft approval are required; and

WHEREAS there is a contradiction in the conditions of draft approval as amended, and a technical amendment is required to delete condition 10 (xxiv)(i) which requires ‘the owner to certify to the satisfaction of C.N. that the crash wall as designed meets the 30m and berm requirement for setback from its rail corridor’; and

WHEREAS the redesign of the crash barrier/noise wall makes the provision of a 1.8 m chain link fence along the property line with CN as required by condition 10(xxv) redundant; and

WHEREAS it would be appropriate to further amend the conditions of draft approval to delete conditions 10(xxiv)(i) and (xxv) so that the development of this plan of subdivision may proceed;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Southwest Community Council Report No. 14, Clause No. 12, headed “Further Report and Supplementary Report Official Plan Amendment and Rezoning Application and Draft Plan of Subdivision Application; 275 Wallace Avenue; 1285758 Ontario Ltd., File Nos. 298006 and 449039 (Davenport, Ward 18)”, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT conditions 10(xxiv)(i) and (xxv) of the conditions of draft approval of the plan of subdivision for 275 Wallace Avenue be deleted in their entirety.”

Vote:

The first Operative Paragraph embodied in Motion J(24) carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(24) to the Humber York Community Council would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(24) to the Humber York Community Council was taken as follows:

Yes – 35	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Walker
No – 6	
Councillors:	Ashton, Flint, Holyday, Milczyn, Moeser, Ootes

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

Vote:

The balance of Motion J(24) was adopted, without amendment.

9.95 **World Youth Day - Waiving of Rental Fee for the Use of the Toronto Centre for the Arts**

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Feldman

“WHEREAS the City of Toronto is proud to welcome Pope John Paul II, 750,000 young delegates and 3000 international journalists that are expected to attend World Youth Day from July 22- 28, 2002; and

WHEREAS World Youth Day 2002 will generate significant economic benefits and extensive world-wide media coverage for the City of Toronto; and

WHEREAS World Youth Day delegates will be participating in community service projects across the City of Toronto; and

WHEREAS the success of such a large-scale event will depend on the participation of thousands of local residents as volunteers and accommodation hosts; and

WHEREAS the World Youth Day National Council is planning to organize a kick-off event to promote and encourage the opportunities for volunteering, billeting and community service projects to 1000 representatives from 232 local schools; and

WHEREAS the World Youth Day National Council has requested the use of the Toronto Centre for the Arts for the morning of November 16, 2001, and that the facility rental fee of \$ 4,000.00 for that date be waived;

NOW THEREFORE BE IT RESOLVED that, Toronto City Council waive the rental fee for the use of the Toronto Centre for the Arts for the purpose of recruiting WYD volunteers, billeting hosts and other program support.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Economic Development and Parks Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(25) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Mihevc moved that Motion J(25) be adopted, subject to:

- (a) adding the following new recital:

“WHEREAS the World Youth Day National Council has agreed to pay up to \$3,000.00 for actual operating costs;” and

- (b) amending the first Operative Paragraph to read as follows:

“NOW THEREFORE BE IT RESOLVED THAT Toronto City Council provide up to \$4,000.00 from the Corporate Contingency Account for the purpose of renting the Toronto Centre for the Arts for the World Youth Day volunteer recruitment day.”

Votes:

The motion by Councillor Mihevc carried.

Motion J(25), as amended, carried.

9.96 **Acquisition of Technology**

Councillor Balkissoon moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(26), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Balkissoon

Seconded by: Councillor Berardinetti

“WHEREAS staff are currently reviewing the City’s contractual leasing arrangements with MFP Financial Services Ltd. for computer equipment and it is advisable that no further leasing through those arrangements take place until the review is completed; and

WHEREAS there is an urgent need for technology acquisitions in a number of program areas which must be addressed immediately; and

WHEREAS the Chief Administrative Officer and Commissioner of Corporate Services, by confidential joint report to follow on Wednesday, November 7, 2001, will be proposing an interim solution to allow for required technology acquisitions within the approved budgets of the operating departments;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned confidential joint report from the Chief Administrative Officer and Commissioner of Corporate Services, and that such report be adopted.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of

Toronto Municipal Code requiring the referral of Motion J(26) to the Administration Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(26) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(26), a confidential joint report dated November 7, 2001, from the Chief Administrative Officer and Acting Chief Financial Officer, and the Commissioner of Corporate Services.

Vote:

Motion J(26) was adopted, without amendment.

Motion to Re-open:

Councillor Shiner, with the permission of Council, moved that, in accordance with Chapter 27 of the City of Toronto Municipal Code, Motion J(26) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(26), a revised confidential joint report dated November 7, 2001, from the Chief Administrative Officer and Acting Chief Financial Officer, and the Commissioner of Corporate Services.

Vote:

Motion J(26) was adopted, without amendment, and in so doing, Council adopted, without amendment, the revised confidential joint report dated November 7, 2001, from the Chief Administrative Officer and Acting Chief Financial Officer and the Commissioner of Corporate Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it concerns the security of a property interest of the municipality or local board, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) interim financing, structured as internal loans or chargebacks for 3-year terms at an interest rate of 5 percent per annum, for technology related acquisitions be approved as a temporary measure to fulfil acquisitions determined to be urgently needed, pending completion of the review of the City’s existing leasing contract and development of a long-term technology acquisition strategy;
- (2) Council establish the Emergency Technology Acquisition Reserve Fund, the purpose of which is to provide funds for the internal leasing of technology related acquisitions under the conditions set out in this report, including replenishment of the Fund;
- (3) Municipal Code Chapter 227 (Reserves and Reserve Funds) be amended by adding the Emergency Technology Acquisition Reserve Fund to Schedule ‘C’ – Discretionary Reserve Funds;

- (4) funds in the amount of \$5.0 million be transferred to the Emergency Technology Acquisition Reserve Fund from the Capital Financing Reserve Fund as an initial contribution;
- (5) regular reports be provided to each meeting of the Administration Committee with respect to the status of the Emergency Technology Acquisition Reserve Fund, and the Emergency Technology Acquisition Reserve Fund be closed upon recommendation to Council;
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto;
- (7) in the interim, all technology related acquisitions be reviewed for urgency of need, and, if so determined, be financed through the new reserve fund, while other acquisitions deemed not urgent will be deferred;
- (8) a review committee, comprising of senior staff from Finance and Information & Technology, be established to review business cases for urgency from departments and to approve the loans/chargebacks prior to any purchase commitments;
- (9) total loan/chargeback payments by departments consists of the cost of purchase, plus 15 percent of such purchase costs as administrative overhead charge representing costs for initial setup, asset management and eventual disposal, plus an interest charge at 5 percent per annum for the total amount of purchase and administrative overhead charge;
- (10) the Finance Department be directed to administer the new Emergency Technology Acquisition Reserve Fund and the collection of loan/chargeback payments from departments, and the Information & Technology Division be directed to manage the technology assets acquired with funds from the reserve fund; and
- (11) in order to reduce the need to draw on the loan capital, staff be given the option to either finance urgent technology related acquisitions through internal loans or, if sufficient budget funds are available, purchase outright where such purchase can be determined to be financially viable and beneficial.”

9.97 2002 Schedule of Meetings – Community Council Meetings

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

Moved by: Councillor Rae

Seconded by: Councillor Chow

“**WHEREAS** City Council at its meeting held on October 2, 3 and 4, 2001, adopted, as amended, Striking Committee Report No. 7, Clause No. 4, headed ‘2002 Schedule of Meetings’; and

WHEREAS there are no scheduled meetings of the Community Councils during February and March, 2002; and

WHEREAS there are urgent items to be considered by the Community Councils during this period;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 4 of Report No. 7 of The Striking Committee, headed ‘2002 Schedule of Meetings’, be re-opened for further consideration, only insofar as it relates to the schedule of meetings for the months of February and March, 2002;

AND BE IT FURTHER RESOLVED THAT Community Council meetings be scheduled in February 2002, as follows:

Monday, February 25, 2002:	Humber York Community Council Midtown Community Council Scarborough Community Council Toronto East York Community Council
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Tuesday, February 26, 2002:	Etobicoke Community Council North York Community Council;
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AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, in consultation with the Commissioners, recommend which Community Council decisions require urgent attention and that such matters be submitted to the Special Council meeting scheduled to be held on March 4 to 8, 2002, to consider the 2002 Operating and Capital Budgets;

AND BE IT FURTHER RESOLVED THAT such urgent matters be considered as the last items of business at the Special Meeting of City Council, following consideration of the Budgets.”

