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These Minutes were confirmed by City Council on July 30, 2002.

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

**TUESDAY, JUNE 18, 2002,  
WEDNESDAY, JUNE 19, 2002, AND  
THURSDAY, JUNE 20, 2002**

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

**CALL TO ORDER**

- 5.1 Mayor Lastman took the Chair and called the Members to order.

The meeting opened with O Canada.

5.2 **CONFIRMATION OF MINUTES**

Councillor Duguid, seconded by Councillor Lindsay Luby, moved that the Minutes of the Council meeting held on the 21st, 22nd and 23rd days of May, 2002, be confirmed in the form supplied to the Members, which carried.

5.3 **ENQUIRY AND ANSWER**

Council had before it the following regarding any negotiated settlement pertaining to 2195 Yonge Street:

- (a) Enquiry dated May 8, 2002, from Councillor Walker (See Attachment No. 1, Page 164); and
- (b) Answer to the foregoing Enquiry dated May 17, 2002, from the Chief Administrative Officer (See Attachment No. 2, Page 165).

*Disposition:*

The foregoing Enquiry and Answer were received.

**PRESENTATION OF REPORTS****June 18, 2002:**

5.4 Councillor Holyday presented the following Reports for consideration by Council:

Report No. 9 of The Policy and Finance Committee,  
Report No. 7 of The Administration Committee,  
Report No. 8 of The Planning and Transportation Committee,  
Report No. 8 of The Humber York Community Council,  
Report No. 5 of The Midtown Community Council,  
Report No. 6 of The North York Community Council,  
Report No. 5 of The Scarborough Community Council,  
Report No. 10 of The Policy and Finance Committee,  
Report No. 6 of The Community Services Committee,  
Report No. 6 of The Economic Development and Parks Committee,  
Report No. 7 of The Planning and Transportation Committee,  
Report No. 7 of The Works Committee,  
Report No. 8 of The Administration Committee,  
Joint Report No. 1 of The Policy and Finance Committee and The Works Committee,  
Report No. 6 of The Midtown Community Council,  
Report No. 7 of The North York Community Council,  
Report No. 6 of The Scarborough Community Council,  
Report No. 8 of The Toronto East York Community Council,  
Report No. 8 of The Etobicoke Community Council,  
Report No. 9 of The Humber York Community Council, and  
Report No. 5 of The Board of Health,

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

5.5 Councillor Holyday, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 6 of The Audit Committee,

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

**June 19, 2002:**

- 5.6 Councillor Holyday, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 4 of The Striking Committee,

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

5.7 **DECLARATIONS OF INTEREST**

Councillor Ashton declared his interest in Clause No. 5 of Report No. 8 of The Administration Committee, headed "Toronto Civic Employees' Pension Plan and Benefit Fund, Preliminary Valuation Results as at December 31, 2001", in that his father-in law is a member of the Toronto Civic Employees' Pension Plan and Benefit Fund.

Councillor Chow declared her interest in Motion J(14), moved by Councillor Sutherland, seconded by Councillor Pitfield, respecting enforcement of the Smoking By-law, in that her stepson is an employee of a restaurant.

Councillor Korwin-Kuczynski declared his interest in Motion J(14), moved by Councillor Sutherland, seconded by Councillor Pitfield, respecting enforcement of the Smoking By-law, in that he has an interest in a bar.

Councillor Layton declared his interest in Motion J(14), moved by Councillor Sutherland, seconded by Councillor Pitfield, respecting enforcement of the Smoking By-law, in that his son is an employee of a restaurant.

Councillor Ootes declared his interest in Clause No. 12 of Report No. 6 of The Audit Committee, headed "Toronto Computer Leasing Inquiry – Document Production, Preliminary Budget and Standing Issues/MFP Financial Services Ltd. - Status of Litigation and Litigation Costs", in that he has shares in Clarica Life Insurance Company.

Councillor Shiner declared his interest in Clause No. 25 of Report No. 9 of The Humber York Community Council, headed "Wenderly Drive from Marlee Avenue to Lois Avenue, Reduction of Speed Limit to 40 km/h (Eglinton-Lawrence, Ward 15)", in that his family owns property in the subject area.

**CONSIDERATION OF REPORTS  
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION****5.8 The following Clauses were held by Council for further consideration:**

Report No. 9 of The Policy and Finance Committee, Clause No. 1.

Report No. 7 of The Administration Committee, Clauses Nos. 1, 2 and 3.

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

Report No. 8 of The Humber York Community Council, Clause No. 1.

Report No. 5 of The Midtown Community Council, Clause No. 1.

Report No. 6 of The North York Community Council, Clause No. 1.

Report No. 5 of The Scarborough Community Council, Clause No. 1.

Report No. 10 of The Policy and Finance Committee, Clauses Nos. 1, 2, 3, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21 and 22.

Report No. 6 of The Community Services Committee, Clauses Nos. 2, 7, 11, 12, 13, 14, 15, 16, 17 and 21.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 1, 2, 6, 7, 10, 16 and 18.

Report No. 7 of The Planning and Transportation Committee, Clauses Nos. 2 and 7.

Report No. 7 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 5, 10, 14, 15, 16 and 17.

Report No. 8 of The Administration Committee, Clauses Nos. 1, 2, 7, 9, 16 and 19.

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

Report No. 7 of The North York Community Council, Clause No. 19.

Report No. 6 of The Scarborough Community Council, Clause No. 11.

Report No. 8 of The Toronto East York Community Council, Clauses Nos. 8, 11, 16, 17, 29 and 30.

Report No. 8 of The Etobicoke Community Council, Clauses Nos. 13 and 22.

Report No. 9 of The Humber York Community Council, Clauses Nos. 6, 7, 18, 21 and 28.

Report No. 5 of The Board of Health, Clauses Nos. 1, 2 and 3.

Report No. 6 of The Audit Committee, Clauses Nos. 1, 4, 7, 8, 11, 12, 13 and 14.

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

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

Report No. 10 of The Policy and Finance Committee, Clauses Nos. 11 and 12.

Report No. 6 of The Community Services Committee, Clauses Nos. 2, 12, 13, 14 and 17.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 1, 2 and 7.

Report No. 7 of The Planning and Transportation Committee, Clauses Nos. 2 and 7.

Report No. 7 of The Works Committee, Clauses Nos. 4, 14, 15, 16 and 17.

Report No. 8 of The Administration Committee, Clauses Nos. 9, 16 and 19.

Report No. 8 of The Etobicoke Community Council, Clause No. 22.

Report No. 5 of The Board of Health, Clauses Nos. 1, 2 and 3.

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

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

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

- 5.9 **Clause No. 1 of Report No. 6 of The North York Community Council, headed “Special Occasion Permit - Community Event - Quattro Communications Inc. - Canada Day Celebration - Parc Downsview Park - Monday, July 1, 2002 - 11:00 a.m. to 11:00 p.m.”.**

*Motion:*

Councillor Moscoe moved that the Clause be struck out and referred to the Parc Downsview Park Operating Protocol Committee for further consideration.

*Vote:*

The motion by Councillor Moscoe carried.

**5.10 Clause No. 16 of Report No. 6 of The Community Services Committee, headed “City of Toronto Response to the Gillian Hadley and Ralph Hadley Coroner’s Inquest Recommendations”.**

*Motion:*

Councillor Duguid moved that the Clause be amended in accordance with the following recommendation of the Task Force on Community Safety embodied in the communication dated June 17, 2002, from the City Clerk:

“The Task Force on Community Safety endorsed the recommendations contained in the report (May 15, 2002) from the Acting Commissioner of Community and Neighbourhood Services, subject to Recommendation No. (9) being amended by adding thereto the following:

‘and further that staff, following consultation, report back to the Task Force on Community Safety with a mandate and a clear rationale for the work group’,

so that Recommendation No. (9) now reads as follows:

‘(9) the Task Force on Community Safety establish a work group specifically for woman abuse issues with a mandate to develop ongoing strategies, in collaboration with community stakeholders such as the Woman Abuse Council, to strengthen the network of services and supports for abused women and children in Toronto and further that staff, following consultation, report back to the Task Force on Community Safety with a mandate and a clear rationale for the work group; and’.”

*Votes:*

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

**5.11 Clause No. 21 of Report No. 6 of The Community Services Committee, headed “Other Items Considered by the Committee”.**

*Motion:*

Councillor Moeser moved that the Clause be received as information, subject to striking out and referring Item (b), entitled “Multi-Agency Response Plans and Procedures”, embodied therein, back to the Community Services Committee for further consideration.

*Votes:*

The motion by Councillor Moeser carried.

The Clause, as amended, was received as information.

5.12 **Clause No. 11 of Report No. 8 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning – 507 College Street (Trinity-Spadina, Ward 19)”.**

Having regard that the Clause was submitted without recommendation:

*Motion:*

Councillor Pantalone moved that Council adopt the following recommendations:

“It is recommended that Council adopt the report dated May 15, 2002, from the Director, Community Planning, South District, as embodied in the Clause, subject to:

(1) adding the following new Recommendation No. (5)(f):

‘(5)(f) complete the following additional measures:

- (i) contribute \$100,000.00 to the City of Toronto to be redistributed to Sistering, a non-profit charitable organization providing services to women 16 years of age and over who are homeless, socially isolated or have low incomes, for the purpose of funding capital costs (which may include facilities) and/or operating costs (which may include programming);
- (ii) pay these funds immediately on the final execution of a Site Plan Agreement or Undertaking related to the proposed development;
- (iii) pay these funds to flow through the Finance and Administration Account of the Shelter, Housing and Support Division of Community and Neighbourhood Services, in total, for redistribution to Sistering; and

- (iv) confirm in writing that the premises will be available to the existing tenants until the Spring of 2004, when demolition is expected to start;’;
- (2) deleting the following Recommendation No. (6)(g):
  - ‘(6) that the owner be advised:
    - (g) that with the implementation of the proposed project, the parking lot at 296 Palmerston Avenue would no longer be permitted by the Zoning By-law as varied by the minor variance of June 14, 1989.’; and
- (3) adding the following requirement of Site Plan Approval to Recommendation No. (5)(e):
  - ‘(xv) provide knock-out panels or a similar connection mechanism on the south sides of the P1, P2 and P3 parking levels, to facilitate a possible future below-grade connection with these parking levels to the lands at 296 Palmerston Avenue, and revise Plans 5, 6 and 7 (Parking Levels P1, P2 and P3, respectively) to incorporate these features;’.”

*Votes:*

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

**5.13 Clause No. 1 of Report No. 7 of The Administration Committee, headed “Fair Wage Policy Enhancements and Procedure Review”.**

*Motion:*

Councillor Moscoe moved that the Clause be amended by deleting from Recommendation No. (8) embodied in the joint report dated March 1, 2002, from the Commissioner of Corporate Services and the Manager of Fair Wage and Labour Trades Office, as embodied in the Clause, the word “Contracting”, and inserting in lieu thereof the word “Wage”, so that such recommendation shall now read as follows:

- “(8) the Commissioner of Corporate Services and the Manager, Fair Wage and Labour Trades Office, take the necessary steps to change the name of the Fair



Wage and Labour Trades Office to 'Fair Wage Office' and to ensure that the job functions and titles of the office are clearly defined to reflect the new name enhancement;".

*Votes:*

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

5.14 **Clause No. 2 of Report No. 7 of The Administration Committee, headed “Privacy Legislation Compliance and Technology Systems”.**

*Motions:*

- (a) Councillor Balkissoon moved that the Clause be struck out and referred to the Audit Committee, with a request that the City Auditor conduct a risk analysis and report thereon to the Audit Committee by September 2002.
- (b) Councillor Moscoe moved that motion (a) by Councillor Balkissoon be amended by adding thereto the following:

“such analysis to address the concerns outlined in the following motion:

Moved by Councillor Moscoe:

‘It is recommended that:

- (1) the process include provision for peer review and input from Members of Council; and
- (2) there be an appeal mechanism established that involves Members of Council, and the Chief Administrative Officer be requested to report thereon to the Administration Committee.’ ”

*Votes:*

Motion (b) by Councillor Moscoe carried.

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

In summary, Council struck out and referred the Clause to the Audit Committee, with a request that the City Auditor conduct a risk analysis, such analysis to address the concerns outlined in the following motion, and report thereon to the Audit Committee by September 2002:

Moved by Councillor Moscoe:

“It is recommended that:

- (1) the process include provision for peer review and input from Members of Council; and
- (2) there be an appeal mechanism established that involves Members of Council, and the Chief Administrative Officer be requested to report thereon to the Administration Committee.”

**5.15 Clause No. 2 of Report No. 8 of The Planning and Transportation Committee, headed “Leslie/Sheppard Gateway Project - West Corner of Sheppard Avenue East and Leslie Street”.**

*Motion:*

Councillor Milczyn moved that the Clause be struck out and referred back to the Planning and Transportation Committee for further consideration.

*Vote:*

The motion by Councillor Milczyn carried.

**5.16 Clause No. 1 of Report No. 8 of The Humber York Community Council, headed “Installation of Speed Humps on the Section of Northcliffe Boulevard between Rosemount Avenue and St. Clair Avenue West (Davenport, Ward 17)”.**

*Motion:*

Councillor Disero moved that consideration of the Clause be deferred to the regular meeting of City Council scheduled to be held on October 1, 2002.

*Vote:*

The motion by Councillor Disero carried.

- 5.17 **Clause No. 1 of Report No. 5 of The Scarborough Community Council, headed “Phase 4 Scarborough Transportation Corridor Land Use Study - SC-W19990005 (Ward 36 - Scarborough Southwest)”.**

*Motion:*

Councillor Ashton moved that the Clause be struck out and referred back to the Scarborough Community Council for further consideration at its meeting scheduled to be held on September 17, 2002; and the Director, Community Planning, East District, be requested to submit a further report to the Scarborough Community Council, at that time, outlining the outcome of discussions with the General Manager of Shelter, Housing and Support, the Director of Real Estate and the Director of Policy and Planning, Parks Division.

*Vote:*

The motion by Councillor Ashton carried.

- 5.18 **Clause No. 16 of Report No. 10 of The Policy and Finance Committee, headed “Funding for the Port Union Waterfront Improvement Project”.**

*Motion:*

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

“It is further recommended that the Mimico Linear Park project be considered during the 2003 budget process.”

*Votes:*

The motion by Councillor Jones carried.

The Clause, as amended, carried.

- 5.19 **Clause No. 17 of Report No. 10 of The Policy and Finance Committee, headed “Update on the Toronto Waterfront Revitalization Project Reporting and Communications Protocol”.**

*Motion:*

- (a) Councillor Lindsay Luby moved that the Clause be struck out and referred back to the Policy and Finance Committee for further consideration, and a review of the mandate of the Waterfront Reference Group be undertaken.

*Permission to Withdraw Motion:*

Councillor Lindsay Luby, with the permission of Council, withdrew her motion (a).

*Motions:*

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

“It is further recommended that:

- (1) as plans for the Waterfront proceed, the Commissioner of Urban Development Services be requested to prepare a one-page chart detailing reports that have been commissioned and their intended flow through the various departments, agencies, boards and commissions; and
- (2) this chart be updated on a regular basis.”

(c) Councillor Sutherland moved that the Clause, together with motion (b) by Councillor Moscoe, be struck out and referred back to the Policy and Finance Committee for further consideration.

*Vote:*

Adoption of motion (c) by Councillor Sutherland:

Yes - 21	
Mayor	Lastman
Councillors:	Cho, Disero, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland
No - 16	
Councillors:	Altobello, Augimeri, Bussin, Chow, Di Giorgio, Filion, Flint, Johnston, Jones, Layton, McConnell, Miller, Moeser, Moscoe, Pantalone, Silva

Carried by a majority of 5.

In summary, Council struck out and referred the Clause back to the Policy and Finance Committee for further consideration, together with the following motion:

Moved by Councillor Moscoe:

“It is further recommended that:

- (1) as plans for the Waterfront proceed, the Commissioner of Urban Development Services be requested to prepare a one-page chart detailing reports that have been commissioned and their intended flow through the various departments, agencies, boards and commissions; and
- (2) this chart be updated on a regular basis.”

**5.20 Clause No. 3 of Report No. 10 of The Policy and Finance Committee, headed “Funding for Trudeau Memorial (All Wards)”.**

*Motion:*

- (a) Councillor Holyday moved that the Clause be struck out and referred back to the Economic Development and Parks Committee for further consideration, with a request that the Committee impose a condition that the \$125,000.00 contribution to be fund-raised be in place before the public art competition takes place.

*Vote on Referral:*

Adoption of motion (a) by Councillor Holyday:

Yes - 5 Councillors: Augimeri, Ford, Hall, Holyday, Minnan-Wong
No - 27 Councillors: Altobello, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Fillion, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas

Lost by a majority of 22.

*Motions:*

- (b) Councillor Ford moved that the Clause be amended to provide that construction of the Trudeau Memorial be at no net cost to the taxpayer.
- (c) Councillor Kelly moved that the Clause be amended by amending Recommendation No. (1) of the Policy and Finance Committee by:
  - (1) deleting the word “local” and inserting in lieu thereof the word “national”; and
  - (2) deleting the words “a Toronto” and inserting in lieu thereof the word “an”,so that such recommendation shall now read as follows:

“The Policy and Finance Committee recommends that:

- (1) the Commissioner of Economic Development, Culture and Tourism undertake a national public art competition to select an artist and design for the Trudeau Memorial;”.
- (d) Councillor Hall moved that the Clause be amended to provide that construction of the Trudeau Memorial not commence until full cost recovery of the required funds is achieved.

*Votes:*

Adoption of motion (b) by Councillor Ford:

Yes - 6	
Councillors:	Augimeri, Ford, Holyday, Minnan-Wong, Ootes, Pitfield
No - 31	
Councillors:	Altobello, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 25.

Adoption of motion (c) by Councillor Kelly:

Yes - 13	
Councillors:	Altobello, Augimeri, Cho, Duguid, Johnston, Kelly, Korwin-Kuczynski, Mammoliti, Shaw, Silva, Soknacki, Sutherland, Walker
No - 25	
Councillors:	Ashton, Bussin, Chow, Di Giorgio, Disero, Feldman, Filion, Ford, Hall, Holyday, Jones, Layton, Li Preti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Tziretas

Lost by a majority of 12.

Adoption of motion (d) by Councillor Hall:

Yes - 13	
Councillors:	Altobello, Augimeri, Disero, Feldman, Ford, Hall, Holyday, Mammoliti, Minnan-Wong, Nunziata, Ootes, Soknacki, Tziretas
No - 25	
Councillors:	Ashton, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, McConnell, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Walker

Lost by a majority of 12.

Adoption of Clause, without amendment:

Yes - 33	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 5	
Councillors:	Augimeri, Ford, Holyday, Minnan-Wong, Nunziata

Carried by a majority of 28.



In summary, Council adopted this Clause, without amendment.

5.21 **Clause No. 1 of Joint Report No. 1 of The Policy and Finance Committee and The Works Committee, headed “Other Item Considered by the Committees”.**

*Motion:*

Councillor Ashton moved that the Clause be struck out and referred back to the Policy and Finance Committee for further consideration.

*Vote on Referral:*

Yes - 16	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Korwin-Kuczynski, Miller, Pantalone, Rae, Silva, Walker
No - 19	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Milczyn, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 3.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the foregoing decision of Council, ruled that the vote be now taken on whether to receive the Clause for information.

Councillor Jones challenged the ruling of the Deputy Mayor.

*Vote to Uphold Ruling of Deputy Mayor:*

Yes - 17	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Milczyn, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas
No - 20	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Walker

Lost by a majority of 3.

*Disposition of Clause:*

Having regard that this matter remained on the Order Paper for Council at the conclusion of the meeting, the Clause was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

**5.22 Clause No. 30 of Report No. 8 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

*Motions:*

- (a) Councillor Chow moved that the Clause be amended by adding the following event to Recommendation No. (2) of the Toronto East York Community Council:

“(g) the Closing Night Party for the Idea City Conference, hosted by Chum Television, to be held on Friday, June 21, 2002, at the Chum/City building located at 299 Queen Street West, on the main and second floor of the building, including the lobby, orientation and main floor hallway;”.

- (b) Councillor Pantalone moved that the Clause be amended by adding the following event to Recommendation No. (2) of the Toronto East York Community Council:

“(f) Reception to celebrate the 226th Independence Day of the United States, hosted by the Consul General of the United States, to be held in the Blue Barracks Assembly Room at Historic Fort York, on July 4, 2002, between the hours of 4:00 p.m. and 7:00 p.m.;”.

- (c) Councillor Rae moved that the Clause be amended by adding the following new Recommendations Nos. (9) and (10) to the recommendations of the Toronto East York Community Council:

“(9) declare the 27th Toronto International Film Festival taking place at various locations from September 5, 2002, to September 14, 2002, inclusive, to be an event of international, national and municipal significance and indicate that it has no objection to it taking place; nor to the granting of an extension of operation hours until 4:00 a.m. of Bistro 990, 990 Bay Street or the Rosewater Supper Club, 19 Toronto Street (the film festival host restaurants) for the duration of the festival; nor to the granting of an extension of operating hours until 4:00 a.m. of the Four Seasons Hotel, 21 Avenue Road and the Windsor

Arms Hotel, 18 St. Thomas Street (the film festival host hotels) for the duration of the festival; and

- (10) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Le Petit Liban Restaurant, 580 Church Street to permit an extension of the patio area for June 27, 28, 29 and 30, 2002 in conjunction with the 2002 Pride Celebrations and has no objection to the granting of such extension.”

- (d) Councillor Korwin-Kuczynski moved that the Clause be amended by adding the following new Recommendation No. (8) to the recommendations of the Toronto East York Community Council:

“(8) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Sheraton Centre Toronto Hotel to permit extension of alcoholic service until 3:00 a.m. in conjunction with the Pan-Icarian Brotherhood dances to be held on Saturday, August 31, 2002, and Sunday, September 1, 2002, in the Sheraton Centre’s Ballroom; and has no objection to the granting of such extension;”.

*Votes:*

Motion (a) by Councillor Chow carried.

