

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Report No. 13 of The Administration Committee, Clause No. 23a
Report No. 9 of The Community Services Committee, Clauses Nos. 9a and 10a
Report No. 9 of The Economic Development and Parks Committee, Clauses Nos. 2a and 11a
Report No. 14 of The Policy and Finance Committee, Clauses Nos. 4a, 8a, 12a and 16a
Report No. 11 of The Toronto East York Community Council, Clause No. 23a

New Reports:

Report No. 14 of The Administration Committee
Report No. 10 of The Community Services Committee
Report No. 10 of The Economic Development and Parks Committee
Report No. 13 of The Planning and Transportation Committee
Report No. 15 of The Policy and Finance Committee
Report No. 12 of The Works Committee
Report No. 13 of The Works Committee
Joint Report No. 2 of The Planning and Transportation Committee and The Economic Development and Parks Committee
Joint Report No. 3 of The Policy and Finance Committee and The Works Committee
Report No. 13 of The Etobicoke Community Council
Report No. 13 of The Humber York Community Council
Report No. 9 of The Midtown Community Council
Report No. 12 of The North York Community Council
Report No. 10 of The Scarborough Community Council
Report No. 12 of The Toronto East York Community Council
Report No. 9 of The Audit Committee
Report No. 8 of The Striking Committee
Report No. 6 of The Board of Health

and Notices of Motions, Enquiry and Answer, as adopted by the Council of the City of Toronto at its regular meeting held on November 26, 27 and 28, 2002, and its special meeting held on November 28 and 29, 2002.

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

DEFERRED CLAUSE FROM REPORT NO. 13 OF THE ADMINISTRATION COMMITTEE

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

The Clause was amended by striking out and referring the following Recommendation No. (2) of the Administration Committee back to the Administration Committee for further consideration; such recommendation to also be forwarded to the Toronto Fire Department Superannuation and Benefit Fund Committee, the Board of Trustees of the Metropolitan Toronto Pension Plan, the Board of Trustees of the Metropolitan Toronto Police Benefit Fund, the Metropolitan Toronto Police Benefit Fund Committee, the Toronto Civic Employees’ Pension and Benefit Fund Committee and the York Employees’ Pension and Benefit Fund Committee:

“(2) that, as part of the 2003 workplan, the Chief Financial Officer and Treasurer (Director of Pension, Payroll and Employee Benefits), be requested to issue a Request for Proposal for legal and actuarial assistance to evaluate the amalgamation of pension plans under the administration of the City of Toronto and, after consultation with the appropriate stakeholders, report back to the Administration Committee in 2003 on options available to the City with respect to the administration of these plans.”

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

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

This Item was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

DEFERRED CLAUSE FROM REPORT NO. 9 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

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

The Clause was amended by adding to Recommendation No. (1) embodied in the report dated September 24, 2002, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, the words “subject to Recommendation No. (5) not being construed as support or opposition for bank mergers and further subject to adding to Recommendation V the words ‘consistent with Council’s positions from time to time’”, so that such recommendation shall now read as follows:

- “(1) City Council endorse the recommendations contained in the Toronto Financial Services Alliance’s (TFSA) September 2002 Report, (see Attachment No. 2); subject to Recommendation No. (5) not being construed as support or opposition for bank mergers and further subject to adding to Recommendation V the words ‘consistent with Council’s positions from time to time’;”.

DEFERRED CLAUSE FROM REPORT NO. 9 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

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

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism, in consultation with the General Manager and Chief Executive Officer of the Toronto Zoo, be requested to work with Zoos in sister cities and other cities, with a view to relocating some of the Canadian geese to Zoos in other countries.”

DEFERRED CLAUSE FROM REPORT NO. 14 OF THE POLICY AND FINANCE COMMITTEE

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

The Clause was amended by adding thereto the following:

“It is further recommended that the Toronto Police Services Board be urged to submit a report to the Policy and Finance Committee, by March 31, 2003, on anti-racist initiatives.”

DEFERRED CLAUSE FROM REPORT NO. 14 OF THE POLICY AND FINANCE COMMITTEE

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

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) City Council endorse the inclusion of \$100,000.00 in the City of Toronto Operating Budget each year, commencing in 2003, such funds to be dedicated for the Art Collection Reserve Fund, and this recommendation be forwarded to the Budget Advisory Committee for consideration with the 2003 Operating Budget;

- (2) in developing the percentage of contributions for art policies under the Official Plan, a small surcharge as a contribution to the Art Collection Reserve Fund be considered, and the Chief Financial Officer and Treasurer be requested to submit a report thereon to the Planning and Transportation Committee and the Economic Development and Parks Committee; and
- (3) the Commissioner of Economic Development, Culture and Tourism be requested to submit reports to the Economic Development and Parks Committee on:
 - (a) a public art strategy that enhances funding opportunities and private sector collaboration; and
 - (b) initiatives to encourage the citizens of the City of Toronto to donate works of art to the City.”

DEFERRED CLAUSE FROM REPORT NO. 14 OF THE POLICY AND FINANCE COMMITTEE

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

The Clause was amended by adding to Recommendation No. (4) of the Waterfront Reference Group embodied in the communication dated October 10, 2002, from the City Clerk, as embodied in the Clause, the words “and the delegation from City Council be requested to emphasize, in such deputation, the concerns raised by the City about Conflict of Interest and open meetings, as outlined in the ‘Background’ section of the report dated October 24, 2002, from the Commissioner of Urban Development Services”, so that such recommendation shall now read as follows:

- “(4) the Mayor, Chair of the Waterfront Reference Group, the Commissioner of Urban Development Services, the Waterfront Project Director, Urban Development Services, and other appropriate staff, be requested to make a deputation before the Standing Committee considering Bill 151, and the delegation from City Council be requested to emphasize, in such deputation, the concerns raised by the City about Conflict of Interest and open meetings, as outlined in the ‘Background’ section of the report dated October 24, 2002, from the Commissioner of Urban Development Services.”

DEFERRED CLAUSE FROM REPORT NO. 11 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

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

The Clause was amended by striking out the recommendation of the Toronto East York Community Council and inserting in lieu thereof the following:

“It is recommended that the application for a boulevard café licence at 119 Harbord Street, Olive and Lemon Restaurant, be approved for one year, subject to the following conditions:

- (1) that the patio be closed and cleared by 10:00 p.m., Monday to Thursday, and by 11:00 p.m., Friday to Sunday;
- (2) that there be no amplified music; and
- (3) that the Commissioner of Urban Development Services report back to the Toronto East York Community Council on the operation of the patio in one year’s time, should there be complaints from the residents.”

NEW REPORTS

REPORT NO. 14 OF THE ADMINISTRATION COMMITTEE

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

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

Clause No. 2 - “New Municipal Act 2003, Adjustment to Elected Officials Salary, Pension and Benefits”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) Council adopt the report dated November 25, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendation:

‘It is recommended that staff be authorized to continue discussions with the Province related to the transition rules per the recent amendments to the Municipal Act.’; and

- (2) Council adopt the confidential report dated November 25, 2002, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) Council authorize appropriate City staff to approach staff of the Ministry of Municipal Affairs and Housing, and, if necessary, the Minister, to request amendments to the Municipal Act, 2001, to rectify the shortcomings/omissions in the wording of that Act, and the existing Municipal Act, as described in this report; and
- (2) Council receive, for information, the part of this report describing the age-69 pension issues.’ ”

Clause No. 3 - “Revised Severance Provisions - Members of Council”.

The Clause was amended:

- (1) to provide that the amendments to the severance policy only apply in the case of the former Mayor of Scarborough; and
- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on the issue of death benefits versus severance.”

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

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

Clause No. 16 - “Sale of Surplus Vacant Land on the North Side of Eglinton Avenue West, East of Royal York Road (Ward 4 – Etobicoke Centre)”.

The Clause was struck out and referred back to the Commissioner of Corporate Services to negotiate with Plant World for the sale of this property at a price at least equal to the offer from Pleasance Corp. (i.e., \$1,080,000.00).

Clause No. 27 - “Sole Source for Gasoline and Diesel Fuel Related to Transportation Services and Other City Operations Located at or Near the 1116 King Street West Yard”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on alternatives to the current sole source for the supply of gasoline and on-road diesel fuel, for the fuelling requirements of

operations located at or near the 1116 King Street West Yard, for possible implementation on January 1, 2004, such alternatives to include:

- (a) the installation of above-ground fuel tanks at the 1116 King Street West Yard, to permit bulk direct-to-tank delivery by the City's lower sulphur fuel suppliers;
- (b) the feasibility of using two different fuel suppliers for the 1116 King Street West Yard, one for gasoline and one for on-road diesel fuel, to allow the City to use lower sulphur level fuels than might be available from a single supplier; and
- (c) the feasibility of increasing direct-to-truck delivery of gasoline and on-road diesel, to be provided by the City's suppliers of lower sulphur level gasoline and on-road diesel fuel."

Clause No. 31 - "Review of Toronto Parking Authority Courtesy Envelope Program".

The Clause was amended by adding thereto the following:

"It is further recommended that the additional revenue from the changes to the courtesy envelope program be considered during the 2003 budget process, and the Chief Financial Officer and Treasurer and the President of the Toronto Parking Authority be requested to submit a report thereon to the next meeting of the Budget Advisory Committee scheduled to be held on December 4, 2002."

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

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

REPORT NO. 10 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 1 - "Release of Seniors' Advocate's Report: 'Rebuilding Respect: A Progress Report for Seniors, November 2002' ".

The Clause was amended by amending the recommendation of the Community Services Committee to now read as follows:

"The Community Services Committee recommends the adoption of the recommendations contained in the communication dated October 18, 2002, from Councillor Anne Johnston, Seniors' Advocate, subject to approval of funding which will be considered during the review of the Community and Neighbourhood Services 2003 Operating Budget."

Clause No. 2 - "2003 Gang Prevention and Intervention Funding".

The Clause was amended by deleting Recommendation (b) of the Community Services Committee and inserting in lieu thereof the following:

“(b) that the Commissioner of Community and Neighbourhood Services be requested to review the applications that qualified for funding, to determine how best to allocate the surplus funds set aside for appeals, and submit a report to the Community Services Committee outlining recommendations with respect to such allocation.”

Clause No. 5 - “City of Toronto Termite Research Program - Consolidated Grants Allocation Report: Disbursement Confirmation”.

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

Clause No. 6 - “New Shelter Standards”.

The Clause was amended:

- (1) to provide that Section 6.6, entitled “Confidentiality”, as embodied in the Shelter Standards contained in Appendix B to the report dated October 24, 2002, from the Commissioner of Community and Neighbourhood Services, as embodied in the Clause, be approved in principle, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on the effect of amending the sub-section entitled “Sharing of Resident Information”, embodied in Section 6.6, by deleting the words “to whom the resident may be referred”, and the words “and only disclosed with signed resident consent”, so that such subsection would read as follows:

“Sharing of Resident Information:

Sharing of resident information with other providers is necessary to ensure effective provision of services, continuity of care and efficient use of resources. The importance of sharing information with relevant providers will be explained to the resident.”; and

- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee for its meeting scheduled to be held on January 9, 2003, on:

- (a) how much the City of Toronto has spent in 2001 to provide counselling support within the shelter system and how many clients were provided with such counselling;
- (b) ways in which counselling services can be provided to homeless individuals who do not use the shelter system; and
- (c) how many shelter beds there are per district and how many homeless individuals there are per district.”

Clause No. 7 - “Centralized Waiting List Management for Social Housing Applicants”.

The Clause was amended by adding thereto the following:

“It is further recommended that the notification letter include the following statement in different languages:

‘Regarding your housing application, please call the Toronto Multi-lingual line.’ ”

Clause No. 9 - “Mandates for Social Housing Providers”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (a) the Province be requested to support specialized waiting lists by legislation and regulation for housing providers with special mandates that serve ethnic, religious, senior, arts and community groups; and
- (b) Council adopt the supplementary report dated November 20, 2002, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) the City assign to Performing Arts Lodge a mandate that requires it to restrict occupancy to applicant households of which at least one member meets the eligibility criteria listed on pages 2-3 of this report;
- (2) the City require Performing Arts Lodge to indemnify the City with respect to costs that the City may incur as a result of litigation related to its mandate;
- (3) all geared-to-income units in Performing Arts Lodge be filled through the Housing Connections waiting list, in accordance with the requirements of the Social Housing Reform Act and its associated regulations; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

- Clause No. 10** - **“Emergency Shelter and Transitional Housing Funding Through the Federal SCPI Program - Sojourn House, 101 Ontario Street”.**

The Clause was amended by adding thereto the following:

“It is further recommended that, in order to mitigate the effects of the relocation of Sojourn House beds, 50 other beds in Ward 28 be targeted for relocation outside Toronto Centre Rosedale, in the future, as part of the City of Toronto’s Shelter Strategy.”

REPORT NO. 10 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

- Clause No. 3** - **“State of Toronto’s Trees Given Recent Drought Conditions City-wide (All Wards)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Scarborough Community Council on program performance standards for boulevard tree planting.”

- Clause No. 6** - **“West Toronto Railpath Project (Ward 14 Parkdale-High Park, Ward 18 Davenport and Ward 19 Trinity-Spadina)”.**

The Clause was amended by deleting from the Recommendation embodied in the report dated October 15, 2002, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, the words “in a timely manner”, and inserting in lieu thereof the words “and report back to the Economic Development and Parks Committee, in three months, on the progress made, such report to also include the history of the project prior to amalgamation”, so that such recommendation shall now read as follows:

“It is recommended that City staff be authorized to develop a working relationship, on terms agreeable to the Commissioner of Economic Development, Culture and Tourism, with the West Toronto Railpath group to further the implementation of this trail project and report back to the Economic Development and Parks Committee, in three months, on the progress made, such report to also include the history of the project prior to amalgamation.”

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

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

Clause No. 17 - “Donation of Community Waterplay Area at Fennimore Park (Ward 7 York West)”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Administration Committee on how P. Gabriele & Sons was chosen for this project;
- (2) the City Solicitor be requested to submit a report to the Administration Committee on the policies and procedures which should be applied to these types of partnerships; and
- (3) the City Solicitor and the Commissioner of Economic Development, Culture and Tourism be requested to also submit a joint report to the Administration Committee on a methodology for permitting and facilitating turnkey projects, including, but not limited to, this project.”

REPORT NO. 13 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - “Draft Etobicoke Centre Secondary Plan and Zoning By-law (formerly Kipling-Islington City Centre Secondary Plan)”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (a) Council adopt the supplementary report dated November 19, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that:

- (1) the draft Etobicoke Centre Secondary Plan dated August 2002, as revised by Planning and Transportation Committee at its meeting of November 4, 2002, be further revised in accordance with the changes outlined in Attachment 1;
- (2) the draft Etobicoke Centre Secondary Plan dated August 2002, as further revised, be adopted;
- (3) the draft Etobicoke Centre Zoning By-law, as revised by Planning and Transportation Committee at its meeting of September 9, 2002, and November 4, 2002, be further revised in accordance with the changes outlined in Attachment 2;

- (4) the draft Etobicoke Centre Zoning By-law, as further revised, be enacted; and
 - (5) the Terms of Reference for a Community Improvement Plan for Etobicoke Centre, originally requested to be presented to Planning and Transportation Committee by staff on January 13, 2003, be presented to Etobicoke Community Council as early as possible in 2003.'; and
- (2) the supplementary report dated November 22, 2002, from the Chief Financial Officer and Treasurer, be referred to the Policy and Finance Committee for consideration.”

REPORT NO. 15 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - “Implementation of Auditor General and Internal Audit Functions”.

The Clause was amended:

- (1) in accordance with the following Motion:

Moved by: Councillor Balkissoon

Seconded by: Councillor Jones

“WHEREAS City Council at its meeting held on May 21, 22 and 23, 2002, adopted, as amended, Policy and Finance Committee Report No. 7, Clause No. 1, headed ‘Proposal to Establish an Independent Auditor General for the City of Toronto’, and, in so doing, approved a term of office of five years for the Auditor General; and

WHEREAS that decision was based upon the maximum allowable term of office under the Municipal Act; and

WHEREAS it has been determined that the City may appoint the Auditor General as a non-statutory official, without any restriction or maximum term; and

WHEREAS it would be preferable to establish a longer term of office to ensure that, in the future, the City is able to attract and retain a qualified candidate for the position; and

WHEREAS the original recommendation of Mr. Denis Desautels was to set a term of seven years;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 7, Clause No. 1, headed 'Proposal to Establish an Independent Auditor General for the City of Toronto', be re-opened for further consideration, only insofar as it pertains to the number of years of the term of office of the Auditor General;

AND BE IT FURTHER RESOLVED THAT the term of office for the Auditor General be changed to seven years; and that clause 169-30.2.B of the Draft By-law contained in Appendix 1 of the report dated November 4, 2002, from the Chief Administrative Officer, as embodied in Policy and Finance Committee Report No. 15, Clause No. 1, headed 'Implementation of Auditor General and Internal Audit Functions', be amended by deleting the number '5' and inserting in lieu thereof the number '7', so the clause shall now read:

'B. Be appointed for a non-renewable term of 7 years.'"; and

(2) by adding thereto the following:

"It is further recommended that the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on establishing a political accountability mechanism to review and evaluate organizational and management structures and practices, in order to employ a pro-active approach to economies, efficiencies and accountability in City operations."