Votes:

The first Operative Paragraph embodied in Motion J(27) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(27) was adopted, without amendment.

9.98 **Works Best Practices Program Work Group**

Councillor Disero moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Disero

Seconded by: Councillor Miller

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

Recommendation No. 4 of The Administration Committee:

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

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

‘(B) the following committees be disbanded:

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

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 1 of Report No. 1 of The Works Committee, and Clause No. 3 of Report No. 1 of The Administration Committee, headed “Review of Sub-Committees, Advisory Committees, Special Committees and Task Forces Established by City Council since January 1998”, be re-opened for further consideration, only insofar as it pertains to the Works Best Practices Program Work Group;

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

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

Vote:

The first Operative Paragraph embodied in Motion J(28) carried, more than two-thirds of Members present having voted in the affirmative.

Disposition:

Consideration of the balance of Motion J(28) was deferred to the next regular meeting of Council scheduled to be held on December 4, 2001.

9.99 **Amendments to Municipal Act – Method of Property Taxation – Airport Runways Used in Connection with an Aircraft Manufacturing Facility – Bombardier Aerospace Ltd.**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Feldman

“WHEREAS railway rights-of-way and power utility corridors, due to their unique nature, are afforded a special tax treatment under the Municipal Act, wherein property taxes are determined by the application of a per-acre rate that is established each year by a provincial regulation; and

WHEREAS airport runways used in connection with an aircraft manufacturing facility are also unique property types, in that few if any comparable properties exist; and

WHEREAS there is one such facility in Toronto, being the airport runway owned by Bombardier Aerospace Ltd. in Downsview; and

WHEREAS the City of Toronto is currently negotiating with Bombardier Aerospace Ltd. to secure the release of restrictive covenants relating to the airport runway, in order to allow redevelopment of certain City-owned lands in the vicinity for residential and mixed-use purposes; and

WHEREAS Bombardier Aerospace Ltd. has indicated their willingness to consider the release of the aforesaid restrictive covenants on the redevelopment lands in exchange for the City undertaking to secure a lower level of taxation on the airport runway lands, through a request to the Province for a legislative amendment; and

WHEREAS an opportunity exists at present to introduce amendments to the Municipal Act that would take effect for the 2002 taxation year, by way of an omnibus bill that is currently before the legislature as Bill 127, the Responsible Choices for Growth and Fiscal Responsibility Act, 2001, that was introduced for First Reading on November 6, 2001, and which is expected to receive Third Reading and Royal Assent before December 13, 2001;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to introduce amendments to the Municipal Act that would change the

method by which property taxes are determined for airport runways used in connection with an aircraft manufacturing facility, to allow such properties to be taxed in a similar method to other unique linear properties, such as railway rights-of-way and power utility corridors, and more specifically, that Section 368.3(1) of the Municipal Act be amended to add:

- ‘3. The runway of an aircraft company that is used primarily for the testing of planes in association with an active manufacturing plant.’;

AND BE IT FURTHER RESOLVED THAT appropriate Members of Council and City staff be authorized to seek a meeting with officials of the Ministries of Finance and Municipal Affairs and Housing, and the affected property owners, to determine an appropriate level of taxation for properties within this category.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Policy and Finance Committee would have to be waived, in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(29) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(29) was adopted, without amendment.

- 9.100 Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on December 4, 2001:

REPORT NO. 15 OF THE ADMINISTRATION COMMITTEE

- Clause No. 3 - “Options for Methods to Deal With Decisions on Compliance Audit Applications”.

REPORT NO. 10 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

- Clause No. 4 - “Harmonized Policy for the Removal of Ornamental Fruit-Bearing Trees (All Wards)”.

Clause No. 9 - "Parkland Dedication - Industrial Development (All Wards)".

REPORT NO. 11 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - "Removal of Bus Bays on City Streets".

REPORT NO. 14 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 21 - "Delegation to Meeting of Housing Ministers in Quebec City".

NOTICES OF MOTION

J(7) Front Yard Parking – 40 Emerson Avenue
Moved by Councillor Silva, seconded by Councillor Disero

J(28) Works Best Practices Program Work Group
Moved by Councillor Disero, seconded by Councillor Miller

Council concurred in the proposal by Deputy Mayor Ootes.

BILLS AND BY-LAWS

9.101 On November 6, 2001, at 10:02 a.m., Mayor Lastman, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 943	By-law No. 881-2001	To appoint a Chief Administrative Officer.
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9.102 On November 6, 2001, at 7:21 p.m., Councillor Lindsay Luby, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 977	By-law No. 882-2001	To confirm the proceedings of the Council at its Meeting held on the 6th day of November, 2001,
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the vote upon which was taken as follows:

Yes - 23

Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, Jones, Kelly, Lindsay Luby, McConnell, Milczyn, Miller, Nunziata, Ootes, Pantalone, Shiner, Walker
No - 0	

Carried, without dissent.

- 9.103 On November 7, 2001, at 7:45 p.m., Councillor Berardinetti, seconded by Councillor Mihevc, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 978	By-law No. 883-2001	To confirm the proceedings of the Council at its Meeting held on the 6th and 7th days of November, 2001,
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the vote upon which was taken as follows:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Chow, Di Giorgio, Disero, Duguid, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Layton, Li Preti, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner
No - 1	
Councillor:	Bussin

Carried by a majority of 27.

- 9.104 On November 8, 2001, at 6:03 p.m., Councillor Mihevc, seconded by Councillor Hall, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 870	By-law No. 884-2001	To amend former City of York By-law No. 1-83 in respect of 4 Venn Crescent and 2409 Eglinton Avenue West.
Bill No. 871	By-law No. 885-2001	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north side of Bell Manor Drive, north of Berry Road.
Bill No. 872	By-law No. 886-2001	To amend further By-law No. 23503 of

		the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 874	By-law No. 887-2001	To expropriate lands extending easterly from Berkeley Street at the rear of Nos. 319 to 333 Queen Street East for public lane purposes.
Bill No. 875	By-law No. 888-2001	To expropriate 11R Hounslow Heath Road for public lane purposes, park purposes and to extinguish a legal non-conforming use.
Bill No. 876	By-law No. 889-2001	To amend further By-law No. 20-96, a By-law “To provide for the overnight parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 877	By-law No. 890-2001	To amend further By-law No. 20-96, a By-law “To provide for the overnight parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 878	By-law No. 891-2001	To amend further By-law No. 20-96, a By-law “To provide for the overnight parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 879	By-law No. 892-2001	To amend further By-law No. 20-96, a By-law “To provide for the overnight parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 880	By-law No. 893-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 881	By-law No. 894-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain

		sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 882	By-law No. 895-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 883	By-law No. 896-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 885	By-law No. 897-2001	To amend By-law No. 159-2001 to set the size and quorum of the Boards of Management of the Kennedy Road Business Improvement Area in the former City of Scarborough and the Weston Road Business Improvement Area in the former City of York.
Bill No. 886	By-law No. 898-2001	To amend the former City of Toronto Municipal Code Chapter 20, Business Improvement Areas, to make changes to the size and quorum of the Hillcrest Village Business Improvement Area Board of Management.
Bill No. 887	By-law No. 899-2001	To amend the former City of Toronto Municipal Code Chapter 20, Business Improvement Areas, to reflect the name change of Bloor-Bathurst-Madison Business Improvement Area to Bloor Annex Business Improvement Area.
Bill No. 888	By-law No. 900-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 889	By-law No. 901-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 890	By-law No. 902-2001	To amend By-law No. 30518, as amended,

		of the former City of North York.
Bill No. 891	By-law No. 903-2001	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 892	By-law No. 904-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 893	By-law No. 905-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 894	By-law No. 906-2001	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 895	By-law No. 907-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 896	By-law No. 908-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 897	By-law No. 909-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 898	By-law No. 910-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 899	By-law No. 911-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 900	By-law No. 912-2001	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 901	By-law No. 913-2001	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code regarding parking machines on certain streets within the City of Toronto.
Bill No. 902	By-law No. 914-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Salem Avenue North.
Bill No. 903	By-law No. 915-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gladstone Avenue.