Motion (b) by Councillor Pantalone carried.

Motion (c) by Councillor Rae carried.

Motion (d) by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

**5.23 Clause No. 7 of Report No. 8 of The Administration Committee, headed “Supply and Delivery of Polyethylene Garbage Bags Request for Quotation No. 0406-00-1103”.**

*Motion:*

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

“It is further recommended that Council:

- (1) receive the supplementary report dated June 17, 2002, from the Chief Financial Officer and Treasurer; and

- (2) direct that a copy thereof be forwarded to the Toronto Transit Commission for consideration.”

*Votes:*

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

- 5.24 **Clause No. 6 of Report No. 9 of The Humber York Community Council, headed “Final Report – 2525 to 2535 St. Clair Avenue West (South Side of St. Clair Avenue West, Between Runnymede Road and Mould Avenue); Application to Amend Zoning By-law No. 1-83 of the (former) City of York; Zelinka Priamo Ltd. for 3916987 Canada Inc. (York South-Weston, Ward 11)”.**

*Motion:*

Councillor Nunziata moved that the Clause be amended in accordance with the supplementary report dated June 14, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) the recommendations contained in the final report dated May 17, 2002, be modified as follows:
  - (a) that Recommendation No. (4) be deleted and the following substituted in lieu thereof:
    - ‘(4) prior to the introduction of the necessary Bill to City Council for enactment, The Building Box (Reno Depot Inc.) shall provide an undertaking satisfactory to the Director of Community Planning which indicates that prior to site plan approval The Building Box (Reno Depot Inc.):
      - (i) agrees to provide the City of Toronto with an irrevocable Letter of Credit for \$50,000.00 for the purchase and installation of signal priority technology for transit vehicles at two intersections in the vicinity of the proposed development, on the understanding that the Letter of Credit cannot be drawn upon until the building permit has been issued;

- (ii) agrees that signal priority technology for transit vehicles will be incorporated in the design of the new traffic control signals proposed at the entrance to the development at the intersection of St. Clair Avenue West and Mould Avenue and that all costs associated with the purchase and installation of this signal priority technology for transit vehicles, to a maximum of \$25,000.00, will be borne by The Building Box (Reno Depot Inc.); and
  - (iii) agrees that the Letter of Credit will be provided to the City of Toronto for a period not to exceed 90 days subsequent to the opening of The Building Box (Reno Depot Inc.) retail store at the subject site. If the signal priority equipment is not installed and operational at the two intersections in the vicinity of the proposed new development within that time period, then the Letter of Credit will be returned to The Building Box (Reno Depot Inc.);
- (b) that Recommendation No. (5) of the final report dated May 17, 2002, be modified as follows:
  - (i) Recommendation No. (5)(f):

that this recommendation be deleted and the following substituted in lieu thereof:

‘(5)(f) provide a Letter of Credit to be held for one year from the occupancy of the home improvement store, in the amount of \$25,000.00, to cover the costs associated with the following measures, as deemed appropriate by the Commissioner of Works and Emergency Services:

    - (i) implementing neighbourhood traffic calming measures, if any, as identified in Recommendation No. 5(e), above;
    - (ii) implementing the signal timing modifications identified in the iTRANS report dated April 2002, which are attributable to this development, if any;’

## (ii) Recommendation No. (5)(p):

that this recommendation be deleted and the following substituted in lieu thereof:

- '(5)(p)(1) The proponent must submit all environmental information related to on-site contamination, off-site contamination/impact or lands to be dedicated to the City for road or parkland purposes to the Works and Emergency Services Department for the peer review process. Please note that the cost of the peer review will be borne by the developer.
- (2) If the proposal involves lands to be dedicated to the City for road or parkland purposes, the lands must meet Ministry of the Environment (MOE) soil and groundwater criteria listed in the current MOE Guidelines. Where different land uses occur on opposite sides of a road, the more stringent criteria must be met. The City will not accept ownership of any parcel of land where contamination exceeds criteria listed in the current MOE Guidelines.
- (3) If migration of contaminants from the site is indicated during the environmental site assessment, and the migration affects City property and/or utilities, the proponent or the polluter is required to address the issue by either:
- (a) cleaning up the affected area to meet MOE soil and groundwater criteria listed in the current MOE Guidelines, or
- (b) ensuring that the contamination, if left at the affected area, will not have a negative impact on the proposed development or the affected off-site area. If the City's peer reviewer

concurs with the proponent's consultant that contamination may be left at the affected area, the proponent or the polluter shall sign an indemnity agreement with the City.

- (4) All correspondence from the proponent's consultant(s) to the City must state that the City and its peer reviewer can rely on the information. The proponent should contact Works staff to clarify submission requirements, costs and timeframe associated with the review, and the clearance process.';

- (iii) Recommendation No. (5)(v)(iii):

that this recommendation be deleted and the following substituted in lieu thereof:

'(5)(v)(iii) a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;';

- (iv) Recommendation No. (5)(v)(vi):

that this recommendation be deleted, and the following substituted in lieu thereof:

'(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of special pavers, bricks, scored concrete or other surfacing materials acceptable to the Commissioner of Urban Design so as to promote pedestrian safety;';

- (v) add a new Recommendation No. (5)(v)(xi) as follows:

'(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the

satisfaction of the Director of Community Planning, West District and the Director of Urban Design;’;

- (2) Zoning By-law No. 1-83 be amended generally in accordance with the revised draft Zoning By-law appended to this report as Attachment 1, and worded to the satisfaction of the City Solicitor to reflect the following:
- (a) that section (b) be deleted and the following substituted in lieu thereof:
    - ‘(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.’;
  - (b) that section (c) be deleted and the following substituted in lieu thereof:
    - ‘(c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:
      - (i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or
      - (ii) interfere with the use of a driveway required for access to a parking or loading area.’;
  - (c) that section (d) be deleted and the following substituted in lieu thereof:
    - ‘(d) The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.’;
  - (d) that section (f) be deleted and the following substituted in lieu thereof:
    - ‘(f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, ‘front yard’ shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.’;
  - (e) that section (g) be deleted;



- (f) that section (h) be deleted and the following substituted in lieu thereof:
    - ‘(h) Vehicular access to St. Clair Avenue West shall be restricted to one full-turn access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.’;
  - (g) that section (i) be deleted and the following substituted in lieu thereof:
    - ‘(i) For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;’;
  - (h) that section (l)(b) be deleted and the following substituted in lieu thereof:
    - ‘(l)(b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;’;
  - (i) that section (l)(d) be deleted and the following substituted in lieu thereof:
    - ‘(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;’;
  - (j) that section (l)(e) be added as follows:
    - ‘(l)(e) all loose building materials that are not packaged and are stored on site be fully enclosed, excluding lumber;’;
  - (k) that section (m) be deleted;
- (3) the City Solicitor be authorized to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and

- (4) in consideration of the by-law revisions noted in this report, it is recommended that no further notice of a public meeting be given in respect of the revised draft the revised draft Zoning By-law.”

*Votes:*

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

- 5.25 **Clause No. 7 of Report No. 9 of The Humber York Community Council, headed “2525-2535 St. Clair Avenue West - Application for Demolition Approval; Owner: 3916987 Canada Inc. Applicant: Stantec Consulting (York South-Weston, Ward 11)”.**

*Motion:*

Councillor Nunziata moved that the Clause be amended by deleting Recommendation No. (3)(b) embodied in the report dated May 27, 2002, from the Director, Community Planning, West District, as embodied in the Clause, and inserting in lieu thereof the following:

- “(3)(b) pay a fee to an upset limit of \$5,000.00, prior to the issuance of a building permit, for the cost of City staff to conduct television inspections of the existing sanitary sewer bisecting the site, both before and after completion of construction activities associated with this project.”

*Votes:*

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

- 5.26 **Clause No. 28 of Report No. 9 of The Humber York Community Council, headed “Other Items Considered by the Community Council”.**

*Motion:*

Councillor Miller moved that the Clause be received as information, subject to amending Item (e) entitled “Preliminary Report – 46 Halford Avenue (West Side of Halford Avenue, East of Old Mill Drive), Application to Amend Zoning By-law No. 1-83 of the (former) City of York and Application for Site Plan Approval (Parkdale-High Park, Ward 13)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, by striking out Recommendation No. (2) contained in the report

dated May 17, 2002, from the Director, Community Planning, West District, and inserting in lieu thereof the following new Recommendation No. (2):

- “(2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and also be given to landowners and residents on the following streets:

Riverside Drive north of Bloor Street West;  
all of Old Mill Drive;  
all of Traymore Crescent;  
all of Riverview Gardens;  
all of Orchard Crest Road;  
all of Langmuir Crescent; and  
all of Bridgeview Road;”.

*Votes:*

The motion by Councillor Miller carried, more than two-thirds of Members present having voted in the affirmative.

The Clause, as amended, was received as information.

**5.27 Clause No. 3 of Report No. 7 of The Works Committee, headed “Re-use Centres”.**

*Motion:*

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to meet with representatives of the Habitat for Humanity Re-Store, in order to co-ordinate the re-use efforts.”

- (b) Councillor Soknacki moved that the Clause be amended to provide that the Business Case include, but not be limited to, the feasibility of conducting a semi-annual curbside collection of textiles, the sale of the collected textiles, and the donation of unsold textiles to genuine non-profit organizations and charities, with the overall objective being that of attaining the City of Toronto’s solid waste diversion goals.

*Votes:*

Motion (b) by Councillor Soknacki carried.

Motion (a) by Councillor Moscoe carried.

The Clause, as amended, carried.

5.28 **Clause No. 1 of Report No. 10 of The Policy and Finance Committee, headed “Service Improvement and Alternative Service Delivery Work Program”.**

Councillor Disero in the Chair.

Deputy Mayor Ootes in the Chair.

Councillor Disero in the Chair.

*Motions:*

(a) Councillor Moscoe moved that Council receive the following recommendations embodied in the report dated May 29, 2002, from the Chief Administrative Officer, as embodied in the Clause:

(1) Recommendation No. (1)(a), viz.:

“(1) the following ASD program candidates be approved for the 2003-2004 phase of the ongoing ASD program:

(a) Corporate Services: Building Cleaning;

and further, that respective departments report back on the results of their reviews through their standing committees;”;

(2) Recommendation No. (1)(b), viz.:

“(1) the following ASD program candidates be approved for the 2003-2004 phase of the ongoing ASD program:

(b) Economic Development, Culture and Tourism: Forestry Field Services;

and further, that respective departments report back on the results of their reviews through their standing committees;”;

(3) Recommendation No. (1)(c), viz.:

“(1) the following ASD program candidates be approved for the 2003-2004 phase of the ongoing ASD program:

(c) Finance Department: Purchasing Process;

and further, that respective departments report back on the results of their reviews through their standing committees;”;

- (4) Recommendation No. (1)(d), viz.:
- “(1) the following ASD program candidates be approved for the 2003-2004 phase of the ongoing ASD program:
- (d) Urban Development Services: Building Division: Plan Review and Inspections, subject to passing Bill 124;
- and further, that respective departments report back on the results of their reviews through their standing committees;”;
- and
- (5) the balance of the recommendations embodied in such report, viz.:
- “(2) the 2002-2004 service improvement initiatives described in Appendix 3 be approved;
- (3) estimated resources to implement the 2003 phase of the ASD and service improvement work program, of approximately \$3.0 million, be further refined and included in the 2003 Operating Budget estimates;
- (4) Council adopt the following statements of principle with respect to Alternative Service Delivery:
- (a) where Council has approved a change in the service delivery model for an existing facility, program or service, implementation may be phased in a planned and timely manner to provide a reasonable timeframe to minimize the impact on the existing labour force;
- (b) prior to the establishment of new City facilities, programs and services, the feasibility of Alternative Service Delivery options should be assessed by staff and an appropriate model recommended to Council for approval;
- (c) where a service is outsourced, if there are few service providers/vendors available in the market and/or the capital investment required to enter the market is high, the City should retain the capacity to repatriate the service to ensure that the City does not become dependent on a single supplier; and

- (d) the collective agreements, the policy on work force reductions, and work force redeployment initiatives be applied in the implementation of ASD models;
  - (5) Agencies, Boards and Commissions be required to report to the Chief Administrative Officer on ASD strategies which they have developed or are developing so that consistency of these strategies with the City's ASD program can be assessed; and
  - (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”
- (b) Councillor Layton moved that:
  - (1) in the event that Part (1) of motion (a) by Councillor Moscoe fails, the Clause be amended to provide that Corporate Services: Building Cleaning be converted from the Alternative Services Delivery Program to the service improvement initiatives;
  - (2) in the event that Part (2) of motion (a) by Councillor Moscoe fails, the Clause be amended to provide that Economic Development, Culture and Tourism: Forestry Field Services be converted from the Alternative Services Delivery Program to the service improvement initiatives;
  - (3) in the event that Part (3) of motion (a) by Councillor Moscoe fails, the Clause be amended to provide that the Finance Department: Purchasing Process be converted from the Alternative Services Delivery Program to the service improvement initiatives;
  - (4) in the event that Part (4) of motion (a) by Councillor Moscoe fails, the Clause be amended to provide that Urban Development Services: Building Division: Plan Review and Inspections be converted from the Alternative Services Delivery Program to the service improvement initiatives; and
  - (5) the Clause be amended by adding thereto the following:

“It is further recommended that the front line workers in each program be invited to advise as to how their work experience and services to citizens can be improved.”

Deputy Mayor Ootes in the Chair.

- (c) Councillor McConnell moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) staff be required to consult with the Unions at each step of the ASD process;
  - (2) staff be requested to report back to Council before taking any steps to implement ASD measures on any of the services named in the report; and
  - (3) staff be requested to work with the Unions, as part of the ASD review of these services, to determine whether internal service improvements and efficiencies can be made; and that they report back to Council on the results of this work.”
- (d) Councillor Miller moved that the Clause be amended by striking out and referring Recommendation No. (1)(d) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, as embodied in the Clause, back to the Chief Administrative Officer to await the report of the Development Review Task Force composed of Councillors Disero, Silva and Pantalone.
- (e) Councillor Silva moved that the Clause be amended by:
- (1) deleting Recommendation No. (1)(a) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, as embodied in the Clause, viz.:
    - “(1) the following ASD program candidates be approved for the 2003-2004 phase of the ongoing ASD program:
      - (a) Corporate Services: Building Cleaning;”;
  - (2) adding thereto the following:

“It is further recommended that City Council affirm its commitment not to consider further contracting out of cleaning services.”
- (f) Councillor Pantalone moved that:
- (1) the Clause be struck out and referred to the Mayor for an analysis of the implications of the report in the context of present Union negotiations, and report thereon to City Council; and



- (2) in the event that Part (1) fails, the Clause be amended to provide that:
- (a) the \$3.0 million in projected expenditures be itemized and reported to the Budget Advisory Committee before any expenditure is undertaken; and
  - (b) before finalization of the turf maintenance Request for Proposal, such proposal be subject to a further report following consultation with employees who will be given every opportunity to provide in-house services in a competitive manner and, where applicable, who will be encouraged to bid on City Requests for Proposals.

*Procedural Motion:*

Councillor Mihevc, with the permission of Council, moved that Council vary the order of its proceedings to vote on this Clause at 4:00 p.m. on June 19, 2002, the vote upon which was taken as follows:

Yes - 23	
Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Duguid, Johnston, Jones, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Silva, Sutherland, Tziretas, Walker
No - 7	
Councillors:	Disero, Flint, Ford, Hall, Holyday, Moeser, Shiner

Carried by a majority of 16.

*Motions:*

- (g) Councillor Holyday moved that the Clause be amended by adding to Recommendation No. (1) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, as embodied in the Clause, the following new Part (e):
- “(e) Works and Emergency Services: Garbage Services.”
- (h) Councillor Li Preti moved that the Clause be amended by striking out and referring the following Recommendation No. (3) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, to the Chief Administrative Officer for further review; such recommendation to be brought forward with an itemized list of expenditures:

“(3) estimated resources to implement the 2003 phase of the ASD and service improvement work program, of approximately \$3.0 million, be further refined and included in the 2003 Operating Budget estimates;”.

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

“It is further recommended that City Council re-affirm that the recommendations embodied in the Clause will only authorize the City of Toronto to study these programs for potential Alternative Service Delivery consideration.”

- (j) Councillor Shiner moved that motion (c) by Councillor McConnell be referred to the Chief Administrative Officer, with a request that she submit a report to the Policy and Finance Committee on the establishment of a formal consultation protocol with representatives of Locals 416 and 79, and COTAPSAI, in the analysis and development of the recommended options for Alternative Service Delivery implementation.

- (k) Councillor Bussin moved that the Clause be amended by inserting at the beginning of Recommendation No. (3) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, as embodied in the Clause, the words “subject to Council approval”, so that such recommendation shall now read as follows:

“(3) subject to Council approval, estimated resources to implement the 2003 phase of the ASD and service improvement work program, of approximately \$3.0 million, be further refined and included in the 2003 Operating Budget estimates;”.

- (l) Mayor Lastman moved that motion (h) by Councillor Li Preti be amended by inserting, after the words “list of expenditures”, the words “and that such expenditures be justified in the 2003 budget process”.

Councillor Nunziata in the Chair.

Deputy Mayor Ootes in the Chair.

*Permission to Withdraw Motion:*

Councillor Bussin, with the permission of Council, withdrew her motion (k).

*Votes:*

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

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

Lost by a majority of 10.

Adoption of motion (d) by Councillor Miller:

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

Lost by a majority of 10.

Adoption of motion (l) by Mayor Lastman:

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

Carried, without dissent.

Adoption of motion (h) by Councillor Li Preti, as amended, moved by Councillor Pantalone in the absence of Councillor Li Preti:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Milczyn

Carried by a majority of 39.

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

Yes - 17	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

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

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

Lost by a majority of 5.

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

Yes - 17 Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24 Mayor: Councillors:	Lastman Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

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

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

Lost by a majority of 5.

Adoption of Part (5) of motion (a) by Councillor Moscoe:

Yes - 17 Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24 Mayor: Councillors:	Lastman Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

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

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

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

Lost by a majority of 5.

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

Yes - 17	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

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

Yes - 17 Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24 Mayor: Councillors:	Lastman Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

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

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

Lost by a majority of 5.

Adoption of motion (g) by Councillor Holyday:

Yes - 6 Councillors:	Balkissoon, Ford, Holyday, Lindsay Luby, Milczyn, Sutherland
No - 35 Mayor: Councillors:	Lastman Altobello, Augimeri, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 29.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared Part (2)(a) of motion (f) by Councillor Pantalone, redundant.

Adoption of Part (2)(b) of motion (f) by Councillor Pantalone:

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

Carried by a majority of 9.

Adoption of Part (5) of motion (b) by Councillor Layton:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 39.



Adoption of motion (j) by Councillor Shiner:

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

Carried by a majority of 9.

Adoption of motion (i) by Councillor Mihevc:

Yes - 17	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

Adoption of Part (2) of motion (e) by Councillor Silva:

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

Lost by a majority of 5.

Adoption of Clause, as amended:

Yes - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas
No - 17	
Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Chow, Filion, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 7.

In summary, Council amended this Clause:

- (1) by striking out and referring the following Recommendation No. (3) embodied in the report dated May 29, 2002, from the Chief Administrative Officer, to the Chief Administrative Officer for further review; such recommendation to be brought forward with an itemized list of expenditures, and that such expenditures be justified in the 2003 budget process:
  - “(3) estimated resources to implement the 2003 phase of the ASD and service improvement work program, of approximately \$3.0 million, be further refined and included in the 2003 Operating Budget estimates;”;
- (2) to provide that, before finalization of the turf maintenance Request for Proposal, such Proposal be subject to a further report, following consultation with employees who will be given every opportunity to provide in-house services in a competitive manner, and, where applicable, who will be encouraged to bid on City Requests for Proposals; and
- (3) by adding thereto the following:
 

“It is further recommended that:

  - (a) the front line workers in each program be invited to advise as to how their work experience and services to citizens can be improved; and

- (b) the following motion be referred to the Chief Administrative Officer, with a request that she submit a report to the Policy and Finance Committee on the establishment of a formal consultation protocol with representatives of Locals 416 and 79, and COTAPSAI, in the analysis and development of the recommended options for Alternative Service Delivery implementation:

Moved by Councillor McConnell:

‘It is further recommended that:

- (1) staff be required to consult with the Unions at each step of the ASD process;
- (2) staff be requested to report back to Council before taking any steps to implement ASD measures on any of the services named in the report; and
- (3) staff be requested to work with the Unions, as part of the ASD review of these services, to determine whether internal service improvements and efficiencies can be made; and that they report back to Council on the results of this work.’ ”

5.29 **Clause No. 6 of Report No. 6 of The Economic Development and Parks Committee, headed “2002 Cultural Grants Recommendations - Major Cultural Organizations (All Wards)”.**

*Motion:*

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

“It is further recommended that, in light of the recent Federal and Provincial Superbuild announcements that recognized the George Gardiner Museum of Ceramic Art, along with institutions such as the Art Gallery of Ontario and the Royal Ontario Museum, as a cultural institution of national and provincial significance, and in recognition of the fact that ‘The Gardiner’ has received international acclaim and is acknowledged to be a fiscally responsible and attractive tourist destination that contributes to the City of Toronto economy, the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the various performing and exhibiting arts organizations and museums in the City of Toronto, with particular regard to their size, economic and educational impact, and the degree of support they receive from the City of Toronto.”

*Votes:*

The motion by Councillor Flint carried.

The Clause, as amended, carried.

**5.30 Clause No. 7 of Report No. 6 of The Community Services Committee, headed “Children and Youth Advocate Annual Report 2002”.**

*Motion:*

Councillor Shiner moved that the Clause be amended by striking out and referring the following Recommendation No. (1) embodied in the Children and Youth Advocate Report, 2002, under the heading “Children’s Recommendations”, to the Chief Financial Officer and Treasurer for report thereon to the Budget Advisory Committee:

“(1) Approve funding for the initiatives outlined in the Action Plan for Children 2002.”