Clause No. 2 - "Municipal Act, 2001 Implementation".

The Clause was amended by deleting the following phrase from the recommendation of the Policy and Finance Committee and referring such phrase to the Chief Administrative Officer for further consideration, in consultation with the City Solicitor and the City Clerk, and report thereon to the Policy and Finance Committee by February 2003:

"subject to amending Recommendation No. (1) to stipulate that the minimum notice requirement as defined in the Municipal Code Chapter 162 be provided only through the Corporate Web site and that notice be placed in the appropriate newspaper as required to give effect, and that the draft by-law be amended accordingly",

so that the recommendation of the Policy and Finance Committee shall now read as follows:

"The Policy and Finance Committee recommends the adoption of the report (October 30, 2002) from the Chief Administrative Officer."

Clause No. 12 - “Coliseum Project - Financial Terms”.

Council adopted the following recommendations:

“It is recommended that:

- (a) Council adopt the confidential report dated November 12, 2002, from the General Manager and Chief Executive Officer of Exhibition Place, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of the property of the municipality, save and except the following recommendations embodied therein:

‘It is recommended that Council approve of the following financial terms of the Coliseum project:

- (1) if required by the primary long-term lender, the City grant the lender a stand-by loan take-out option (the “Take-out Option”) of up to \$20.0 million, which Option could be exercised by the lender upon unremedied default of the permanent financing obligations;
 - (2) if the City is required to provide a Take-out Option to the primary long-term lender:
 - (a) the City receive a “stamping fee” equal to 2.0 percent per annum of the amount of the Take-out Option granted by the City, which “stamping fee” will be paid to the City from the cash flow for the Coliseum project and will rank in priority after the principal/interest payments to the primary lender;
 - (b) both the term and amortization period for the primary loan shall be no greater than 10 years; and
 - (c) the return on investment/management fees to be paid out to the private sector partner, Coliseum Renovation Corporation (“CRC”), will rank below the repayment of equity to the City/Borealis; and
 - (3) any terms and conditions with respect to the City Take-out Option and its amount must be approved in advance by the City’s Chief Financial Officer and City Solicitor.’;
- (b) Council adopt the terms and conditions as set out in Appendix ‘A’ embodied in the confidential report dated November 26, 2002, from the Chief Financial Officer and Treasurer, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of the property of the municipality; and
- (c) the terms and conditions of the permanent debt financing be subject to the approval of the Chief Financial Officer and Treasurer.”

Clause No. 16 - “Ongoing City Administration of Provincial Funding and Funding Approvals for the Supports to Daily Living Program, the Community Partners Program and the Redirection of Emergency Hostel Funding Initiative - 2003”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated November 19, 2002, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be authorized to enter into service agreements for the first quarter of 2003 and allocate funds to the community agencies listed in Appendix 1 of this report for the first quarter of 2003 up to a total of \$893,323.32 gross, \$0.00 net for the 2003 Supports to Daily Living Program;
- (2) the Commissioner of Community and Neighbourhood Services be authorized to enter into service agreements for the first quarter of 2003 and allocate funds to the community agencies listed in Appendix 2 of this report for the first quarter of 2003 up to a total of \$219,457.14 gross, \$0.00 net for the 2003 Community Partners Program;
- (3) the Commissioner of Community and Neighbourhood Services be authorized to enter into service agreements for the first quarter of 2003 and allocate funds to the agencies listed in Appendix 3 of this report up to a total of \$1,466,568.80 gross, \$293,314.00 net for the 2003 Redirection of Emergency Hostel Funding Initiative; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Clause No. 22 - “Construction of New Road at Morningside and Milner Avenues - Proposed Funding Arrangement (Ward 42 - Scarborough-Rouge River)”.

The Clause was amended by amending Recommendation No. (1) embodied in the report dated November 1, 2002, from the Commissioner of Works and Emergency Services, as embodied in the Clause, to provide for changing the cash flows from a four-year to a five-year schedule, so that such recommendation shall now read as follows:

- “(1) City Council approve a total project cost of \$7.4 million for a new road and bridge structure at the Morningside Avenue/Highway 401 interchange as a pre approved multi-year project with cash flows of \$2.0 million, \$2.0 million, \$1.5 million, \$1.0 million and \$700,000.00, for the years 2003, 2004, 2005, 2006

and 2007, respectively, to cover the City's share of the project, with annual cash flow adjustments for inflation and interest as required;".

Clause No. 23 - "Preferred Strategy and 25-Year Implementation Plan for the City of Toronto Wet Weather Flow Management Master Plan".

The Clause was amended by adding thereto the following:

"It is further recommended that the Commissioner of Works and Emergency Services be requested to report to the Works Committee on:

- (1) whether elements of the City of Toronto Wet Weather Flow Management Master Plan directed at:
 - (a) reducing flows to the facility to increase its overall performance;
 - (b) improving water quality within the Humber River watershed from dry and wet weather sewer discharges; and
 - (c) reducing the impact of the Humber River flow to the Western Beaches;should be advanced as a high priority in the implementation of the Plan; and
- (2) any other steps required to ensure that the Western Beaches are able to be open for swimming during the summer season."

Clause No. 25 - "Interest/Penalty Issue Associated with the Apportionment of Taxes".

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

REPORT NO. 12 OF THE WORKS COMMITTEE

Clause No. 1 - "Source Separated Organics Processing Strategy".

The Clause was amended by adding thereto the following:

"It is further recommended that the report requested from the Commissioner of Works and Emergency Services following six months' operation of the Dufferin Organics Processing Facility also address the terms of reference for a long-term plan, including a Request for Proposals or the development of joint venture(s) or technological developments for permanent mechanisms or facilities for processing the City of Toronto's source separated organics, subject to the stipulation that, should the Dufferin Organics Processing Facility be considered for expansion, a further six months' evaluation occur before any final commitment is made."

Clause No. 6 - “Environment Canada’s Proposed Risk Management Strategy Addressing Ammonia, Inorganic Chloramines, and Chlorinated Wastewater Effluents Under the Canadian Environmental Protection Act (CEPA) 1999”.

The Clause was amended by adding thereto the following:

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

Moved by: Councillor Balkissoon

Seconded by: Councillor Duguid

‘WHEREAS the City of Toronto’s Works Committee at its meeting held on Wednesday, November 6, 2002, had before it a report from the Commissioner of Works and Emergency Services concerning Environment Canada’s proposed Risk Management Strategy addressing Ammonia, Inorganic Chloramines and Chlorinated Wastewater Effluents under the Canadian Environmental Protection Act (CEPA) 1999 (Clause 6, Report No. 12 of the Works Committee); and

WHEREAS the report outlines the Works and Emergency Services Department’s position concerning the proposed Strategy and recommended an official adoption of this position by the City of Toronto; and

WHEREAS the Committee also recommended adoption of the following motion in relation to the Report:

“The Chair of Works Committee be authorized to arrange a meeting in Ottawa with the Federal Environment Minister and interested members of Works Committee and Chairs/Councillors of Works Committees from GTA and surrounding regions who share Toronto’s concern.”; and

WHEREAS the Committee referred Recommendations Nos. (2) and (3) back to the Commissioner of Works and Emergency Services to prepare a Resolution for submission directly to Council for its meeting on November 26, 2002, strengthening the City of Toronto’s position to convey to the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) on the urgency of this matter; and

WHEREAS given the similar concerns expressed by other municipalities that operate sewage treatment facilities, the topic may be worthwhile considering as an agenda item at an upcoming FCM and AMO Board meeting. A unified position by the municipalities would be more supportable in obtaining federal funding and/or a longer phase in period for addressing these pollutants;

NOW THEREFORE BE IT RESOLVED THAT City Council hereby advise FCM and AMO of its position concerning the proposed Environment Canada’s Risk Management Strategy Addressing Ammonia, Inorganic Chloramines and Chlorinated Wastewater Effluents under CEPA 1999, as outlined in the report, and ask for their support in pursuing the Federal Environment Minister to

consider the concerns of municipalities before adoption of the proposed risk management strategy.’ ”

Clause No. 7 - “Changes in the Membership of the Task Force to Bring Back the Don”.

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

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

Consideration of the Clause was deferred to next regular meeting of City Council scheduled to be held on February 4, 2003.

Clause No. 11 - “Increase in Purchase Order Upset Limit for Front Street Extension Environmental Assessment and Preliminary Design Study”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) City Council request the Toronto Transit Commission to review the Waterfront Plan and submit a list of its priorities with respect to the Plan to the Waterfront Reference Group; and
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the costs that would be involved to reconstruct the Dufferin Bridge to allow for the extension of the Harbourfront LRT to Dufferin Street and beyond.”

Clause No. 16 - “Winter Maintenance on Arterial Roads and Expressways in District 1, Winter Maintenance Depot 1, 777 Bayview Avenue - Contract No. 02D1-154TR, Tender Call No. 284-2002”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to review the snow clearing, salting and sanding services in the areas of the former Municipalities of North York and Scarborough, to determine if some services should be brought in-house to ensure adequate services in the periods when the contracted services are not available, and submit a report thereon to the Works Committee, such report to also include:

- (a) the cost of having snow clearance contracts start earlier in the season, based on existing contracts; and

(b) the adequacy of plans to handle snow clearing in early fall.”

Clause No. 29 - “Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307”.

Council adopted the following recommendation:

“It is recommended that Council adopt the joint report dated November 26, 2002, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:

‘It is recommended that:

- (1) authority be granted to negotiate and enter into an agreement with the firm of Republic Services of Canada, Inc. to provide the required haulage and disposal services, commencing January 1, 2003, to Republic’s Carlton Farms Landfill in Michigan, as outlined in its proposal dated October 30, 2002, for the Haulage and Disposal of Wastewater System By-Products for the City of Toronto for a total 2003 expenditure of \$2,675,000.00, including GST and contingencies, adjusted annually, beginning January 1, 2004, by the Canadian Price Index (CPI), on the terms and conditions as per RFP No. 9155-02-7307, and otherwise on such terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with the haulage and disposal services comprised as follows:
 - (a) for grits and screenings - at a price of \$847.00 per roll-off box (minimum of 12 tonnes) for haulage and \$19.64 per tonne for disposal, including all applicable taxes, for a contractual period of ten (10) years, with prices to be adjusted on an annual basis beginning January 1, 2004, by the Canadian Price Index (CPI), Toronto Index, All Items;
 - (b) for catch basin and sewer cleaning debris, and street sweepings - at a price of \$1,262.80 per load (minimum of 34 tonnes) for haulage and \$19.64 per tonne for disposal, including all applicable taxes, for a contractual period of ten (10) years, with prices to be adjusted on an annual basis beginning January 1, 2004, by the Canadian Price Index (CPI), Toronto Index, All Items;
 - (c) for incinerated sewage sludge ash - at a price of \$33.00 per tonne for haulage and \$19.64 per tonne for disposal, including all applicable taxes, for a contractual period of five (5) years with potential extensions at the City’s sole discretion of three (3) years followed by an additional two (2) years, with prices to be adjusted on an annual basis beginning January 1, 2004, by the Canadian Price Index (CPI), Toronto Index, All Items; and

- (d) for contaminated/organic soils, spoils, sludges and slurries - at a price of \$33.00 per tonne for haulage and \$19.64 per tonne for disposal, including all applicable taxes, for a contractual period of ten (10 years), with prices to be adjusted on an annual basis beginning January 1, 2004, by the Canadian Price Index (CPI), Toronto Index, All Items; and
- (2) the appropriate City officials be directed to take the necessary action to give effect thereto.’ ”

Clause No. 37 - “Other Items Considered by the Committee”.

The Clause was received as information, subject to striking out and referring Items (c) and (n), entitled “Cost to Amend Curbside Waste Collection Contract to Include Source Separated Organics Collection in the York Community” and “Ontario Regulation No. 224/02 - Municipal Charges to Gas Companies”, respectively, back to the Works Committee for further consideration.

REPORT NO. 13 OF THE WORKS COMMITTEE

Clause No. 1 - “Increase in Set Fines for Disabled Parking Offences”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Province of Ontario be advised that City Council would support a substantial increase in set fines for Disabled Permit Parking Offences;
- (2) the Province of Ontario be requested to:
 - (a) take measures to correct the widespread use of disabled parking permits, in order to ensure that these permits are issued only to those who are disabled;
 - (b) strengthen the criteria for the issuance of disabled parking permits; and
 - (c) strengthen the legislation to make it mandatory that the holder of the disabled parking permit is in the vehicle using the disabled parking space;
- (3) disabled parking spaces be designated as ‘tow-away zones’;
- (4) City Council adopt the following, in principle:

‘That the funds derived from the fines for offences related to parking for persons with disabilities be placed in a separate account, such account to be used for disability-related projects and that the matter be referred to the

Budget Advisory Committee for consideration with the 2003 Operating Budget’;

- (5) the issue of abuse of the provincial Disabled Permit Parking stickers be referred to the Disabilities Issues Committee, with a request that the Committee assist Council to develop an advocacy strategy to urge the Province to develop a stricter system of issuing such stickers; and
- (6) the Commissioner of Works and Emergency Services be requested to:
 - (a) submit the report of the Special Police Services Board Committee on Disabled Parking Permits, chaired by the late Sergeant McEwan, to the Works Committee; and
 - (b) monitor the fines and bring forward a report to the Works Committee in six months’ time.”

JOINT REPORT NO. 2 OF THE PLANNING AND TRANSPORTATION COMMITTEE AND THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 2 - “Toronto City Centre Airport”.