Bill No. 904	By-law No. 916-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Albany Avenue.
Bill No. 905	By-law No. 917-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Acores Avenue, Minho Boulevard.
Bill No. 906	By-law No. 918-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Rosemount Avenue.
Bill No. 907	By-law No. 919-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 908	By-law No. 920-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 909	By-law No. 921-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 910	By-law No. 922-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 912	By-law No. 923-2001	To levy and collect taxes for 2001 on Certain Railway Company and Power Utility Lands.
Bill No. 913	By-law No. 924-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 914	By-law No. 925-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 915	By-law No. 926-2001	To amend the Municipal Code of the

		former City of Etobicoke with respect to Traffic - Chapter 240, Article III.
Bill No. 916	By-law No. 927-2001	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 917	By-law No. 928-2001	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 918	By-law No. 929-2001	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 919	By-law No. 930-2001	To exempt lands municipally known as 33-39 Andover Crescent from Part Lot Control.
Bill No. 920	By-law No. 931-2001	To exempt lands municipally known as 83 and 85 Milton Street from Part Lot Control.
Bill No. 921	By-law No. 932-2001	To enact a By-law pursuant to Chapter 134 of the Etobicoke Municipal Code a By-law providing for the designation of fire routes in the geographic area of Etobicoke, a By-law of the former City of Etobicoke.
Bill No. 922	By-law No. 933-2001	To repeal Township of Scarborough Zoning By-law No. 5005.
Bill No. 923	By-law No. 934-2001	To amend Scarborough Zoning By-law No. 12360, as amended, with respect to the Tam O'Shanter Community.
Bill No. 924	By-law No. 935-2001	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Golden Mile Employment District.

Bill No. 925	By-law No. 936-2001	To adopt Amendment No. 1074 of the Official Plan for the former City of Scarborough.
Bill No. 927	By-law No. 937-2001	To adopt Amendment No. 1071 of the Official Plan for the former City of Scarborough.
Bill No. 928	By-law No. 938-2001	To amend Scarborough Zoning By-law No. 10217, as amended, the Agricultural Holding By-law, and Zoning By-law No. 14402, as amended, with respect to the Malvern Community.
Bill No. 929	By-law No. 939-2001	To amend Scarborough Zoning By law No. 10076, the Agincourt Community Zoning By law; and to amend Scarborough Zoning By-law No. 12797, the Agincourt North Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9350, the Bendale Community Zoning By-law; and to amend Scarborough Zoning By-law No. 8786, the Birchcliff Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9174, the Birchmount Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9396, the Cliffcrest Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12077, the Centennial Community Zoning By-law; and to amend Scarborough Zoning By-law No. 8978, the Clairlea Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9364, the Cliffside Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9508, the Dorset Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10048, the Eglinton Community Zoning By-law; and to

amend Scarborough Zoning By-law No. 9676, the Guildwood Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10827, the Highland Creek Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9089, the Ionview Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9276, the Kennedy Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12466, the L'Amoreaux Community Zoning By-law; and to amend Scarborough Zoning By-law No. 14402, the Malvern Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12181, the Malvern West Community Zoning By-law; and to amend Scarborough Zoning By-law No. 17677, the Milliken Community Zoning By-law; and to amend Scarborough Zoning By-law No. 11883, the Morningside Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9366, the Maryvale Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9812, the Oakridge Community Zoning By-law; and to amend Scarborough Zoning By-law No. 15907, the Rouge Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10010, the Scarborough Village Community Zoning By-law; and to amend Scarborough Zoning By-law No. 16762, the Steeles Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10717, the Sullivan Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12360, the Tam O'Shanter Community Zoning By-law; and to

amend Scarborough Zoning By-law No. 25278, the Upper Rouge – Hillside Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10327, the West Hill Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9511, the Wexford Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9510, the Woburn Community Zoning By-law; and to amend Scarborough Zoning By-law No. 24982, the Employment Districts Zoning By-law; and to amend By-laws Nos. 72-2001 and 442-2001 and to amend Agricultural Holding Zoning By-law No. 10217.

Bill No. 930	By-law No. 940-2001	To amend the Official Plan of the former City of Toronto in respect of the lands known as 57 Cowan Avenue.
Bill No. 931	By-law No. 941-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 57 Cowan Avenue.
Bill No. 932	By-law No. 942-2001	To amend the Official Plan of the former City of Toronto in respect of the lands known as 30 Maple Grove Avenue.
Bill No. 933	By-law No. 943-2001	To amend the Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 30 Maple Grove Avenue.
Bill No. 934	By-law No. 944-2001	To authorize the alteration of Bayview Avenue south of Sheppard Avenue East by the extension of the centre median.
Bill No. 935	By-law No. 945-2001	To authorize the alteration of Strathearn Road between Dewbourne Avenue and Gloucester Grove by the installation of

		a speed hump.
Bill No. 936	By-law No. 946-2001	To authorize the alteration of Scott Road at its intersection with Cameron Avenue by narrowing the intersection.
Bill No. 937	By-law No. 947-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bedford Road.
Bill No. 938	By-law No. 948-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Earlscourt Avenue.

Bill No. 939	By-law No. 949-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Lukow Terrace.
Bill No. 940	By-law No. 950-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Sackville Street.
Bill No. 941	By-law No. 951-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Palmerston Avenue.
Bill No. 942	By-law No. 952-2001	To designate the property at 279 Yonge Street (Child's Restaurant and Offices) as being of architectural and historical value or interest.
Bill No. 944	By-law No. 953-2001	To amend Scarborough Zoning By-law No. 9396, as amended, with respect to the Cliffcrest Community.
Bill No. 945	By-law No. 954-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting King Street East.
Bill No. 946	By-law No. 955-2001	To exempt lands municipally known as 39 Green Belt Drive from Part Lot Control.
Bill No. 947	By-law No. 956-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Commissioners Street, Saulter Street South, Villiers Street.
Bill No. 948	By-law No. 957-2001	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 949	By-law No. 958-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 950	By-law No. 959-2001	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 951	By-law No. 960-2001	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 952	By-law No. 961-2001	To amend further By-law No. 20-96, a By-law “To provide for the overnight parking on Borough streets”, being a By-law of the former Borough of East York.
Bill No. 953	By-law No. 962-2001	To amend further By-law No. 271, a By-law “To prohibit parking on certain sides of certain highways”, being a By-law of the former Borough of East York.
Bill No. 954	By-law No. 963-2001	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as No. 494 Kingston Road.
Bill No. 955	By-law No. 964-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Collier Street.
Bill No. 956	By-law No. 965-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brunswick Avenue, Gillard Avenue, Glebemount Avenue, Hamilton Street.
Bill No. 957	By-law No. 966-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wellington Street West.

Bill No. 958	By-law No. 967-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bellair Street, Bond Street, Kippendavie Avenue, Mercer Street, Sackville Street, Yorkville Avenue.
Bill No. 959	By-law No. 968-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Saulter Street South.
Bill No. 960	By-law No. 969-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wright Avenue.
Bill No. 961	By-law No. 970-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Perth Avenue, Sterling Road.
Bill No. 962	By-law No. 971-2001	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in the Borough of East York", being a By-law of the former Borough of East York.
Bill No. 963	By-law No. 972-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Sherbourne Street.
Bill No. 964	By-law No. 973-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mountview Avenue.
Bill No. 965	By-law No. 974-2001	To exempt certain lands on Mare Crescent, Stallion Place and Triple Crown Avenue from Part Lot Control.
Bill No. 966	By-law No. 975-2001	To appoint members of the City Council as members and alternates of the Greater Toronto Services Board.