*Votes:*

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

**5.31 Clause No. 1 of Report No. 6 of The Audit Committee, headed “Corporate Accountability Framework - Implementation Plan and Status Update on the Use of Consultants”.**

*Motion:*

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

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the next meeting of City Council advising when the report requested in Recommendation No. (1) of the report dated May 31, 2002, from the Chief Administrative Officer, as embodied in the Clause, will be submitted, and outlining what information will be available to be used during the 2003 budget process.”

*Votes:*

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

5.32 **Clause No. 1 of Report No. 8 of The Planning and Transportation Committee, headed “All City of Toronto Licensed Taxicabs to be the Same Colour”.**

*Motion:*

Councillor Moscoe moved that the Clause be received.

*Vote:*

The motion by Councillor Moscoe carried.

5.33 **Clause No. 4 of Report No. 6 of The Audit Committee, headed “Environment Issues and Audit Plan”.**

*Motion:*

Councillor Layton moved that the Clause be amended by adding to Recommendation No. (1)(e) embodied in the report dated May 30, 2002, from the City Auditor, as embodied in the Clause, the words “and, where appropriate, a pollution prevention strategy be considered”, so that such recommendation shall now read as follows:

“(1) the Chief Administrative Officer, in consultation with the Chair of the Toronto Inter-departmental Environment Team (TIE), review the recommendations of the Environmental Plan and:

(e) develop a process for incorporating environmental initiatives into departmental business plans and the annual budget process and, where appropriate, a pollution prevention strategy be considered; and”.

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

5.34 **Clause No. 13 of Report No. 10 of The Policy and Finance Committee, headed “Contract Extension for Rental of Recycling Collection Vehicles with Operators in Districts 3 and 4, Quotation Request No. FA63-99007 (North York and Scarborough”.**

*Vote:*

The Clause was adopted, without amendment.

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

- 5.35 **Clause No. 17 of Report No. 8 of The Toronto East York Community Council, headed “Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 11 Bloor Street West (Toronto Centre-Rosedale, Ward 27)”.**

*Motion:*

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

“It is recommended that Council adopt the report dated May 14, 2002, from the Director, Community Planning, South District, as embodied in the Clause.”

*Votes:*

Adoption of motion by Councillor Rae:

Yes - 14	
Councillors:	Di Giorgio, Disero, Jones, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Pantalone, Rae, Silva, Tziretas, Walker
No - 18	
Councillors:	Altobello, Augimeri, Balkissoon, Duguid, Feldman, Flint, Ford, Hall, Holyday, Layton, Lindsay Luby, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Shiner, Sutherland

Lost by a majority of 4.

The Clause was adopted, without amendment.

*Motion to Re-Open:*

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

Yes - 25	
Councillors:	Augimeri, Berardinetti, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Miller, Moeser, Moscoe, Nunziata, Ootes, Rae, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 8	

Councillors: Altobello, Balkissoon, Bussin, Chow, Feldman, Flint, Ford, Pitfield
--

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

*Motion:*

Councillor Rae again moved that the Clause be amended by striking out the recommendation of the Toronto East York Community Council and inserting in lieu thereof the following:

“It is recommended that Council adopt the report dated May 14, 2002, from the Director, Community Planning, South District, as embodied in the Clause.”

*Votes:*

Adoption of motion by Councillor Rae:

Yes - 23	Councillors: Augimeri, Berardinetti, Di Giorgio, Disero, Duguid, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Moeser, Moscoe, Rae, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 11	Councillors: Altobello, Balkissoon, Bussin, Chow, Feldman, Flint, Ford, Layton, Nunziata, Ootes, Pitfield

Carried by a majority of 12.

The Clause, as amended, carried.

**5.36 Clause No. 1 of Report No. 7 of The Works Committee, headed “Solid Waste Collection By-law - Commercial Properties”.**

*Motions:*

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

“It is further recommended that:

- (1) in those areas that have been previously designated as pilot project areas by the City of Toronto, provision be made for the phase-in over a six-month period; and

- (2) in previously designated pilot project areas, where changes have been made in the collection system during this term of City Council, provision be made for local Councillors, supported by staff, to conduct public meetings to explain the new system.”
- (b) Councillor Disero moved that the Clause be amended in accordance with the supplementary report dated June 14, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the amended City of Toronto Municipal Code Chapter 841, Waste Collection – Commercial Properties provided as Attachment 1 in this report replace the original proposed City of Toronto Municipal Code, Chapter 841, Waste Collection – Commercial Properties presented to Works Committee in the report dated May 17, 2002, from the Commissioner of Works and Emergency Services, entitled ‘Solid Waste Collection By-law – Commercial Properties’; and
- (2) Item 13 - ‘Failure to set out item eligible for collection for more than one collection period.’, be deleted.”

*Votes:*

Motion (b) by Councillor Disero carried.

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

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

The Clause, as amended, carried.

**5.37 Clause No. 18 of Report No. 10 of The Policy and Finance Committee, headed “Update on the Toronto Waterfront Revitalization Initiatives”.**

*Motion:*

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

“It is further recommended that the Commissioner of Urban Development Services be requested to reiterate, to the Provincial and Federal Governments, previous positions taken by City Council with respect to this matter.”



*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

**5.38 Clause No. 20 of Report No. 10 of The Policy and Finance Committee, headed “Yonge/Dundas Redevelopment Project - Payment of Mortgages”.**

*Motion:*

Councillor Rae moved that:

- (1) the Clause be received; and
- (2) Council adopt the following motion:

Moved by Councillor Rae, seconded by Councillor Moscoe:

“It is recommended that the City Solicitor, in consultation with the Chief Financial Officer and Treasurer and the Commissioner of Urban Development Services, be requested to submit a report to the next meeting of the Policy and Finance Committee scheduled to be held on July 4, 2002, on options for the City of Toronto to ensure collection on its mortgages and to protect its financial interests, and the implications thereof on the project’s viability.”

*Vote:*

The motion by Councillor Rae carried.

**5.39 Clause No. 18 of Report No. 6 of The Economic Development and Parks Committee, headed “Attendance at Cineposium 2002 (All Wards)”.**

*Motions:*

- (a) Councillor Ford moved that the Clause be received.
- (b) Councillor Soknacki moved that the Clause be amended by adding thereto the following:

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

- (1) on detailed sales activities of previous trips in this regard, with a quantification of benefits; and
- (2) providing the same details outlined in Recommendation No. (1), above, upon completion of this year’s attendance at Cineposium 2002.”

*Votes:*

Adoption of motion (a) by Councillor Ford:

Yes - 2 Councillors: Ford, Holyday
No - 30 Councillors: Altobello, Augimeri, Bussin, Di Giorgio, Disero, Duguid, Feldman, Flint, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 28.

Motion (b) by Councillor Soknacki carried.

The Clause, as amended, carried.

**5.40 Clause No. 29 of Report No. 8 of The Toronto East York Community Council, headed “Removal of Disabled Parking Spaces and Replacement with Regular Parking - 559 College Street (Trinity-Spadina, Ward 19)”.**

Having regard that the Clause was submitted without recommendation:

*Motion:*

Councillor Pantalone moved that Council adopt the following recommendation:

“It is recommended that Council adopt the report dated June 19, 2002, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that:

- (1) the existing “No Parking Anytime” prohibition on the south side of College Street, between Manning Avenue and a point 23 metres east thereof, be rescinded and replaced with “No Parking Anytime” from Manning Avenue to a point 17.5 metres east thereof and from a point 36.0 metres east of Manning Avenue to a point 11.6 metres further east thereof;
- (2) the Toronto Parking Authority be requested to install a parking machine on the south side of College Street, between a point 17.5 metres east of Manning Avenue and a point 18.5 metres further east thereof, to operate for a maximum period of two hours from 8:00 a.m. to 6:00 p.m., Monday to Saturday, and for a maximum period of three hours from 6:00 p.m. to 9:00 p.m., Monday to Saturday, and from 1:00 p.m. to 9:00 p.m., Sunday, at a rate of \$1.00 per hour; and
- (3) 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 maybe required.’ ”

*Votes:*

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

5.41 **Clause No. 8 of Report No. 8 of The Toronto East York Community Council, headed “Programmed Capital Works in Connection with Development of a Streetscape Concept - College Street, from Spadina Avenue to Bathurst Street (Trinity-Spadina, Ward 20)”.**

*Motion:*

Councillor Chow moved that the Clause be amended by amending the recommendations of the Toronto East York Community Council by:

- (1) adding to Recommendation No. (3), the words “on the condition that no cycling infrastructure be reduced”, so that such recommendation shall now read as follows:  
“(3) the City support the College Street streetscape plan as proposed, on the

condition that no cycling infrastructure be reduced;” and

- (2) inserting in Recommendation No. (4), after the words “Commissioner of Urban Development Services”, the words “the Commissioner of Economic Development, Culture and Tourism”, so that such recommendation shall now read as follows:

“(4) the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Services, the Commissioner of Economic Development, Culture and Tourism and the local community, develop and finalize a streetscape design based on the proposal from the Harbord Village Residents Association (HVRA) and report on the plan to the Toronto East York Community Council by September, 2002;”.

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

5.42 **Clause No. 16 of Report No. 6 of The Economic Development and Parks Committee, headed “Business Improvement Area Capital Cost-Sharing Program Review (All Wards)”.**

*Motion:*

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

“It is further recommended that:

- (1) the Commissioner of Economic Development, Culture and Tourism be directed to consult with the Toronto Association of Business Improvement Areas and other necessary City departments regarding application permit and hoisting fees, and report thereon to the September 2002 meeting of the Economic Development and Parks Committee; and
- (2) in the interim, staff be directed to hold any enforcement activities pending receipt of the report.”

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

5.43 **Clause No. 5 of Report No. 7 of The Works Committee, headed “Development Review Process: Harmonized Site Remediation Peer Review for Contaminated Sites”.**

*Motions:*

- (a) Councillor Milczyn moved that the Clause be amended by amending the report dated May 13, 2002, from the Commissioner of Works and Emergency Services, as embodied in the Clause, by:

- (1) adding to Recommendation No. (3), the words “subject to limiting the Toronto Public Health Development Review Team’s monitoring and evaluation procedure as outlined in Appendix ‘A’ and Appendix ‘B’ to a period commencing September 2, 2002, and ending December 31, 2002, or until the review is completed”, so that such recommendation shall now read as follows:

“(3) staff be authorized to implement the proposed Harmonized Site Remediation Review Process outlined in Appendix ‘A’ of this report for new applications effective September 2, 2002, subject to limiting the Toronto Public Health Development Review Team’s monitoring and evaluation procedure as outlined in Appendix ‘A’ and Appendix ‘B’ to a period commencing September 2, 2002, and ending December 31, 2002, or until the review is completed; and”;

- (2) adding the following new recommendations:

“(5) staff report to the January 2003 meeting of the Works Committee on the efficacy of the new development review process;

(6) this report be forwarded to the Budget Advisory Committee for consideration with the 2003 Public Health Budget; and

(7) all Peer Reviewers be professional Engineers or other certified experts in environmental remediation.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, by November 2002, on mechanisms and opportunities to recover municipal costs related to non-development contamination issues.”

*Votes:*

Motion (a) by Councillor Milczyn carried.

Motion (b) by Councillor Mihevc carried.

The Clause, as amended, carried.

5.44 **Clause No. 10 of Report No. 7 of The Works Committee, headed “Temporary Traffic By-law Adjustments Related to World Youth Day 2002 Events (Wards 8, 9, 10, 12, 14, 15, 16, 18, 19 and 23)”.**

*Motion to Re-Open:*

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

*Motion:*

Councillor Mihevc moved that the Clause be amended by amending the report dated May 7, 2002, from the Commissioner of Works and Emergency Services, as embodied in the Clause, by:

- (1) amending the recommendations by:
  - (a) deleting from Recommendation No. (2), the words “to begin at 9:00 p.m. instead of 12:01 a.m., from July 22, 2002 to July 27, 2002”, and inserting in lieu thereof the words “to begin at 9:00 p.m. instead of 12:01 a.m. and end at 10:00 a.m. daily, commencing at 9:00 p.m. on July 22, 2002, and ending at 10:00 a.m. on July 28, 2002”;
  - (b) renumbering Recommendation No. (3) as Recommendation No. (4); and
  - (c) inserting a new Recommendation No. (3) to read as follows:

“(3) the Allen Road be closed to vehicular traffic from Eglinton Avenue to Sheppard Avenue (full closure) for World Youth Day 2002 from 8:00 p.m., Friday, July 26, 2002, to 11:59 p.m., Sunday, July 28, 2002;”

so that such recommendations shall now read as follows:

“It is recommended that:

- (1) the temporary by-law amendments itemized in Appendix ‘A’ of this report be approved for the time limits specified during the World Youth Day 2002 event;

- (2) a newly created Schedule AI of the former City of Toronto Municipal Code Chapter 400 (Traffic and Parking) be introduced to temporarily extend the permit parking hours on the streets listed in Appendix 'B' of this report to begin at 9:00 p.m. instead of 12:01 a.m. and end at 10:00 a.m. daily, commencing at 9:00 p.m. on July 22, 2002, and ending at 10:00 a.m. on July 28, 2002;
  - (3) Allen Road be closed to vehicular traffic from Eglinton Avenue to Sheppard Avenue (full closure) for World Youth Day 2002 from 8:00 p.m., Friday, July 26, 2002, to 11:59 p.m., Sunday, July 28, 2002; and
  - (4) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”; and
- (2) amending Appendix “B” to such report as follows:
- (a) revising the heading for Column 4 to read “Authorized Period of Use”, in lieu of “Prohibited Times and Days”;
  - (b) deleting from the third column for the Lakeview Avenue entry, the words “Harrsion Street and Churchill Avenue”, and inserting in lieu thereof the words “Harrison Street and Churchill Avenue”;
  - (c) deleting from the third column for the Heydon Park Road entry the words “North Leg of Heydon Park Road and North Leg of Rusholme Rod”, and inserting in lieu thereof the words “North Leg of Heydon Park Road and North Leg of Rusholme Road”;
  - (d) deleting from the third column for the first Rusholme Road entry the words “Dundas Street West and 30.0 South of College Street”, and inserting in lieu thereof the words “Dundas Street West and 30.0 metres South of College Street”.

*Votes:*

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.



5.45 **Clause No. 10 of Report No. 6 of The Economic Development and Parks Committee, headed “City of Toronto Art Collection Management Policy and Historical Collection Management and Development Policies (All Wards)”.**

*Motions:*

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

“It is recommended that the City art collection apply for an annual major cultural grant approximately equivalent to grants provided to each of the ‘Big 5’ cultural organizations, for the acquisition of art for the City of Toronto’s permanent art collection.”

- (b) Councillor Minnan-Wong moved that motion (a) by Councillor Moscoe be referred to the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism.
- (c) Councillor Mihevc moved that motion (b) by Councillor Minnan-Wong be amended by adding thereto the words “for report thereon to the Economic Development and Parks Committee, such report to address the development of a strategy for ongoing enhancement of the City of Toronto’s art collection”.

*Votes:*

Motion (c) by Councillor Mihevc carried.

Motion (b) by Councillor Minnan-Wong carried, as amended.

The Clause, as amended, carried.

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

“It is further recommended that the following motion be referred to the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism for report thereon to the Economic Development and Parks Committee, such report to address the development of a strategy for ongoing enhancement of the City of Toronto’s art collection:

Moved by Councillor Moscoe:

‘It is recommended that the City art collection apply for an annual major cultural grant approximately equivalent to grants provided to each of the “Big 5” cultural organizations, for the acquisition of art for the City of Toronto’s permanent art collection.’ ”

5.46 **Clause No. 3 of Report No. 7 of The Administration Committee, headed “Sweatshop Abuses in the Garment Industry, Development of An Anti-Sweatshop Procurement Policy”.**

*Motion:*

Councillor Feldman moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

*Vote:*

The motion by Councillor Feldman carried.

5.47 **Clause No. 1 of Report No. 5 of The Midtown Community Council, headed “Other Item Considered by the Community Council”.**

*Motion:*

Councillor Walker moved that the Clause, consisting of Item (m), entitled “2195 Yonge Street - OMB Case”, be struck out and referred back to the Midtown Community Council for further consideration.

*Vote:*

The motion by Councillor Walker carried.

5.48 **Clause No. 10 of Report No. 10 of The Policy and Finance Committee, headed “Waste Collection at the Home Depot Site Located on Cherry Street”.**

*Motion:*

Councillor Layton moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

Councillor Disero in the Chair.

*Permission to Withdraw Motion:*

Councillor Layton, with the permission of Council, withdrew his foregoing motion.

*Motion:*

Councillor Layton, with the permission of Council, moved that the Clause be amended by deleting from Recommendation No. (1) of the Policy and Finance Committee, the words “within five working days”, and inserting in lieu thereof the words “within forty-five (45) working days”, so that such recommendation shall now read as follows:



“The Policy and Finance Committee recommends that:

- (1) the Commissioner of Urban Development Services be requested to notify the owners of the Home Depot on Cherry Street, that if the site currently occupied by the homeless is not cleaned-up within forty-five (45) working days, the Commissioner of Works and Emergency Services is directed to provide for the collection of waste from the area on a one time basis only; and the Home Depot be charged for the waste collection service accordingly;”.

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

5.49 **Clause No. 2 of Report No. 10 of The Policy and Finance Committee, headed “City of Toronto Economic Development Corporation – (TEDCO) – City Wide”.**

*Motions:*

- (a) Councillor Pantalone moved that the Clause be amended by amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by inserting in Recommendation No. (8), after the words “arms-length corporation”, the words “as long as it is consistent with the City of Toronto’s emerging directions and objectives for the Waterfront”, so that such recommendation shall now read as follows:

“(8) TEDCO be directed to comply with the Reporting and Communications Protocol for Waterfront Revitalization, as appropriate to the mandate of TEDCO as an arms-length corporation, as long as it is consistent with the City of Toronto’s emerging directions and objectives for the Waterfront, and this report be forwarded for information to the Waterfront Reference Group through the Executive Lead for the Waterfront;”.

- (b) Councillor McConnell moved that the Clause be amended by amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by deleting from Recommendation No. (1)(c) the words “to be selected from the Economic Development and Parks Committee”, and inserting in lieu thereof the words “at large”, so that such recommendation shall now read as follows:

“(1)(c) two Members of Council at large;”.

- (c) Councillor Moscoe moved that the Clause be amended by:
- (1) amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by amending Recommendation No. (1) by increasing the size of the Board of Directors of TEDCO to 12 members, such additional member to be a Member of Council appointed by the Planning and Transportation Committee;
  - (2) amending Article 3 of the Shareholder Direction embodied in Attachment No. 2 to the joint report dated May 1, 2002, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause:
    - (a) by deleting from Part (a) of Article (3.1), the word “strategic”, so that such Part shall now read as follows:

“(a) acquisition, rehabilitation and development of lands in the City of Toronto in the pursuit of the objectives set out in section 2.2;”; and
    - (b) to provide that the making of grants or loans as contained in Part (d) be subject to the approval of Council;
  - (3) amending Article 4 of the Shareholder Direction embodied in Attachment No. 2 to the joint report dated May 1, 2002, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, by adding to Article (4.2), the words “The Board shall not act in any manner contrary to the policies of the Shareholder.”, so that such Article shall now read as follows:

“(4.2) Matters Requiring Shareholder Approval

Notwithstanding section 4.1, the Board shall obtain the Shareholder’s approval in respect of any matters requiring approval of the Shareholder pursuant to this Direction, the OBCA, the TEDCO Arm’s Length Agreement (II) or otherwise, all as more particularly described in Article 7. The Board shall not act in any manner contrary to the policies of the Shareholder.”;

- (4) amending Article 6 of the Shareholder Direction embodied in Attachment No. 2 to the joint report dated May 1, 2002, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, by adding to Article (6.1), the words “and City Council policies with respect to conflict of interest”, so that such Article shall now read as follows:

“(6.1) Conflict of Interest Policy

The Directors shall strictly abide by the requirements of the OBCA and any TEDCO policies in respect of conflicts of interest, including any requirements for disclosure and abstention from voting and City Council policies with respect to conflict of interest.”; and

- (5) adding thereto the following:

“It is further recommended that:

- (a) the procedural by-law governing meetings of the TEDCO Board of Directors be modelled as closely as possible after Chapter 27, Council Procedures, of the City of Toronto Municipal Code; and
- (b) Members of City Council shall be entitled to obtain copies of the minutes of the meetings of the TEDCO Board of Directors, on request, subject to the confidentiality provisions outlined in Article (8.4).”
- (d) Councillor Minnan-Wong moved that motion (c) by Councillor Moscoe be referred to staff for further consideration and report thereon to the Policy and Finance Committee.
- (e) Councillor Chow moved that the Clause be amended by amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by:
- (1) deleting Recommendation No. (1)(c) and inserting in lieu thereof the following:
- “(1)(c) one Member of Council from the Planning and Transportation Committee and one Member of Council from the Waterfront Reference Group;”;

- (2) deleting from Recommendation No. (5) the words “Economic Development and Parks Committee”, and inserting in lieu thereof the words “Policy and Finance Committee”, so that such recommendation shall now read as follows:

“(5) as part of the City’s strategy for aligning Program Operating Boards to the relevant City Departments, the Board of Directors of TEDCO be functionally aligned with the Economic Development, Culture and Tourism Department and report to the Policy and Finance Committee through that Department;”; and

- (3) deleting Recommendation No. (9)(d) and inserting in lieu thereof the following:

“(9)(d) the Nominating Committee recommend to Council the citizen slate of directors, including the recommended Chair of the Board, as is the normal practice of Council’s policy;”.

*Permission to Withdraw Motions:*

Councillor Minnan-Wong, with the permission of Council, withdrew his motion (d).

Councillor Moscoe, with the permission of Council, withdrew Part (2)(b) of his motion (c).

*Votes:*

Adoption of motion (a) by Councillor Pantalone:

Yes - 32	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas
No - 3	
Councillors:	Kelly, Lindsay Luby, Milczyn

Carried by a majority of 29.