The Clause was amended by:

- (1) amending the report dated October 22, 2002, from the Chief Administrative Officer, as amended by the Joint Planning and Transportation Committee and Economic Development and Parks Committee, by:
 - (a) deleting the following Part (g) from Recommendation No. (1)(i):

“(g) limit parking facilities on the airport lands to a maximum of 200 for employee, taxi and transit use;”;
 - (b) adding to Part (c) of Recommendation No. (1)(ii), the words “and that the TPA be responsible for any additional costs resulting from the implementation of the protocol”, so that such recommendation shall now read as follows:

“(1)(ii)(c) the development of a comprehensive protocol for Emergency Medical Services (to the satisfaction of the Commissioner of Works and Emergency Services) that includes traffic and bridge management procedures for emergency situations, the provision of EMS facilities on the TCCA site, and a direct line from TCCA to EMS dispatch for crash alarm notification and that the TPA be responsible for any additional costs resulting from the implementation of the protocol;”;

(c) amending Part (e) of Recommendation No. (1)(ii) to now read as follows:

“(1)(ii)(e) a community advisory committee being established which would meet at least twice a year with the TPA to provide feedback on the impact of TCCA operations on the surrounding neighbourhoods and report directly to City Council, and that Terms of Reference be developed for the committee;”;

(d) amending Part (g) of Recommendation No. (1)(ii) to now read as follows:

“(1)(ii)(g) the design of the fixed link be amended to include a street car track, designed in a manner that will not require a widening of the bridge or an additional environmental assessment, to the satisfaction of the Commissioner of Works and Emergency Services;”;

(e) adding the following new Part (h) to Recommendation No. (1)(ii):

“(1)(ii)(h) car parking facilities being limited for airline passengers to a maximum of 450 spaces on the airport lands, excluding the existing vehicle parking spaces that are required to support employees for airport uses pursuant to the Tripartite Agreement;”;

(f) adding the following new Part (i) to Recommendation No. (1)(ii):

“(1)(ii)(i) no casino being built on the Toronto Islands;”;

so that the recommendations embodied in the report dated October 22, 2002, from the Chief Administrative Officer, as amended by the Joint Planning and Transportation Committee and Economic Development and Parks Committee, and City Council, in their entirety, shall now read as follows:

“(1) Council support expansion to the Toronto City Centre Airport (TCCA) to a maximum cap of aircraft movements as allowed under the NEF 25 contour, and authorize the Toronto Port Authority (TPA) to construct the fixed link subject to:

(i) the Tripartite Agreement being amended to:

(a) require that the TPA retain the services of a qualified consultant to monitor all of the traffic-related factors, including environmental factors, identified in this report, that the results of the monitoring exercise be reviewed to determine the need for changes to the timing of the bridge operation or the access control (along with other mitigation measures as may be required), and that the TPA report on these issues to Council on an annual basis;

- (b) require that a review of the Tripartite Agreement be conducted 25 years after the fixed link has been completed;
 - (c) continue the ban on jet aircraft;
 - (d) formalize curfew hours as currently exists;
 - (e) establish noise abatement procedures; and
 - (f) continue the ban on expansion of existing runways and construction of new runways; and
- (ii) the following additional conditions being met:
- (a) the TPA providing all necessary guarantees that any infrastructure improvements at the TCCA, including the construction of a fixed link and terminal, will be completed at no cost to the City. This should be done through a performance bond that specifically outlines such a guarantee to the City, or an alternative instrument that eliminates financial risk to the City;
 - (b) the TPA providing an MOU shielding the City from any shortfall in the projected cash flows available for financing infrastructure investments (the fixed link and terminal);
 - (c) the development of a comprehensive protocol for Emergency Medical Services (to the satisfaction of the Commissioner of Works and Emergency Services) that includes traffic and bridge management procedures for emergency situations, the provision of EMS facilities on the TCCA site, and a direct line from TCCA to EMS dispatch for crash alarm notification and that the TPA be responsible for any additional costs resulting from the implementation of the protocol;
 - (d) the TPA providing details with respect to the transit strategy required to encourage half of all airport trips to be made by transit (an assumption identified in the additional transportation information submitted by the TPA) to the satisfaction of Commissioner of Works and Emergency Services, the Medical Officer of Health and the Chief General Manager of the TTC;
 - (e) a community advisory committee being established which would meet at least twice a year with the TPA to provide feedback on the impact of TCCA operations on the surrounding neighbourhoods and report directly to City

Council, and that Terms of Reference be developed for the committee;

- (f) the TPA agreeing to be held liable for the cost of any damage attributable to the construction of the bridge to the dockwall on the north side of the Western Gap; and
 - (g) the design of the fixed link be amended to include a street car track, designed in a manner that will not require a widening of the bridge or an additional environmental assessment, to the satisfaction of the Commissioner of Works and Emergency Services;
 - (h) car parking facilities being limited for airline passengers to a maximum of 450 spaces on the airport lands, excluding the existing vehicle parking spaces that are required to support employees for airport uses pursuant to the Tripartite Agreement; and
 - (i) no casino being built on the Toronto Islands;
- (2) the approval of Recommendation No. (1), above, be conditional on the legal dispute between the City, TEDCO, and the TPA being resolved;
 - (3) the TPA be requested to fund streetscape improvements along the water's edge and to work with staff of UDS to develop improvements that address pedestrian and parks issues along Bathurst Quay;
 - (4) staff be instructed to forward this report to the TPA, with a request that it confirm with the Commissioner of Urban Development Services acceptance of the above conditions;
 - (5) following satisfaction of Recommendation No. (4), the Commissioner of Urban Development Services and the City Solicitor report to Council on the necessary amendments to the Tripartite Agreement and the terms of the proposed resolution of the litigation;
 - (6) taxi service to the new air terminal be by way of an open taxi stand available to all licensed Toronto Taxis and Limousines;
 - (7) the Terminal building be constructed in a manner that will provide for direct streetcar access; and
 - (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

(2) adding thereto the following:

“It is further recommended that:

- (a) the Toronto Port Authority be required to:
 - (i) enter into a binding agreement with the City of Toronto which stipulates that the planes to be purchased will be built in Toronto by unionized workers, as long as the prices are competitive; and
 - (ii) complete a storm water management plan for the Toronto City Centre Airport;
- (b) the Toronto Port Authority and its partners or tenants, be requested to:
 - (i) prepare, at their own expense, a detailed urban design plan for the improvement of the pedestrian environment at the approaches to the new fixed link and along both shores of the Western Gap, such design to include pedestrian areas, a multi-modal waterfront trail, aircraft viewing areas and public art, such plan to be prepared to the satisfaction of the Commissioner of Urban Development Services; and
 - (ii) construct all the elements of this urban design plan at their own expense, once it has been approved by the City;
- (c) the Commissioner of Works and Emergency Services, the Commissioner of Economic Development, Culture and Tourism, the Chief General Manager of the Toronto Transit Commission and the Medical Officer of Health be requested to submit a report to Council every three years, commencing in 2005, on the traffic, transit and environmental factors related to the operations of the Toronto City Centre Airport;
- (d) Council adopt the confidential joint report dated November 26, 2002, from the City Solicitor and the Commissioner of Urban Development Services, entitled ‘Toronto Port Authority Litigation’, subject to confidential instructions issued to staff at the in-camera portion of this meeting of City Council, such confidential joint report and confidential instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they relate to litigation or potential litigation, save and except the following recommendations embodied in such confidential joint report:

‘It is recommended that:

- (1) City Council approve the proposed settlement of the litigation between the TPA, TEDCO, the City, certain individuals and the Federal Government, substantially on the terms contained in the Draft Minutes of Settlement attached hereto;

- (2) City Council instruct and authorize the Chief Financial Officer and Treasurer, the Chief Administrative Officer, the City Solicitor and the Commissioner of Urban Development Services to negotiate and conclude all necessary agreements and documents to give effect to the proposed settlement; and
 - (3) City staff be instructed to report back to City Council on their discussions with respect to the unresolved issues of the harbour-user fees and the payments in lieu of taxes.’;
- (e) the Chief Administrative Officer be directed to submit a report to City Council, through the Policy and Finance Committee, for approval on any substantive changes to the Minutes of Settlement; substantive changes to include items such as financial arrangements, terms and level of subsidies, lands, the City of Toronto’s future liabilities, etc.;
 - (f) all final lease documents be presented to City Council for final approval, along with any federal government consent to the terms;
 - (g) the Chief Administrative Officer be requested to meet with Mr. Rahul Bhardwag, the City of Toronto’s representative on the Toronto Port Authority, in order to brief him on the details of the City’s perspective with respect to this Agreement; and
 - (h) the Federal Government, through appropriate channels, be requested to consider creating legislation that would transform the Toronto Port Authority back to a Harbour Commission or City of Toronto agency.”

JOINT REPORT NO. 3 OF THE POLICY AND FINANCE COMMITTEE AND THE WORKS COMMITTEE

Clause No. 1 - “Establishment of the Toronto Water Board”.

The Clause was amended by:

- (1) amending the joint recommendations of the Policy and Finance Committee and Works Committee as follows:
 - (a) inserting in Recommendation No. (2)(i), prior to the word “Councillors”, the word “City”, and adding thereto the words “and the Budget Advisory Committee”;
 - (b) inserting in Recommendation No. (3), after the words “resident associations”, the words “who have expertise in the field”;
 - (c) adding to Recommendation No. (7), the words “such study to include whether the committee needs to have its own purchasing by-law”; and

- (d) adding to Recommendation No. (8), the words “and Council confirm its commitment to not privatize the capital stock or operation of the Toronto water/wastewater system or service”;

so that such joint recommendations, in their entirety, shall now read as follows:

“The Policy and Finance Committee and the Works Committee recommend that:

- (1) the report dated October 21, 2002, from the Chief Administrative Officer be received;
- (2) the preferred governance model be a Committee of seven Councillors reporting directly to Council having:
 - (i) responsibility solely for Water and Wastewater matters and being composed of City Councillors to be drawn from those appointed to the Board of Health, the Toronto and Region Conservation Authority, the Economic Development and Parks Committee, the Planning and Transportation Committee, the Works Committee and the Water Advocate and the Budget Advisory Committee; and
 - (ii) appropriate delegated powers to award in a timely fashion capital and operating contracts within the approval capital and operating budgets to meet operational needs in the Water and Wastewater area;
- (3) the governance model include two advisory committees reporting to the Committee responsible for Water and Wastewater matters, one to be a technical advisory committee providing advice on the operational needs of the Water and Wastewater Services Division, and the other being a citizen advisory committee comprised of citizens, labour unions, environmental groups, water and sewer main construction organizations, representatives of the business and financial communities, health advocates and resident associations who have expertise in the field to provide guidance and support to the City;
- (4) the Chief Administrative Officer in consultation with the Commissioner of Works and Emergency Services and the City Solicitor report, as part of the Council Committee Structure review in April 2003, on implementation of the model referred to in Recommendation No. (2)(i) and (ii), including scope of the delegated authority, necessary amendments of Municipal Code Chapter 27, Council Procedures, and identification of staff and other resources required to support the work of the Committee;
- (5) the Water and Wastewater Services Division be afforded “Business Unit” status within the Works and Emergency Services Department consistent with the model described in the report of the Chief Administrative Officer dated May 31, 2002;

- (6) the current review of inter- and intra-departmental charges ensure that the services provided meet the special business needs of the Water and Wastewater Services Division, that the costs imposed reflect the service provided and that the review include an analysis of the interdepartmental impacts of the changes to the charges;
 - (7) the City Auditor's study on procurement, currently under way, address the special procurement needs of Water and Wastewater in the implementation of their capital and operating programs and make recommendations on changes that would provide the appropriate delegated powers to award contracts within the approved capital and operating budgets, such study to include whether the committee needs to have its own purchasing by-law;
 - (8) any contracting out be in accord with any City policies on alternative service delivery and the relevant collective agreements and Council confirm its commitment to not privatize the capital stock or operation of the Toronto water/wastewater system or service;
 - (9) the Chief Administrative Officer, as part of the review scheduled for April 2003, include details of the "Business Unit", referred to in Recommendation No. (5); the review on inter- and intra-departmental charges, referred to in Recommendation No. (6); and the City Auditor's study on procurement, referred to in Recommendation No. (7);
 - (10) the proposed Committee responsible for Water and Wastewater matters be requested to develop a Business Plan for submission to Council as soon as possible; and
 - (11) the appropriate City officials be authorized to take the necessary action to give effect thereto, including the introduction of any necessary bills in Council."; and
- (2) adding thereto the following:
- "It is further recommended that:
- (a) the reports being drafted by the Chief Administrative Officer, in accordance with joint Recommendations Nos. (4) and (9), which will identify the scope of the authority delegated to the committee, the necessary amendments to the City of Toronto Municipal Code, Chapter 27, Council Procedures, and the powers of the 'Business Unit', be developed in consultation with the Water Advocate and submitted to the Policy and Finance Committee for approval;
 - (b) the new water and wastewater committee be requested to submit a report to City Council, in two years' time, outlining the pros and cons of this water governance model; and

- (c) the Chief Administrative Officer and the Commissioner of Works and Emergency Services be requested to submit a report to the Audit Committee outlining the scope for a review of the City of Toronto's water and wastewater systems to be conducted by the Auditor General."

REPORT NO. 13 OF THE HUMBER YORK COMMUNITY COUNCIL

- Clause No. 8 - "(1) Proposed Development at 66, 68 & 74 Quebec Avenue; and
(2) Preliminary Report on 20 Gothic Avenue; Application to Amend the Official Plan and Zoning By-law to Permit an 8-storey Residential Building and 25 Townhouses (Parkdale-High Park, Ward 13)".**

The Clause was amended by adding thereto the following:

"It is further recommended that Council adopt the supplementary report dated November 21, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

'It is recommended that the City Solicitor should be directed to oppose the Official Plan and Rezoning applications for a 20-storey residential condominium at 66-74 Quebec Avenue and that staff from the City Planning Division of Urban Development Services be authorized to attend in support of that position.'

- Clause No. 16 - "Bloor Street West, North Side, From a Point 18.5 Metres East of Indian Grove to a Point 11 Metres Further East – Establishment of a 'Disabled Persons' Loading Zone' Regulation (Parkdale-High Park, Ward 14)".**

The Clause was amended by adding to Recommendation No. (2) embodied in the report dated October 11, 2002, from the Director, Transportation Services, District 1, the words "to operate at all times, except from 4:00 p.m. to 6:00 p.m., Monday to Friday", so that such recommendation shall now read as follows:

- "(2) one stand for taxicabs be established on the north side of Bloor Street West, from a point 29.5 metres east of Indian Grove to a point 7 metres further east, to operate at all times, except from 4:00 p.m. to 6:00 p.m., Monday to Friday;"

- Clause No. 17 - "Howard Park Avenue at Indian Grove - Installation of Eastbound and Westbound 'Stop' Signs (Parkdale-High Park, Ward 14)".**

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

“It is recommended that the ‘Stop’ signs not be installed for eastbound and westbound traffic on Howard Park Avenue at Indian Grove.”

Clause No. 23 - **“Silverthorn Avenue, East Side, From Rogers Road to Rowntree Avenue - Request for a Standing Prohibition (Davenport, Ward 17)”**.

The Clause was amended by striking out the word “Standing” wherever it appears in the Clause and inserting in lieu thereof the word “Stopping”.

Clause No. 26 - **“Eglinton Avenue West Gateway Signs; Installation of Six Illuminated Gateway Signs at Various Locations Along Eglinton Avenue West, between Bicknell Avenue and Bathurst Street (York South-Weston, Ward 12; Eglinton-Lawrence, Ward 15; Davenport, Ward 17; and St. Paul’s, Ward 21)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that:

(1) Council adopt the following recommendation of the Midtown Community Council embodied in the communication dated November 18, 2002, from the City Clerk, Midtown Community Council:

‘The Midtown Community Council recommends that Council approve the installation of illuminated gateway signs at the following locations in Ward 21:

- (a) Eglinton Avenue West, north side, 11 m west of Bathurst Street, 1.5 m set back of curb; and
- (b) Eglinton Avenue West, south side, just East of Allen Road;

subject to the Eglinton Hill Business Improvement Association entering into an encroachment agreement with the City of Toronto as outlined in the report (October 31, 2002) from the Manager, Right of Way Management, Transportation Services, District 1.’; and

(2) the Commissioner of Works and Emergency Services be requested to explore the feasibility of relocating the sign situated on Eglinton Avenue West, north side, 9 metres west of Miranda Avenue, to the parkette located at the southeast corner of Dufferin Street and Eglinton Avenue West.”

Clause No. 40 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to amending Item (g), entitled “Poll Results – Implementation of a One-Way Southbound Traffic Operation on Brookside Avenue, from St. John’s Road to St. Mark’s Road; and a One-Way Northbound Traffic Operation on Watson Avenue, from St. Mark’s Road to St. John’s Road (Parkdale-High Park, Ward 13)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, to provide that Council adopt the report dated October 30, 2002, from the City Clerk, embodying the following recommendations:

“It is recommended that:

- (1) a one-way southbound traffic operation be implemented on Brookside Avenue, from St. John’s Road to St. Mark’s Road;
- (2) a one-way northbound traffic operation be implemented on Watson Avenue, from St. Mark’s Road to St. John’s Road; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of all necessary bills.”

REPORT NO. 9 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 8 - “Mount Pleasant Road, West Side, Fronting Premises No. 700/730 (Briton House) - Provision of an On-Street Loading Zone for Disabled and Other Persons (St. Paul’s - Ward 22)”.

The Clause was amended by inserting in Recommendation No. (2) embodied in the report dated October 15, 2002, from the Director, Transportation Services, District 1, after the number “53.5”, the word “metres”, so that such recommendation shall now read as follows:

- “(2) standing be prohibited on the west side of Mount Pleasant Road, from a point 53.5 metres north of Soudan Avenue to a point 11 metres further north; and”.

Clause No. 9 - “Roadways in South Leaside - Reduction of the Maximum Speed Limit from 50 Kilometres to 40 Kilometres Per Hour (Don Valley West - Ward 26)”.

The Clause was amended by amending Appendix 2 to the report dated October 17, 2002, from the Director, Transportation Services, District 1, as follows:

- (1) in the column entitled “Road”:
 - (a) by deleting the words “Bernie Crescent” (3rd line), and inserting in lieu thereof the words “Berney Crescent”; and

- (a) by deleting the words “Heath Street East” (11th line), and inserting in lieu thereof the words “Heath Road”;
- (2) in the column entitled “From”, by deleting the words “Millwod Road” (16th line), and inserting in lieu thereof the words “Millwood Road”; and
- (3) in the column entitled “To”:
 - (a) by deleting the first appearance of the words “Dead End” (3rd line), and inserting in lieu thereof the words “Northern Dead End of Berney Crescent”;
 - (b) by deleting the second appearance of the words “Dead End” (15th line), and inserting in lieu thereof the words “Southern Dead End of Leadale Avenue”; and
 - (c) by deleting the words “Bessborough Road” (27th line), and inserting in lieu thereof the words “Bessborough Drive”.