Bill No. 967	By-law No. 976-2001	To amend Chapters 340 and 342 of the Etobicoke Zoning Code with respect to certain lands located on the west side of Sand Beach Road, south of Lake Shore Boulevard and municipally known as 2-4 Sand Beach Road.
Bill No. 968	By-law No. 977-2001	To amend Chapter 134 of the Etobicoke Municipal Code, a By-law providing for the construction and maintenance of fire routes in the geographic area of Etobicoke, a By-law of the former City of Etobicoke.
Bill No. 969	By-law No. 978-2001	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 970	By-law No. 979-2001	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting St. Clarens Avenue.
Bill No. 971	By-law No. 980-2001	To amend former City of York By-law No. 1-83 in respect of lands on the northeast corner of Gabian Way and Eglinton Avenue West.
Bill No. 972	By-law No. 981-2001	To establish an Emergency Technology Acquisition Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 973	By-law No. 982-2001	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as No. 319 Merton Street.
Bill No. 974	By-law No. 983-2001	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as No. 319 Merton Street.

Bill No. 975	By-law No. 984-2001	To adopt an amendment to the former City of Toronto Part I Official Plan in respect of the lands municipally known in the year 2001 as 1912 St. Clair Avenue West, 761 Keele Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road and to adopt an amendment to the Part II Plan for Old Stockyards District regarding the same lands to permit a low-density residential development.
Bill No. 976	By-law No. 985-2001	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 1912 St. Clair Avenue West, 761 Keele, Street, 35, 65, 117 and parts of 135, 141 and 153 Weston Road,

the vote upon which was taken as follows:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 2	
Councillors:	Bussin, Sutherland

Carried by a majority of 29.

- 9.105 On November 8, 2001, at 6:04 p.m., Councillor Mihevc, seconded by Councillor Hall, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 884	By-law No. 986-2001	To amend further the former City of Toronto By-law No. 380-74, a By-law "To establish a pension plan to be known as the 1974 'Improved Plan' ",
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the vote upon which was taken as follows:

Yes - 30 Mayor: Lastman Councillors: Altobello, Ashton, Balkissoon, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Walker
No - 1 Councillor: Bussin

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

9.106 On November 8, 2001, at 6:05 p.m., Councillor Silva, seconded by Councillor Sutherland, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 979	By-law No. 987-2001	To confirm the proceedings of the Council at its Meeting held on the 6th, 7th and 8th days of November, 2001,
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the vote upon which was taken as follows:

Yes - 30 Mayor: Lastman Councillors: Altobello, Ashton, Balkissoon, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Sutherland, Walker
No - 1 Councillor: Bussin

Carried by a majority of 29.

- 9.107 On November 8, 2001, at 7:35 p.m., Councillor Holyday, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried, without dissent:

Bill No. 980	By-law No. 988-2001	To confirm the proceedings of the Council at its Meeting held on the 6th, 7th and 8th days of November, 2001.
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The following Bills were withdrawn:

Bill No. 873	To amend the Parks Dedication By-laws of the former Cities of Etobicoke (Ch. 302), North York (30152), Scarborough (22660), and York (13-83) to exempt industrial development.
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Bill No. 911	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fort York Boulevard, Jordan Street, Melinda Street, Mutual Street, Ontario Street, Sherbourne Street.
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Bill No. 926	To amend Scarborough Zoning By-law No. 9364, as amended with respect to the Cliffside Community.
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OFFICIAL RECOGNITIONS:

9.108 Condolence Motions

November 6, 2001:

Councillor Rae, seconded by Mayor Lastman, moved that:

“**WHEREAS** Harry Barberian was one of Toronto’s most well-known and best loved restaurateurs; and

WHEREAS Harry Barberian began his restaurant career in Toronto in 1954 at the former LeBaron Restaurant; and

WHEREAS, in 1959, Harry Barberian opened Barberian’s Steak House on Elm Street; and

WHEREAS Barberian’s Steak House has become one of the most popular and recognized restaurants in Toronto; and

WHEREAS, sadly, Harry Barberian died on October 29, 2001;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of members of City Council, our sincere sympathy to his wife Helen, sons Arron and Michael and grandchildren, Harrison, Madeleine, Jack and Marley.”

Councillor Silva, seconded by Councillor Pantalone, moved that:

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mrs. Susan Tibaldi on October 12, 2001; and

WHEREAS Mrs. Tibaldi, throughout her life, demonstrated remarkable dedication to her community. With significant contributions to her community such as: assisted in the establishment of a neighbourhood Breakfast Club for the students of St. Sebastian’s Separate School and Pauline Public School; founding member of Bloor/Lansdowne Committee Against Drugs and a member of the Mayor’s Task Force on Drugs; and

WHEREAS Mrs. Tibaldi chaired the Bloordale Village BIA; was a member of St. Sebastian’s Parent Teacher’s Association; was recipient of 1994 Civic Award of Merit; and worked for the betterment of the community through improved resident safety and security arrangements for the development and implementation of plans for overall area beautification; and

WHEREAS Mrs. Tibaldi had a great love for this City and its history and enjoyed sharing stories of Toronto from her childhood with Members of the community; and

WHEREAS Mrs. Tibaldi was a thoughtful and caring woman who had a special way of dealing with people from all ethnic groups and was greatly appreciated by members of her community; and

WHEREAS Mrs. Tibaldi gave to the City of Toronto, and to her community, an important gift of her sense of commitment to an unmatched spirit of volunteerism for more than 20 years and she will be sadly missed;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to her husband Gildo and the Tibaldi family.”

Councillor Nunziata, seconded by Councillor Ootes, moved that:

“**WHEREAS** the Mayor and Members of Council are deeply saddened to learn of the

passing of Mr. Bob McLean on October 23, 2001; and

WHEREAS Mr. McLean served two terms as the Councillor of Ward 6 in the former City of York from 1986 to 1991; and

WHEREAS he was one of the founders of the York West Seniors Centre and a member of the Board of Directors since 1981; and

WHEREAS he was a member of the Board of Directors of Humber Community Seniors Services (formerly known as York West Meals On Wheels Inc.) for 20 years; and

WHEREAS he was on the Board of Directors of the Humber River Regional Hospital during his term on Council from 1986 to 1991; and

WHEREAS he was a member of the Weston Rotary Club; the Weston BIA; President of the York Swim Club for 10 years; President of the City of York Library and subsequently the City of Toronto Library, upon amalgamation; and

WHEREAS he was very involved in the Weston Farmer's Market and the Weston Santa Claus Parade, annually, Bob was also a proud recipient of the Canada 125 Award; and

WHEREAS he was the owner of Columbia Coffee and was the Treasurer of the Supino Social Club; Bob leaves a large family and many friends and acquaintances in the community who admired him immensely;

WHEREAS Bob McLean is survived by his wife of 37 years, Maria, his six children, Rob, Ken, Carole, Paula, Kathryn and Christopher and his parents, Mr. and Mrs. Norman and Gladys McLean;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey on behalf of the members of City Council, our sincere sympathy to Maria McLean and their six children.”

Leave to introduce the Motions was granted and the Motions were adopted unanimously.

Council rose and observed a Moment of Silence in memory of the late Mr. Harry Barberian, Mrs. Susan Tibaldi and Mr. Bob McLean.

November 8, 2001

Councillor Duguid, seconded by Councillor Berardinetti, moved that:

“WHEREAS Kelly Price was one of the most active community residents in the Glen Andrew Community; and

WHEREAS Kelly Price served as president of the Glen Andrew Community Centre; and

WHEREAS Kelly Price was considered by her Glen Andrew Community neighbours to be the ‘landlady’ of the St. Andrew Public School Park, which she beautified through tree plantings and attention to cleanliness; and

WHEREAS Kelly Price helped lead the campaign to add Grades 7 and 8 to St. Andrews Public School, much to the delight of local parents and students; and

WHEREAS Kelly Price and her family were involved in numerous community events and initiatives; and

WHEREAS Kelly Price passed away at Scarborough Hospital on November 7, 2001 after an inspiring and relentless battle with cancer;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of members of City Council, our sincere sympathy to her husband Steve, son Cory, and daughter Jenny.”