Adoption of motion (b) by Councillor McConnell:

Yes - 12	
Councillors:	Augimeri, Bussin, Chow, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moeser, Pantalone, Rae
No - 24	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 12.

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

Yes - 14	
Councillors:	Augimeri, Bussin, Chow, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moeser, Moscoe, Pantalone, Rae, Silva
No - 23	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 9.

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

Yes - 15	
Councillors:	Augimeri, Bussin, Chow, Disero, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Soknacki
No - 22	
Mayor:	Lastman
Councillors:	Di Giorgio, Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Sutherland, Tziretas

Lost by a majority of 7.



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

Yes - 15 Councillors:	Augimeri, Bussin, Chow, Disero, Hall, Holyday, Jones, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Rae, Silva
No - 22 Mayor: Councillors:	Lastman Di Giorgio, Duguid, Feldman, Flint, Ford, Johnston, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 7.

Part (3) of motion (c) by Councillor Moscoe carried.

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

Part (5)(a) of motion (c) by Councillor Moscoe carried.

Part (5)(b) of motion (c) by Councillor Moscoe carried.

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

Yes - 18 Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Disero, Johnston, Jones, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Pitfield, Rae, Shiner, Silva, Walker
No - 20 Mayor: Councillors:	Lastman Duguid, Feldman, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Soknacki, Sutherland, Tziretas

Lost by a majority of 2.

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

Yes - 14	
Councillors:	Augimeri, Bussin, Chow, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moeser, Moscoe, Rae, Silva, Walker
No - 24	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Lost by a majority of 10.

Adoption of Clause, as amended:

Yes - 31	
Mayor:	Lastman
Councillors:	Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 7	
Councillors:	Augimeri, Bussin, Chow, Jones, McConnell, Rae, Walker

Carried by a majority of 24.

In summary, Council amended this Clause by:

- (1) amending the recommendations embodied in the joint reports dated May 1, 2002, and January 17, 2002, respectively, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as amended by the Policy and Finance Committee, by inserting in Recommendation No. (8), after the words "arms-length corporation", the words "as long as it is consistent with the City of Toronto's emerging directions and objectives for the Waterfront", so that such recommendation shall now read as follows:

“(8) TEDCO be directed to comply with the Reporting and Communications Protocol for Waterfront Revitalization, as

appropriate to the mandate of TEDCO as an arms-length corporation, as long as it is consistent with the City of Toronto's emerging directions and objectives for the Waterfront, and this report be forwarded for information to the Waterfront Reference Group through the Executive Lead for the Waterfront;";

- (2) amending the Shareholder Direction embodied in Attachment No. 2 to the joint report dated May 1, 2002, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, by:

- (a) adding to Article (4.2), the words "The Board shall not act in any manner contrary to the policies of the Shareholder.", so that such Article shall now read as follows:

"(4.2) Matters Requiring Shareholder Approval

Notwithstanding section 4.1, the Board shall obtain the Shareholder's approval in respect of any matters requiring approval of the Shareholder pursuant to this Direction, the OBCA, the TEDCO Arm's Length Agreement (II) or otherwise, all as more particularly described in Article 7. The Board shall not act in any manner contrary to the policies of the Shareholder."; and

- (b) adding to Article (6.1), the words "and City Council policies with respect to conflict of interest", so that such Article shall now read as follows:

"(6.1) Conflict of Interest Policy

The Directors shall strictly abide by the requirements of the OBCA and any TEDCO policies in respect of conflicts of interest, including any requirements for disclosure and abstention from voting and City Council policies with respect to conflict of interest."; and

- (3) adding thereto the following:

"It is further recommended that:

- (a) the procedural by-law governing meetings of the TEDCO Board of Directors be modelled as closely as possible after Chapter 27, Council Procedures, of the City of Toronto Municipal Code; and

- (b) Members of City Council shall be entitled to obtain copies of the minutes of the meetings of the TEDCO Board of Directors, on request, subject to the confidentiality provisions outlined in Article (8.4).”

5.50 **Clause No. 15 of Report No. 6 of The Community Services Committee, headed “Local Access Priorities for Geared-to-Income Units in Social Housing”.**

Deputy Mayor Ootes in the Chair.

*Motions:*

- (a) Councillor Mihevc moved that the Clause be amended by:
  - (1) deleting the following Recommendation No. (1)(ii) of the Community Services Committee:
    - “(1) the Local Access Priorities for Geared-to-Income Units in Social Housing, as approved by Council on April 16, 17 and 18, 2002, on an interim basis, be confirmed, subject to amending:
      - (ii) Local Access Priority No. (4)(c) by deleting the words ‘newcomers to Canada’ and replacing them with the words ‘newcomers who are homeless, as defined in the report’, so that such priority reads as follows:
        - ‘(c) newcomers who are homeless, as defined in the report – recent immigrants, including refugee claimants, who apply for housing within one year of entry into Canada;’.”; and
  - (2) adding the following to Recommendation No. (5) of the Community Services Committee:
    - “and further, that such report include the following issues:
      - (a) applicants who owe money to a social housing provider being eligible to be placed back on the rent-geared-to-income (RGI) waiting list;

- (b) a review of local access priorities as they relate to market rent householders who suddenly require RGI assistance; and
  - (c) a system where residents applying for RGI assistance who are in market units have a fair start date assigned to them.”
- (b) Councillor Shiner moved that consideration of Part (1) of motion (a) by Councillor Mihevc be deferred until the end of 2003, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, at that time, on the effects of this new policy.
- (c) Councillor Moscoe moved that the Clause be amended by striking out the recommendations of the Community Services Committee and inserting in lieu thereof the following:
- “It is recommended that Council adopt the report dated May 17, 2002, from the Acting Commissioner of Community and Neighbourhood Services, as embodied in the Clause.”
- (d) Councillor Jones moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on how units for the disabled and artists will be protected.”

*Votes:*

Adoption of motion (b) by Councillor Shiner:

Yes - 18	
Councillors:	Augimeri, Bussin, Di Giorgio, Duguid, Feldman, Flint, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Milczyn, Moeser, Ootes, Pitfield, Shiner, Soknacki, Walker
No - 13	
Councillors:	Chow, Disero, Ford, Hall, Jones, Layton, McConnell, Mihevc, Moscoe, Nunziata, Pantalone, Silva, Sutherland

Carried by a majority of 5.

Adoption of motion (c) by Councillor Moscoe:

Yes - 10	
Councillors:	Chow, Feldman, Jones, Layton, McConnell, Mihevc, Milczyn, Moscoe, Pantalone, Shiner
No - 20	
Councillors:	Augimeri, Bussin, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Johnston, Kelly, Li Preti, Lindsay Luby, Moeser, Nunziata, Ootes, Pitfield, Silva, Soknacki, Sutherland, Walker

Lost by a majority of 10.

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

Motion (d) by Councillor Jones carried.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) adding the following to Recommendation No. (5) of the Community Services Committee:

“and further, that such report include the following issues:

- (a) applicants who owe money to a social housing provider being eligible to be placed back on the rent-geared-to-income (RGI) waiting list;
- (b) a review of local access priorities as they relate to market rent householders who suddenly require RGI assistance; and
- (c) a system where residents applying for RGI assistance who are in market units have a fair start date assigned to them.”,

so that such recommendation shall now read as follows:

- “(5) the Commissioner of Community and Neighbourhood Services report back, as soon as possible, on ways to monitor and review access and equity issues in social housing in the context of devolution, such review to take place no later than the spring of 2003, and further, that such report include the following issues:

- (a) applicants who owe money to a social housing provider being eligible to be placed back on the rent-geared-to-income (RGI) waiting list;
  - (b) a review of local access priorities as they relate to market rent householders who suddenly require RGI assistance; and
  - (c) a system where residents applying for RGI assistance who are in market units have a fair start date assigned to them;”; and
- (2) adding thereto the following:

“It is further recommended that:

- (a) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on how units for the disabled and artists will be protected; and
- (b) consideration of the following motion be deferred until the end of 2003, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, at that time, on the effects of this new policy:

Moved by Councillor Mihevc:

‘That the Clause be amended by deleting the following Recommendation No. (1)(ii) of the Community Services Committee:

“(1) the Local Access Priorities for Geared-to-Income Units in Social Housing, as approved by Council on April 16, 17 and 18, 2002, on an interim basis, be confirmed, subject to amending:

(ii) Local Access Priority No. (4)(c) by deleting the words ‘newcomers to Canada’ and replacing them with the words ‘newcomers who are homeless, as defined in the report’, so that such priority reads as follows:

‘(c) newcomers who are homeless, as defined in the report – recent immigrants, including refugee claimants, who apply for housing within one year of entry into Canada;’.” ’ ”

5.51 **Clause No. 18 of Report No. 9 of The Humber York Community Council, headed “Cardell Avenue and Fairglen Crescent, Implementation of 40 km/h Speed Limit; and North and Southbound Turn Prohibitions on Weston Road (York South-Weston, Ward 11)”.**

*Motion to Re-Open:*

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

*Motion:*

Councillor Nunziata moved that the Clause be amended by deleting the new Recommendation No. (3) proposed by the Humber York Community Council and inserting in lieu thereof the following:

- “(3) Schedule XV of By-law No. 31001 of the former City of North York be amended to prohibit southbound right turns from the first driveway west of Weston Road on the north side of Fairglen Crescent and northbound left turns from the first driveway west of Weston Road on the south side of Fairglen Crescent, at any time;”.

*Votes:*

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

5.52 **Clause No. 1 of Report No. 9 of The Policy and Finance Committee, headed “Policy Governing Land Transactions Among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-Owned Real Property”.**

*Motion:*

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

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

‘**WHEREAS** the City of Toronto is the owner of a 1.32 acre (5,397 square



metre) parcel of land at 2756 Old Leslie Street (Ward 24 – Willowdale); and

**WHEREAS** a December 2000 decision by the City’s Property Management Committee granted jurisdiction of the south portion of the site (approximately 30,000 square feet) to Works and Emergency Services for Fire Services purposes, and the north portion of the site (approximately 27,700 square feet) to the TTC for a commuter parking lot; and

**WHEREAS** the Works and Emergency Services Division (WES) has re-evaluated its facility requirements, and has identified a potential alternative that would allow the Works and Emergency Services Division to more effectively utilize an existing WES property adjacent to 2756 Old Leslie Street (the Oriole Yard site), by combining certain operations and relocating others, thereby making lands available on the Oriole Yard site for a future Fire Services facility; and

**WHEREAS** this alternative would free up the southerly portion of 2756 Old Leslie Street currently under the jurisdiction of WES – Fire Services, allowing it to be utilized for other municipal purposes or sold as surplus to the City’s requirements; and

**WHEREAS** Council has previously directed that all City departments, agencies, boards and commissions undertake to identify lands no longer needed for operations, and that the City actively pursue selling properties surplus to municipal requirements, as a means of generating revenue; and

**WHEREAS** the southerly portion of 2756 Old Leslie Street has considerable potential market value as a site for possible redevelopment and intensification of land use, given its proximity to the Sheppard Subway Line, the new Leslie Street Station and the intersection of Leslie Street and Sheppard Avenue; and

**WHEREAS** under the City’s current procedures for the sale of surplus lands, and the procedures contemplated by the proposed “Policy Governing Land Transactions among City Agencies, Boards, Commissions and Departments and Proceeds from Sale of Surplus City-Owned Real Property”, net proceeds from the sale of 2756 Old Leslie Street would be deposited to the City’s Land Acquisition Reserve Fund, a reserve fund established to fund future land acquisitions or capital needs;

**NOW THEREFORE BE IT RESOLVED THAT** Council undertake to pursue the severance and declaration as surplus of the south portion of 2756 Old Leslie Street, through the Property Management Committee process;

**AND BE IT FURTHER RESOLVED THAT** in so doing, the Property Management Committee be directed to seek alternatives that would see the south portion of 2756 Old Leslie Street developed to its highest and best use, to maximize the potential value from the sale of this parcel for redevelopment, giving due consideration to proposals that may involve the shared use of the site for redevelopment and City purposes;

**AND BE IT FURTHER RESOLVED THAT** in the Property Management Committee's subsequent review of this site, the Toronto Transit Commission be requested to consider the potential for redevelopment of the entire site, subject to maintaining an equivalent parking capacity to that proposed for the TTC's currently planned commuter parking facility on the north half of the site;

**AND BE IT FURTHER RESOLVED THAT**, in recognition of the efforts made by Works and Emergency Services Division to increase the efficiency of operations, thereby allowing Fire Services to release this parcel for its significant revenue generating potential, and in consideration of the capital costs associated with the consolidation and/or relocation of WES operations and facilities, including the construction of a new Fire Station facility, Council make an appropriate allocation of funds from the Land Acquisition Reserve Fund, based on forthcoming business plans to be submitted by WES - Fire Services;

**AND BE IT FURTHER RESOLVED THAT** the supplementary report dated May 15, 2002, from the Chief Administrative Officer, be received.' "

*Votes:*

The motion by Councillor Shiner, seconded by Councillor Ashton, carried.

The Clause, as amended, carried.

**5.53 Clause No. 21 of Report No. 9 of The Humber York Community Council, headed "South Kingsway - Minor Road Alterations at Morningside Avenue and Riverside Drive (Parkdale-High Park, Ward 13)".**

*Motion:*

Councillor Miller moved that the Clause be amended by deleting the following Recommendation No. (1) embodied in the report dated May 16, 2002, from the Director, Transportation Services, District 1:

- “(1) a by-law be prepared and advertising commence for the alteration of the roadway on South Kingsway at Riverside Drive generally as shown on attached Drawing Nos. P4422SK1 and P4422SK2 dated May 2002 and described as follows:

‘realignment of the curb on the southwest corner of the intersection of Riverside Drive at South Kingsway to eliminate the exclusive right-turn lane and create a simple “T” intersection, and creation of a parallel parking bay on the west side of South Kingsway, south of Riverside Drive’;”.

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

5.54 **Clause No. 2 of Report No. 8 of The Administration Committee, headed “Workforce Reduction Costs in 2002”.**

*Motion:*

Councillor Shiner moved that the Clause be amended by:

- (a) adding to Part (1) of the signature approval process for separation, under the heading “Conditions of Accessing the Reserve Fund for Workforce Reduction”, the words “based on the organizational charts produced during the 2002 budget process and approved by the Chief Administrative Officer”, so that such Part shall now read as follows:

“(1) the department head who confirms and identifies whether the separating employee’s position or an equivalent position will be deleted from the department, based on the organizational charts produced during the 2002 budget process and approved by the Chief Administrative Officer;” and

- (b) adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer be requested to confirm that the appropriate agency, board, commission or department’s budget has been amended to reflect the change in complement, advise the year it impacts and further report on these expenditures to the Budget Advisory Committee in the fall of 2002.”

*Votes:*

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

**5.55 Clause No. 11 of Report No. 6 of The Community Services Committee, headed “A Reconstituted Senior’s Assembly”.**

*Motion:*

Councillor Holyday moved that the Clause be struck out and referred back to the Community Services Committee for further consideration.

*Votes:*

Adoption of motion by Councillor Holyday:

Yes - 3	
Mayor:	Lastman
Councillors:	Ford, Holyday
No - 24	
Councillors:	Altobello, Augimeri, Berardinetti, Di Giorgio, Disero, Duguid, Flint, Hall, Johnston, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Rae, Shiner, Sutherland, Tziretas

Lost by a majority of 21.

The Clause was adopted, without amendment.

**5.56 Clause No. 11 of Report No. 6 of The Scarborough Community Council, headed “Site Plan Control Application TF SPC 2001 0086, Yee Hong Centre for Geriatric Care, Finch Avenue/Scottfield Drive, Marshalling Yard Employment District (Ward 41 – Scarborough Rouge River)”.**

*Motion:*

Councillor Balkissoon moved that consideration of the Clause be deferred to after the Ontario Municipal Board Hearing; and the Province of Ontario be advised that City Council supports the funding for the senior's centre.

*Votes:*

Adoption of motion by Councillor Balkissoon:

Yes - 13	
Councillors:	Balkissoon, Di Giorgio, Flint, Hall, Jones, Korwin-Kuczynski, Mihevc, Milczyn, Minnan-Wong, Pitfield, Sutherland, Tziretas, Walker
No - 20	
Mayor:	Lastman
Councillors:	Berardinetti, Bussin, Chow, Disero, Duguid, Feldman, Ford, Holyday, Johnston, Kelly, Layton, Li Preti, McConnell, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Soknacki

Lost by a majority of 7.

The Clause was adopted, without amendment.

#### 5.57 IN-CAMERA MEETING SESSION OF THE COMMITTEE OF THE WHOLE

**June 19, 2002:**

*Procedural Motion:*

Deputy Mayor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of Notice of Motion J(32), moved by Mayor Lastman, seconded by Councillor Ootes, respecting financial and purchasing arrangements for a possible labour disruption, which carried, more than two-thirds of Members present having voted in the affirmative.

*Procedural Motion:*

Councillor Mihevc, with the permission of Council, moved that the necessary provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived, in order to permit Mr. A. Milliken Heisey, the Solicitor for the Humewood Neighbourhood Ratepayer's Association Inc., to address Council, during the in-camera portion of this meeting, in regard to Notice of Motion I(3), moved by Councillor Flint, seconded by

Councillor Altobello, respecting McDonald's Restaurants of Canada Limited - Lawsuit in the Ontario Superior Court of Justice to quash Interim Control By-laws No. 2-2002 and No. 3-2002 and to compel Ann Borooah, as Chief Building Official, to issue a building permit for a drive-through restaurant at 710 St. Clair Avenue West, the vote upon which was taken as follows:

Yes - 28	
Mayor:	Lastman
Councillors:	Augimeri, Balkissoon, Chow, Di Giorgio, Disero, Feldman, Fillion, Flint, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Rae, Shiner, Sutherland, Walker
No - 3	
Councillors:	Duguid, Ootes, Soknacki

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

Councillor Disero in the Chair.

*Motion:*

Councillor Disero, at 6:04 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 16 of Report No. 8 of The Toronto East York Community Council, headed "Ontario Municipal Board Hearing - SkyDome Charter-Bus Parking Requirements and Related Court Application to Close and Convey a Portion of Van de Water Crescent (Trinity-Spadina, Ward 20)", having regard that this Clause contains information which is subject to solicitor-client privilege;
- (b) Clause No. 12 of Report No. 6 of The Audit Committee, headed "Toronto Computer Leasing Inquiry – Document Production, Preliminary Budget and Standing Issues/MFP Financial Services Ltd. - Status of Litigation and Litigation Costs", having regard that this Clause contains information which is subject to solicitor-client privilege;
- (c) Motion I(3), moved by Councillor Flint, seconded by Councillor Altobello, respecting McDonald's Restaurants of Canada Limited - Lawsuit in the Ontario Superior Court of Justice to quash Interim Control By-laws No. 2-2002 and No. 3-2002 and to compel

Ann Boroah, as Chief Building Official, to issue a building permit for a drive-through restaurant at 710 St. Clair Avenue West, having regard that the confidential report dated May 22, 2002, from the City Solicitor, appended thereto, contains information which is subject to litigation or potential litigation; and

- (d) Motion J(32), moved by Mayor Lastman, seconded by Councillor Ootes, respecting financial and purchasing arrangements for a possible labour disruption, having regard that the confidential report dated June 17, 2002, from the Chief Financial Officer and Treasurer, appended thereto, contains information related to the security of the property of the municipality and also pertains to labour relations or employee negotiations.

*Vote:*

The motion by Councillor Disero carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:10 p.m. to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:25 p.m., and met in public session in the Council Chamber.

*Report of the Committee of the Whole:*

Deputy Mayor Ootes took the Chair, called the Members to order and advised the Council that, having regard that Council had not concluded its discussion in Committee of the Whole, the in-camera session of this meeting would resume at 9:30 a.m., on Thursday, June 20, 2002.

**June 20, 2002:**

Councillor Disero in the Chair.

*Motion:*

Councillor Soknacki, at 9:45 a.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to resume the in-camera portion of this meeting.

*Vote:*

The motion by Councillor Soknacki carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 9:50 a.m., to meet privately in the Council Chamber to resume the in-camera portion of this meeting, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 12:28 p.m., and met in public session in the Council Chamber.

*Report of the Committee of the Whole:*

Councillor Disero took the Chair, called the Members to order and advised the Council that, having regard that Council had not concluded its discussion in Committee of the Whole, the in-camera session of this meeting would resume at 2:00 p.m. today.

Deputy Mayor Ootes in the Chair.

*Motion:*

Deputy Mayor Ootes, at 2:40 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to resume the in-camera portion of this meeting.

*Vote:*

The motion by Deputy Mayor Ootes carried.

Councillor Disero in the Chair.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 2:45 p.m., to meet privately in the Council Chamber to resume the in-camera portion of this meeting, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 5:58 p.m., and met in public session in the Council Chamber.

Councillor Disero took the Chair and called the Members to order.

- 5.58 **Clause No. 12 of Report No. 6 of The Audit Committee, headed “Toronto Computer Leasing Inquiry – Document Production, Preliminary Budget and Standing Issues/MFP Financial Services Ltd. - Status of Litigation and Litigation Costs”.**



*Report of the Committee of the Whole:*

Councillor Disero, in accordance with the provisions of the Municipal Act, reported that City Council, at its in-camera session, had deferred consideration of this Clause and had also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they pertain to litigation or potential litigation.

*Motion:*

Councillor Moscoe, at 6:25 p.m., moved that Council re-open its previous decision to adjourn upon completion of Clause No. 16 of Report No. 8 of The Toronto East York Community Council, and Clause No. 11 of Report No. 6 of The Scarborough Community Council, and that Council continue in session in order to conclude its consideration of the following matters related to Clause No. 12 of Report No. 6 of The Audit Committee, headed “Toronto Computer Leasing Inquiry - Document Production, Preliminary Budget and Standing Issues/MFP Financial Services Ltd. - Status of Litigation and Litigation Costs”, only, and that there be no further speakers:

- (i) the supplementary confidential joint report dated June 19, 2002, submitted by the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor, entitled “MFP Motion for Possession of Computer Equipment”; and
- (ii) the issue respecting the City of Toronto’s standing at the Public Inquiry.