Clause No. 20 - “Further Report - Application to Amend the Official Plan and Zoning By-law No. 7625 - 20 Graydon Hall Drive - D. Shafran Investments - TD CMB 2002 0008 (Don Valley East - Ward 34)”.

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

“It is recommended that Council adopt the report dated October 29, 2002, from the Acting Director, Community Planning, North District, as embodied in the Clause, and as recommended in the confidential report dated November 21, 2002, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except such recommendation embodied therein, subject to the Commissioner of Urban Development Services being directed to negotiate further with the applicant pertaining to a rent abatement for the one-third of existing tenants (100 units) affected most by the new construction, in an amount of \$25.00 to \$30.00 per month, for a period of 10 months, resulting in a total rent abatement of between \$25,000.00 to \$30,000.00, such funds not to be part of the \$200,000.00 contribution secured for improvements to the Graydon Hall Park.”

REPORT NO. 12 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 23 - “Final Report – UD03-FW - Emery Village Secondary Plan - Finch Avenue West and Weston Road - Ward 7 – York West”.

The Clause was amended:

- (1) in accordance with the supplementary report dated November 20, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that City Council amend the Emery Village Secondary Plan in accordance with the policies attached as Attachment 1.”; and

- (2) by adding thereto the following:

“It is further recommended that Council adopt the further supplementary joint report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, embodying the following recommendation:

‘It is recommended that, in conjunction with the review of application TB CMB 2002 0012 by Centrillium, with lands at 15-19, 21 and 23 Toryork Drive and 2340 and 2350 Finch Avenue West, Works and Emergency Services staff initiate the design of the proposed portion of the ring road section between Finch Avenue and Toryork Drive, passing through Emery Parks Yard lands.’ ”

Clause No. 28 - “Disposition of Surplus Property - West Side of Seneca Hill Drive - Ward 33 - Don Valley East”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated November 19, 2002, from the Commissioner of Corporate Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Offer to Purchase from Kojanis Incorporated, as amended, to purchase the City-owned property located on the west side of Seneca Hill Drive, north of Cobblestone Drive, in the amount of \$210,000.00, 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 proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

REPORT NO. 10 OF THE SCARBOROUGH COMMUNITY COUNCIL

Clause No. 9 - **“Final Report – Removal of a Holding Provision (H) - Bionvest Investments Limited - TF ZBL 2002 0015 - Lands North of Borough Drive South of the Scarborough Centre Rapid Transit Station (Ward 38 – Scarborough Centre)”.**

The Clause was amended by amending Recommendation No. (3) embodied in the report dated October 28, 2002, from the Director of Community Planning, East District, as embodied in the Clause, to now read as follows:

“(3) before introducing the necessary Bill to City Council for enactment, require the owner to sign an undertaking to enter a road and servicing agreement which provides for construction by the owner and conveyance to the City of the new public street, including implementation of streetscape improvements, and all necessary servicing and infrastructure improvements to serve the development.”

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

The Clause was struck out and referred back to the Scarborough Community Council for further consideration, together with the confidential report dated November 27, 2002, from the City Solicitor.

REPORT NO. 12 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

Clause No. 5 - **“Draft By-laws - Official Plan Amendment and Rezoning - 64 Colgate Avenue (Toronto-Danforth, Ward 30)”.**

The Clause was amended in accordance with the supplementary report dated November 21, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that City Council:

- (1) authorize the City Solicitor to amend Section 3 (iii) of the proposed draft Zoning By-law for 64 Colgate Avenue to read “no less than 238 parking spaces are provided on the lot, of which at least 38 are designated for visitors”; and
- (2) give no further notice pursuant to Section 34(17) of the Planning Act, as the matters referred to in Recommendation No. (1) are for clarification purposes.”

Clause No. 21 - **“Installation of Overhead Cables - 74 Fraser Avenue, 99 Atlantic Avenue and 37 Hanna Avenue (Trinity-Spadina, Ward 19)”**.

Council adopted the following recommendation:

“It is recommended that Council adopt the report dated November 4, 2002, from the Director, Transportation Services, District 1, as embodied in the Clause.”

Clause No. 41 - **“Introduction of One-Hour Maximum Parking Limit - Givins Street, from Argyle Street to Halton Street (Trinity-Spadina, Ward 19)”**.

The Clause was amended by amending the report dated October 28, 2002, from the Director, Transportation Services, District 1, as embodied in the Clause, by:

(1) adding to Recommendation No. (1) the words “from April 1 to November 30”, so that such recommendation shall now read as follows:

“(1) parking be permitted for a maximum period of one hour, on the east side of Givins Street, from Argyle Street to Halton Street, to operate from 8:00 a.m. to 6:00 p.m., Monday to Saturday, from the 1st day of each month to the of 15th day of each month from April 1 to November 30;”;
and

(2) inserting in Recommendation No. (2), after the word “Saturday”, the words “from December 1 of one year to March 31 of the next following year, and”, so that such recommendation shall now read as follows:

“(2) parking be permitted for a maximum period of one hour, on the west side of Givins Street, from Argyle Street to Halton Street, to operate from 8:00 a.m. to 6:00 p.m., Monday to Saturday, from December 1 of one year to March 31 of the next following year, and from the 16th day of each month to the last day of each month, from April 1 to November 30; and”.

Clause No. 53 - **“Requests for Endorsement of Event for Liquor Licensing Purposes”**.

The Clause was amended by adding thereto the following:

“It is further recommended that City Council, for liquor licensing purposes, declare the Economic Development, Culture and Tourism Department’s Business Recognition Reception, to be held in a heated tent at the Yonge Dundas Square (southeast corner of Yonge Street and Dundas Street East) on November 28, 2002, between 6:00 p.m. and 9:00 p.m., to be an event of municipal and/or community significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to such event taking place.”

Clause No. 57 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to amending Item (b), entitled “Cash Payment-in-Lieu of Parking – 13 and 15 Bloor Street West (Toronto Centre-Rosedale, Ward 27)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, to provide that Council adopt the following motion:

Moved by: Councillor Rae

“**WHEREAS** the Toronto East York Community Council, at its meeting held on November 12, 2002, deferred consideration of a report (September 27, 2002) from the Director, Community Planning, South District respecting Cash Payment-In-Lieu of Parking - 13 and 15 Bloor Street West (Toronto Centre-Rosedale, Ward 27); and

WHEREAS in its decision document of May 9, 2002 regarding 13 and 15 Bloor Street West, the Committee of Adjustment Toronto East York Panel required, as a condition of approval of minor variances requested, a cash payment-in-lieu of providing five parking spaces; and

WHEREAS the applicants propose to replace two existing two-storey retail buildings, which do not currently provide parking on-site, with one two-storey retail building; and

WHEREAS the lands at 13 and 15 Bloor Street West are located in an established retail shopping area near the southwest corner of Yonge and Bloor Streets and are well served by two TTC subway lines;

NOW THEREFORE BE IT RESOLVED THAT the action of the Toronto East York Community Council to defer this matter be rescinded;

AND BE IT FURTHER RESOLVED THAT the report dated September 27, 2002, from the Director, Community Planning, South District, be received;

AND BE IT FURTHER RESOLVED THAT the requirement to provide a cash payment-in-lieu of parking be waived in this instance.”

REPORT NO. 9 OF THE AUDIT COMMITTEE

Clause No. 2 - “Contract Compliance Review - Viacom Outdoor Canada Inc. (formerly Mediacom)”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to include, in his February 2003 report to the Audit Committee:

- (1) an inventory of all bus shelters by individual City Ward, such inventory to provide the following details:
 - (a) whether the shelter is old or new;
 - (b) the status of the provision of roof lighting, as per Contract Clause 4.2;
 - (c) the status of the installation of Toronto Transit Commission information, as per Contract Clause 4.8; and
 - (d) the status of the posting of the notice pertaining to maintenance responsibility and contact telephone numbers, as per Contract Clause 7.6;and whether compliance on the above items was achieved on or after the deadline date;
- (2) what methods are in place for monitoring and enforcing Contract Clause 7.1.a. - Shelter Cleaning, and the status to date on this Clause application uniformly across all Wards of the requirement to have cleaning ‘at least once a week’, and the experience, to date, on complaints compliance percentage;
- (3) what methods are in place for monitoring and enforcing Contract Clause 7.1.d - Maintenance and Repairs within 24 hours, and the experience on compliance percentage; and
- (4) what actions the City of Toronto has at its disposal in the areas of non-compliance and/or contract compliance.”

ENQUIRY AND ANSWER

The Enquiry dated October 21, 2002, from Councillor Walker, regarding the investigation by the Ontario Provincial Police into the alleged contravention of the Ontario Municipal Elections Act, together with the Answer thereto dated October 24, 2002, from Mayor Lastman, was received.

NOTICES OF MOTION APPEARING UNDER ITEM F

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

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

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

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

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

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

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

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

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on February 4, 2003.

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

Moved by: Councillor Layton

Seconded by: Councillor Miller

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

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

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

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

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

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

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

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

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

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on February 4, 2003.

NOTICES OF MOTION APPEARING UNDER ITEM J

(1) Term of Office for Auditor General

Moved by: Councillor Balkissoon

Seconded by: Councillor Jones

“**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted, as amended, Policy and Finance Committee Report No. 7, Clause No. 1, headed ‘Proposal to Establish an Independent Auditor General for the City of Toronto’, and, in so doing, approved a term of office of five years for the Auditor General; and

WHEREAS that decision was based upon the maximum allowable term of office under the Municipal Act; and

WHEREAS it has been determined that the City may appoint the Auditor General as a non-statutory official, without any restriction or maximum term; and

WHEREAS it would be preferable to establish a longer term of office to ensure that, in the future, the City is able to attract and retain a qualified candidate for the position; and

WHEREAS the original recommendation of Mr. Denis Desautels was to set a term of seven years;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 7, Clause No. 1, headed ‘Proposal to Establish an Independent Auditor General for the City of Toronto’, be re-opened for further consideration, only insofar as it pertains to the number of years of the term of office of the Auditor General;

AND BE IT FURTHER RESOLVED THAT the term of office for the Auditor General be changed to seven years; and that clause 169-30.2.B of the Draft By-law contained in Appendix 1 of the report dated November 4, 2002, from the Chief Administrative Officer, as embodied in Policy and Finance Committee Report No. 15, Clause No. 1, headed ‘Implementation of Auditor General and Internal Audit Functions’, be amended by deleting the number ‘5’ and inserting in lieu thereof the number ‘7’, so the clause shall now read:

‘B. Be appointed for a non-renewable term of 7 years.’ ”

Disposition: *Council re-opened Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed “Proposal to Establish an Independent Auditor General for the City of Toronto”, for further consideration, only insofar as it pertains to the number of years of the term of office of the Auditor General, and adopted the balance of the Motion, without amendment.*

(Note: Council considered Motion J(1) together with Clause No. 1 of Report No. 15 of The Policy and Finance Committee, headed “Implementation of Auditor General and Internal Audit Functions”. See Page 12.)

(2) **Amendment to 2003 Schedule of Meetings**

Moved by: Councillor Rae

Seconded by: Councillor Bussin

“**WHEREAS** City Council at its meeting held on July 30, 31 and August 1, 2002, adopted, as amended, Policy and Finance Report No. 12, Clause No. 18, headed

‘2003 Capital and Operating Budget Submissions Revised Schedule of Meetings’, and, in so doing, adopted a revised 2003 Schedule of Meetings; and

WHEREAS there are no scheduled meetings of the Community Councils during February and March of 2003; and

WHEREAS there are urgent items to be considered by the Community Councils during this period; and

WHEREAS the Toronto East York Community Council, at its meeting held on November 12, 2002, requested its Chair to submit a Notice of Motion to City Council in this regard;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 12, Clause No. 18, headed ‘2003 Capital and Operating Budget Submissions Revised Schedule of Meetings’, be re-opened for further consideration, only insofar as it relates to the schedule of meetings for the month of February 2003;

AND BE IT FURTHER RESOLVED THAT Community Council meetings be scheduled on the following days:

Wednesday, February 19, 2003: Humber York Community Council
 Midtown Community Council
 Scarborough Community Council
 Toronto East York Community Council

Thursday, February 20, 2003: Etobicoke Community Council
 North York Community Council;

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 February 24 to 28, 2003, to consider the 2003 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.”

Disposition: *Council re-opened Clause No. 18 of Report No. 12 of The Policy and Finance Committee, headed “2003 Capital and Operating Budget Submissions Revised Schedule of Meetings’, for further consideration, only insofar as it relates to the schedule of meetings for the month of February 2003, and adopted the balance of the Motion, subject to deleting the Second Operative Paragraph, and inserting in lieu thereof the following:*

“AND BE IT FURTHER RESOLVED THAT Community Council meetings be scheduled on the following days:

Thursday, February 20, 2003:

***Humber York Community Council
Midtown Community Council
Toronto East York Community Council***

Friday, February 21, 2003:

North York Community Council

Monday, March 3, 2003:

Etobicoke Community Council

At the Call of the Chair:

Scarborough Community Council;”

(A copy of the revised Schedule of Meetings for February and March 2003 is attached.)

(3) Request for Front Yard Parking at 47 Shallmar Boulevard

Moved by: Councillor Mihevc

Seconded by: Councillor Flint

“WHEREAS City Council at its meeting held on October 1, 2 and 3, 2002, adopted, without amendment, Midtown Community Council Report No. 7, Clause No. 27, headed ‘Request for an Exemption from Chapter 400 – Traffic and Parking of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 47 Shallmar Boulevard’, and, in so doing, approved the application for front yard parking for one vehicle at 47 Shallmar Boulevard, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code; and

WHEREAS the applicant requires two parking spaces; and

WHEREAS the site is already fully landscaped with trees;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 7, Clause No. 27, headed ‘Request for an Exemption from Chapter 400 – Traffic and Parking of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 47 Shallmar Boulevard’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the recommendation of the Midtown Community Council be struck out;

AND BE IT FURTHER RESOLVED THAT Council approve the application for front yard parking at 47 Shallmar Boulevard for two vehicles, subject to the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto Municipal Code, except for the requirement for the planting of a tree and payment thereof, having regard that the site is already fully landscaped with trees;

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

Disposition: Council re-opened Clause No. 27 of Report No. 7 of The Midtown Community Council, headed “Request for an Exemption from Chapter 400 – Traffic and Parking of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 47 Shallmar Boulevard”, for further consideration, and adopted the balance of the Motion, without amendment.

(4) **Use of Corporate Resources For Election Purposes During An Election Year**

Moved by: Councillor Moscoe

Seconded by: Councillor Bussin

“**WHEREAS** City Council at its meeting held October 29, 30 and 31, 2002, adopted, as amended, Administration Committee Report No. 13, Clause No. 2, headed ‘Use of Corporate Resources for Election Purposes Especially during a Municipal Election Year’; and

WHEREAS such Clause established severe limitations on Councillors, effective August 1st of an election year; and

WHEREAS during the previous election these restrictions came into effect October 13th, a full two and a half months later; and

WHEREAS these restrictions severely impact on a Councillor’s ability to fulfill the functions expected of them from the electorate they represent; and

WHEREAS the policy attempts to nullify incumbency;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 13, Clause No. 2, headed ‘Use of Corporate Resources for Election Purposes Especially during a Municipal Election Year’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT this matter be referred back to the Administration Committee;

AND BE IT FURTHER RESOLVED THAT Members of Council be invited to recommend changes to this policy.”

Disposition: Council re-opened Clause No. 2 of Report No. 13 of The Administration Committee, headed “Use of Corporate Resources for Election Purposes Especially during a Municipal Election Year”, for further consideration, and adopted the balance of the Motion, without amendment.

In so doing, Council referred Clause No. 2 of Report No. 13 of The Administration Committee, headed “Use of Corporate Resources for Election Purposes Especially during a Municipal Election Year”, back to the Administration Committee and invited Members of Council to recommend changes to this policy.