Leave to introduce the Motion was granted and the Motion was adopted unanimously.

Council rose and observed a Moment of Silence in memory of the late Ms. Kelly Price.

9.109 **Presentations/Introductions/Announcements:**

November 6, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from the following schools, present at the meeting:

- West Toronto School of Excellence; and
- Chester Public School.

Councillor Pantalone, with the permission of Council, during the morning session of the meeting, advised the Council that the Associazione Pro. Pachino Di Toronto had succeeded in having a major street in the City of Pachino, Italy, named after the City of Toronto; presented a copy of the street sign to Mayor Lastman, on behalf of the Associazione; and introduced the following representatives from the Associazione present at the meeting:

- Cav. Sebastiano Di Lorenzo, President;
- Sig. Franco Italia, Vice President;

- Sig. Gaetano Vella; and
- Sig. Enzo Di Mauro.

Councillor Disero, with the permission of Council, during the morning session of the meeting, introduced Mayor Biaggio Brunetti, Mayor of the City of Castropignano, Italy, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, called Councillor Pantalone, the Tree Advocate for the City of Toronto, to the podium, to introduce the 2001 Corporate Sponsors of the Tree Advocacy Program.

Councillor Pantalone addressed the Council in regard to the Program and introduced the following representatives of the 2001 Corporate Sponsors of the Tree Advocacy Program present at the meeting, and presented scrolls to each of the representatives to mark the occasion:

- Mr. Takashi Koezuka, Sakura Program;
- Mr. Dave Roberts, Toronto Parking Authority;
- Mr. Babak Abbaszadeh, Sun Life Financial;
- Mr. Michel Leduc, Sun Life Financial;
- Mr. Blair Peberdy, Toronto Hydro;
- Ms. Sara Ryder, Toronto Tree Planting Volunteer; and
- Ms. Hollis Pearson, Toronto Tree Planting Volunteer.

Deputy Mayor Ootes, during the afternoon session of the meeting, extended, on behalf of Council, the congratulations of Council to Councillor Gerry Altobello and his wife Lydia on the birth of their son Nicholas.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students from the Access International English Language Centre, present at the meeting.

Councillor Li Preti, with the permission of Council, during the afternoon session of the meeting, introduced the following University students who are currently studying Canadian political structure at York University, present at the meeting:

- Gianfausto Calvano;
- Flavio Chimenti;
- Francesco Colautti; and
- Salvatore La Porta.

November 7, 2001:

Councillor Walker, with the permission of Council, during the morning session of the meeting, introduced the students from Enniskillen Public School, present at the meeting.

Councillor Pitfield, with the permission of Council, during the morning session of the meeting, introduced the students from Grenoble Public School, present at the meeting.

Councillor Hall, with the permission of Council, during the morning session of the meeting, advised the Council that the “Canada Loves New York Weekend” will be held on the weekend of November 30th to December 2nd, 2001, and encouraged all Members of Council and staff to participate in this event.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students from Grenoble Public School, present at the meeting.

November 8, 2001:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from the following schools, present at the meeting:

- Oakwood Collegiate;
- Howard Park Public School;
- Port Royal Trail Public School; and
- Aurora Senior Public School.

Deputy Mayor Ootes, during the morning session of the meeting, on behalf of the Mayor and Members of Council, welcomed all of the school representatives of the “Cool Schools”, present at the meeting.

Councillor Feldman, with the permission of Council, during the afternoon session of the meeting, advised the Council that he, together with Mayor Lastman and Councillors Disero, Hall, Korwin-Kuczynski, Moeser and Shiner had attended a press conference convened by the Canada Loves New York Committee, the organization which has been formed to encourage thousands of Canadians to visit New York the weekend of November 30th to December 2nd; encouraged all Members of Council and staff to participate in this event, which is being supported by all levels of government, the media, large corporations and volunteers; and invited Members of Council to view a video that had been produced on a “pro-bono” basis by all involved and which will also be aired on television on a “pro-bono” basis.

Councillor Pitfield, with the permission of Council, during the afternoon session of the meeting, addressed the Council in regard to the 2001 United Way Campaign for Members of Council; advised the Council that the Office of the Mayor and Councillors’ Offices had been divided into two teams, Team 1 and Team 2; and further advised the Council the Team with

the most pledges would win a pizza lunch hosted by Councillor Pitfield and Deputy Mayor Ootes.

9.110 MOTIONS TO VARY PROCEDURE

Vary the order of proceedings of Council:

Deputy Mayor Ootes advised the Council that the following requests had been made for discussion of items on the Order Paper for this meeting of Council at the following specified times:

- (1) Planning and Transportation Committee Report No. 11, Clause No. 1, headed “Preliminary Proposal to Expand the Don Valley Parkway”, be the first item of business on Tuesday, November 6, 2001, at 9:30 a.m., as requested by Councillor Sutherland;
- (2) Policy and Finance Committee Report No. 14, Clause No. 1, headed “Alternative Service Delivery (ASD) - Policy and Framework”, be the first item of business on Wednesday, November 7, 2001, at 9:30 a.m.;
- (3) Policy and Finance Committee Report No. 14, Clause No. 2, headed “Proposed Water and Wastewater Utility Study”, be the second item of business on Wednesday, November 7, 2001;
- (4) Planning and Transportation Committee Report No. 12, Clause No. 2, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”, be considered at 4:00 p.m. on November 7, 2001, as requested by Councillor McConnell; and
- (5) Community Services Committee Report No. 12, Clause No. 1, headed “Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 - Toronto-Danforth”, be considered at 10:00 a.m., on Thursday, November 8, 2001.

Motions:

- (a) Councillor Mihevc moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 7 of The Board of Health, headed “Strategy to Achieve a Phase Out of Non-Essential Outdoor Uses of Pesticides”, at 2:00 p.m. on November 6, 2001.
- (b) Councillor Miller moved that Council vary the order of its proceedings to consider:
 - (1) Clause No. 7 of Report No. 14 of The Policy and Finance Committee, headed “New Ontario Municipal Act, 2001 (Bill 111)”, at 4:00 p.m. on November 6, 2001; and

- (2) Clause No. 7 of Report No. 12 of The Planning and Transportation Committee, headed “Oak Ridges Moraine - Response to Province of Ontario’s Draft Strategy”, at 5:00 p.m. on November 7, 2001.

Votes:

Consider Planning and Transportation Committee Report No. 11, Clause No. 2, headed “Preliminary Proposal to Expand the Don Valley Parkway”, at 9:30 a.m. on Tuesday, November 6, 2001:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Duguid, Feldman, Filion, Flint, Hall, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 8	
Councillors:	Chow, Disero, Layton, Miller, Moscoe, Pantalone, Silva, Walker

Carried by a majority of 18.

Consider Board of Health Report No. 7, Clause No. 1, headed “Strategy to Achieve a Phase Out of Non-Essential Outdoor Uses of Pesticides”, at 2:00 p.m. on Tuesday, November 6, 2001:

Yes - 18	
Councillors:	Cho, Chow, Di Giorgio, Filion, Flint, Hall, Jones, Layton, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Silva, Walker
No - 17	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Disero, Duguid, Feldman, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Shaw, Shiner, Sutherland

Carried by a majority of 1.

Consider Policy and Finance Committee Report No. 14, Clause No. 7, headed “New Ontario Municipal Act, 2001 (Bill 111)”, at 4:00 p.m. on November 6, 2001:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Disero, Feldman, Filion, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Shaw, Shiner, Silva, Walker
No - 6	
Councillors:	Duguid, Flint, Kelly, Minnan-Wong, Ootes, Sutherland

Carried by a majority of 23.

Consider Policy and Finance Committee Report No. 14, Clause No. 1, headed “Alternative Service Delivery (ASD) - Policy and Framework”, as the first item of business on Wednesday, November 7, 2001, at 9:30 a.m.:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Duguid, Feldman, Flint, Hall, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 12	
Councillors:	Chow, Disero, Filion, Jones, Kelly, Layton, McConnell, Mihevc, Miller, Pantalone, Silva, Walker

Carried by a majority of 11.