*Ruling by Acting Chair Disero:*

Councillor Disero ruled that, having regard that Council, at its in-camera session, had deferred consideration of this Clause and also issued confidential instructions to staff in this regard, the foregoing motion by Councillor Moscoe was out of order.

Councillor Pantalone challenged the ruling of Acting Chair Disero.

*Vote to Uphold Ruling of Acting Chair Disero:*

Yes - 7	
Councillors:	Flint, Kelly, Milczyn, Minnan-Wong, Moeser, Nunziata, Sutherland
No - 27	
Mayor:	Lastman

Councillors:	Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Ford, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Shiner, Soknacki, Tziretas, Walker
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Lost by a majority of 20.

*Motion:*

Councillor Sutherland moved that Council now consider the confidential report dated June 11, 2002, from the City Solicitor.

*Ruling by Acting Chair Disero:*

Councillor Disero ruled that, having regard that Council, at its in-camera session, had issued confidential instructions to staff in this regard, the foregoing motion by Councillor Sutherland was out of order.

Councillor Sutherland challenged the ruling of Acting Chair Disero.

*Vote to Uphold Ruling of Acting Chair Disero:*

Yes - 17	
Councillors:	Balkissoon, Bussin, Chow, Di Giorgio, Disero, Hall, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Moscoe, Walker
No - 16	
Mayor:	Lastman
Councillors:	Berardinetti, Duguid, Feldman, Flint, Ford, Holyday, Li Preti, Minnan-Wong, Moeser, Nunziata, Pitfield, Shiner, Soknacki, Sutherland, Tziretas

Carried by a majority of 1.

*Vote on motion by Councillor Moscoe:*

Yes - 29	
Mayor:	Lastman

Councillors:	Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pitfield, Shiner, Soknacki, Sutherland, Tziretas, Walker
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No - 4
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Councillors:	Feldman, Ford, Kelly, Moeser
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Carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

- (a) City Council instruct the City Solicitor to seek standing at the Public Inquiry and to retain outside counsel to represent the City at the Inquiry on the terms set out in the joint report dated June 10, 2002, from the Chief Administrative Officer and the City Solicitor, as embodied in the Clause, save and except the following process:

‘If standing is sought, it will be City Council who provides direction to the outside counsel. It is our view that it would not be manageable or timely for the whole of Council to provide legal direction throughout the Inquiry.

Therefore, it is recommended that Council delegate the authority to provide direction to the Chairs of the Standing Committees and the Chair of the Audit Committee, who, as a whole, shall provide overall direction to the outside counsel.

The day-to-day instructions would be the responsibility of the City Solicitor and the Chief Administrative Office. It is apparent that the City Auditor will likely be a witness at the Inquiry as being involved in the implementation of the City’s Y2K administrative processes and it is not appropriate that he be responsible for providing instructions to any external counsel. The Auditor has been consulted and concurs.

Further, it is recommended that the City Solicitor and the Chief Administrative Officer report from time to time to the Chairs of the Standing Committees and the Chair of the Audit Committee, and then onto Council, on the status of the Inquiry.’;

- (b) the following recommendations embodied in the joint report dated June 10, 2002, from the City Solicitor and the Chief Administrative Officer, pertaining to the preliminary budget for the Public Inquiry, as embodied in the Clause, be adopted:

‘(1) staff or the City’s outside counsel be directed to invite the Inquiry Commissioner to order legal funding for

- witnesses and persons with standing, subject to the limits set out in this report, where the Inquiry Commissioner is of the opinion that it is appropriate for the City to be responsible for a portion of those costs;
- (2) Council approve, in principle, an estimated budget of \$3,975,000.00 for costs relating to or associated with the Public Inquiry as set out in this report, to be funded from the computer leasing liability account;
  - (3) staff monitor the budget estimates set out in this report and report back with any substantial changes to the estimated budget set out herein; and
  - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.'; and
- (c) the confidential joint report dated June 19, 2002, from the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the City Solicitor, entitled 'MFP Motion for Possession of Computer Equipment', be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

'It is recommended that:

- (1) City Council provide instructions to the City's external solicitors not to appeal the decision of Master MacLeod; and
- (2) City Council instruct City staff to comply with the conditions set out in the decision of Master MacLeod, in order for the City to remain in possession of the computer equipment, which requires the City to make the following payments:
  - (a) a payment of approximately \$440,000.00 to MFP or its assignee for arrears, to be paid from the City's capital financing reserve fund;
  - (b) a payment of \$9.0 million into court, to be paid

from the City's computer liability account and capital financing reserve fund;

- (c) a payment of approximately \$3,900,000.00 to MFP or its assignee to purchase certain equipment, to be paid from the City's capital financing reserve fund; and
- (d) all future lease payments going forward as they fall due under the leases.' ”

*Vote:*

The motion by Councillor Moscoe carried.

City Council, at its in-camera session, also issued confidential instructions to staff, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they pertain to litigation or potential litigation.

**5.59 Clause No. 16 of Report No. 8 of The Toronto East York Community Council, headed “Ontario Municipal Board Hearing - SkyDome Charter-Bus Parking Requirements and Related Court Application to Close and Convey a Portion of Van de Water Crescent (Trinity-Spadina, Ward 20)”.**

*Report of the Committee of the Whole:*

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

Having regard that the Clause was submitted without recommendation:

*Motions:*

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

“It is recommended that City Council accept the proposed settlement offer in accordance with the terms and conditions as set out in the following Option No. (3) embodied in the confidential report dated June 20, 2002, from the City Solicitor, the balance of 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:

‘It is recommended that:

- (3) upon receipt of a written settlement offer generally as set out in the June 20, 2002 report of the City Solicitor, the City of Toronto accept the settlement proposal and:
  - (a) the City Solicitor be directed to attend and advise the Ontario Municipal Board that the City of Toronto supports the amendments to the Railway Lands Central Zoning-law to reduce the number of bus parking spaces required by By-law No. 1994-0806, as amended, from 125 to 50 bus parking spaces to serve the SkyDome and to permit a surface bus parking facility to be located on the Block 18C Lands generally as depicted in the latest plans included in the site plan application filed with the City as No. 302002; and
  - (b) the appropriate City staff be directed to take the necessary steps to stop up, close and convey to the owner of Block 18C those portions of Van de Water Crescent set out in Appendix B of the June 20, 2002 report of the City Solicitor.’ ”

- (b) Councillor Minnan-Wong moved that Council adopt the following recommendation:

“It is recommended that the disposition of the funds be deferred pending a further joint report to the next meeting of the Planning and Transportation Committee from the Chief Administrative Officer, the Commissioner of Works and Emergency Services and the President of the Toronto Parking Authority, on the necessity for further bus parking spaces in this area and other uses of this fund; and, in the event that agreement with the appellant cannot be reached with this amendment, this matter be referred to the Office of the Mayor for a determination on whether the original agreement can proceed.”

*Permission to Withdraw Motion:*

Councillor Minnan-Wong, with the permission of Council, withdrew his motion (b).

*Votes:*

Motion (a) by Councillor Chow carried.

The Clause, as amended, carried.

**5.60 Financial and Purchasing Arrangements for Possible Labour Disruption**

Councillor Disero called upon Motion J(32), as follows:

**Moved by: Mayor Lastman**

**Seconded by: Councillor Ootes**

“**WHEREAS** the Chief Financial Officer and Treasurer has submitted a confidential report dated June 17, 2002 with respect to special financial and purchasing arrangements to be used in the event of a labour disruption and to establish authorities to fund related expenditures;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the aforementioned confidential report dated June 17, 2002, from the Chief Financial Officer and Treasurer, and that such confidential report be adopted.”

*Report of the Committee of the Whole:*

Councillor Disero, in accordance with the provisions of the Municipal Act, reported that Council, at the in-camera portion of its meeting, had amended this Motion by amending the confidential instructions to staff contained in the confidential report dated June 17, 2002, from the Chief Financial Officer and Treasurer, such instructions to remain confidential in accordance with the provisions of the Municipal Act, having regard that this matter relates to the security of the property of the municipality and also pertains to labour relations or employee negotiations.

**5.61 McDonald’s Restaurants of Canada Limited - Lawsuit in the Ontario Superior Court of Justice to Quash Interim Control By-laws No. 2-2002 and No. 3-2002 and to Compel Ann Borooah, as Chief Building Official, to Issue a Building Permit for a Drive-Through Restaurant at 710 St. Clair Avenue West**

Motion I(3):

**Moved by: Councillor Flint**

**Seconded by: Councillor Altobello**

“**WHEREAS** McDonald’s Restaurants of Canada Limited has commenced litigation by way of Application against the City of Toronto and Ann Borooah, Chief Building Official; and

**WHEREAS** the matter is to be heard in Court on May 28 and May 31, 2002; and



**WHEREAS** the City needs to respond to the Court Application commenced by McDonald's Restaurants of Canada Limited; and

**WHEREAS** the City Solicitor wishes to report to City Council with respect to this matter;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the confidential report of the City Solicitor dated May 22, 2002.”

*Disposition:*

Having regard that Council had not concluded its discussion of this matter prior to the end of the meeting, consideration of this Motion was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

**MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION**

**5.62 Parc Downsview Park Operating Protocol Committee - Reconstitution and Terms of Reference**

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

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Feldman

“**WHEREAS** City Council, at its meeting held on November 6, 7 and 8, 2001, by its adoption, as amended, of Clause No. 3 of Report No. 11 of The Planning and Transportation Committee, headed ‘Parc Downsview Park Inc. Operating Protocol Agreement File UD03 PDP (Ward 9 - York Centre)’, established the ad hoc Parc Downsview Park Operating Protocol Committee (PDP), comprised of Councillors Augimeri, Feldman, Li Preti and Moscoe; and

**WHEREAS** it is necessary, in order to respond to the implications of Federal paramountcy, to address municipal issues pertaining to Parc Downsview Park Inc. through a single Committee; and

**WHEREAS** to date, the Committee has been unable to meet, because Council neglected to assign administrative support to the Committee; and

**WHEREAS** it is necessary to convene a meeting, in order to process a recent application;

**NOW THEREFORE BE IT RESOLVED THAT** the Parc Downsview Park Operating Protocol Committee be reconstituted with the same composition, as a special Committee of Council, reporting through the Planning and Transportation Committee;

**AND BE IT FURTHER RESOLVED THAT** the Terms of Reference of the PDP Committee be as follows:

- (1) to receive and review all applications for municipal services, approvals or consents (including applications for municipal consent to the issuance of a liquor licence) related to the lands within the Downsview Lands Secondary Plan;
- (2) to meet with the Board of the Downsview Park and other Federal Officials to discuss issues related to the Downsview Park and other Federal lands within the Downsview Lands Secondary Plan;
- (3) to address issues relating to the lands within the Downsview Lands Secondary Plan, including land use and development, servicing and operating and maintenance of the lands within the Downsview Lands Secondary Plan; and
- (4) to report to Council, through the Planning and Transportation Committee;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk provide Secretariat support to the Parc Downsview Park Operating Protocol Committee, in accordance with Council's rules of procedure;

**AND BE IT FURTHER RESOLVED THAT** reconsideration of the continuing need for the Committee be given in January 2004."

*Vote:*

Motion F(1) was adopted, without amendment.

### 5.63 **Introduction of Parking Meters on Tweedsmuir Avenue, West Side, South of Tichester Road**

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

**Moved by:** Councillor Mihevc

**Seconded by:** Councillor Walker

**"WHEREAS** City Council at its meeting of April 16, 17 and 18, 2002, adopted,

without amendment, Midtown Community Council Report No. 3, Clause No. 23, headed 'Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)'; and

**WHEREAS** Recommendations Nos. (1) and (2) of the aforementioned Clause contain errors which require correction;

**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. 3, Clause No. 23, headed 'Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Recommendations Nos. (1) and (2) of the aforesaid Clause be amended by deleting the words 'Tichester Road' and replacing same with the words 'Heath Street West', so that such recommendations shall read as follows:

- '(1) the existing "No Parking Anytime" prohibition on the west side of Tweedsmuir Avenue, from a point 27.8 metres south of Heath Street West to a point 55.7 metres further south, be rescinded; and
- (2) the former City of York Municipal Code, Chapter 982, Street Parking Meters, be amended to include parking for a maximum period of four hours, from 8:00 a.m. to 6:00 p.m., Monday to Saturday, at a rate of \$1.00 per hour, on the west side of Tweedsmuir Avenue, from a point 27.8 metres south of Heath Street West to a point 55.7 metres further south.' "

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that at its meeting held on May 21, 22 and 23, 2002, Council re-opened Clause No. 23 of Report No. 3 of The Midtown Community Council, headed "Tweedsmuir Avenue – West Side – South of Tichester Road – Introduction of Parking Meters (St. Paul's – Ward 21)", for further consideration.

*Vote:*

The balance of Motion F(2) was adopted, without amendment.

**5.64 Information and Documents Pertaining to Public Inquiry – MFP Financial Services**

Deputy Mayor Ootes called upon Notice of Motion F(3) appearing on the Order Paper, as follows:

**Moved by: Councillor Miller**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, had before it Audit Committee Report No. 4, Clause No. 5, headed ‘Public Inquiry in Relation to MFP Financial Services Equipment Leases’; and

**WHEREAS** Council amended this Clause and requested the Chief Administrative Officer to submit a confidential report to the next meeting of City Council on all information and records proposed to be withheld from the Inquiry Commissioner and Legal Counsel for Council’s direction with respect thereto;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, and that such report be adopted.”

Council also had before it, during consideration of Motion F(3), a joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, entitled “Public Inquiry in Relation to MFP Financial Services Equipment Leases”. (See Attachment No. 3, Page 166.)

*Vote:*

Motion F(3) was adopted, without amendment, and in so doing, Council adopted, without amendment, the joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, embodying the following recommendation:

“It is recommended that this report be received for information.”

**5.65 Residential On-Street Permit Parking By-law**

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

**Moved by: Councillor Disero**

**Seconded by: Councillor Bussin**

“**WHEREAS** City Council at its meeting held on November 6, 7 and 8, 2001, adopted, as amended, Policy and Finance Committee Report No. 14, Clause No. 6,

headed ‘Residential On-Street Permit Parking By-law’; and

**WHEREAS**, in so doing, City Council authorized a premium annual fee of \$216.00 (\$18.00/month) for residential on-street permit parking for a vehicle owner with a second or subsequent vehicle(s) with no on-site parking or no access to on-site parking;

**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. 14, Clause No. 6, headed ‘Residential On-Street Permit Parking By-law’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council authorize the annual fee for residential on-street parking for a vehicle owner with a second or subsequent vehicle(s) with no on-site parking or no access to on-site parking to remain at \$102.00 (\$8.50/month).”

*Vote:*

Adoption of the first Operative Paragraph embodied in Motion I(1):

Yes - 16	
Councillors:	Bussin, Di Giorgio, Duguid, Ford, Holyday, Korwin-Kuczynski, Layton, Mihevc, Moscoe, Nunziata, Ootes, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 19	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Feldman, Fillion, Flint, Hall, Johnston, Jones, Kelly, Lindsay Luby, McConnell, Milczyn, Minnan-Wong, Moeser, Pantalone, Pitfield

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

Having regard to the foregoing decision of Council, Motion I(1) was not adopted.

**5.66 Appeal to Ontario Municipal Board and Settlement – 2195 Yonge Street**

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

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Altobello**

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, adopted, as amended, Midtown Community Council Report No. 3, Clause No. 15, headed ‘Refusal Report - Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for

2195 Yonge Street (St. Paul's - Ward 22)'; and

**WHEREAS** the stated intent of the mover was that an open negotiation, including all interested parties, would occur prior to the commencement of the Ontario Municipal Board hearing; and

**WHEREAS** Council neglected to include local residents or the local Councillor as participants in the negotiations to achieve a compromise proposal; and

**WHEREAS** typical Section 37 benefits for an increase of density as outlined in Applications No. 100034 and No. 301056 would entitle the City to between \$6.0 and \$10.0 million dollars; and

**WHEREAS** Part (2)(c) of the motions moved by Councillor Johnston erroneously implied that a courtyard was a new element being achieved in exchange for the bonus in density; and

**WHEREAS** adopting the recommendations of the Midtown Community Council, while directing the Solicitor to enter into an agreement prior to the Ontario Municipal Board hearing, is contradictory; and

**WHEREAS** many Members of Council believed that they were supporting a refusal, while trying to find a middle ground; and anticipated that City Council would have a chance to review the proposed settlement and resultant development proposal; and

**WHEREAS** area Resident Associations' financial costs at the Ontario Municipal Board are significantly higher as a result of the Council's decision on April 16, 17 and 18, 2002;

**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. 3, Clause No. 15, headed 'Refusal Report - Official Plan and Zoning By-law Amendment Application No. 100034 (ATS#20000001) and Site Plan Approval Application No. 301056 for 2195 Yonge Street (St. Paul's - Ward 22)', be re-opened for further consideration, to allow a more clear debate about the facts relating to this application; and for Councillors that were confused by the Councillor's motion to vote against a compromise at 53 and 39 storeys;

**AND BE IT FURTHER RESOLVED THAT**, if necessary, Toronto City Council rescind its actions of April 16, 17 and, 18, 2002;

**AND BE FURTHER BE RESOLVED THAT** Toronto City Council support the following recommendations embodied in the report dated February 11, 2002, from the

Commissioner of Urban Development Services and adopted by the Midtown Community Council:

- '(1) City Council refuse Official Plan and Zoning By-law Amendment Application No. 100034 as revised on January 24, 2002, and Site Plan Application No. 301056;
- (2) City Council request the City Solicitor, Commissioner of Urban Development Services and any other appropriate staff to oppose the Ontario Municipal Board appeal and referral made by the applicant on Application No. 100034 and authorize staff to oppose any future appeal of Site Plan Application No. 301056; and
- (3) City Council authorize staff to finalize its focused planning review, organize a community consultation process to discuss the proposed directions and bring forward final recommendations to amend and refine the Official Plan and Zoning By-law for the Yonge-Eglinton Mixed Commercial-Residential Area "A".';

**AND BE IT FURTHER RESOLVED THAT** City Council adopt the following recommendation embodied in the report dated April 12, 2002, from the Commissioner of Urban Development Services:

- '(1) City Council endorse the planning process set out in this report.'."

*Vote:*

Adoption of the first Operative Paragraph embodied in Motion I(2):

Yes - 23 Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Di Giorgio, Fillion, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Pitfield, Soknacki, Sutherland, Tziretas, Walker
No - 12 Councillors: Chow, Duguid, Feldman, Johnston, Jones, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Ootes, Pantalone, Silva

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

Having regard to the foregoing decision of Council, Motion I(2) was not adopted.





5.67 **Community Festival Application - Annual Sorauren Park Festival**

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

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Rae**

“**WHEREAS** the Annual Sorauren Park Festival is an important activity within the City of Toronto and will be held in Sorauren Park on July 20, 2002, from 7:30 a.m. to 11:00 p.m.; and

**WHEREAS** the Annual Sorauren Park Festival is an enriching event, providing the community with many opportunities for sharing; and

**WHEREAS** the Annual Sorauren Park Festival is seeking, on behalf of its participants, a special occasion permit under the Community Festival section of the Ontario Liquor Licence Act; and

**WHEREAS** pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival must be accompanied by a Resolution approving an event as a community festival made by the local Council for the Municipality in which the event is to occur;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto deem the Annual Sorauren Park Festival to be a community festival and the Alcohol and Gaming Commission be so advised.”

*Advice by Deputy Mayor:*

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

*Procedural Vote:*

The vote to waive referral of Motion J(1) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(1) was adopted, without amendment.

5.68 **Delegation of Site Plan Approval - 3000 to 3078 Lake Shore Boulevard West**

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

**Moved by: Councillor Jones**

**Seconded by: Councillor Milczyn**

**“WHEREAS** Etobicoke Community Council at its meeting held February 26, 2002, approved the Official Plan and Zoning By-law Amendments respecting the development of 168 townhouse units along the Lakeshore frontage of the Lakeshore Village Development; and

**WHEREAS**, at the February 26, 2002 meeting, Etobicoke Community Council amended the recommendations of the final report of the Director of Community Planning, West District, by adding a new Recommendation No. (6)(b), which was moved by Councillor Milczyn, requesting that the Director ‘submit the site plan to the Etobicoke Community Council for review’, thereby removing the delegated power to approve site plan approval from the Chief Planner; and

**WHEREAS** Toronto City Council, at its meeting held on March 4, 5, 6, 7, and 8, 2002, adopted, without amendment, Etobicoke Community Council Report No. 3, Clause No. 3, headed ‘Final Report - Applications to Amend the Etobicoke Official Plan and Zoning Code, Lakeshore Village Development Corporation, Renaissance (Lakeshore) Community Corporation, 3000 to 3078 Lake Shore Boulevard West, File No. TA CMB 2001 0019 (Ward 6 - Etobicoke-Lakeshore)’, respecting the approval of the Final Report and the recommendations of Etobicoke Community Council; and

**WHEREAS** the Official Plan and Zoning By-law Amendments were enacted by Toronto City Council on April 16, 17, and 18, 2002; and

**WHEREAS** the Official Plan and Zoning By-law Amendments passed by Council were appealed to the Ontario Municipal Board; and

**WHEREAS** staff of the Urban Development Services, Planning Division and the applicant met with the appellant to discuss details of the proposed design and the appellant subsequently withdrew their appeal; and

**WHEREAS** the local Councillor and Councillor Milczyn are in agreement that this site plan approval be re-delegated to the Chief Planner or his designate;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 3, Clause No. 3, headed ‘Final Report - Applications to Amend the Etobicoke Official Plan and Zoning Code, Lakeshore Village Development Corporation, Renaissance (Lakeshore) Community Corporation, 3000 to 3078 Lake Shore Boulevard West, File No. TA CMB 2001 0019 (Ward 6 - Etobicoke -Lakeshore)’, be re-opened for further consideration, only insofar as it pertains to the delegation of site plan approval;

**AND BE IT FURTHER RESOLVED THAT** the site plan approval for the 168-unit townhouse development at 3000-3078 Lake Shore Boulevard West be re-delegated to the Chief Planner or his designate for review and approval.”