(5) **Toronto Olympic Plebiscite**

Moved by: Councillor Walker

Seconded by: Councillor Miller

“**WHEREAS** gathering public opinion via plebiscite furthers open and transparent government; and

WHEREAS the cost of a plebiscite can be minimized when conducted simultaneously with a scheduled election; and

WHEREAS Toronto has a scheduled election in November 2003; and

WHEREAS Bern, Switzerland recently held a plebiscite on public consent for its multi-million dollar bid for the 2010 Winter Olympics, the result being nearly 4 to 1 against; and

WHEREAS Bern, Switzerland had already spent considerable millions of public dollars prior to this plebiscite; and

WHEREAS the Cities of Sydney (2000) and Montreal (1976), among others, were left with billions of dollars of debt after their respective Olympics and are still struggling with this debt; and

WHEREAS there are other international events, such as a World’s Fair, that generate positive outcomes with fewer negative possibilities that may be more appropriate in Toronto; and

WHEREAS the City's infrastructure is in dire need of maintenance and upgrade, greater in scope than the funding accompanying an Olympic Games could provide; and

WHEREAS the City's official bid for the 2008 Olympics cost 128 percent more than budgeted, ballooning from \$21 million to \$46 million; and

WHEREAS taxpayers in Toronto will be directly affected by any future Olympic bid through the spending of their tax dollars; and

WHEREAS all residents in Toronto will be directly affected as a result of the hosting of an Olympic Games;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council commit to the holding of a City-wide plebiscite on the support for an Olympic Games bid, prior to formalizing any such bid for the 2012 Olympics;

AND BE IT FURTHER RESOLVED THAT a plebiscite question seeking public input on this question be included on the November 2003 municipal election ballot;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required."

Disposition: The Motion was referred to the Administration Committee.

(6) **Donation of Funds for a Dog-Watering Fountain - Norman Jewison Park**

Moved by: Councillor Rae

Seconded by: Councillor Nunziata

“WHEREAS in 2001, the City created a park out of a parking lot between Isabella and Gloucester Streets, east of Yonge Street; and

WHEREAS on September 5, 2001, the park was opened and named Norman Jewison Park, in honour of the local Oscar-winning director; and

WHEREAS Norman Jewison has offered to make a donation of \$7,500.00 for a dog-watering fountain for the park; and

WHEREAS the estimates of \$7,500.00 provided by the Economic Development, Culture and Tourism Department will cover the costs of the dog-watering fountain;

NOW THEREFORE BE IT RESOLVED THAT the appropriate staff be directed to receive the generous donation from Mr. Jewison to build a dog-watering fountain and the Chief Financial Officer and Treasurer be requested to issue a receipt for such funds to Mr. Jewison, for income tax purposes."

Disposition: The Motion was adopted, without amendment.

(7) **Inclusion of Hogg's Hollow and Warren Park Ravine in the Ravine By-law**

Moved by: Councillor Flint

Seconded by: Councillor Miller

“WHEREAS City Council at its meeting held on October 1, 2 and 3, 2002, adopted, as amended, Planning and Transportation Committee Report No. 10, Clause No. 2, headed ‘Harmonized City-Wide Ravine By-law’; and

WHEREAS the new Ravine By-law was passed by Council at its meeting held on October 3, 2002; and

WHEREAS Council recommended amending the By-law to ‘exclude the lands known as Hogg’s Hollow Special Policy Area and Warren Park Ravine from the map attached to the draft By-law’; and

WHEREAS Council further recommended that staff attend the Hogg’s Hollow neighbourhood community meeting to discuss the impact of the Ravine Protection By-law and to report to Council on any issues raised at the meeting; and

WHEREAS staff have now met with the communities of Hogg’s Hollow and Warren Park Ravine and both are supportive of their community being subject to the new Ravine By-law; and

WHEREAS the Commissioner of Urban Development Services has prepared the attached report dated November 14, 2002, on amendments to the City of Toronto Municipal Code Chapter 658, Ravine Protection such that the areas of Hogg’s Hollow and Warren Park Ravine are included in the By-law; and

WHEREAS reporting to the December 13, 2002 meeting of Planning and Transportation Committee would result in the area of Hogg’s Hollow and Warren Park Ravine remaining unprotected by the Ravine By-law until February 4, 2003;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached report dated November 14, 2002, from the Commissioner of Urban Development Services, and that such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated November 14, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) *the City Solicitor be authorized to amend the City of Toronto Municipal Code Chapter 658, Ravine Protection, by deleting Section 658-12-B ‘Despite Schedule A this chapter shall not apply to the areas known as Hoggs Hollow Special Policy Area and Warren Park Ravine or to table lands associated with private golf courses’, and replace the maps of Schedule A; and*
- (2) *the City Solicitor be authorized to introduce the necessary Bill in Council to give effect thereto.”*

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

Moved by: Councillor Walker

Seconded by: Councillor Altobello

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills the may be required."

Disposition: Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council, scheduled to be held on February 4, 2003.

(9) **Appointment of Citizen Members to the Toronto Economic Development Corporation – (TEDCO)**

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Feldman

“WHEREAS City Council at its meeting held on June 18, 19 and 20, 2002, adopted, as amended, Policy and Finance Committee Report No. 10, Clause No. 2, headed ‘City of Toronto Economic Development Corporation (TEDCO) City Wide’; and

WHEREAS the size of the Board of Directors of TEDCO was set at 11 members comprised of the Mayor or his designate, the Chair of the City's Economic Development and Parks Committee, two Members of Council to be selected from the Economic Development and Parks Committee, 6 citizen members, one of whom to be a designate of the Labour Council of Metro Toronto and York Region; and the Commissioner of Economic Development, Culture and Tourism or his designate as an ex-officio, non-voting member; and

WHEREAS the Selection Committee, as approved by City Council, was requested to recommend the citizen slate of directors, including the recommended Chair of the Board, has met and finalized its recommendations on November 12, 2002; and

WHEREAS TEDCO's new board needs to be in place by December 10, 2002, in order to commence the development of its new mandate and business plan for 2003; and

WHEREAS the Commissioner of Economic Development, Culture and Tourism, in the attached report dated November 19, 2002, is recommending the appointment of the slate of citizen nominees listed in the confidential attachment to this report, and that such appointments take effect as of December 1, 2002, for a 3-year term;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, and that such report be adopted."

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

“subject to adding to the end of Recommendation No. (1) embodied therein, the words ‘subject to Mr. Stanley R. Budd resigning from his position as a member of the Board of Governors of Exhibition Place’ ”, so that the Operative Paragraph now reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, and that such report be adopted, subject to adding to the end of Recommendation No. (1) embodied therein, the words ‘subject to Mr. Stanley R. Budd resigning from his position as a member of the Board of Governors of Exhibition Place’.”

Council, by its adoption of the Motion, as amended, adopted the report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations, as amended:

“It is recommended that:

- (1) the slate of citizen nominees, including the Chair, contained in Attachment No. 1, which was circulated under separate confidential cover to Member of Council, be appointed to the Toronto Economic Development Corporation (TEDCO) as of December 1, 2002, for a 3 year term or until their successors are appointed,, subject to Mr. Stanley R. Budd resigning from his position as a member of the Board of Governors of Exhibition Place;*
- (2) annual remuneration for the citizen appointees be set at \$2,000.00 per meeting for the Chair and \$500.00 per meeting for citizen board members plus expenses, subject to the following:*
 - (a) the review of the remuneration for citizen appointees by the Chief Administrative Officer for all City ABC’s and corporations; and*
 - (b) the comprehensive board evaluation process for all City corporate boards (to be developed by the CAO’s Office) be applied to TEDCO board members including a 360 degree evaluation prior to the reappointment or recruitment of the board members in 2005;*
- (3) the Commissioner of Economic Development, Culture and Tourism brief the new board members on the alignment of TEDCO’s new mandate to the Council approved Economic Development Strategy and specifically opportunities for redevelopment of brownfield areas for employment generating uses across the City; and*
- (4) the appropriate officials be authorized to take the necessary action to give effect thereto.”*

In so doing, Council appointed the following slate of citizen nominees, including the Chair, to the Toronto Economic Development Corporation, as contained in the confidential attachment to the report dated November 19, 2002, from the Commissioner of Economic Development,

Culture and Tourism, such attachment to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains personal information about identifiable individuals, save and except the following names of appointees embodied therein:

- *James Villeneuve (Chair);*
- *Stanley R. Budd;*
- *C. Arthur Downes;*
- *Cynthia L. Robins;*
- *David McFadden (Nominee from the Toronto Board of Trade);*
- *Ucal Powell (Nominee from the Toronto and York Region Labour Council).*

(10) **Issuance of Debentures**

Moved by: Mayor Lastman

Seconded by: Councillor Shiner

“**WHEREAS** at its meeting held on February 13, 14 and 15, 2002, City Council adopted By-law No. 52-2002 being a by-law to authorize agreements respecting the issue and sale of debentures; and

WHEREAS, pursuant to By-law No. 52-2002, the Mayor and the Chief Financial Officer and Treasurer are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year for the sale and issue of debentures upon such terms and conditions, including price or prices as they deem expedient, to provide an amount not exceeding \$500,000,000.00 for the purposes of the City of Toronto, including the purposes of any former area municipality, the former Municipality of Metropolitan Toronto and a board of education; and

WHEREAS the Mayor and the Chief Financial Officer and Treasurer have entered into an agreement dated November 18, 2002 for the issue and sale of debentures and the Treasurer is required to report the terms of the agreement to Council not later than the second regular Council meeting following the entering into of such agreement; and

WHEREAS the City of Toronto Act, 1997 (No. 2), subsection 102(6), requires Council to pass all necessary money by-laws in accordance with the said agreement and applicable legislation;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated November 21, 2002, from the Chief Financial Officer and Treasurer regarding the issuance of debentures and that such report be adopted;

AND BE IT FURTHER RESOLVED THAT leave be granted for the introduction of the necessary Bills in Council to give effect to the issuance of debentures.”

Disposition: *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated November 21, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:*

“It is recommended that:

- (1) authority be granted for the introduction of the necessary Bills in Council on November 26, 2002, to give effect to the issuance of debentures as described in this report; and*
- (2) the appropriate officials be authorized to take the necessary actions to give effect thereto.”*

(11) School Bus Loading Zone - South Side of Glebeholme Boulevard (Beaches-East York, Ward 31)

Moved by: Councillor Tziretas

Seconded by: Deputy Mayor Ootes

“WHEREAS the Toronto East York Community Council at its meeting held on September 17, 2002, considered a report entitled, ‘Glebehome Boulevard, from Glebemount Avenue to Woodmount Avenue – Relocation of a School Bus Loading Zone (Beaches-East York, Ward 31)’, and deferred consideration of the report and requested the Commissioner of Works and Emergency Services to conduct a poll on the south side of Glebeholme Boulevard, from Glebemount Avenue to Woodmount Avenue, and to consult with the Ward Councillor on the results of the poll;

WHEREAS public consultation with residents on Glebeholme Boulevard, from Glebemount Avenue to Woodmount Avenue, has concluded that, based on the responses to a public poll, five of 21 residences indicated support for the proposed amendment to the parking regulations, and three of 21 residents indicated no support for the proposed amendment to the parking regulations; and

WHEREAS staff of Transportation Services have considered the result of the polling of residents with my office;

NOW THEREFORE BE IT RESOLVED THAT in order to service the added demand by school buses at St. Brigid’s School:

- (1) the ‘No Parking 8:00 a.m. to 6:00 p.m., Monday to Friday, except public holidays’ regulation on the south side of Glebeholme Boulevard from Woodmount Avenue to a point 103.6 metres west of Woodmount Avenue, be rescinded;

- (2) the School Bus Loading Zone on the north side of Wolverleigh Boulevard from a point 9 metres west of Woodmount Avenue to a point 38 metres west of Woodmount Avenue, be removed; and
- (3) a School Bus Loading Zone operating from 8:00 a.m. to 6:00 p.m., Monday to Friday, except public holidays, be established on the south side of Glebeholme Boulevard from a point 9 metres east of Woodmount Avenue to a point 69 metres west of Woodmount Avenue;

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

Disposition: The Motion was adopted, without amendment.

(12) **Suspension of Alternate Side Parking Regulation - Springdale Boulevard (Beaches-East York, Ward 31)**

Moved by: Councillor Tziretas

Seconded by: Deputy Mayor Ootes

“**WHEREAS** City Council at its meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001, by its adoption, without amendment, of Clause No. 48 of Report No. 3 of The Downtown Community Council, headed ‘Alternate Side Parking and Winter Snow Operations – Various Streets (Toronto Danforth, Ward 29 and Beaches-East York, Ward 31)’, authorized the suspension of the alternate side parking regulations by prohibiting parking on the north side of Springdale Boulevard, from Woodmount Avenue to Woodbine Avenue, during the months of January, February, March, June, July and December, and on the south side of Springdale Boulevard, from Woodmount Avenue to Woodbine Avenue, during the months of April, May, August, September, October and November;

WHEREAS public consultation with residents on Springdale Boulevard, from Woodmount Avenue to Woodbine Avenue, in Ward 31 has concluded that, based on a public poll, 16 of 21 residences indicated support for the suspension of the alternate side parking regulation, between December 1 and March 31; and

WHEREAS staff of Transportation Services have considered the result of polling of residents with my office;

NOW THEREFORE BE IT RESOLVED THAT parking be prohibited on the north side of Springdale Boulevard, from Woodmount Avenue to Woodbine Avenue, during the months of January, February, March, June, July and December, and on the south side of Springdale Boulevard, from Woodmount Avenue to Woodbine Avenue, during the months of April, May, August, September, October and November;

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

Disposition: The Motion was adopted, without amendment.

(13) **Christmas Tree in Nathan Phillips Square**

Moved by: Mayor Lastman

Seconded by: Deputy Mayor Ootes and Councillor Lindsay Luby

“**WHEREAS** the 50-foot fir tree in Nathan Phillips Square has been referred to as a ‘Holiday Tree’ by staff; and

WHEREAS Council recognizes that staff were attempting to be inclusive by calling the tree a Holiday Tree and that their hearts were in the right place, but that they went too far in the name of political correctness; and

WHEREAS coniferous trees adorned with lights, decorations and stars have always been and always will be Christmas Trees;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct staff to refer to trees adorned with lights, decorations and stars as ‘Christmas Trees’ from this point forward;

AND BE IT FURTHER RESOLVED THAT all references to the ‘Holiday Tree’ be replaced with ‘Christmas Tree’ in future City literature.”

Disposition: The Motion was adopted, without amendment.

(14) **Preliminary Evaluation of Proposals for the Provision of Telecommunications Infrastructure for the City of Toronto**

Moved by: Councillor Holyday

Seconded by: Councillor Ashton

“**WHEREAS** City Council, by its adoption of Clause No. 18 of Report No. 2 of The Policy and Finance Committee, headed ‘Telecommunications Network Initiative, Critical Path’, at its meeting held on February 13, 14 and 15, 2002, authorized the Commissioner of Corporate Services to issue a Request for Proposals to collect current market and costing information on the options available for the provision of telecommunications services to the City of Toronto and to select a new service provider(s); and

WHEREAS the Request for Proposals (No. 9155-02-07293) (the ‘RFP’) was issued on July 31, 2002 with an extended submission date of October 23, 2002; and

WHEREAS staff, in their initial evaluation of the responses received to the RFP have determined that there is a necessity to seek immediate Council direction with respect to the RFP process; and

WHEREAS it is essential, for the reasons as set out in the confidential report dated November 20, 2002, from the Commissioner of Corporate Services, that City Council consider this matter at its meeting of November 26, 27 and 28, 2002;

NOW THEREFORE BE IT RESOLVED THAT City Council adopt the recommendations as contained in the attached confidential report dated November 20, 2002, from the Commissioner of Corporate Services.”

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

“subject to adding to such confidential report the following additional Recommendations Nos. (7) to (10), and renumbering the original Recommendation No. (7) accordingly:

- ‘(7) the Commissioner of Corporate Services also be directed to provide written notice to the 22 participants who attended the mandatory Proponent’s Conference, advising of the reasons for the cancellation of the current process and the City’s intention to issue a new RFP;*
- (8) an opportunity be made available for the 22 participants to attend an information session to be scheduled prior to the issuance of the new RFP for the purpose of allowing these parties to advise City staff of any concerns with respect to the previous process, so that this information may be collected for the information of staff and City Council;*
- (9) upon completion of the discussion with the 22 participants, the Executive Director of Information and Technology be requested to meet with the Chair of the Administration Committee, other interested members of the Administration Committee, and members of the Information and Technology Sub-Committee, to discuss the outcome of the consultations and the resulting changes to the new RFP;*
- (10) a further information session be scheduled after the issuance of the new RFP for the purpose of allowing these parties to ask any further questions*

which they may have concerning the new RFP document and process, which questions shall be answered in the form of a further addendum;’ ”.