Consider Policy and Finance Committee Report No. 14, Clause No. 2, headed “Proposed Water and Wastewater Utility Study”, as the second item of business on Wednesday, November 7, 2001:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Sutherland
No - 9	
Councillors:	Chow, Jones, Layton, McConnell, Mihevc, Miller, Pantalone, Silva, Walker

Carried by a majority of 17.

Consider Planning and Transportation Committee Report No. 12, Clause No. 2, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”, at 4:00 p.m. on November 7, 2001:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Shiner, Silva, Sutherland, Walker
No - 3	
Councillors:	Holyday, Kelly, Minnan-Wong

Carried by a majority of 29.

Consider Planning and Transportation Committee Report No. 12, Clause No. 7, headed “Oak Ridges Moraine - Response to Province of Ontario’s Draft Strategy”, at 5:00 p.m. on November 7, 2001:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Feldman, Filion, Flint, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Shaw, Shiner, Silva, Sutherland, Walker
No - 4	
Councillors:	Disero, Duguid, Kelly, Ootes

Carried by a majority of 27.

Consider Community Services Committee Report No. 12, Clause No. 1, headed “Development Proposal for Transitional Housing Using Manufactured Structures - Ward 30 - Toronto-Danforth”, at 10:00 a.m., on Thursday, November 8, 2001:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Chow, Di Giorgio, Disero, Duguid, Filion, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shaw, Silva, Sutherland, Walker
No - 3	
Councillors:	Feldman, Kelly, Shiner

Carried by a majority of 28.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

November 6, 2001:

Councillor Moscoe, at 12:30 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to permit Councillor Mammoliti to conclude his remarks with respect to Clause No. 2 of Report No. 11 of The Planning and Transportation Committee, headed “Preliminary Proposal to Expand the Don Valley Parkway”, and to hear the presentation by Councillor Pantalone respecting the Tree Advocacy Program, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 7:22 p.m., proposed that Council now recess and reconvene at 9:30 a.m. on November 7, 2001. Council concurred in the proposal by Deputy Mayor Ootes.

November 7, 2001:

Deputy Mayor Ootes, at 12:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to hear an announcement by Councillor Hall respecting the “Canada Loves New York Weekend”, which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 7:29 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 2 of Report No. 12 of The Planning and Transportation Committee, headed “Toronto Port Authority’s Proposed Land Use Plan (Humber York, Ward 14 and Toronto East York, Wards 19, 20, 28, 30 and 32)”, which carried, more than two-thirds of Members present having voted in the affirmative.

November 8, 2001:

Councillor Feldman, at 5:25 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, and that Council continue in session in order to conclude consideration of all matters of a time-sensitive nature remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 22	
Councillors:	Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Holyday, Jones, Layton, Lindsay Luby, McConnell, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki
No - 7	
Councillors:	Altobello, Ashton, Balkissoon, Kelly, Korwin-Kuczynski, Sutherland, Walker

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

9.111 ATTENDANCE

November 6, 2001	9:44 a.m. to 12:40 p.m.*	Roll Call 11:01 a.m.	Roll Call 11:43 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Lastman	x	-	-	-	x
Altobello	x	x	x	x	x
Ashton	x	-	-	-	x
Augimeri	-	-	-	-	-
Balkissoon	x	x	-	x	x
Berardinetti	x	-	x	x	x
Bussin	x	x	-	-	x
Cho	x	x	x	x	x
Chow	x	x	x	x	x

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November 6, 7 and 8, 2001

November 6, 2001	9:44 a.m. to 12:40 p.m.*	Roll Call 11:01 a.m.	Roll Call 11:43 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Di Giorgio	x	x	x	-	x
Disero	x	x	x	-	x
Duguid	x	x	-	-	x
Feldman	x	x	-	x	x
Filion	x	x	x	-	x
Flint	x	x	x	-	x
Ford	-	-	-	-	-
Hall	x	x	x	x	x
Holyday	x	x	x	x	x
Johnston	x	-	-	x	x
Jones	x	-	x	x	x
Kelly	x	x	x	x	x
Korwin-Kuczynski	x	x	x	-	x
Layton	x	-	-	-	-
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	x	-	-	-	-
McConnell	x	x	x	-	x
Mihevc	x	-	x	x	x
Milczyn	x	x	x	-	x
Miller	x	x	x	-	x
Minnan-Wong	x	x	-	x	x
Moeser	x	x	-	x	x
Moscoe	x	-	x	-	x
Nunziata	x	x	x	x	x
Ootes	x	x	-	x	x
Pantalone	x	-	x	-	x
Pitfield	x	x	x	x	x
Rae	x	x	x	x	x
Shaw	x	x	-	x	x
Shiner	x	x	x	-	x
Silva	x	-	-	x	x
Soknacki	-	-	-	-	-

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November 6, 2001	9:44 a.m. to 12:40 p.m.*	Roll Call 11:01 a.m.	Roll Call 11:43 a.m.	Roll Call 2:10 p.m.	2:10 p.m. to 7:25 p.m.*
Sutherland	x	x	x	x	x
Walker	x	x	x	-	x
Total	41	30	27	23	39

* Members were present for some or all of the time period indicated.

November 6, 2001	Roll Call 3:51 p.m.	Roll Call 5:05 p.m.	Roll Call 5:51 p.m.	Roll Call 6:31 p.m.
Lastman	x	x	-	-
Altobello	-	x	-	x
Ashton	x	x	x	x
Augimeri	-	-	-	-
Balkissoon	x	-	-	x
Berardinetti	x	x	-	-
Bussin	-	x	x	x
Cho	x	-	x	x
Chow	-	x	-	x
Di Giorgio	x	x	x	x
Disero	x	x	-	-
Duguid	x	x	x	x
Feldman	x	x	-	x
Filion	x	x	-	-
Flint	x	x	x	x
Ford	-	-	-	-
Hall	x	x	x	x
Holyday	x	x	x	x
Johnston	x	x	x	-
Jones	x	x	x	x
Kelly	x	-	-	x
Korwin-Kuczynski	x	x	x	-
Layton	-	-	-	-
Li Preti	x	x	x	-
Lindsay Luby	x	x	x	x
Mammoliti	-	-	-	-
McConnell	x	x	x	x

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November 6, 2001	Roll Call 3:51 p.m.	Roll Call 5:05 p.m.	Roll Call 5:51 p.m..	Roll Call 6:31 p.m.
Mihevc	x	x	-	x
Milczyn	-	x	x	x
Miller	x	x	x	x
Minnan-Wong	x	x	x	-
Moeser	-	-	-	-
Moscoe	x	-	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	-	x	x
Pitfield	x	-	x	x
Rae	x	-	-	-
Shaw	-	-	x	x
Shiner	x	-	x	-
Silva	x	-	-	-
Soknacki	-	-	-	-
Sutherland	x	-	-	-
Walker	x	x	x	x
Total	33	27	25	26

* Members were present for some or all of the time period indicated.

November 7, 2001	Roll Call 9:40 a.m.	9:40 a.m. to 12:32 p.m.*	Roll Call 2:09 p.m.	2:09 p.m. to 4:45 p.m.*
Lastman	x	x	x	x
Altobello	x	x	x	x
Ashton	x	x	-	x
Augimeri	-	-	-	x
Balkissoon	x	x	x	x
Berardinetti	-	x	x	x
Bussin	x	x	x	x
Cho	-	x	x	x
Chow	x	x	x	x
Di Giorgio	x	x	x	x
Disero	x	x	x	x
Duguid	x	x	x	x

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November 7, 2001	Roll Call 9:40 a.m.	9:40 a.m. to 12:32 p.m.*	Roll Call 2:09 p.m.	2:09 p.m. to 4:45 p.m.*
Feldman	-	x	x	x
Filion	-	x	-	x
Flint	-	x	x	x
Ford	x	x	x	x
Hall	x	x	x	x
Holyday	x	x	x	x
Johnston	-	x	x	x
Jones	x	x	-	x
Kelly	x	x	x	x
Korwin-Kuczynski	-	x	-	x
Layton	-	x	-	x
Li Preti	x	x	x	x
Lindsay Luby	x	x	x	x
Mammoliti	-	-	-	-
McConnell	x	x	x	x
Mihevc	-	x	x	x
Milczyn	-	x	-	x
Miller	x	x	-	x
Minnan-Wong	-	x	x	x
Moeser	-	x	-	x
Moscoe	-	x	-	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	x	-	x
Rae	x	x	x	x
Shaw	x	x	x	x
Shiner	x	x	-	x
Silva	x	x	x	x
Soknacki	-	-	-	-
Sutherland	-	x	x	x
Walker	x	x	-	x

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November 7, 2001	Roll Call 9:40 a.m.	9:40 a.m. to 12:32 p.m.*	Roll Call 2:09 p.m.	2:09 p.m. to 4:45 p.m.*
Total	27	41	29	42

* Members were present for some or all of the time period indicated.