*Votes:*

The first Operative Paragraph embodied in Motion J(2) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(2) was adopted, without amendment.

#### 5.69 **Amendment to 2002 Schedule of Meetings**

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

**Moved by:**                    **Councillor Jones**

**Seconded by:**              **Councillor Chow**

“**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted Striking Committee Report No. 3, Clause No. 2, headed ‘Revised Fall Portion of the 2002 Schedule and the 2003 Schedule of Meetings’; and

**WHEREAS** there are only two scheduled meetings of the Community Councils in the revised fall portion of the 2002 Schedule of Meetings;

**NOW THEREFORE BE IT RESOLVED THAT** Community Council meetings be scheduled on Tuesday, December 3, 2002, if required, so that the respective Community Councils may meet if deemed necessary.”

*Vote:*

Motion J(3) was adopted, without amendment.

5.70 **Community Festival Application - Annual Roncesvalles Village Harvest Festival**

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

**Moved by:** Councillor Korwin-Kuczynski

**Seconded by:** Councillor Rae

**“WHEREAS** the Annual Roncesvalles Village Harvest Festival is an important festival activity within the City of Toronto and will be held on Saturday, September 21, 2002, from 9:00 a.m. to 8:00 p.m. and Sunday, September 22, 2002, from 10:00 a.m. to 6:00 p.m.; and

**WHEREAS** the Annual Roncesvalles Village Harvest Festival is an enriching event, providing the community with many opportunities for sharing and is organized in co-operation with the Roncesvalles Village Business Association; and

**WHEREAS** the Annual Roncesvalles Village Harvest Festival is seeking, on behalf of its participants, a special occasion permit under the Community Festival section of the Ontario Liquor License Act; and

**WHEREAS** pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival must be accompanied by a Resolution approving an event as a community festival made by the local Council for the Municipality in which the event is to occur;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto deem the Annual Roncesvalles Village Harvest Festival to be a community festival and the Alcohol and Gaming Commission be so advised.”

*Advice by Deputy Mayor:*

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

*Procedural Vote:*

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

*Vote:*

Motion J(4) was adopted, without amendment.

**5.71 Set Fines for Private Property and Municipal Property Parking Offences**

Councillor Ootes, with the permission of Council, withdrew the following Notice of Motion J(5):

**Moved by: Councillor Ootes**

**Seconded by: Councillor Kelly**

**“WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted, as amended, Administration Committee Report No. 5, Clause No. 3, headed ‘Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities and Amendment to By-law Respecting Parking on Private Property’; and

**WHEREAS**, in adopting the Clause, as amended, City Council has directed the City Solicitor to apply to the Regional Senior Justice of the Ontario Court of Justice for a set fine of \$30.00, with a voluntary payment of \$20.00, for violations to the recommended new harmonized by-law prohibiting unauthorized parking on private or municipal property; and

**WHEREAS**, if all parking fines for both Private Property and Municipal Property offences are decreased from \$40/\$60 (Voluntary/Set Fine Amount) to \$20/\$30 (Voluntary/Set Fine Amount), this will result in an annual revenue loss of approximately \$4.75 million; and

**WHEREAS**, if parking fines for Municipal Property offences only are harmonized across the City at \$20/\$30 (Voluntary/Set Fine Amount), this will result in an annual revenue loss of approximately \$860,000.00; and

**WHEREAS**, if only parking fines for offences committed on Toronto Transit Commission commuter parking lots are set at a fine level of \$20/\$30 (Voluntary/Set Fine Amount) this will result in an annual revenue loss of approximately \$153,000.00; and

**WHEREAS**, if only parking fines for offences committed on Economic Development, Culture and Tourism Department parking lots are set at a fine level of \$20/\$30 (Voluntary/Set Fine Amount) this will result in an annual revenue loss of approximately \$44,555.00; and

**WHEREAS**, during the debate of this issue the Chief Administrative Officer and the Chief Financial Officer and Treasurer clarified the intent and impact of reducing the fines for municipal parking lots, Toronto Transit Commission computer parking lots and Economic Development, Culture and Tourism Department parking lots only (approximately \$1.0 million loss annual), exclusive of the private property lots;

**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. 5, Clause No. 3, headed ‘Consolidation of Regulations Concerning Off-Street Municipal Parking Facilities and Amendment to By-law Respecting Parking on Private Property’, be re-opened for further consideration, only insofar as it pertains to the set fines for Private Property and Municipal Property parking offences;

**AND BE IT FURTHER RESOLVED THAT** Council direct the City Solicitor to apply to the Regional Senior Justice of the Ontario Court of Justice for a set fine of \$30.00, with a voluntary payment of \$20.00, for violations on municipal property, including Toronto Transit Commission commuter parking lots and Economic Development, Culture and Tourism Department parking lots;

**AND BE IT FURTHER RESOLVED THAT** the set fine of \$60.00, with a voluntary payment of \$40.00, for violations on private property be maintained;

**AND BE IT FURTHER RESOLVED THAT** the report dated May 7, 2002 from the Chief Financial Officer and Treasurer be referred to the Planning and Transportation Committee for a review of all set fines for parking, including both on-street and off-street fines.”

Council also had before it, for consideration with Motion J(5), a report dated May 7, 2002, from the Chief Financial Officer and Treasurer, entitled “Private Property and Municipal Property Parking Fines”, a copy of which is on file in the office of the City Clerk.

**5.72 Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue**

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

**Moved by: Councillor Ootes**

**Seconded by: Councillor Tziretas**

“**WHEREAS** City Council, at its meeting on May 21, 22 and 23, 2002, considered Clause No. 5 of Report No. 4 of The Toronto East York Community Council, headed ‘Variance from the Former Borough of East York Sign By-law - 1015 Broadview

Avenue (Toronto Danforth, Ward 29)'; and

**WHEREAS** the Director of Building and Deputy Chief Building Official, East District, in the report dated January 7, 2002, recommends that a request for a variance from the former Borough of East York Sign By-law be approved with respect to a retail grocery store at 1015 Broadview Avenue; and

**WHEREAS** there is uncertainty as to the status of Council's decision in this regard;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto East York Community Council Report No. 4, Clause No. 5, headed 'Variance from the Former Borough of East York Sign By-law - 1015 Broadview Avenue (Toronto Danforth, Ward 29)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the request for sign variance at 1015 Broadview Avenue be approved and the applicant be advised of the requirement to obtain the necessary sign permit."

*Votes:*

The first Operative Paragraph embodied in Motion J(6) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(6) was adopted, without amendment.

5.73 **Road Access and Disruption Management System (ROADMAP) Contribution Agreement**

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

**Moved by:** Councillor Disero

**Seconded by:** Councillor Duguid

**“WHEREAS** the Works Committee at its meeting held on January 15, 22 and 25, 2002, recommended to the Budget Advisory Committee the adoption of a report regarding the Road Access and Disruption Management System; and

**WHEREAS** City Council at its meeting held on March 4, 5, 6, 7 and 8, 2002, in adopting, as amended, Policy and Finance Committee Report No. 3, Clause No. 1, headed 'City of Toronto 2002-2006 Recommended Capital Budget and Program',



granted approval to implement the Road Access and Disruption Management System (ROADMAP); and

**WHEREAS** the project was the development of a ROADMAP system to track information regarding all types of permits to occupy road space; and

**WHEREAS** Transport Canada has agreed to contribute up to a maximum of \$250,000.00 towards the development of the ROADMAP system; and

**WHEREAS** Transport Canada requires the City to enter into a contribution agreement before it will release these funds to the City; and

**WHEREAS** the original report to the Works Committee, headed 'Road Access and Disruption Management System', referred to above, inadvertently omitted the recommendation that authority be granted to the City to enter into such a contribution agreement with Transport Canada with terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

**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. 3, Clause No. 1, headed, 'City of Toronto 2002-2006 Recommended Capital Budget and Program', be re-opened for further consideration, only insofar as it pertains to the ROADMAP system;

**AND BE IT FURTHER RESOLVED THAT:**

- (1) the City be authorized to enter into a contribution agreement with Her Majesty The Queen In Right Of Canada as represented by the Minister of Transport Canada for the purpose of achieving the objectives of the work program contained in the report 'Road Access and Disruption Management System';
- (2) such an agreement have terms and conditions that are satisfactory to the Commissioner of Works and Emergency Services and be in a form satisfactory to the City Solicitor; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto and to take any action required to be taken thereunder."

Council also had before it, during consideration of Motion J(7), a report dated December 31, 2001, from the Commissioner of Works and Emergency Services, entitled "Road Access and Disruption Management System", a copy of which is on file in the office of the City Clerk.



*Votes:*

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

The balance of Motion J(7) was adopted, without amendment.

**5.74 Alteration of Dervock Crescent, East of Rean Drive**

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

**Moved by: Councillor Shiner**

**Seconded by: Councillor Sutherland**

**“WHEREAS** City Council at its meeting of May 21, 22 and 23, 2002 adopted, without amendment, North York Community Council Report No. 5, Clause No. 14, headed ‘Draft By-law - To authorize the alteration of Dervock Crescent, east of Rean Drive by the Construction of a new Cul-de-sac and Draft By-law - To stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to Authorize the erection of barricades to enforce the due observance thereof (Willowdale, Ward 24)’; and

**WHEREAS** the request for a report to be submitted to the North York Community Council from the Director, Transportation Services, District 3, Works and Emergency Services, to assess the impacts of the closing of Dervock Crescent if improvements are required at the intersection of Dervock Crescent and Greenbriar Road, after the closure of Dervock Crescent, requires a correction in order to include an additional intersection;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report No. 5, Clause No. 14, headed ‘Draft By-law - To authorize the alteration of Dervock Crescent, east of Rean Drive by the Construction of a new Cul-de-sac and Draft By-law - To stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to Authorize the erection of barricades to enforce the due observance thereof (Willowdale, Ward 24)’, be re-opened for further consideration, only insofar as it pertains to the request for a report to be submitted to the North York Community Council from the Director, Transportation Services, District 3, Work and Emergency Services;

**AND BE IT FURTHER RESOLVED THAT** the request for a report in the aforementioned Clause be amended by adding thereto, the words ‘Greenbriar Road and Sheppard Avenue’, so that the request shall read as follows:

‘The North York Community Council also reports for the information of Council, having requested the Director, Transportation Services, District 3, Works and Emergency Services, to assess the impacts of the closing of Dervock Crescent and to report to the North York Community Council if improvements are required at the intersection of Dervock Crescent and Greenbriar Road as well as Greenbriar Road and Sheppard Avenue.’.”

*Votes:*

The first Operative Paragraph embodied in Motion J(8) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(8) was adopted, without amendment.

**5.75 Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent**

Councillor Flint moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(9):

**Moved by: Councillor Flint**

**Seconded by: Councillor Walker**

“**WHEREAS** City Council at its meeting held on October 2, 3 and 4, 2001, adopted, without amendment, Midtown Community Council Report No. 7, Clause No. 32, headed ‘Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent (Don Valley West - Ward 25)’ (See Schedule ‘A’); and

**WHEREAS** there are 18 directly affected households on the portion of Birchwood Avenue to be reconstructed between Highland Crescent and Beechwood Avenue; and

**WHEREAS** a recent poll conducted by residents on this portion indicates that 13 households wish the road to be reconstructed with no sidewalks (1 is opposed and no response was received from 4). Of the 13, 7 do not want the road reconstructed if sidewalks are included; 3 wish to proceed nevertheless; and 3 offer no second

choice because they are strongly opposed to doing nothing (see attached Schedule 'B'); and

**WHEREAS** some of these residents feel that their opinions (see attached Schedule 'C'), were not adequately considered at the September 12, 2001, Midtown Community Council meeting and would like to appeal the Toronto City Council decision to construct a sidewalk; and

**WHEREAS** in order for an appeal to be considered the matter must be re-opened at Toronto City Council;

**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. 32, headed 'Sidewalk Construction on Birchwood Avenue, between Gordon Avenue and Highland Crescent (Don Valley West - Ward 25)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council give further consideration to the reconstruction of the road and sidewalk on Birchwood Avenue, between Highland Crescent and Beechwood Avenue.”,

the vote upon which was taken as follows:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Bussin, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Milczyn, Moeser, Nunziata, Pantalone, Pitfield, Rae, Walker
No - 16	
Councillors:	Augimeri, Berardinetti, Chow, Filion, Jones, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Shiner, Silva, Soknacki, Sutherland, Tziretas

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

Council also had before it, for consideration with Motion J(9), the following:

- (i) Clause No. 32 of Report No. 7 of The Midtown Community Council, headed "Sidewalk Construction on Birchwood Avenue between Gordon Avenue and Highland Crescent", which was adopted, without amendment, by City Council on October 2, 3 and 4, 2001;

- (ii) Schedule “B”, entitled “Birchwood Avenue Road Improvement”, containing poll results for households located on the affected portion of Birchwood Avenue;
- (iii) Schedule “C”, entitled “Synopsis of Residents’ Opinions”; and
- (iv) a location plan of the subject area,

copies of which are on file in the office of the City Clerk.

*Disposition of Motion:*

Having regard that the motion to waive Notice did not carry, Councillor Flint gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on July 16, 2002.

**5.76 Community Festival Application - Bloor West Village Ukrainian Festival**

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

**Moved by: Councillor Miller**

**Seconded by: Councillor Di Giorgio**

**“WHEREAS** the Bloor West Village Ukrainian Festival will hold their Street Festival on July 19, 2002 to July 20, 2002, from 6:00 p.m. to 12:00 midnight and from 12:00 noon to 12:00 midnight, respectively; and

**WHEREAS** the Bloor West Village Ukrainian Festival and the Bloor West Village BIA have requested that a liquor licence for a beer tent on a section of Bloor Street West, closed to vehicular traffic and encompassing the centre two lanes between Beresford Avenue where it meets the north side of Bloor Street West and Durie Street where it meets the south side of Bloor Street West, be approved; and

**WHEREAS**, I, as Ward Councillor, have received this formal request from the Bloor West Village Ukrainian Festival;

**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 license by the Bloor West Village Ukrainian Festival is in the public interest having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to approve

the application.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(10) to the Humber York Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(10) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(10) was adopted, without amendment.

**5.77 Community Festival Application – Junction Arts Festival**

Councillor Miller moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Miller**

**Seconded by: Councillor Di Giorgio**

**“WHEREAS** the Junction Arts Festival will hold their Street Festival on September 14, 2002 and September 15, 2002 from 12:00 noon to 12:00 midnight and from 12:00 noon to 5:00 p.m. respectively; and

**WHEREAS** the two outside lanes on Dundas Street West from Keele Street to Quebec Avenue will be closed to vehicular traffic for the duration of the Festival; and

**WHEREAS** the Junction Arts Festival and the Junction Gardens BIA have requested that an extension onto City property of the liquor licences for the following licensed establishments – Vesuvio Pizzeria & Spaghetti House, 3010 Dundas Street West; Axis Gallery and Grill, 3048 Dundas Street West, Caramba Restaurant, 394 Pacific Avenue; The Vegetarian Restaurant, 2849 Dundas Street West, Shox Billiards Café, 2827 Dundas Street West; Curry Twist, 3034 Dundas Street West; Celts, 2872 Dundas Street West; North of Bombay, 2996 Dundas Street West; Somporn, 2961 Dundas Street West; Songha, 2998 Dundas Street West; Concourse Restaurant, 2853 Dundas Street West; El Cmino, 2858 Dundas Street West; Pho Gia Long, 2883 Dundas Street West; Just 4 the Halibut, 3020 Dundas Street West; and Via Anglatia, 395 Keele Street, be approved; and



**WHEREAS**, I, as Ward Councillor, have received this formal request from the Junction Arts Festival and the Junction Gardens BIA;

**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 license by the Junction Arts Festival and the Junction Gardens BIA is in the public interest having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to approve the application.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(11) to the Humber York Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(11) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(11) was adopted, without amendment.

**5.78 Ontario Municipal Board Hearing – 222 Centennial Road and 35 Acheson Boulevard**

Councillor Moeser moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Moeser**

**Seconded by: Councillor Sutherland**

“**WHEREAS** the Committee of Adjustment, in a decision with respect to a consent application for property located at 222 Centennial Road and 35 Acheson Boulevard, approved the application without imposing a condition requiring a Conservation Easement; and

**WHEREAS** this condition is required to protect the portion of Centennial Creek passing through this property; and

**WHEREAS** staff recommended this condition to preserve the creek system; and

**WHEREAS** the community has supported the highest level of protection for the ravines in the community;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor appeal the consent decision of the Committee of Adjustment to the Ontario Municipal Board in order to request the imposition of a condition requiring the granting of a conservation easement at 35 Acheson Boulevard and 222 Centennial Road, as follows:

- (1) two copies of a Registered Reference Plan of Survey integrated with the Ontario Coordinate System and clearly delineating the parcels of land approved by the Committee of Adjustment be submitted to the Deputy Secretary-Treasurer. A listing of the parts and their respective areas is required; and
- (2) the Owner to make satisfactory arrangements with the Toronto and Region Conservation Authority to have lands within the stream corridor (such lands to be identified to the satisfaction of the City and the TRCA) subject to a conservation easement to be registered on title;

**AND BE IT FURTHER RESOLVED THAT** staff continue to negotiate with the applicant to reach an agreement in this regard.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(12) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(12) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(12) was adopted, without amendment.

**5.79 Utilization of Fire Services Logo on Products to Generate Revenue**

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Duguid**

**Seconded by: Councillor Kelly**

“**WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, adopted, without amendment, Community Services Committee Report No. 3, Clause No. 5, headed ‘Utilization of Fire Services Logo on Products to Generate Revenue’; and

**WHEREAS** the City Solicitor has advised that appropriate wording to provide the authority required for the staff to issue a Request for Expressions of Interest was not included in the following Recommendation No. (1) of the Community Services Committee:

- ‘(1) that the Commissioner of Works and Emergency Services and the Fire Chief, in consultation with the Chief Financial Officer and Treasurer, the Director of Purchasing and Materials Management, and the City Solicitor, be requested to draft a Request for Expressions of Interest from marketing and retail firms that would seek partnerships to market appropriate products containing the Toronto Fire Services’ logo;’; and

**WHEREAS** the City Solicitor has also advised that, having regard that at this time there is no statutory authority for the City to enter into private/public partnerships for these purposes, Recommendation No. (1) of the Community Services Committee should be further amended by deleting the word ‘partnerships’ and replacing it with the words ‘licensing opportunities’;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with section 27-49 of Chapter 27 of the City of Toronto Municipal Code, Community Services Committee Report No. 3, Clause No. 5, headed ‘Utilization of Fire Services Logo on Products to Generate Revenue’, be re-opened for further consideration, only insofar as it relates to the revisions recommended by the City Solicitor;

**AND BE IT FURTHER RESOLVED THAT** the Clause be amended by rewording Recommendation No. (1) of the Community Services Committee to read as follows:

- (1) that the Commissioner of Works and Emergency Services and the Fire Chief, in consultation with the Chief Financial Officer and Treasurer, the Director of Purchasing and Materials Management, and the City Solicitor, be requested to draft and issue a Request for Expressions of Interest from marketing and retail firms that would seek licensing opportunities to market appropriate products displaying the Toronto Fire Services' logo;';

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

*Votes:*

The first Operative Paragraph embodied in Motion J(13) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(13) was adopted, without amendment.

**5.80 Enforcement of Smoking By-law**

Councillor Sutherland moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14):

**Moved by:** Councillor Sutherland

**Seconded by:** Councillor Pitfield

“**WHEREAS** it has been observed by restaurant and bar owners that enforcement of the City's Smoking By-law is uneven and sporadic; and

**WHEREAS** some restaurant and bar owners are abiding by the City's Smoking By-law; and

**WHEREAS** other restaurant and bar owners are not abiding by the Smoking By-law; and

**WHEREAS** some restaurant and bar patrons intentionally frequent establishments where the Smoking By-law is not adhered to, and/or where the By-law is not regularly enforced; and

**WHEREAS** this creates an uneven playing field in terms of patronage to restaurants and bars and, in some cases, restaurants and bars that willingly comply with the

Smoking By-law now experience a fall-off of customers;

**NOW THEREFORE BE IT RESOLVED THAT** the Medical Officer of Health be requested to report to the Board of Health, as soon as possible, on mechanisms to ensure that the Smoking By-law is enforced on an egalitarian basis, and that all establishments are treated fairly;

**AND BE IT FURTHER RESOLVED THAT** the necessary enforcement is carried out through the existing Board of Health 2002/2003 budget.”,

the vote upon which was taken as follows:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Di Giorgio, Disero, Flint, Ford, Hall, Holyday, Kelly, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Silva, Soknacki, Sutherland
No - 13	
Councillors:	Augimeri, Bussin, Duguid, Filion, Johnston, Jones, McConnell, Mihevc, Miller, Pantalone, Rae, Tziretas, Walker

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

*Disposition of Motion:*

Having regard that the motion to waive Notice did not carry, Councillor Sutherland gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on July 16, 2002.