Council, by its adoption of the Motion, as amended, adopted, the confidential report dated November 20, 2002, from the Commissioner of Corporate Services, such report now public in its entirety and embodying the following recommendations, as amended:

“It is recommended that:

- (1) City Council authorize staff to cancel the Request for Proposals for the Provision of Telecommunications Infrastructure for the City of Toronto (RFP No. 9155-02-07293);*
- (2) City staff be directed to provide written notice to the Proponents who submitted proposals in response to the RFP No. 9155-02-07293 returning their proposals and indicating that the process has been cancelled, the reasons why their proposal was judged deficient, and an indication of the next steps to be taken by the City in relation to the issuance of a new RFP for the provision of telecommunications infrastructure;*
- (3) City staff be directed to issue a new RFP as soon as practicable for the provision of telecommunications infrastructure;*
- (4) the scope of work, terms and conditions of the new RFP will remain substantially unchanged, with only necessary modifications to the schedule of events, and the addition of four addendums which were used to clarify the requirements from the earlier RFP as a new appendix;*
- (5) the period for responding to the new RFP be shortened to five weeks;*
- (6) the new RFP be re-issued only to the 22 vendors who attended the mandatory information conference for the previous RFP;*
- (7) the Commissioner of Corporate Services also be directed to provide written notice to the 22 participants who attended the mandatory Proponent’s Conference, advising of the reasons for the cancellation of the current process and the City’s intention to issue a new RFP;*

- (8) *an opportunity be made available for the 22 participants to attend an information session to be scheduled prior to the issuance of the new RFP for the purpose of allowing these parties to advise City staff of any concerns with respect to the previous process, so that this information may be collected for the information of staff and City Council;*
- (9) *upon completion of the discussion with the 22 participants, the Executive Director of Information and Technology be requested to meet with the Chair of the Administration Committee, other interested members of the Administration Committee, and members of the Information and Technology Sub-Committee, to discuss the outcome of the consultations and the resulting changes to the new RFP;*
- (10) *a further information session be scheduled after the issuance of the new RFP for the purpose of allowing these parties to ask any further questions which they may have concerning the new RFP document and process, which questions shall be answered in the form of a further addendum; and*
- (11) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

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

Moved by: Councillor Bussin

Seconded by: Councillor Jones

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

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

WHEREAS Mr. Armstrong, in his decision, recognized the need for greater co-operation between the City and its Unions, stating in his report: ‘The good news is that there is considerable intelligence and talent on both sides... The challenge is to mobilize this talent to work co-operatively and move in constructive directions. But this is unlikely to happen without openly expressed support and encouragement from the most senior levels

– bureaucratic/administrative and political.’ – clearly placing the onus on the City to ‘get its labour relations’ in order;

NOW THEREFORE BE IT RESOLVED THAT:

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

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on February 4, 2003.

(16) PATH Walkway System - Promotions Link Inc. - Proposal for a Public Access Terminal System

Moved by: Councillor Feldman

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** City Council at its meeting held on December 4, 5 and 6, 2001, adopted, as amended, Economic Development and Parks Committee Report No. 12, Clause No. 13, headed ‘PATH Walkway System - Promotions Link Inc. - Proposal for a Public Access Terminal System’; and

WHEREAS Promotions Link Inc. (PLI) failed to install one functioning terminal on private property within the PATH Walkway System by September 1, 2002, as required in the Licensing Agreement with the City, resulting in the termination of the Licensing Agreement; and

WHEREAS, since both the City and Promotions Link Inc. (PLI) have invested considerable time and effort into this project, including significant design and development work by Promotions Link Inc. (PLI), the Commissioner of Economic Development, Culture and Tourism, by a report dated November 19, 2002, outlines recommendations pertaining to the Licensing Agreement between Promotions Link Inc. (PLI) and the City, which has terminated, for the purpose of having the Agreement reinstated on the same terms and conditions set out in the original Licensing Agreement dated February 1, 2002 except for:

- (1) a revised date by which Promotions Link Inc. (PLI) would be required to install six PATH functional publicly accessible terminals in the PATH walkway system;
- (2) the provision of a \$50,000.00 Letter of Credit upon execution of the reinstated Licensing Agreement; and

- (3) the provision that, if Promotions Link Inc. (PLI) does not comply by February 3, 2003, the City will commence a new RFP process immediately;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached confidential report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, and that such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it concerns matters related to the security of property of the municipality.

(17) **Supply and Delivery of Liquid Chlorine – Award of Contracts**

Moved by: Councillor Duguid

Seconded by: Councillor Di Giorgio

“**WHEREAS** liquid chlorine in 907.2 kg containers is used as a disinfecting agent by Water and Wastewater Services in the production of drinking water at the City’s four water filtration plants (R.C. Harris, R.L. Clark, F.J. Horgan and Island), and disinfecting of final effluent at two wastewater treatment plants (Highland Creek and Humber) and liquid chlorine in 82 tonne railway tank cars is used at the Ashbridges Bay Treatment Plant, for disinfecting of its final effluent; and

WHEREAS Brenntag Canada Inc. is the lowest bidder for the supply and delivery of liquid chlorine in 907.2 kg. containers and PPG Canada Inc. is the lowest bidder for the supply and delivery of liquid chlorine in 82 tonne railway tank cars; and

WHEREAS Brenntag Canada Inc. which acquired HCI Stanchem, has been one of the firms supplying liquid chlorine and other chemicals to the City and former Metro Toronto as the result of a competitive bidding process since at least 1985 and while there are a number of outstanding Competition Act charges pending against HCI Stanchem, the company and its charged personnel are presumed innocent of the charges until proven guilty in a court of law, pursuant to the Canadian Charter of Rights and Freedoms; and

WHEREAS the current contracts for supply of liquid chlorine expire on December 31, 2002, and in order to have continuous supply of chlorine and uninterrupted production of drinking water and disinfection of wastewater, the contract must be awarded on a rush basis; and

WHEREAS the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer have submitted the attached joint report dated November 22, 2002, outlining recommendations pertaining to the award of a three year

contract for the supply and delivery of liquid chlorine, supplied in 907.2 kg. containers and for the award of a one year contract for liquid chlorine supplied in 82 tonne railway tank cars, used by Water and Wastewater Services;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached joint report dated November 22, 2002, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, and that such joint report be adopted.”

Disposition: *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint report dated November 22, 2002, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:*

“It is recommended that:

- (1) the quotation submitted by Brenntag Canada Inc., in the amount of \$674.30 per tonne excluding GST, for the supply and delivery of approximately 2,492 tonnes of liquid chlorine annually, in 907.2 kg. containers for the period from January 1, 2003, to December 31, 2005, at an estimated value of \$5,393,941.47 including applicable tax be accepted, being the lowest quotation received;*
- (2) the quotation submitted by PPG Canada Inc. in the amount of \$375.00 per tonne excluding GST, for the supply and delivery of approximately 530 tonnes of liquid chlorine, in 82 tonne railway tank cars for the period from January 1, 2003, to December 31, 2003, at an estimated value of \$212,662.50 including applicable tax be accepted, being the lowest quotation received; and*
- (3) the appropriate City officials be directed to take the necessary action to give effect thereto.”*

(18) Amendment to the Agreement of Purchase and Sale for the PS Lead Spur Line

Moved by: Councillor Silva

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** City Council of the former City of Toronto, at its meeting held on July 14, 1997, adopted Clause No. 36 of Report No. 18 of The Executive Committee, approving the acquisition of the PS Lead Spur Line; and

WHEREAS the City entered into an Agreement of Purchase and Sale with Canadian Pacific Railway Company on August 9, 2002, to acquire the PS Lead Spur Line; and

WHEREAS the Commissioner of Corporate Services is recommending an amendment to this Agreement of Purchase and Sale;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached confidential report dated November 25, 2002, from the Commissioner of Corporate Services and that such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated November 25, 2002, from the Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information that is subject to solicitor/client privilege, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the Agreement of Purchase and Sale be amended to allow for the acquisition of an easement over Parts 1 and 2 on Reference Plan 64R-16978 for parkland purposes, on terms satisfactory to the Commissioner of Corporate Services, in consultation with the Commissioner of Economic, Development, Culture and Tourism and in a form satisfactory to the City Solicitor; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(19) Use of Schools for Municipal Election Purposes

Moved by: Councillor Chow

Seconded by: Councillor McConnell

“WHEREAS Election Services requires the use of a large number of schools for voting places in the conduct of a municipal election, with 593 schools being used in the 2000 municipal election; and

WHEREAS occurrences of intruders in Toronto schools may lead to difficulties in securing schools as voting places due to the need for increased monitoring of visitors to school premises; and

WHEREAS Election Services needs to develop an action plan that ensures both the continued availability of schools for voting places and the safety of children in the schools; and

WHEREAS the declaration of a professional development day on voting day would eliminate any concerns over the safety of the children at the schools; and

WHEREAS other municipal clerks in the Greater Toronto Area are also supporting the concept of a professional development day on Monday, November 10, 2003;

NOW THEREFORE BE IT RESOLVED THAT Council request the Toronto District School Board and the Toronto Catholic District School Board to declare the municipal voting day, November 10, 2003, a professional development day;

AND BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Directors of Education for the Toronto District School Board and the Toronto Catholic District School Board.”

Disposition: The Motion was adopted, without amendment.

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

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

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

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

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

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

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

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

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

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

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

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

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

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on February 4, 2003.

(21) **Impact of Education Program Cuts on Persons with Disabilities**

Moved by: Councillor Mihevc

Seconded by: Councillor Shaw

“**WHEREAS** at its meeting on September 24, 2002, the City of Toronto’s Advisory Committee on Disability Issues requested the support of Toronto City Council in addressing the concerns outlined herein; and

WHEREAS the fundamental right to equality of access, opportunity and outcomes for all members of Toronto’s population has been a long-standing pillar of governance policies in the City of Toronto; and

WHEREAS in 1973, the former City of Toronto established the Non-Discrimination Policy to protect the civil rights of the people of Toronto; and

WHEREAS Toronto City Council will proclaim December 3, 2002, as ‘International Day of Disabled Persons’, a day on which we reinforce the commitment to improve the integration of persons with disabilities into the wider society by equalizing their opportunities for and participation in decision-making; and

WHEREAS the City of Toronto believes in an accessible and equitable society where every resident is given an equal chance to learn and live free from barriers and discrimination; and

WHEREAS in 1981, the former Toronto City Council established the Access Award to recognize significant contributions to the improvement of access for people with disabilities in the City of Toronto; and

WHEREAS since amalgamation in 1998, Toronto City Council has adopted many policies and programs regarding the achievement of human rights and the elimination of discrimination of all forms and barriers to access and participation; and

WHEREAS while over 17 percent (or 1.9 million) of the people in Ontario have some form of disability, they are not evenly distributed throughout the Province and community estimates suggest that between 45 to 52 percent of that population reside in the City of Toronto; and

WHEREAS the City of Toronto is therefore particularly impacted and concerned with ensuring the full participation of persons with disabilities; and people with disabilities continue to face physical, attitudinal and systemic barriers in being able to realize their full entitlement to participate in the educational system in Ontario; and

WHEREAS the already diminished budgets and proposed cuts to the Toronto District School Board by the provincially-appointed Auditors and Supervisor will have disproportionate negative impacts on students with disabilities and other marginalized communities, and will further prohibit their ability to become self-supporting and fully participating members of our society;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council convey to the Premier of Ontario and to the Education Minister, its concerns regarding the proposed cutbacks to the Toronto District School Board and the negative impacts on students with disabilities and other marginalized communities, and that in addition, to ensure that no marginalized community is further and disproportionately hurt by proposed education program cutbacks, the Province of Ontario be requested to direct its Auditors and Supervisor to impose equity outcome criteria to their education budget proposals;

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

Disposition: The Motion was adopted, without amendment.

(22) **Hot Air Balloon Attraction at Exhibition Place**

Moved by: Councillor Silva

Seconded by: Councillor Pantalone

“**WHEREAS** the Board of Governors of Exhibition Place is authorized, pursuant to the terms of its management agreement with the City, to use, manage and operate the lands and buildings known as Exhibition Place for the purposes as set out in the City of Toronto Act, 1997 (No. 2) and such other purposes as City Council may approve; and

WHEREAS section 61 of the City of Toronto Act, 1997 (No. 2) provides that Exhibition Place shall be used for the purpose of, among other things, public entertainments; and

WHEREAS the Board of Governors, at its meeting of November 29, 2002, shall be considering a proposal, as more fully described in the attached report dated November 15, 2002, from the General Manager and CEO for the Board, for the construction and seasonal operation (i.e. approximately six months of the year) of a Helium Balloon attraction at Exhibition Place for a three year term; and

WHEREAS this Helium Balloon attraction, designed by Aerophile S.A., has been operating since 1994 as a tourist attraction in Japan, Switzerland, China, Australia, France, Germany, Austria, Italy and the United States and has provided over a million tourists the opportunity to ascend to a height of 500 feet in the tethered balloon, and as in other countries, a Helium Balloon attraction at Exhibition Place will be a first in Canada and will be a major attraction for the general public to view the City of Toronto and Lake Ontario from the comfort and safety of the balloon's gondola; and

WHEREAS all the balloons operating as tourist attractions in the other nine countries are manufactured to include the logo of a sponsor as part of the design to be placed on the skin of the balloon; and

WHEREAS the City Solicitor has advised that, while the balloon might be characterized as a unique public entertainment attraction permitted under section 61 of the City of Toronto Act, 1997 (No. 2), the definition of a 'sign' as contained in Chapter 297, Signs, of the Municipal Code of the former City of Toronto is broad enough that it may include this passenger balloon as an advertising device; and

WHEREAS it would therefore, in the opinion of the City Solicitor, be prudent for the Board to apply to City Council to request a minor variance from the provisions of Chapter 297; and

WHEREAS in order to commence operation in April, 2003, it is necessary for Aerophile S.A. to commence construction and permit applications in advance of the next regular meeting of City Council in February, 2003; and

WHEREAS, as Chair of the Board of Governors, I am requesting that Council consider this matter at its meeting in November, 2002, thereby making it possible for this tourist attraction to commence operation for the 2003 season;

NOW THEREFORE BE IT RESOLVED THAT City Council grant the application of the Board of Governors of Exhibition Place for a minor variance from the provisions of Chapter 297, Signs, as required to permit the installation and operation of the Helium Balloon attraction as a unique seasonal attraction on the basis that, in the opinion of Council, the general intent and purpose of the by-law will be maintained, subject to the following:

- (1) that the Board of Governors of Exhibition Place, in consultation with City Planning, shall approve the size, design and aesthetics of the proposed Helium Balloon, and the location of the balloon installation, subject to federal regulation; and

- (2) that the operation of the Helium Balloon shall be limited to no more than six months of the year and the licence agreement be for a period of three years with an option for the Board to extend, at the Board's sole discretion, for a maximum of a further three years on terms and conditions to be negotiated."