November 7, 2001	Roll Call 3:01 p.m.	Roll Call 3:15 p.m.	Roll Call 4:41 p.m.	Ctte. of the Whole in-Camera 5:00 p.m.	6:35 p.m. to 7:45 p.m.*
Lastman	-	x	-	x	x
Altobello	-	-	-	x	x
Ashton	-	x	-	x	x
Augimeri	x	-	x	-	-
Balkissoon	-	-	x	x	x
Berardinetti	-	-	-	x	x
Bussin	-	-	-	x	x
Cho	x	x	x	-	-
Chow	x	-	x	x	x
Di Giorgio	x	x	x	x	x
Disero	-	x	x	-	-
Duguid	x	-	x	x	x
Feldman	-	x	x	x	-
Filion	-	-	x	x	x
Flint	x	-	x	x	x
Ford	x	x	-	-	-
Hall	x	x	-	x	x
Holyday	x	x	-	x	x
Johnston	x	x	x	x	x
Jones	x	-	x	x	x
Kelly	-	x	-	x	x
Korwin-Kuczynski	x	x	-	-	-
Layton	-	x	x	x	x
Li Preti	x	x	x	x	x
Lindsay Luby	x	x	x	x	x
Mammoliti	-	-	-	-	-
McConnell	x	x	x	x	x
Mihevc	-	-	x	x	x

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November 7, 2001	Roll Call 3:01 p.m.	Roll Call 3:15 p.m.	Roll Call 4:41 p.m.	Ctte. of the Whole in-Camera 5:00 p.m.	6:35 p.m. to 7:45 p.m.*
Milczyn	x	x	-	x	x
Miller	x	x	-	x	x
Minnan-Wong	x	x	-	x	-
Moeser	-	x	-	x	-
Moscoe	x	-	x	x	x
Nunziata	-	-	x	x	x
Ootes	x	x	x	x	x
Pantalone	-	x	x	x	x
Pitfield	x	x	x	x	x
Rae	x	x	-	x	x
Shaw	x	x	x	x	x
Shiner	-	-	-	x	x
Silva	-	x	-	x	x
Soknacki	-	-	-	-	-
Sutherland	-	x	-	x	-
Walker	-	-	x	x	-
Total	23	27	24	37	32

* Members were present for some or all of the time period indicated.

November 8, 2001	Roll Call 9:39 a.m.	9:39 a.m. to 12:30 p.m.*	Roll Call 11:09 a.m.	Roll Call 11:29 a.m.	Roll Call 11:37 a.m.
Lastman	x	x	-	-	-
Altobello	x	x	x	x	x
Ashton	-	x	-	x	x
Augimeri	-	-	-	-	-
Balkissoon	x	x	x	-	-
Berardinetti	-	x	x	-	-
Bussin	-	x	x	-	-
Cho	-	x	x	x	-
Chow	-	x	x	x	x
Di Giorgio	x	x	x	x	x
Disero	x	x	-	-	-
Duguid	x	x	-	x	x

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November 8, 2001	Roll Call 9:39 a.m.	9:39 a.m. to 12:30 p.m.*	Roll Call 11:09 a.m.	Roll Call 11:29 a.m.	Roll Call 11:37 a.m.
Feldman	x	x	-	-	-
Filion	-	x	x	x	x
Flint	-	x	x	x	x
Ford	x	x	x	-	x
Hall	x	x	-	-	-
Holyday	-	x	x	x	x
Johnston	-	x	-	-	-
Jones	x	x	x	x	x
Kelly	x	x	-	-	-
Korwin-Kuczynski	x	x	-	-	-
Layton	-	x	-	x	x
Li Preti	-	x	x	x	x
Lindsay Luby	x	x	-	-	-
Mammoliti	-	-	-	-	-
McConnell	x	x	-	x	x
Mihevc	x	x	x	x	x
Milczyn	-	x	x	x	x
Miller	-	-	-	-	-
Minnan-Wong	x	x	-	-	x
Moeser	-	x	-	-	-
Moscoe	-	x	x	x	x
Nunziata	-	x	-	-	-
Ootes	x	x	x	x	x
Pantalone	x	x	-	x	x
Pitfield	x	x	x	x	x
Rae	x	x	x	x	-
Shaw	-	x	-	-	x
Shiner	x	x	-	-	-
Silva	x	x	x	x	x
Soknacki	x	x	x	-	-
Sutherland	-	x	x	x	x
Walker	x	x	x	x	x

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November 8, 2001	Roll Call 9:39 a.m.	9:39 a.m. to 12:30 p.m.*	Roll Call 11:09 a.m.	Roll Call 11:29 a.m.	Roll Call 11:37 a.m.
Total	24	41	23	23	24

* Members were present for some or all of the time period indicated.

November 8, 2001	Roll Call 11:38 a.m.	Roll Call 2:11 p.m.	2:11 p.m. to 7:35 p.m.*	Roll Call 5:58 p.m.
Lastman	-	-	x	x
Altobello	x	x	x	x
Ashton	x	-	x	x
Augimeri	-	-	-	-
Balkissoon	x	-	x	x
Berardinetti	-	x	x	-
Bussin	x	-	x	x
Cho	x	x	x	-
Chow	x	x	x	x
Di Giorgio	x	x	x	x
Disero	-	x	x	x
Duguid	x	x	x	x
Feldman	-	x	x	x
Filion	x	x	x	-
Flint	x	x	x	x
Ford	x	-	x	x
Hall	-	x	x	x
Holyday	x	-	x	x
Johnston	-	x	x	-
Jones	x	x	x	x
Kelly	-	x	x	x
Korwin-Kuczynski	-	x	x	x
Layton	x	-	x	x
Li Preti	x	x	x	-
Lindsay Luby	-	x	x	x
Mammoliti	-	-	-	-
McConnell	x	x	x	x
Mihevc	x	-	x	x

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November 8, 2001	Roll Call 11:38 a.m.	Roll Call 2:11 p.m.	2:11 p.m. to 7:35 p.m.*	Roll Call 5:58 p.m.
Milczyn	x	-	x	x
Miller	-	-	-	-
Minnan-Wong	x	x	x	x
Moeser	-	-	x	x
Moscoe	x	x	x	x
Nunziata	-	x	x	x
Ootes	x	x	x	-
Pantalone	x	x	x	x
Pitfield	x	-	x	x
Rae	x	x	x	x
Shaw	x	-	x	-
Shiner	-	-	x	-
Silva	x	x	x	x
Soknacki	-	x	x	x
Sutherland	x	-	x	-
Walker	x	x	x	x
Total	28	27	41	32

* Members were present for some or all of the time period indicated.

MEL LASTMAN,
Mayor

ULLI WATKISS,
City Clerk

ATTACHMENT NO. 1 [Notice of Motion J(9)]

Report dated November 5, 2001, from Mayor Lastman, entitled "Appointment – Chief Administrative Officer". (See Minute No. 9.79, Page 126):

Purpose:

The purpose of this report is to recommend to Council an appointment to the position of Chief Administrative Officer.

Financial Implications and Impact Statement:

Funding for the position is included in the Office Operating Budget.

The Acting Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that:

- (1) Shirley Hoy be appointed to the position of Chief Administrative Officer and that such appointment be effective November 6, 2001;
- (2) the appointment of the Acting Chief Administrative Officer be repealed; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any necessary bills.