5.81 **Proposed ‘Super Hospital’ – Keele Street and Sheppard Avenue**

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Nunziata

**Seconded by:** Councillor Di Giorgio

“**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 Street 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 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 effected;

**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.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the Community Services Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(15) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Disposition of Motion:*

Having regard that Council did not conclude its consideration of Motion J(15) prior to the end of this meeting, consideration of Motion J(15) was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

5.82 **Ontario Superior Court of Justice Decision – 2714 Danforth Avenue**

Councillor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16):

**Moved by: Councillor Bussin**

**Seconded by: Councillor Tziretas**

“**WHEREAS** a recent decision of the Ontario Superior Court of Justice allowed the City of Toronto Chief Building Official’s appeal of an earlier court decision that ruled the establishment of a shelter at 2714 Danforth Avenue violated the City’s Building Code; and

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

**WHEREAS** the merchants and residents who launched the court challenge did so out of the sincere belief, based on sound legal advice, that the City had failed to protect their interest in its application of the Building Code in this matter; and

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

**NOW THEREFORE BE IT RESOLVED THAT**, in the interest of good community relations and to prevent the impression that the City practices punitive behaviour toward resident groups who challenge City Hall, Council request the Chief Building Official to waive her claim to court costs awarded by the Ontario Superior Court of Justice in the matter regarding 2714 Danforth Avenue.”,

the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Flint, Ford, Hall, Johnston, Kelly, Korwin-Kuczynski, Layton, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Sutherland, Tziretas, Walker
No - 11	
Councillors:	Augimeri, Duguid, Feldman, Filion, Holyday, Jones, Lindsay Luby, McConnell, Moscoe, Shiner, Soknacki

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

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(16) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(16) to the Policy and Finance Committee was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Ford, Johnston, Kelly, Korwin-Kuczynski, Layton, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Sutherland, Tziretas, Walker
No - 11	
Councillors:	Duguid, Feldman, Filion, Flint, Hall, Holyday, Jones, Lindsay Luby, McConnell, Shiner, Soknacki

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

*Motion:*

Councillor Bussin moved that Motion J(16) be adopted, subject to adding to the Operative Paragraph, the words “subject to no further appeal”, so that such Operative Paragraph now reads as follows:

**“NOW THEREFORE BE IT RESOLVED THAT**, in the interest of good community relations and to prevent the impression that the City practices punitive behaviour toward resident groups who challenge City Hall, Council request the Chief Building Official to waive her claim to court costs awarded by the Ontario Superior Court of Justice in the matter regarding 2714 Danforth Avenue, subject to no further appeal.”

*Votes:*

The motion by Councillor Bussin carried.

Motion J(16), as amended, carried.



5.83 **Authority to Enter into Agreements with the Federation of Canadian Municipalities Respecting the Green Municipal Funds**

Councillor Layton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Layton**

**Seconded by: Councillor Berardinetti**

**“WHEREAS** Toronto City Council at its meeting held on October 2, 3 and 4, 2001, in adopting Policy and Finance Committee Report No. 7, Clause No. 12, headed ‘Authority to Submit Applications to the FCM’s Green Municipal Funds Program’, delegated standing authority to the Chief Administrative Officer to submit City applications to the Federation of Canadian Municipalities ‘Green Municipal Funds’; and

**WHEREAS** the authority granted the Chief Administrative Officer did not include the authority necessary to allow the City to enter into grant and loan agreements that result from successful application; and

**WHEREAS** there are several agreements awaiting signature and this authority needs to be established for the projects to proceed and waiting until the next City Council cycle will have financial implications for the projects; and

**WHEREAS** having regard of the urgency of this matter it must be considered by City Council at its meeting held on June 18, 19, and 20, 2002;

**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. 12, headed ‘Authority to Submit Applications to the FCM’s Green Municipal Funds Program’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council consider the attached report dated June 5, 2002 from the Chief Administrative Officer and that such report be adopted.”

Council also had before it, during consideration of Motion J(17), a report dated June 5, 2002, from the Chief Administrative Officer, entitled “Authority to Enter into Agreements with the Federation of Canadian Municipalities Respecting the Green Municipal Funds”

(See Attachment No. 4, Page 168).

*Votes:*

The first Operative Paragraph embodied in Motion J(17) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(17) was adopted, without amendment and in so doing, Council adopted, without amendment, the report dated June 5, 2002, from the Chief Administrative Officer, embodying the following recommendations:

“It is recommended that:

- (1) the City be authorized to enter into grant and loan agreements as required with the Federation of Canadian Municipalities (‘FCM’) in respect of funding awards made under its Green Municipal Funds program, satisfactory in form and content to the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**5.84 Payment in-lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue (Ward 5 – Etobicoke-Lakeshore)**

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Milczyn**

**Seconded by: Councillor Lindsay Luby**

“**WHEREAS** Etobicoke Community Council at its meeting of May 8, 2002, considered a motion to accept the offer of Port Royal Place Developments Inc., subject to the satisfaction of Council, to pay \$150,000.00 for improvements to Dundas Street West to such local BIA as Council considers appropriate in return for a release from the owner’s obligation to provide the aforementioned pedestrian connection; and

**WHEREAS** Etobicoke Community Council resolved that the Chief Financial Officer and Treasurer report, in consultation with the City Solicitor and the Commissioner of Economic Development, Culture and Tourism, to the next meeting of the Etobicoke Community Council on an appropriate method for ensuring, if possible, the payment

of the said monies to such board of management of a local Improvement Area as Council considers appropriate; and

**WHEREAS** the aforementioned staff report was not prepared in time for the consideration of Etobicoke Community Council at its meeting held on June 5, 2002;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated June 12, 2002, from the Chief Financial Officer and Treasurer, and that such report be adopted.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(18) to the Etobicoke Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(18) to the Etobicoke Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(18), a report dated June 12, 2002, from the Chief Financial Officer and Treasurer, entitled “Payment in-lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue, Ward 5 Etobicoke-Lakeshore” (See Attachment No. 5, Page 170).

*Vote:*

Motion J(18) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 12, 2002, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) Council approve an amendment to Clause 20 of the Section 37 agreement between the City and Port Royal Place Developments Inc. to provide for a cash payment of \$150,000.00 to the City in lieu of the requirement of the developer to provide a public pedestrian connection through the site to lands located between the eastern boundary of the site and Mabelle Avenue;
- (2) Council establish a discretionary reserve fund called the ‘Dundas Street West Streetscape Improvements Reserve Fund’ to receive the payment referred to in Recommendation No. (1) above, and to be used for the purposes of funding

streetscape improvements along Dundas Street West in proximity to the development;

- (3) specific streetscape improvements projects up to \$150,000.00, referred to above, be reported upon by the appropriate staff as part of the Capital Budget process commencing in 2003;
- (4) Municipal Code Chapter 227 be amended by adding the 'Dundas Street West Streetscape Improvements Reserve Fund' to Schedule C, Discretionary Reserve Funds; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto."

#### 5.85 **Official Plan Amendment and Zoning By-law Amendment – 45 Dunfield Avenue**

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Walker

**Seconded by:** Councillor Flint

**“WHEREAS** City Council at its meeting held on April 16, 17 and 18, 2002, adopted Midtown Community Council Report No. 3, Clause No. 14, headed 'Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment Building at 45 Dunfield Avenue - Shiplake Management Company Limited (St. Paul's - Ward 22)'; and

**WHEREAS** the applicant has approached City staff requesting amendments to the provisions relating to the public benefits to be provided under Section 37 of the Planning Act related to this proposal; and

**WHEREAS** the Commissioner of Urban Development Services, in the attached report dated June 17, 2002, has recommended approval of the proposed amendments;

**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. 3, Clause No. 14, headed 'Final Report - Application to Amend the Official Plan and Zoning By-law to Permit an Addition to an Existing Apartment

Building at 45 Dunfield Avenue - Shiplake Management Company Limited (St. Paul's - Ward 22)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council adopt the attached report dated June 17, 2002 from the Commissioner of Urban Development Services, regarding amended public benefits under Section 37 of the Planning Act;

**AND BE IT FURTHER RESOLVED THAT** the necessary bills be introduced to give effect thereto.”

Council also had before it, during consideration of Motion J(19), a report dated June 17, 2002, from the Commissioner of Urban Development Services, entitled “Clause No. 14, Report No. 3 of The Midtown Community Council, 45 Dunfield Avenue, 299011, TO CMB 19990048, St. Paul's, Ward No. 22” (See Attachment No. 6, Page 174).

*Votes:*

The first Operative Paragraph embodied in Motion J(19) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(19) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated June 17, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that City Council require that, before introducing the necessary bills to City Council for enactment, the applicant enter into an agreement authorized under Section 37 of the Planning Act regarding the provision of public benefits in exchange for the increase in permitted building density on the property, as set out in Clause No. 14, Report No. 3 of The Midtown Community Council, with amendments as set out in the report.”

#### 5.86 **Temporary Teletheatre Licence – Woodbine Entertainment**

Councillor Pantalone moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Pantalone

**Seconded by:** Councillor Silva

“**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2002, adopted, without amendment, Toronto East York Community Council Report No. 7, Clause

No. 55, headed 'Requests for Endorsement of Events for Liquor Licensing Purposes', and in so doing, declared the 2002 CHIN Picnic an event of 'municipal significance'; and

**WHEREAS** a request has been received from Woodbine Entertainment to operate a temporary Champions Teletheatre on Saturday, June 29, 2002, Sunday, June 30, 2002, and Monday, July 1, 2002, during the CHIN Picnic, on the CNE grounds in the Better Living Centre, hours for the operation of the teletheatre will be from noon to approximately 10:00 p.m.; and

**WHEREAS** the Ontario Racing Commission is requesting City Council to indicate whether it has an objection to the granting of the temporary teletheatre licence;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Ontario Racing Commission that it has no objections to the granting of a temporary teletheatre licence to Woodbine Entertainment, for Saturday, June 29, 2002, Sunday, June 30, 2002, and Monday, July 1, 2002, during the CHIN Picnic, on the CNE grounds in the Better Living Centre."

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(20) to the Toronto East York Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(20) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Adoption of Motion J(20), without amendment:

Yes - 21	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Disero, Hall, Holyday, Johnston, Kelly, Li Preti, Mammoliti, McConnell, Milczyn, Miller, Moscoe, Pantalone, Rae, Soknacki
No - 16	
Councillors:	Di Giorgio, Duguid, Feldman, Fillion, Flint, Ford, Jones, Layton, Lindsay Luby, Mihevc, Moeser, Nunziata, Ootes, Pitfield, Shiner, Tziretas

Carried by a majority of 5.

**5.87 Tender for Child Care Centre at 5200 Yonge Street**

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(21), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Filion**

**Seconded by: Councillor Chow**

**“WHEREAS** City Council at its meeting held on March 6, 7 and 8, 2001, adopted, as amended Community Services Committee Report No. 2, Clause No. 7, headed ‘Development of a Child Care Centre at 5200 Yonge Street’ and, in so doing, authorized the issuance of a tender to proceed with the completion of a child care centre at 5200 Yonge Street; and

**WHEREAS** Council approved a maximum funding amount of \$2.25 million for the project to be provided by Sam-Sor Enterprises Inc. and Imperial Oil Limited; and

**WHEREAS** there are a number of issues which have arisen with respect to implementing the project with possible links to the Imperial Oil Limited funding; and

**WHEREAS** there is some urgency to re-tendering the project in order to have it completed by February 2003 to coincide with the expiry of the day care centre’s existing lease; and

**WHEREAS** it is appropriate to allocate funds in the amount of \$1.25 million from the Child Care Capital Reserve Fund to be able to award the contract to the successful bidder in the event that there are any issues outstanding with Imperial Oil Limited that might impact on the proposed implementation and until such time as those funds can be obtained from Imperial Oil Limited, and/or any other issues are resolved with Sam-Sor Enterprises Inc.; and

**WHEREAS** staff should be authorized to report back directly to Council at its meeting of July 16, 17 and 18, 2002, if necessary, with respect to any issues that may remain outstanding or to seek Council’s direction, if necessary, respecting the implementation of this project;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) Council authorize the reallocation of funds from the Child Care Capital Reserve Fund to the capital project WBS CCS006 5128/5200 Yonge Street – Child Care Centre in the amount of \$1.25 million in the event that there are



issues outstanding between Imperial Oil Limited and the City and/or Sam-Sor Enterprises Inc. to permit the contract to be awarded to the successful bidder, if possible, until such time as those funds can be obtained from Imperial Oil Limited and/or any other issues are resolved with Sam-Sor Enterprises Inc.; and

- (2) Council authorize staff to report back directly to Council at its meeting of July 16, 17 and 18, 2002, if necessary, with respect to any issues that may remain outstanding or to seek Council's direction on the implementation of this project."

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(21) to the Community Services Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(21) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(21) was adopted, without amendment.

**5.88 Joint Playground Development in Alexander Park**

Councillor Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(22), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Jones**

**Seconded by: Councillor Milczyn**

**“WHEREAS** the Alexander Park community has been involved in a fundraising campaign to provide a new playground for the young children in their area; and

**WHEREAS** the Alexander Park playground committee applied for, and has been successful in securing an offer of a partnership with KaBOOM! and Home Depot, Canada; and

**WHEREAS** KaBOOM! is a unique, non-profit organization based in the United States that provides for a community-built process with a link to corporate sponsorship which in this project is Home Depot; this playground would be the third KaBOOM! partnership of this kind in Canada; and ultimately, the City of Toronto will own, maintain and supervise the use of this playground; and

**WHEREAS** the community process is scheduled to begin with a community ‘design day’ on June 25, 2002 and conclude with the build day on September 13, 2002; and

**WHEREAS** to expedite this partnership agreement to meet this time sensitive schedule Council should consider this matter at its meeting to be held on June 18, 2002;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the City enter into a partnership agreement with KaBOOM! to fund, plan, design and build a community playground in Alexander Park;
- (2) the City authorize up to \$23,000.00 for this partnership funded by contributions from the community of \$15,000.00, \$4,655.00 from the 2002 Park and Recreation Capital Budget Playground Rehabilitation to CSA Standards for Alexander Park, and \$3,345.00 from the West District Operating funds set aside for this purpose;
- (3) the partnership agreement in form and content be satisfactory to the Commissioner of Economic Development, Culture and Tourism and the City Solicitor; and
- (4) appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(22) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(22) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(22) was adopted, without amendment.

5.89 **Support to Defend Against the Appeal With Respect to the Sale of Hydro One**

Councillor Layton moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23):

**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 defense 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 defense 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.”,

the vote upon which was taken as follows:

Yes - 23	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Filion, Hall, Johnston, Jones, Korwin-Kuczynski, Layton, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Pantalone, Pitfield, Silva, Walker
No - 17	
Mayor:	Lastman
Councillors:	Disero, Duguid, Feldman, Flint, Ford, Holyday, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Sutherland, Tziretas

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

*Disposition of Motion:*

Having regard that the motion to waive Notice did not carry, Councillor Layton gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on July 16, 2002.

**5.90 Request to the Crown Attorney’s Office for Youth Suspects to be Tried in Adult Court**

Councillor Milczyn moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(24):

**Moved by:** Councillor Milczyn

**Seconded by:** Councillor Nunziata

**“WHEREAS** over the course of three days, starting on June 7, 2002, the residents of the City of Toronto were shocked by a series of carjackings; and

**WHEREAS** during the course of these carjackings firearms were used; and

**WHEREAS** the victims of these carjackings were threatened, pistol-whipped, held against their will, terrorised and degraded; and

**WHEREAS** the Toronto Police Service has arrested five suspects in connection with these crimes; and

**WHEREAS** some of the suspects in custody are 17 years of age;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto express its concern and sympathy to the victims of these crimes;

**AND BE IT FURTHER RESOLVED THAT** Council request that the Crown Attorney's office pursue having the youth suspects in this case tried as Adult Offenders.”,

the vote upon which was taken as follows:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Disero, Duguid, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Miller, Moeser, Nunziata, Ootes, Silva, Soknacki, Sutherland
No - 18	
Councillors:	Augimeri, Bussin, Chow, Di Giorgio, Feldman, Flint, Johnston, Jones, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Pantalone, Pitfield, Shiner, Tziretas, Walker

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

*Disposition of Motion:*

Having regard that the motion to waive Notice did not carry, Councillor Milczyn gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on July 16, 2002.

**5.91 Community Festival Application - Jamaica Independence Day Celebration**

Councillor Di Giorgio moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Nunziata**

**“WHEREAS** the annual Jamaica Independence Day Celebration is a much anticipated community event in the City of Toronto; and

**WHEREAS** the Jamaica Independence Day Celebration 2002 is seeking a resolution from City Council declaring the Jamaica Independence Day Celebration to be held on Saturday, July 20, 2002, from 12:00 noon to 11:00 p.m., to be a community festival of municipal significance; and

**WHEREAS** this resolution is required by the Alcohol and Gaming Commission of Ontario to issue a Special Occasion Permit for the event at Keelestdale Park, 2801 Eglinton Avenue West;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Alcohol and Gaming Commission of Ontario that it deems the Annual Jamaica Independence Day Celebration to be a community festival of municipal significance, in order to proceed with the application for a Special Occasion Permit for the event at Keelestdale Park, 2801 Eglinton Ave. West, on Saturday, July 20, 2002, from 12:00 noon to 11:00 p.m.;

**AND BE IT FURTHER RESOLVED THAT** City Council advise the Alcohol and Gaming Commission that the City of Toronto has no objection to the event taking place, subject to Independent Promotions notifying 12 Division, Toronto Police Service, of the event and complying with their requirements regarding security.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the Humber York Community Council would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(25) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(25) was adopted, without amendment.

**5.92 Proposed Development – 4277 Lawrence Avenue East**

Councillor Pitfield moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(26), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Pitfield**

**Seconded by: Councillor McConnell**

**“WHEREAS** Habitat for Humanity is a non-profit charitable organization which has had many successful years of experience in the development and construction of ownership housing for low income families with children; and

**WHEREAS** the average sale price of a Toronto home in 2000 was \$243,3000.00 and the average rent of an apartment with three or more units in 2001 was \$1,248.00, meaning that families with lower incomes are having a very difficult time finding suitable housing which they can afford; and

**WHEREAS** Habitat for Humanity constructs and renovates homes which are then sold to low income families at reduced rates with zero-interest mortgages; and

**WHEREAS** Habitat for Humanity has previously requested and been granted dispensation from the payment of building permit and planning application fees, consistent with the Council policy supporting the construction of affordable rental housing stock by other non-profit organizations, in order to further reduce housing costs for projects at 2 and 27 Lucy Avenue and the property located at the north-east corner of Lovilla Boulevard and Weston Road; and

**WHEREAS** Habitat for Humanity is currently evaluating the economic feasibility of constructing and renovating additional houses in Toronto; and

**WHEREAS** the waiving of building permit and planning application fees would permit the price of these homes to be reduced making them even more affordable to the families who purchase them; and

**WHEREAS** City staff have been asked to report on the feasibility of waiving fees on Habitat for Humanity housing projects and other similar non-profit ownership housing projects; and

**WHEREAS** this report has been delayed due to delays in negotiations between the Federal and Provincial governments with respect to the new federal affordable housing program and this program may also provide funding for affordable ownership



housing; and

**WHEREAS** Habitat for Humanity has recently sent out applications to 508 individuals on the City of Toronto's Social Housing list and are receiving back 10 of these applications per day; and

**WHEREAS** Habitat for Humanity is optimistic that most of the families they will provide homes to this year will be selected from this list;

**NOW THEREFORE BE IT RESOLVED THAT** City Council agree to waive all building permit and planning application fees for Habitat for Humanity Housing Projects for the development of 15 townhouses at 4277 Lawrence Avenue East, the properties located at the vacant lots at Neilson Road and McLevin Avenue and on all land deemed surplus by the City of Toronto and transferred to Habitat for Humanity to build affordable housing.”

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(26) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(26) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Disposition of Motion:*

Having regard that Council did not conclude its consideration of Motion J(26) prior to the end of this meeting, consideration of Motion J(26) was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

5.93 **Official Plan and Zoning By-law Amendments - Lands South of Dundas Street West and West of Kipling Avenue**

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

**Moved by:** Councillor Milczyn

**Seconded by:** Councillor Augimeri

“**WHEREAS** City Council at its meeting held on December 4, 5 and 6, 2001, adopted, without amendment, Etobicoke Community Council Report No. 10, Clause

No. 23, headed 'Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; 1442923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue; File No. Z-2254 (Revised) (Ward 5 - Etobicoke-Lakeshore)' and in so doing, adopted the recommendations of staff to amend the Official Plan and Zoning Code for the former Etobicoke substantially in accordance with the draft Official Plan Amendment and draft Zoning By-law attached to the staff report dated November 7, 2001; and

**WHEREAS** Council authorized the approval of the Official Plan amendment and Zoning By-law conditional upon the owner signing a Section 37 Agreement to secure the provision of public benefits in exchange for increased density on the property; and

**WHEREAS** the owner has now signed the Section 37 Agreement; and

**WHEREAS** the submission of a final plan of survey of the property has identified the need for a minor modification to the draft Official Plan Amendment to reflect an increase in the permission of the number of residential units from 1,320 to 1,347; and

**WHEREAS** the submission of a final plan of survey of the property and more detailed design drawings have identified the need for the following minor modifications to the draft Zoning By-law:

- (a) that the number of permitted units be increased from 1,285 to 1,347;
- (b) that the maximum gross floor area be increased from 109,000 square metres to 111,890;
- (c) that the range of the height of the Build-to-Walls be between 3 and 6 storeys;
- (d) that a new Schedule 'B2' be introduced to separately regulate the building setbacks at the top of the Build-to-Walls for the west façade of the building on Building Envelope 'A';
- (e) that a new Schedule 'B3' be introduced to separately regulate the building setbacks of the Build-to-Walls for the building located on Building Envelope 'D';
- (f) that the minimum linear length of the Build-to-Wall in Building Envelope 'D' shall be 65 percent of the Build-to-Zone rather than 90 percent;
- (g) that Schedule 'B' of the By-law delete the designation of a Main Front Wall along the Dundas Street frontage;

- (h) that the depth of the Build-to-Zone for Building Envelope 'A' range from 3 metres to 10 metres to reflect the angle of the property line adjacent to Dundas Street West; and
- (i) that a new Schedule 'C' be introduced to assist in the regulation of certain areas of the property;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 10, Clause No. 23, headed 'Final Report - Application to Amend the Etobicoke Official Plan and Zoning Code; 1442923 Ontario Inc., Lands South of Dundas Street West and West of Kipling Avenue; File No. Z 2254 (Revised) (Ward 5 - Etobicoke-Lakeshore)', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the foregoing minor modifications be incorporated into the final Official Plan Amendment and Zoning By-law and that Council, pursuant to Section 17 and Section 34 of the Planning Act, hereby determine that no further notice to the public is required of the proposed changes set out in this Motion."