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

- (23) **Calcorp Inc. Option to Purchase Part of Viking Road (Etobicoke-Lakeshore, Ward 5)**

Moved by: **Councillor Milczyn**

Seconded by: **Councillor Holyday**

"WHEREAS the Council of the former City of Etobicoke amended and adopted Clause 240-A-97 of the Sixteenth Report of the Administration Committee, 1997, and authorized the City of Etobicoke to enter into an option to purchase agreement (the 'Option Agreement') with Calcorp Inc. for the purchase of part of Viking Road, subject to, among other things, the City of Toronto taking all necessary steps, in accordance with the requirements of the Municipal Act, to stop up and close for use as a public highway the subject lands; and

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

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

WHEREAS City Council, at its meeting of June 26, 27 and 28, 2001, adopted Motion J(7), and approved a 1-year extension to the Option Agreement until July 4, 2002, with Calcorp Inc. having the option to further extend the Option Agreement until January 4, 2003; and

WHEREAS the Toronto Sun newspaper failed to publish the requisite statutory notice of the proposed by-law to stop up and close a portion of Viking Road once a week for four consecutive weeks so that the public hearing relating to the draft by-law could take place on November 13, 2002; and

WHEREAS the Option Agreement expires on January 4, 2003, prior to the completion of all necessary steps to stop up and close for use as a public highway the subject lands; and

WHEREAS a further 6-month extension until July 4, 2003, of the Option Agreement has been agreed upon by Calcorp Inc.; and

WHEREAS the Commissioner of Corporate Services has submitted the attached report dated November 20, 2002, recommending that the Option Agreement be extended, on the terms and conditions set out in such report; and

WHEREAS it is necessary that Council consider this matter, as the Option Agreement will expire on January 4, 2003 unless, prior to that date, Council agrees to extend it;

NOW THEREFORE BE IT RESOLVED THAT COUNCIL give consideration to the attached report dated November 20, 2002, from the Commissioner of Corporate Services, entitled 'Calcorp Incorporated Option to Purchase Part of Viking Road – Request for Extension', and that the recommendations contained in such report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated November 20, 2002, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) the Option Agreement, as amended, be extended until July 4, 2003;*
- (2) the City Solicitor be authorized and directed to complete the transaction and pay any City costs incidental to the closing and be further authorized to amend the closing date to such earlier or later date as she considers reasonable; and*
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(24) **Proposed Amendments to the Ontario Heritage Act**

Moved by: Councillor Rae

Seconded by: Councillor Milczyn

“WHEREAS the Legislature is currently considering amendments to the Ontario Heritage Act as part of Bill 179, an Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts and by enacting one new Act; and

WHEREAS the City was not provided with an opportunity to comment on the amendments to the Ontario Heritage Act proposed in Bill 179; and

WHEREAS two long-standing deficiencies in the Ontario Heritage Act have not been addressed in Bill 179; and

WHEREAS, although the opportunity to amend Bill 179 now appears to be closed, City staff have been invited to meet with the Minister of Culture to discuss heritage issues on November 28, 2002, and other opportunities to make the necessary amendments to the Act to address these deficiencies may arise in the near future;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached joint report dated November 19, 2002, from the City Solicitor and the Commissioner of Economic Development, Culture and Tourism, and that the recommendations contained in the joint report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint report dated November 19, 2002, from the City Solicitor and the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

“It is recommended that:

- (1) the Provincial Government be requested to amend the Ontario Heritage Act as outlined in this report; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(25) **Renewal of Part Lot Control Exemption - 1165709 Ontario Limited - 150 Bartley Drive - Don Parkway**

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Tziretas

“**WHEREAS** City Council at its meeting held on July 27, 28, 29 and 30, 1999 adopted, without amendment, North Community Council Report No. 7, Clause No. 14, headed ‘Application for Removal of Part Lot Control Exemption - 1165709 Ontario Limited - 150 Bartley Drive - Don Parkway’, and in so doing, approved an application by 1165709 Ontario Limited to remove part lot control from certain lands within registered Plans 66M-2328 and 66M-2350 to allow the conveyance of 96 townhouse units into separate ownership; and

WHEREAS City Council enacted By-law No. 726-2000, to remove part lot control on the lands for a period of one year; and

WHEREAS By-law No. 726-2000 expired on October 5, 2001, and certain sales transactions have not yet been completed; and

WHEREAS imminent closings of real estate transactions require the renewal of removal of part lot control for a period of two months;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Part lot control exemption be renewed for Part of Block 2 on Plan 66M-2350, being Part 13 on Plan 66R19012, City of Toronto for a period of two months; and
- (2) the City Solicitor be authorized to submit the necessary Bills to Council to give effect thereto.”

Disposition: The Motion was adopted, without amendment.

(26) **Proposed Amendments to Escheats Act – 1510 King Street West**

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Altobello

“**WHEREAS** the property at 1510 King Street West vested in the Province of Ontario when the registered corporate owner was dissolved by the Province of Ontario on July 2, 1994; and

WHEREAS City Council at its meeting held on July 30, 31 and August 1, 2002 adopted a motion which provided that ‘the City of Toronto request that the Province of Ontario, the owner of the property at 1510 King Street West, transfer title to the land to the City of Toronto for the purpose of creating affordable housing units’, such transfer being conditional upon the present occupants immediately vacating the premises; and

WHEREAS the Province of Ontario has responded to the City’s request for a transfer of ownership by indicating that this property vested in the Crown by virtue of an escheat, that the Crown has not taken possession and control of the property at 1510 King Street West and has no legal authority to transfer the property free of encumbrances; and

WHEREAS the Province of Ontario has introduced in the Legislature Bill 179, being ‘An Act to promote government efficiency and to improve services to taxpayers by amending or repealing certain Acts and by enacting one new Act’ which includes proposed amendments to the Escheats Act, which, if enacted, would provide that the Public Guardian and Trustee is not required to secure, maintain or manage any property which has escheated or to take any other action in relation to any escheated property; and

WHEREAS these amendments will increase the burden on municipalities to deal with emergency situations which develop at escheated lands, including 1510 King Street West, while at the same time the overall regime will continue to have an adverse impact on the municipality’s ability to effectively deal with ongoing health and safety issues, collection

of tax arrears and other municipal regulatory and enforcement functions in relation to these properties; and

WHEREAS the Association of Municipalities (AMO) has expressed its concern regarding changes to the Escheats Act in Bill 179 and has recommended it be removed from the legislation because, if implemented, these changes would have the effect of leaving no agency responsible for the clean up of contaminated sites that have been escheated to the Crown, and AMO recommends that a principle Ministry, Office or Agency of the Crown remains responsible for these lands;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council urge the Province of Ontario to reconsider the proposed amendments to the Escheats Act in Bill 179, and to amend the legislation to ensure that there is a provincial Ministry, Agency or Office responsible for maintaining and managing all escheated lands;

AND BE IT FURTHER RESOLVED THAT the Province of Ontario be requested to introduce amendments to the Municipal Act, the Municipal Act, 2001 and the Assessment Act so as to continue the tax eligible status of lands which have escheated to the Province but over which the Province has not exercised any rights of possession;

AND BE IT FURTHER RESOLVED THAT the Office of the Public Guardian and Trustee be requested to provide the City with a list of addresses of those properties in the City of Toronto which have escheated to the Crown.”

Disposition: The Motion was adopted, without amendment.

(27) **Criteria for Determining Time Sensitive Items**

Moved by: Councillor Altobello

Seconded by: Councillor Berardinetti

“**WHEREAS** a ‘green sheet’ is distributed to Council Members at the start of a Council meeting; and

WHEREAS some items listed on the ‘green sheet’ are shaded and identified as being time sensitive; and

WHEREAS some Members of Council question whether some items are time sensitive or not; and

WHEREAS it would be useful to have some clarity on what items are time sensitive;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be requested to submit a report to the Administration Committee on criteria and process for establishing time sensitive items for Council meetings.”

Disposition: The Motion was adopted, without amendment.

(28) **Request for Liquor Licence – 2907 Dundas Street West – Mimmo’s Place Restaurant**

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“**WHEREAS** the premises known as Mimmo’s located at 2907 Dundas Street West has applied to the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario for a liquor licence; and

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

WHEREAS the owners of the premises, having previously applied for a liquor licence in 1998, were refused following a hearing that took place on November 10, 1998, on the basis of ‘strong support for the evidence of the objectors, who have well proved on the balance of probabilities that the granting of a liquor sales licence to Mimmo’s Place Restaurant is contrary to the public interest’; and

WHEREAS there has been no indication of any change in circumstances, ownership or any other aspect of the premises or business located therein, since the refusal of the previous application; and

WHEREAS I, as Ward Councillor, have received numerous complaints regarding the application, how it may impact negatively on the adjacent residential neighbourhood, and concerns that the required notice of the application was not affixed to the premises for the required time period;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor licence at 2907 Dundas Street West is not in the public interest having regard to the needs and wishes of the Municipality, and request the issuance of a proposal by the Alcohol and Gaming Commission of Ontario to refuse the application;

AND BE IT FURTHER RESOLVED THAT if the Alcohol and Gaming Commission intends to hold a hearing on this application, as in the case of the previous application, a public hearing be conducted during the evening hours at a location in the neighbourhood;

AND BE IT FURTHER RESOLVED THAT City Council request the City Solicitor to attend the hearing and oppose the application.”

Disposition: The Motion was adopted, without amendment.

(29) **Proposed Settlement of Appeal to Ontario Municipal Board - Applications to Amend former Etobicoke Official Plan and Zoning Code by Mystic Pointe**

3 Holdings Inc., Manitoba Street, East of Grand Avenue (Ward 6 - Etobicoke Lakeshore)

Moved by: Councillor Jones

Seconded by: Councillor Milczyn

“**WHEREAS** consideration by Council, of a confidential report respecting an application by Mystic Pointe 3 Holdings Inc., to amend the Official Plan and Zoning Code of the former City of Etobicoke, is required on an urgent basis to provide staff with instructions in relation to a hearing before the Ontario Municipal Board in relation to this matter;

NOW THEREFORE BE IT RESOLVED THAT Council consider and adopt the recommendations embodied in the attached confidential report dated November 25, 2002, from the City Solicitor.”

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

“AND BE IT FURTHER RESOLVED THAT the applicant be required to satisfy the requirements of the Toronto and Region Conservation Authority prior to the enactment of the bills.”

Council, by its adoption of the Motion, as amended, adopted, without amendment, the confidential report dated November 25, 2002, from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor/client privilege, save and except the following recommendations embodied therein:

“It is recommended that City Council:

- (1) subject to conditions set out in this report, adopt the Official Plan Amendment conditionally approved by Council on February 13, 14 and 15, 2002, revised to provide for 893 units rather than 793 units in Phase 2, resulting in a project unit count of 1,469 rather than 1,369 units, but with no increase in gross floor area;*
- (2) subject to conditions set out in this report, approve the Zoning Code amendment conditionally approved by Council on February 13, 14 and 15, 2002, revised to provide for 893 units rather than 793 units in Phase 2, resulting in a project unit count of 1,469 rather than 1,369 units, but with no increase in gross floor area, and including a correction of the lot coverage from 35 percent to 69 percent east of Legion Road and certain clerical revisions;*

- (3) *determine that no further notice be given with regard to the Zoning Code amendments pursuant to subsection 34(17) of the Planning Act;*
 - (4) *authorize the execution of an Amending Development Agreement on the basis set out in this report;*
 - (5) *authorize the City Solicitor to attend before the Ontario Municipal Board in support of the amendments described in these recommendations;*
 - (6) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*
- (30) **Agreement to Secure Federal Funding for a Feasibility Study for a Waterfront Museum Strategy**

Moved by: Councillor Pantalone

Seconded by: Councillor Minnan-Wong

“**WHEREAS** at its meeting held on December 4, 5 and 6, 2001, Council adopted Clause No. 1 of Report No. 12 of The Economic Development and Parks Committee, entitled ‘Waterfront Heritage and Culture Infrastructure Plan’, and, in so doing, authorized the Commissioner of Economic Development, Culture and Tourism to make an application to the federal Cultural Spaces Canada program for funding to undertake a strategic assessment of the opportunity to create a cultural centre/museum strategy as a major tourist attraction and as a forum to showcase Toronto to Canadians and the world; and

WHEREAS, under the Cultural Spaces Canada program, the Minister of Canadian Heritage has approved a financial contribution of \$90,000.00 to the City to assist in the preparation of a feasibility study for a museum strategy for Toronto’s Waterfront;

WHEREAS, as a condition of receiving the contribution, the City must enter into an agreement with the Minister to account for the use of the funds received and other related matters; and

WHEREAS \$81,000.00 of the contribution is earmarked by the Minister for expenses incurred in the fiscal year ending March 31, 2003, and therefore it is urgent that authority be granted to enter into the agreement so that the City can access these funds;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the Commissioner of Economic Development, Culture and Tourism to enter into any agreements necessary to secure access to the federal contribution under the Cultural Spaces Canada program, provided that the agreements are satisfactory to the Commissioner and the City Solicitor.”

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

(31) **Plan of Subdivision regarding 21, 24 Fleeceline Road (Ward 2)**

Moved by: Councillor Jones

Seconded by: Councillor Milczyn

“WHEREAS the City Council of the former City of Etobicoke approved a plan of subdivision for 21, 24 Fleeceline Road under Clause No. 153 of Report No. 15 of The Planning and Development Committee, 1996, as amended by Council Resolution No. 234, dated August 16, 1996; and

WHEREAS the developer and former City of Etobicoke entered into a Subdivision Agreement with respect to the subject lands; and

WHEREAS City staff require direction from City Council with respect to certain lands to be taken title to by the City, and the release of financial security; and

WHEREAS the developer is anxious to resolve its obligations under the Subdivision Agreement and obtain the release of a portion of its financial securities;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached report dated November 25, 2002, from the Commissioner of Works and Emergency Services and that such report be adopted.”

Disposition: *The Motion was adopted, subject to adding to the end of the first Operative Paragraph, the words “subject to adding thereto the following new Recommendation No. (3) and renumbering the original Recommendation No. (3) accordingly:*

“(3) the \$25,000.00 public art contribution be utilized within the immediate vicinity of the subdivision;”,

so that such Operative Paragraph now reads as follows:

***“NOW THEREFORE BE IT RESOLVED THAT* City Council consider the attached report dated November 25, 2002, from the Commissioner of Works and Emergency Services and that such report be adopted, subject to adding thereto the following new Recommendation No. (3) and renumbering the original Recommendation No. (3) accordingly:**

“(3) the \$25,000.00 public art contribution be utilized within the immediate vicinity of the subdivision;”.

Council, by its adoption of the Motion, as amended, adopted the report dated November 25, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations, as amended:

“It is recommended that:

- (1) the City take title to Blocks 153, 154 and 155 on Plan 66M-2318 in accordance with the provisions of this report;*
- (2) the financial security held under the Subdivision Agreement be released in accordance with the Subdivision Agreement and the provisions of this report;*
- (3) the \$25,000.00 public art contribution be utilized within the immediate vicinity of the subdivision; and*
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(32) Changes to the Proposed New Electricity Legislation

Moved by: Councillor Ashton

Seconded by: Councillor Miller

“BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be directed to support and work together with the Association of Municipalities of Ontario, in order to influence and cause the necessary changes to be made to the proposed new electricity legislation (Bill 210) and subsequent related regulations, that would best serve the interests of municipalities.”

Disposition: The Motion was adopted, without amendment.

(33) Application for Variance – 27 and 29 Colwood Road, Etobicoke

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Hall

“WHEREAS John Culmone, of Culmone and Associates, submitted applications to the Committee of Adjustment (A212/02E and A213/02E) for variances to the Etobicoke Zoning Code to permit the development of two, two-storey single family detached dwellings at 27 and 29 Colwood Road respectively; and

WHEREAS the Committee of Adjustment, on September 24, 2002, refused the variance applications; and

WHEREAS the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be authorized to attend the Ontario Municipal Board in support of the decision of the Committee of Adjustment.”

Disposition: The Motion was adopted, without amendment.

(34) **Toronto Computer Leasing Inquiry and Toronto External Consultants Inquiry**

Moved by: Councillor Miller

Seconded by: Councillor Johnston

“**WHEREAS** the City Solicitor and the Chief Administrative Officer have prepared a joint report regarding the Toronto Computer Leasing Inquiry and the Toronto External Consultants Inquiry; and

WHEREAS the hearing of the Toronto Computer Leasing Inquiry is scheduled to commence on December 2, 2002 and further Council instructions are required as staff and outside counsel prepare for the Inquiry;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the joint attached report dated November 26, 2002 and that such joint report be adopted.”

Disposition: The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint report dated November 26, 2002, from the City Solicitor and the Chief Administrative Officer, embodying the following recommendations:

“It is recommended that City Council:

- (1) approve funding for legal representation for current City employees who will be called as witnesses at the Inquiries, based on the terms set out in this report;*
- (2) instruct the City’s outside counsel that they may make specific submissions on allegations of misconduct against various persons, if appropriate, based on the evidence presented at the hearing; and*

- (3) *direct that the City's outside counsel obtain their day-to-day instructions from the Chief Administrative Officer and City Solicitor on matters pertaining to the Inquiry between Council's November 2002 meeting and the February 2003 meeting."*

(35) **OMB Hearing Regarding 76 Brumwell Street**

Moved by: Councillor Moeser

Seconded by: Councillor Hall

"WHEREAS at its meeting held on October 1, 2 and 3, 2002, City Council adopted the recommendations of the Scarborough Community Council as contained in Clause No. 33 of Report No. 8 of The Scarborough Community Council, headed 'Request for Direction - Official Plan and Zoning Amendments and Draft Plan of Subdivision Application - TF OPA 2002 0002, TF ZBL 2001 0018 and TF SUB 2001 0002, Candituff Developments Limited 76 Brumwell Street and Vacant Lands to the West Centennial Community (Ward 44 - Scarborough East)', and thereby directed the City Solicitor to oppose at the OMB the subdivision and related appeals by the owner of 76 Brumwell Street; and

WHEREAS the OMB has scheduled a hearing, commencing on December 9, 2002; and

WHEREAS the applicant has now submitted a revised plan of subdivision which deletes certain lands as requested by City Council; and

WHEREAS the City Solicitor wishes to report upon the revised plan and obtain further directions in respect of the OMB hearing; and

WHEREAS it is appropriate to consider the report of the City Solicitor at this meeting as it is time sensitive regarding the December 9, 2002, OMB hearing; and

WHEREAS it is appropriate to consider the report of the City Solicitor in camera as it relates to litigation and solicitor-client privilege;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated November 26, 2002 from the City Solicitor and that such report be adopted."