Background:

At its meetings held on June 26, 27 and 28, 2001, and July 24, 25 and 26, 2001, Council established a recruitment and selection process for the hiring of a Chief Administrative Officer, including the recommendation of the selection decision for the approval and appointment by Council.

The members of the selection panel are the Mayor, the Deputy Mayor, the Chairs of the Standing Committees and the Chair of Personnel Sub-Committee.

Comments:

Consistent with the approved process, the selection panel has concluded its interviews of the short list of qualified candidates for the position of Chief Administrative Officer referred by the executive search consultant. Discussions have occurred related to salary and other terms of employment to be finalized by the Mayor, conditional on Council approval of the recommended candidate.

The selection panel is pleased to recommend Shirley Hoy for appointment to the position of Chief Administrative Officer.

A summary of the curriculum vitae of the candidate is attached.

Conclusions:

The selection process for the Chief Administrative Officer has been thorough and comprehensive, open, fair and objective. It created the opportunity for Council and Management to provide input and advice. The recommendation of the selection panel is presented for the consideration of Council.

Contact:

Mel Lastman
Mayor

List of Attachments:

Summary of curriculum vitae of candidate

(The curriculum vitae, referred to in the foregoing report, remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about an identifiable individual).

ATTACHMENT NO. 2 [Notice of Motion J(13)]

Report dated November 1, 2001, from the Commissioner of Corporate Services, entitled “Limiting Distance Agreement – Cedarvale Ravine Adjacent to 600 Lonsdale Road” (Ward 21 – St. Paul’s). (See Minute No. 9.83, Page 132):

Purpose:

To secure authority to enter into a Limiting Distance Agreement to permit the owners of 600 Lonsdale Road to construct a fifth floor and to increase the number of windows normally permitted.

Financial Implications and Impact Statement:

An administration fee of \$600.00 will be received.

Recommendations:

It is recommended that:

- (1) the City enter into a Limiting Distance Agreement with the owner of 600 Lonsdale Road on approximately the most western 8.2 metres (totalling an approximate area of 121.5 m²) and the most southern 6 metres (totalling an approximate area of 106 m²) of Cedarvale Ravine located immediately to the east and north of 600 Lonsdale Road, subject to the owners paying an administration fee of \$600.00; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

In November of 2000, the Committee of Adjustment granted a minor variance to facilitate the renovation of the existing four-storey apartment building and the construction of a fifth floor addition at 600 Lonsdale Road (the “Property”). A building permit was applied for and issued on the premise that the limiting distance requirement of Section 3.2.3.1 of the Ontario Building Code would be met. The Ontario Building Code regulates the size of “unprotected openings” such as windows and doors, in relation to their distance from the property line. A “limiting distance” is required to reduce the risk of fire spreading from a building situate on one property to a building located on an adjacent property. The adjacent property to the north and east is Cedarvale Ravine.

To technically comply with Section 3.2.3.1 of the Ontario Building Code, additional sprinkler systems are required for additional fire protection. The water supply for the sprinkler system is required to be increased from a 2.5" pipe to a 6" pipe and the water pipe would be required to be brought from Lonsmount Road and through two neighbouring properties. After considering quotes on technical requirements to comply with Section 3.2.3.1, the owner determined that the costs were prohibitive. Construction has accordingly come to a halt with only half of the fifth storey completed and winter approaching.

Section 3.2.3.1(8) of the Ontario Building Code permits the City, as the abutting owner, to enter into a Limiting Distance Agreement. The Property owner is seeking permission from the City to use portions of the abutting Cedarvale Ravine in their required setback calculations, in order to comply with fire regulations contained in the Ontario Building Code. In order for the construction to proceed, the owner and the City are required to enter into an agreement, such that the City would undertake not to build within a prescribed distance of these property lines.

Comments:

Staff of Economic Development, Culture and Tourism, and Urban Development Services were contacted and no objections to the proposed Limiting Distance Agreement have been received. Due to the natural state of the ravine and the slope of the land, it is very unlikely that the City's parcel will ever be developed and, accordingly, it is reasonable to grant the owners their request. In order not to delay the owners from completing construction before winter, approval of the Limiting Distance Agreement is recommended.

Conclusions:

The proposed Limiting Distance Agreement will have no impact upon Cedarvale Ravine and approval of the Limiting Distance Agreement is recommended.

Contact:

Name: Leila Valenzuela
Position: Sr. Real Estate Technologist
Telephone: (416) 392-7174
Fax : (416) 392-1880
E-Mail: lvalenzu@city.toronto.on.ca
Report No.: cc01-194

(A copy of the map attached to the foregoing report is on file in the Office of the City Clerk).

ATTACHMENT NO. 3 [Notice of Motion J(15)]

Report dated October 31, 2001, from the Acting Commissioner of Community and Neighbourhood Services, entitled "Tenant Support Grants Application from 140 Elm Ridge Drive and 111 Ridelle Avenue". (See Minute No. 9.85, Page 135):

Purpose:

To respond to the Tenant Defence Sub-Committee's request to report on the application for a basic grant under the Tenant Support Grants Program from the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue.

Financial/Legal Implications:

There are no additional financial implications outside the Tenant Support Grants Program.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting on October 30, 2001, the Tenant Defence Sub-Committee gave consideration to a communication (October 11, 2001) from Councillor Joe Mihevc with respect to an application from the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue for a basic grant under the Tenant Support Grants Program. Councillor Mihevc advised that the tenants were in the midst of a Tribunal hearing on the landlords' above-guideline rent increase application and that the tenants' rents were outside the qualifying rent levels for a grant because the rents have increased dramatically. Councillor Mihevc requested that the Tenant Defence Sub-Committee support an exemption from the rent eligibility criteria to allow them access to the \$1,000.00 grant.

The Tenant Defence Sub-Committee endorsed Councillor Mihevc's request for an exemption from the rent criteria and requested that the Acting Commissioner of Community and Neighbourhood Services forward a report on the Elm Ridge and Ridelle Tenants Committee's application directly to the Council meeting on November 6, 2001.

This report responds to the Sub-Committee's request.

Comments:

Staff recently received an application for a basic grant from the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue to assist in their dispute of the landlord's above-guideline rent increase (AGI) application before the Ontario Rental Housing Tribunal (the Tribunal). The application included a petition of 128 signatures of the tenants residing in the two buildings, a rent roll containing rent information for all tenants residing in the buildings and the landlord's AGI application to the Tribunal.

There are 363 units affected by the AGI application in the 140 Elm Ridge and 111 Ridelle buildings. To be eligible for the grants, the Tenant Support Grants Program By-law sets out the criteria that the application must have the support of at least 33 percent of all units in the building for a building of this size, and the rents of 33 percent of the buildings must be either below or at the same level of qualifying rents set out in the By-law. These are: \$720.00 for bachelor units, \$888.00 for one-bedroom apartments, \$1,063.00 for two-bedroom apartments, and \$1,264.00 for three-bedroom apartments. The number of tenant signatures collected for the application meets the By-law requirements, but an insufficient number of them have rents that meet the rent amounts set out above. Furthermore, the overall average rent for all 363 apartments is \$1,064.00, which is just higher than the average qualifying rent level for two-bedroom apartments. According to information gathered from the petition of the 128 tenants, most apartments are of the one-bedroom or two-bedroom type. (Note: information on average rent for each bedroom type is not available as the rent roll does not identify bedroom types). Based on the review by staff, the application is not eligible for a grant under the Tenant Support Grants Program.

Should Council consider the application to be in the City's interest, the City can make a grant to the tenants pursuant to its authority under section 113 of the Municipal Act. The Act provides that "the council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the council, is in the interests of the municipality". If Council chooses to make a grant to the Elm Ridge and Ridelle Tenants Committee, there are sufficient funds in the Tenant Defence Fund.

Conclusion:

Council may approve an application for a basic grant from the Tenants Committee of 140 Elm Ridge Drive and 111 Ridelle Avenue to be allocated from the Tenant Support Grants Program, and deem such grant to be in the municipal interest.

Contact:

Phil Brown
General Manager
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