Disposition: *The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated November 26, 2002, from the City Solicitor, such report now public in its entirety, and embodying the following recommendations:*

"It is recommended that:

- (1) *the City Solicitor be authorized to advise the OMB that City Council supports the approval of the draft plan of subdivision (revised to November 13, 2002) subject to the redline changes required to satisfy Works and Emergency Services, the conditions in Appendix D, and a subdivision agreement satisfactory to the City Solicitor; and*
- (2) *the City Solicitor also be authorized to advise the OMB that City Council supports the associated zoning by-law amendment for a reduction in minimum lot area from 696 square metres to 600 square metres.”*

(36) **Terms of Reference and Selection Criteria for Citizen Appointments to the Toronto Atmospheric Fund Board of Directors**

Moved by: Councillor Soknacki

Seconded by: Councillor Lindsay Luby

“WHEREAS at its meeting held May 21, 22 and 23, 2002, City Council adopted a Motion decreasing the number of Toronto Atmospheric Fund directors from 11 to 10, adding a Member of the Council of the City of Toronto, in lieu of a City staff member, and adding two additional citizen members to the Board, for a total of six citizen members; and

WHEREAS at its meeting held May 21, 22 and 23, 2002, City Council, in accordance with Clause No. 1 of Report No. 3 of The Striking Committee, appointed Councillor Sandra Bussin to the Board of the Toronto Atmospheric Fund as the fourth Councillor on the Board, commencing June 21, 2002 and expiring November 30, 2003; and

WHEREAS the Toronto Atmospheric Fund has engaged through the City’s procurement process an investment advisory and executive search firm to identify and screen potential citizen candidates for its Investment Committee and Board who possess expertise relevant to the Fund’s operation; and

WHEREAS the Toronto Atmospheric Fund has established a Nominations Committee composed of the four Councillors who sit on the Board to interview and screen candidates for the Board and its committees, which is chaired by Councillor Sandra Bussin; and

WHEREAS three of six citizen positions on the Board of the Toronto Atmospheric Fund are vacant:

NOW THEREFORE BE IT RESOLVED THAT Council endorse the attached Toronto Atmospheric Fund Nominations Committee Terms of Reference and Selection Criteria for appointment of citizen candidates approved by the TAF Board September 18, 2002; and the relevant provisions of the City’s Policy for Citizen Appointments through the Nominating Committee be waived to permit the Board of the Toronto Atmospheric Fund to recommend a slate of citizen candidates and alternates to the Nominating

Committee of City Council for consideration for appointment by City Council to the Fund's Board;

AND BE IT FURTHER RESOLVED THAT the additional citizen members be appointed for a term of office commencing March 1, 2003 and expiring November 30, 2003;

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

Disposition: The Motion was adopted, without amendment.

(37) **Tax Relief for Commercial and Industrial Properties that were Vacant in 2000**

Moved by: Councillor Sutherland

Seconded by: Councillor Berardinetti

“**WHEREAS** for taxation years 1998 to 2000, commercial and industrial properties that experienced vacancies during the year were required under provincial legislation to apply in writing to the Municipal Property Assessment Corporation (MPAC) in order to have vacant portions returned on the Assessment Roll for the following taxation year with a special classification that would allow a reduced tax rate to apply, provided that the building, or portion of building, was vacant for the entire three months of July, August and September of the preceding year; and

WHEREAS the Provincial Government enacted new legislation in December 2000, effective January 2001, that implemented a new regime whereby all commercial and industrial properties are returned on the Assessment Roll and taxed each year as fully occupied, regardless of whether there are vacant units in the building, and that property tax relief for vacant commercial and industrial buildings is provided to property owners through rebates issued by municipalities that reflect the actual periods of vacancy experienced within the year; and

WHEREAS the new legislation enacted in December 2000 did not provide for a transition to the new vacancy regime, and as a result, commercial and industrial buildings that were vacant in July, August and September of 2000 were caught in the transition from the old legislation to the new legislation and were therefore not eligible for any tax relief for their 2000 vacancies; and

WHEREAS providing tax relief for commercial and industrial buildings that were vacant in 2000 is estimated to cost between \$25 and \$40 million;

NOW THEREFORE BE IT RESOLVED THAT the Provincial Government be requested to implement and fully fund a tax relief or vacancy rebate program for commercial and industrial buildings or portions thereof that were vacant for the entire three months of July, August and September, 2000, and that would have otherwise

qualified to receive a tax reduction to reflect those vacancies but did not due to the change in legislation.”

Disposition: The Motion was adopted, without amendment.

(38) **Canada-Ontario Infrastructure Program (COIP) – Federal funding for the Toronto Transit Commission Capital Program**

Moved by: Councillor Shiner

Seconded by: Councillor Disero

“**WHEREAS** Council approved the 2002 TTC capital budget at \$229.437 million, excluding the Sheppard Subway project on March 4, 2002; and

WHEREAS the Council approved 2002 TTC capital budget of \$229.437 million, excluding the Sheppard Subway project, assumed a one-third funding split between the senior levels of government such that the Province of Ontario and the Government of Canada were asked to fund \$76.5 million respectively in 2002 and that actual expenditures in 2002, excluding the Sheppard Subway, will be \$186.4 million; and

WHEREAS the Province of Ontario has provided \$62.2 million of capital funding for the 2002 TTC capital budget at \$229.437 million, excluding the Sheppard Subway project on October 17, 2002, but has yet to provide \$14.2 million from the GTIP program; and

WHEREAS the Government of Canada announced on April 26, 2002, funding of \$76.5 million for the 2002 TTC capital program consisting of \$62.3 million immediately and \$14.3 million to follow contingent upon a matching \$14.3 million from the Province of Ontario Golden Horseshoe Transit Investment Program (‘GTIP’); and

WHEREAS the Chief Financial Officer and Treasurer and the Chief General Manager of the TTC are currently negotiating a funding agreement with the Province to receive \$62.3 million of Federal funding for the 2002 TTC capital program; and

WHEREAS authority is required to enter into the above-mentioned funding agreement and any further funding agreements that may be required to receive the additional funding from the provincial and/or federal governments for the 2002 TTC capital program; and

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated November 28, 2002 from the Chief Financial Officer and Treasurer seeking authority to enter into the necessary agreements with the TTC and the Federal and/or Provincial governments to secure funding for the 2002 TTC capital program and that such report be adopted;

AND BE IT FURTHER RESOLVED THAT Council request the Chief Administrative Officer and the Chief Financial Officer and Treasurer together with the Chief General Manager of the TTC to continue their efforts to secure the additional \$14.3 million from the Province of Ontario and the Government of Canada, respectively and to include these

amounts as a carry forwards in addition to the 2003 TTC capital budget funding request to the Provincial and Federal Governments.”

Disposition: ***The Motion was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated November 28, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:***

“It is recommended that:

- (1) the City of Toronto enter into a funding agreement with the Province of Ontario and the TTC to receive \$62.3 million in federal funding under the Canada-Ontario Infrastructure Program, in a form satisfactory to the City Solicitor, and that the Chief Financial Officer and Treasurer and the City Clerk be authorized to execute the agreement on behalf of the City;***
- (2) the Chief Financial Officer and Treasurer and the Chief General Manager of the TTC include the additional \$14.2 million of funding as announced for 2002 by both levels of senior government respectively as a carry forward in addition to the 2003 capital budget funding request from the provincial and federal governments;***
- (3) the City of Toronto enter into any further funding agreements with the TTC and the Province of Ontario and/or the Government of Canada required to receive any additional funding from either level of government for the 2002 TTC capital program, in a form satisfactory to the City Solicitor, and that the Chief Financial Officer and Treasurer and the City Clerk be authorized to execute any such further agreements on behalf of the City;***
- (4) the City and TTC staff continue to work with the Province of Ontario and the Government of Canada to achieve a long-term capital subsidy agreement for the TTC; and***
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”***

Moved by: Councillor Altobello

Seconded by: Councillor Rae

“**WHEREAS** Article III, Development Approvals in Site Plan Control Areas, of Chapter 165 of the former City of Toronto Municipal Code, defines a ravine as ‘an area designated as a ravine by Article I of Chapter 276, Ravines’; and

WHEREAS Chapter 658, Ravine Protection, of the City of Toronto Municipal Code, repeals and replaces Chapter 276, Ravines; and

WHEREAS it is necessary to define the term ravine in Chapter 165 in accordance with the definition contained in Chapter 658, Ravine Protection, in order to ensure that ravines are subject to site plan control;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be authorized to introduce the necessary bill in Council to amend the definition of ravine in Chapter 165 of the former City of Toronto Municipal Code.”

Disposition: The Motion was adopted, without amendment.

(40) **Contribution to Juno Beach Centre**

Moved by: Councillor Korwin-Kuczynski

Seconded by: Deputy Mayor Ootes

“**WHEREAS** the Juno Beach Centre, a memorial to Canadian soldiers who heroically landed in Normandy on D-Day, June 6, 1944 during the Second World War, is schedule to open in 2003 on the 59th Anniversary of the invasion; and

WHEREAS the Juno Beach Centre will be built at Courseulles-sur-Mer on the Normandy Coast in France which served as the headquarters for Canadian troops following the invasion and was the site first visited by Charles De Gaulle, then leader of the Free French, British Prime Minister Winston Churchill and King George VI; and

WHEREAS provincial and municipal governments across Canada have been making contributions to secure the necessary funding to complete the \$8.0 million project to honour the many Canadians who made the ultimate sacrifice for freedom and to pay tribute to Canadian veterans who painfully remember that fateful day;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto make a \$10,000.00 contribution towards the completion of the Juno Beach Centre, in memory of the many fallen heroes who were citizens of, or stationed with regiments in the City of Toronto, such contribution to be funded from any under-expenditures in the Economic Development, Culture and Tourism program.”

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

“AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on the feasibility of establishing a bank account for donations to the Juno Beach Centre, and the options for promoting it to the general public.”

(41) Intention to Designate the Property at 15 Judson Street

Moved by: Councillor Jones

Seconded by: Councillor Minnan-Wong

“WHEREAS the property at 15 Judson Street (Mimico Station No. 3) is included on the City of Toronto Inventory of Heritage Properties; and

WHEREAS the City of Toronto Inventory of Heritage Properties is a list which identifies Toronto’s architectural, historical and archaeological heritage and the inclusion of a property on the inventory is a statement that the City and the Toronto Preservation Board consider these properties worthy of designation under the Ontario Heritage Act; and

WHEREAS the City is currently in receipt of building permit application No. 02190603 for the property at 15 Judson Street to permit the demolition of the Mimico Station No. 3;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto state its intention to designate the property at 15 Judson Street (Mimico Railway Station No. 3) pursuant to Part IV of the Ontario Heritage Act for architectural and historical reasons.”

Disposition: The Motion was adopted, without amendment.

CONDOLENCE MOTIONS

(1) Moved by: Councillor Ford

Seconded by: Councillor Lindsay Luby

“WHEREAS the Members of City Council are deeply saddened to learn that Andrew and Bonnie Pask tragically lost their son, Aidan Michael Harry, on October 29th; and

WHEREAS Andrew Pask serves the City of Toronto as Executive Assistant to Councillor Rob Ford, and Andrew is well known to Councillors and staff as hard working, courteous, and friendly;

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 Andrew and Bonnie Pask.”

Disposition: The Motion was adopted unanimously.

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

Seconded by: Councillor Berardinetti

“**WHEREAS** the Members of City Council are deeply saddened to learn that William Merrill Campbell passed away, on November 14th at 97 years of age; and

WHEREAS William Merrill Campbell retired in 1975 after employment in the municipal service for 28 years; and

WHEREAS William Merrill Campbell spent the last 16 years of his employment as the Commissioner of Finance and City Treasurer of the former City of Toronto, where he was responsible for introducing the interim tax billing system, as well as bringing international acclaim to the City for his accomplishments in establishing a comprehensive and sophisticated computer system; and

WHEREAS William Merrill Campbell is the great-uncle of Councillor Rob Ford;

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

Disposition: The Motion was adopted unanimously.

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

Seconded by: Councillor Holyday

“**WHEREAS** Mrs. Elizabeth (Betty) Sinclair, passed away on Tuesday, November 5, 2002; and

WHEREAS Mrs. Sinclair was a respected member of the former City of Etobicoke Community; and

WHEREAS Mrs. Sinclair provided valuable assistance to her husband, Bruce Sinclair, who was Mayor of Etobicoke from 1984 to 1994 and City Councillor from 1997 to 2000; and

WHEREAS Mrs. Sinclair worked tirelessly as a child advocate to ensure the rights and interests of children in the Etobicoke Community were respected; and

WHEREAS Mrs. Sinclair worked as a social worker and psychotherapist with the adoption services of the York Region Children's Aid Society and Peel Region Children's Aid;

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 her husband, Bruce Sinclair, and her children, Colin, Marian and John, and their family members."

Disposition: The Motion was adopted unanimously.

Toronto, Ontario
December 5, 2002

City Clerk

Attachment: Revised February and March 2003 Schedule of Meetings



Schedule of Meetings (as adopted by City Council)
City of Toronto Council, Standing Committees, Community Councils and Other Committees

February 2003

(As revised by City Council on
 November 26, 27, 28 and 29, 2002)

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1 <i>Chinese New Year</i>
2	3 Budget Advisory Committee	4 City Council	5 City Council	6 City Council	7 Budget Advisory Committee	8
9	10 Budget Advisory Committee	11 Budget Advisory Committee	12 Budget Advisory Committee	13 Budget Advisory Committee	14 Budget Advisory Committee	15
16	17 Policy and Finance and Budget Advisory Committees Public Deputations	18 Policy and Finance Committee Final Budget Recommendations	19	20 Humber York, Midtown, and Toronto East York Community Councils	21 North York Community Council	22
23	24 Special City Council for Final Budget Approval (9:30 a.m. – 12:30 p.m. 2:00 p.m. – 7:30 p.m.)	25 Special City Council for Final Budget Approval (9:30 a.m. – 12:30 p.m. 2:00 p.m. – 7:30 p.m.)	26 Special City Council for Final Budget Approval (9:30 a.m. – 12:30 p.m. 2:00 p.m. – 7:30 p.m.)	27 Special City Council for Final Budget Approval (9:30 a.m. – 12:30 p.m. 2:00 p.m. – 7:30 p.m.)	28 Special City Council for Final Budget Approval (9:30 a.m. – 12:30 p.m. 2:00 p.m. – sunset)	

Meeting Times:

Standing Committees: 9:30 a.m. - 12:30 p.m.; 2:00 p.m. – 6:00 p.m.---- **Community Councils:** 9:30 a.m. – 12:30 p.m.; 2:00 p.m. – 6:00 p.m.; 8:00 p.m. – 10:00 p.m.
City Council: 9:30 a.m. - 12:30 p.m.; 2:00 p.m. – 7:30 p.m. (Tuesdays and Wednesdays) **Note:** Scarborough Community Council will meet at the call of the Chair.
 9:30 a.m. – 12:30 p.m.; 2:00 p.m. – 6:00 p.m. (Thursdays)



Schedule of Meetings (as adopted by City Council)
City of Toronto Council, Standing Committees, Community Councils and Other Committees

March 2003

(As revised by City Council on
 November 26, 27, 28 and 29, 2002)

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3 Etobicoke Community Council	4	5 Federation of Canadian Municipalities (FCM) National Board of Directors Meeting (March 5 – 8, 2003)	6 FCM National Board of Directors Meeting	7 FCM National Board of Directors Meeting	8 Federation of Canadian Municipalities (FCM) National Board of Directors Meeting
9	10 -----	11 -----	12 MARCH BREAK	13 -----	14 -----	15
16	17 -----	18 -----	19 MARCH BREAK	20 -----	21 -----	22
23	24 Planning and Transportation Committee	25 Administration Committee	26 Works Committee	27 Community Services Committee	28	29
30	31 Economic Development and Parks Committee					

Meeting Times:

Standing Committees: 9:30 a.m. - 12:30 p.m.; 2:00 p.m. – 6:00 p.m.---- **Community Councils:** 9:30 a.m. – 12:30 p.m.; 2:00 p.m. – 6:00 p.m.; 8:00 p.m. – 10:00 p.m.

City Council: 9:30 a.m. - 12:30 p.m.; 2:00 p.m. – 7:30 p.m. (Tuesdays and Wednesdays)

9:30 a.m. – 12:30 p.m.; 2:00 p.m. – 6:00 p.m. (Thursdays)

Note: Scarborough Community Council will meet at the call of the Chair.