*Votes:*

The first Operative Paragraph embodied in Motion J(27) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(27) was adopted, without amendment.

**5.94 Retention of Surplus Schools by Local Boards of Education and/or Municipalities**

Councillor McConnell moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor McConnell**

**Seconded by:**                **Councillor Moscoe**

**“WHEREAS** Toronto’s schools are an essential component of local social infrastructure, originally paid for through the municipal tax base; and

**WHEREAS** schools frequently serve as venues for the delivery of local municipal and community-based programs and services; and

**WHEREAS** the provincial education funding formula for the operation and maintenance of schools has resulted in severe under-funding of Toronto schools and has necessitated several school closures since its implementation in 1998; and

**WHEREAS** the Toronto Catholic District School Board has recently circulated 19 schools for disposal to a number of public bodies specified in Provincial Regulation No. 444, including the Ontario Realty Corporation; and

**WHEREAS** the Ontario Realty Corporation has expressed a preliminary interest in several of these sites for the purpose of redevelopment; and

**WHEREAS** Toronto's population is forecasted to grow substantially over the next 30 years and these new residents will require access to high quality, publicly-funded education;

**NOW THEREFORE BE IT RESOLVED THAT** the Minister of Education and Training be requested to make the required amendments to all relevant legislation and regulations to allow for the retention of surplus schools by local boards of education and/or municipalities for the purpose of fulfilling local community service and educational needs;

**AND BE IT FURTHER RESOLVED THAT** a meeting be convened between representatives of the City of Toronto, the Toronto Catholic District School Board, the Toronto District School Board, the Ministry of Education and Training and the Ontario Realty Corporation to discuss the implementation of an innovative approach to joint asset management of these important community assets;

**AND BE IT FURTHER RESOLVED THAT** the Joint Liaison City/School Committee be requested to co-ordinate the meetings recommended above."

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(28) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

*Vote:*

Motion J(28) was adopted, without amendment.

**5.95 City of Toronto Appointments to the University Health Network Board of Trustees**

Councillor Lindsay Luby moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Ootes**

**“WHEREAS** the City of Toronto appoints three citizens to the University Health Network Board of Trustees; and

**WHEREAS** the University Health Network has applied to the Province of Ontario to amend the Toronto Hospital Act with the effect of eliminating the City of Toronto’s three appointees; and

**WHEREAS** the University Health Network has requested that the City indicate that it does not object to these changes so that legislation may be introduced at the current session of the Legislature of the Province of Ontario; and

**WHEREAS** the current legislative session is anticipated to end on June 27, 2002, and therefore, this request has an urgent legislative deadline;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the report dated June 12, 2002, from the Chief Administrative Officer entitled ‘City of Toronto Appointments to University Health Network Board of Trustees’ and that such report be adopted;

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

*Advice by Deputy Mayor:*

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

*Procedural Vote:*

The vote to waive referral of Motion J(29) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, for consideration with Motion J(29), a report dated June 18, 2002, from the Chief Administrative Officer, entitled "City of Toronto Appointments to University Health Network Board of Trustees, Wards 20 - Trinity-Spadina, and 27 - Toronto Centre-Rosedale" (See Attachment No. 7, Page 177).

*Disposition of Motion:*

Having regard that Council did not conclude its consideration of Motion J(29) prior to the end of this meeting, consideration of Motion J(29) was deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002.

**5.96 Coliseum Project – Modifications to the Offer to Lease**

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(30), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Silva**

**Seconded by: Councillor Pantalone**

**“WHEREAS** City Council at its meeting of June 26, 27 and 28, 2001, by its adoption of Policy and Finance Committee Report No. 9, Clause No. 4, headed ‘Coliseum Project - Modifications to the Offer to Lease’, adopted the recommendations embodied in the confidential communication (June 14, 2001) from the Acting City Clerk; and

**WHEREAS** Council’s approval of the Coliseum Project adopting the recommended lease terms between the Board of Governors of Exhibition Place (the ‘Board’), the Coliseum Renovation Corporation (‘CRC’) and Borealis Funds Management Ltd. (‘Borealis’) and the provision of the City’s \$9.0 million contribution was subject to the CRC obtaining all required permissions and agreement with the AHL and an NHL hockey team to permit an AHL team to play in the renovated Coliseum and further was subject to demonstration of the continued financial feasibility of the project based on the involvement of an AHL team; and

**WHEREAS** CRC has entered into a 49-year Operating Agreement with the

Edmonton Investors Group Limited Partnership to move the AHL franchise presently playing in Hamilton (owned by the Edmonton Investors Group Limited Partnership) to the Toronto Coliseum and giving CRC the right to operate this AHL franchise at the Coliseum as the Toronto Roadrunners for 49 years commencing with the 2003-2004 hockey season; and

**WHEREAS** CRC has entered into a 49-year Affiliation Agreement with the Edmonton Investors Group Limited Partnership to establish the Toronto team as the primary minor hockey league affiliate of the NHL Edmonton Oilers team commencing with the 2003-2004 hockey season; and

**WHEREAS** the parties have requested some revisions to the lease terms which are detailed in the confidential report dated June 18, 2002, from the General Manager and CEO of the Board; and

**WHEREAS** there is some urgency for consideration of this matter so that the project can commence in order to open the renovated Coliseum in time for the 2003-2004 hockey season;

**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. 9, Clause No. 4, headed 'Coliseum Project – Modifications to the Offer to Lease', be re-opened for further consideration of the amendment to the lease terms, as detailed in the confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place and that such report be adopted.”

Council also had before it, during consideration of Motion J(30), a confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place.

*Votes:*

The first Operative Paragraph embodied in Motion J(30) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(30) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated June 18, 2002, from the General Manager and CEO, Board of Governors of Exhibition Place, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it concerns matters related to the security of property of the municipality or local board, save and except the following recommendation embodied therein:

“It is recommended that Council approve of the modifications to the lease terms between the Board of Governors of Exhibition Place, Coliseum Renovation



Corporation and Borealis Funds Management Ltd. substantially as set out in this report with such modification as may be acceptable to the City's Chief Financial Officer and Treasurer and to the General Manager and CEO of the Board of Governors of Exhibition Place and otherwise in a form satisfactory to the City Solicitor."

**5.97 Proposed Amendments to the Sewer Use By-law Pertaining to Dental Amalgam Separator Technology**

Councillor Lindsay Luby moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(31), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Disero**

**"WHEREAS** Council at its meeting held on February 13, 14 and 15, 2002, adopted Notice of Motion J(33), which Motion directed Water and Wastewater staff to immediately write to dentists requesting the make and model of dental amalgam separator technology installed in dentists' offices and requiring dentists to obtain third party gathered test data on the performance of their separator technology; and

**WHEREAS** Council at its meeting held on May 21, 22 and 23, 2002, re-opened Motion J(33) and adopted Notice of Motion J(32) which Motion requested the Commissioner of Works and Emergency Services and the City Solicitor to submit a joint report to the Works Committee meeting to be held on June 25, 2002, on the status of all legal and operational issues associated with the Pollution Prevention Plan and Plan Summary with the Royal College of Dental Surgeons of Ontario ('the College') including the direction in relation to the gathering of third party test data; and

**WHEREAS** the College has recently raised a series of additional issues and provided a recent study, concerning the Plans and the Sewer Use By-law ('the By-law') as it pertains to the practice of dentistry; and

**WHEREAS** Works and Emergency Services wishes to review and consider the materials received from the College, the said letter, and certain other potential amendments to the By-law and to provide a comprehensive report with respect thereto; and

**WHEREAS** certain provisions of the By-law which deal with requirements for

discharge into sanitary, combined and storm sewers are scheduled to take effect June 30, 2002, replacing provisions established by the former Municipality of Metropolitan Toronto; and

**WHEREAS** it is therefore necessary for Council to deal with this matter prior to June 30, 2002;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with § 27-49 of Chapter 27 of the City of Toronto Municipal Code, Notice of Motion J(32) moved by Councillor Lindsay Luby, seconded by Councillor Disero, headed 'Deferral of Communication to Dentists Regarding Dental Amalgam Separator Technology', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council consider the confidential joint report dated June 14, 2002, from the Commissioner of Works and Emergency Services and the City Solicitor and that such joint confidential report be adopted."

Council also had before it, during consideration of Motion J(31), a confidential joint report dated June 14, 2002, from the Commissioner of Works and Emergency Services and the City Solicitor.

*Votes:*

The first Operative Paragraph embodied in Motion J(31) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(31) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential joint report dated June 14, 2002, from the Commissioner of Works and Emergency Services and the City Solicitor, such joint 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) Section 681-14-C of Article 1 of Municipal Code Chapter 681, Sewers, be amended to provide that section 681-2 and 4 thereof shall come into force on November 1, 2002 (rather than June 30, 2002);
- (2) Section 681-14-D of Article 1 of Municipal Code Chapter 681, Sewers, be amended to provide that sections 2 and 3 of By-law No. 153-89 of the former Municipality of Metropolitan Toronto continue to be deemed to be in force throughout the City of Toronto until November 1, 2002, (rather than June 30, 2002) and be repealed as at that date;

- (3) a communication to dentists previously approved by Council at its February 13, 14 and 15, 2002 meeting, regarding the testing of dental amalgam separator technology, be deferred pending receipt of a staff report on proposed amendments to the By-law; and
- (4) leave be granted for the introduction of the necessary bill in Council to give effect thereto.”

5.98 Deputy Mayor Ootes proposed to Council that consideration of the following matters remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on July 16, 2002:

REPORT NO. 10 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 9 - “City-Wide Program for Provision of Essential Sidewalk Links (All Wards)”.

Clause No. 22 “Other Items Considered by the Committee”.  
Item (d), “Potential Sale of Hydro One – Legal Considerations”.

REPORT NO. 7 OF THE WORKS COMMITTEE

Clause No. 2 - “Scadding Court Community Centre - Composting Pilot Project”.

REPORT NO. 8 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - “Harmonization of Mandatory Retirement Policy”.

JOINT REPORT NO. 1 OF THE POLICY AND FINANCE COMMITTEE AND THE WORKS COMMITTEE

Clause No. 1 - “Other Item Considered by the Committees”.

REPORT NO. 7 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 19 - “Final Report - Application to Amend the Zoning By-law - TB ZBL 2001 0016 - Blooming Forest Bhikkuni Buddhist Association of Canada - 960-962 Wilson Avenue at Murray Road - Ward 9 - York Centre”.

REPORT NO. 8 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 13 - “Reconstruction of Haliburton Avenue, Mulvey Avenue, Random Street, Tasker Road and Burrows Avenue (Ward 3 - Etobicoke Centre)”.

REPORT NO. 6 OF THE AUDIT COMMITTEE

- Clause No. 7 - "Consolidated Financial Statements For the Year Ended December 31, 2001".
- Clause No. 8 - "Ernst and Young - Audit Results - December 31, 2001".
- Clause No. 11 - "Auditor's Report and Financial Statements of the Toronto Atmospheric Fund for the Year Ended December 31, 2001".
- Clause No. 13 - "Forensic Audits on Various Consulting Contracts".
- Clause No. 14 - "Competition Bureau Investigation - Supply of Liquid Chlorine".

NOTICES OF MOTIONS

- I(3) Moved by Councillor Flint, seconded by Councillor Altobello, regarding McDonald's Restaurants of Canada Limited lawsuit in the Ontario Superior Court of Justice to quash Interim Control By-laws No. 2-2002 and No. 3-2002 and to compel Ann Borooah, as Chief Building Official, to issue a building permit for a Drive-Through Restaurant at 710 St. Clair Avenue West.
- J(15) Moved by Councillor Nunziata, seconded by Councillor Di Giorgio, regarding a proposed 'Super Hospital' at Keele Street and Sheppard Avenue.
- J(26) Moved by Councillor Pitfield, seconded by Councillor McConnell, regarding a proposed development at 4277 Lawrence Avenue East.
- J(29) Moved by Councillor Lindsay Luby, seconded by Councillor Ootes, regarding the City of Toronto appointments to the University Health Network Board of Trustees.

Council concurred in the proposal by Deputy Mayor Ootes.

**BILLS AND BY-LAWS**

- 5.99 On June 18, 2002, at 6:25 p.m., Councillor Disero, seconded by Councillor Nunziata, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 575	By-law No. 472-2002	To confirm the proceedings of the Council at its meeting held on the 18th day of June, 2002,
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the vote upon which was taken as follows:

Yes - 30 Councillors: Altobello, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Layton, Li Preti, McConnell, Mihevc, Milczyn, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shiner, Silva, Tziretas, Walker
No - 0

Carried without dissent.

- 5.100 On June 19, 2002, at 6:03 p.m., Councillor Lindsay Luby, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 576                      By-law No. 473-2002                      To confirm the proceedings of the Council at its meeting held on the 18th and 19th days of June, 2002,

the vote upon which was taken as follows:

Yes - 18 Councillors: Altobello, Di Giorgio, Disero, Duguid, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Moeser, Nunziata, Ootes, Shiner, Sutherland
No - 12 Councillors: Augimeri, Berardinetti, Chow, Johnston, Jones, Layton, Mihevc, Moscoe, Pantalone, Rae, Silva, Walker

Carried by a majority of 6.

- 5.101 On June 19, 2002, at 7:28 p.m., Councillor Duguid, seconded by Councillor Holyday, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 577                      By-law No. 474-2002                      To confirm the proceedings of the Council at its meeting held on the 18th and 19th days of June, 2002,

the vote upon which was taken as follows:

Yes - 28
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Councillors:	Altobello, Balkissoon, Bussin, Chow, Di Giorgio, Disero, Duguid, Feldman, Flint, Ford, Hall, Holyday, Jones, Kelly, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas
No - 2 Councillors:	Johnston, Walker

Carried by a majority of 26.

- 5.102 On June 20, 2002, at 5:59 p.m., Councillor Mammoliti, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 578	By-law No. 475-2002	To confirm the proceedings of the Council at its meeting held on the 18th, 19th and 20th days of June, 2002.
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- 5.103 On June 20, 2002, at 5:59 p.m., Councillor Mammoliti, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 472	By-law No. 476-2002	To adopt a new City of Toronto Municipal Code Chapter 591, Noise.
Bill No. 473	By-law No. 477-2002	To amend Municipal Code Chapter 441, Fees, to include fees charged in connection with Chapter 591, Noise.
Bill No. 474	By-law No. 478-2002	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 475	By-law No. 479-2002	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 476	By-law No. 480-2002	To amend former City of North York By-law No. 7625 with respect to the Mixed Use Commercial Area Zone (C7).

Bill No. 477	By-law No. 481-2002	To amend further City of Toronto By-law No. 574-2000, a by-law “Respecting the licensing, regulating and governing of trades, businesses and occupations in the City of Toronto”, regarding trip records used by taxicab drivers.
Bill No. 478	By-law No. 482-2002	To amend By-law No. 31001 of the former City of North York, as amended. <b>*amended*</b>
Bill No. 479	By-law No. 483-2002	To amend By-law No. 31878 of the former City of North York, as amended.
Bill No. 480	By-law No. 484-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 481	By-law No. 485-2002	To amend By-law No. 31878 of the former City of North York, as amended.
Bill No. 482	By-law No. 486-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 483	By-law No. 487-2002	To amend By-law No. 31770 of the former City of North York, as amended.
Bill No. 484	By-law No. 488-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 485	By-law No. 489-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 486	By-law No. 490-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 487	By-law No. 491-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 488	By-law No. 492-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Montrose Avenue.

Bill No. 489	By-law No. 493-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting La Plante Avenue and Yorkville Avenue.
Bill No. 490	By-law No. 494-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Linsmore Crescent.
Bill No. 491	By-law No. 495-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 492	By-law No. 496-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 493	By-law No. 497-2002	To amend Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the construction and maintenance of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 494	By-law No. 498-2002	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 495	By-law No. 499-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 496	By-law No. 500-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 497	By-law No. 501-2002	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 498	By-law No. 502-2002	To amend the former City of Toronto



		Municipal Code Ch. 400, Traffic and Parking, respecting Edward Street, Major Street, Manchester Avenue and Markham Street.
Bill No. 499	By-law No. 503-2002	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code regarding parking machines on certain streets within the City of Toronto.
Bill No. 500	By-law No. 504-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 501	By-law No. 505-2002	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 2275 Bayview Avenue.
Bill No. 502	By-law No. 506-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brock Avenue.
Bill No. 503	By-law No. 507-2002	To amend further Metropolitan By-law No. 108-86 designating certain locations on Metropolitan Roads as Pedestrian Crossovers.
Bill No. 504	By-law No. 508-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Indian Trail, Lappin Avenue and Lauder Avenue.
Bill No. 505	By-law No. 509-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Oaklawn Gardens and Strathearn Boulevard.
Bill No. 506	By-law No. 510-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 507	By-law No. 511-2002	To amend further Metropolitan By-law

		No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 508	By-law No. 512-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Armadale Avenue.
Bill No. 509	By-law No. 513-2002	To amend further City of Toronto By-law No. 574-2000, a by-law “Respecting the licensing, regulating and governing of trades, businesses and occupations in the City of Toronto”, regarding Watch for Bikes Stickers in taxicabs.
Bill No. 510	By-law No. 514-2002	To adopt a new City of Toronto Municipal Code Chapter 545, Licensing.
Bill No. 511	By-law No. 515-2002	To amend Scarborough Zoning By-law No. 8786, the Birchcliff Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12077, the Centennial Community Zoning By-law; and to amend Scarborough Zoning By-law No. 10827, the Highland Creek Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9089, the Ionview Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9276, the Kennedy Park Community Zoning By-law; and to amend Scarborough Zoning By-law No. 12466, the L’Amoreaux Community Zoning By-law; and to amend Scarborough Zoning By-law No. 14402, the Malvern Community Zoning By-law; and to amend Scarborough Zoning By-law No. 17677, the Milliken Community Zoning By-law; and to amend Scarborough Zoning By-law No. 15907, the Rouge Community Zoning By-law; and to amend Scarborough Zoning By-law No. 9510, the Woburn

Community Zoning By-law; and to amend Scarborough Zoning By-law No. 24982, the Employment Districts Zoning By-law; and to amend By-law No. 1128-2001 (OMB), being a by-law to amend Employment Districts Zoning By-law No. 24982, Marshalling Yard Employment District; and to amend By-law No. 62-2002, being a by-law to amend the Highland Creek Community Zoning By-law No. 10827; and to amend the Township of Pickering Zoning By-law Zoning No. 1978.

Bill No. 512	By-law No. 516-2002	To amend the City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the name change of Danforth by the Valley Business Improvement Area to The Danforth Business Improvement Area.
Bill No. 513	By-law No. 517-2002	To amend the City of Toronto Municipal Code Chapter 19, "Business Improvement Areas", to make changes to the size and quorum of various Business Improvement Area Boards of Management.
Bill No. 514	By-law No. 518-2002	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 515	By-law No. 519-2002	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect of the lands known as 90A Grenadier Road.
Bill No. 516	By-law No. 520-2002	To amend By-law No. 53-2001 regarding the heritage designation of Green Meadows/the McDougald Estate - 5365 Leslie Street.
Bill No. 517	By-law No. 521-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hillsdale Avenue West.
Bill No. 518	By-law No. 522-2002	To adopt Amendment No. 500 of the Official Plan for the former City of North York in respect of lands municipally known as 2722 Bayview Avenue.

Bill No. 519	By-law No. 523-2002	To amend City of North York By-law No. 7625 and to repeal City of North York By-law Nos. 21211 and 21407 in respect of lands municipally known as 2722 Bayview Avenue.
Bill No. 520	By-law No. 524-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 130, 160 and 162 Dunn Avenue and 9, 11, 13, 15 and 17 Close Avenue.
Bill No. 521	By-law No. 525-2002	To amend the General Zoning By-law No. 438-86 of the former City of Toronto in respect to lands known as 130, 160 and 162 Dunn Avenue and 9, 11, 13, 15 and 17 Close Avenue.
Bill No. 522	By-law No. 526-2002	To amend former City of York By-law No. 1-83 in respect of lands on the southwest corner of St. Clair Avenue West and Runnymede Road (2525 to 2535 St. Clair Avenue West).
Bill No. 523	By-law No. 527-2002	To amend Chapters 320 and 324 of the Etobicoke Zoning Code and By-law No. 1808 with respect to lands located east of Kipling Avenue and south of Steeles Avenue, municipally known as 2777 Kipling Avenue.
Bill No. 524	By-law No. 528-2002	To exempt land municipally known as 3270 Kingston Road and 5 Bellamy Road South from Part Lot Control.
Bill No. 526	By-law No. 529-2002	To establish a Kew Gardens Playground Reserve Fund and to amend Municipal Code Chapter 227, Reserves and Reserve Funds, to add this reserve fund.
Bill No. 527	By-law No. 530-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, re: various streets in connection

Bill No. 528	By-law No. 531-2002	with World Youth Day events. To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, re: various streets in connection with World Youth Day events.
Bill No. 529	By-law No. 532-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, re: various streets in connection with World Youth Day events.
Bill No. 530	By-law No. 533-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads, re: various streets in connection with World Youth Day events.
Bill No. 531	By-law No. 534-2002	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, re: various streets in connection with World Youth Day events.
Bill No. 532	By-law No. 535-2002	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 130, 132 and 134 Finch Avenue East.
Bill No. 533	By-law No. 536-2002	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 534	By-law No. 537-2002	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 535	By-law No. 538-2002	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 536	By-law No. 539-2002	To amend former City of Toronto Municipal Code, Chapter 400, Traffic

Bill No. 537	By-law No. 540-2002	and Parking, to accommodate World Youth Day 2002 Events. To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.
Bill No. 538	By-law No. 541-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 539	By-law No. 542-2002	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 540	By-law No. 543-2002	To amend further By-law No. 92-93, a By-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
Bill No. 541	By-law No. 544-2002	To change the composition of the Toronto Atmospheric Fund Board by removing City of Toronto employee members and replacing them with Council and citizen members and reducing the total number of members on the Toronto Atmospheric Fund Board.
Bill No. 542	By-law No. 545-2002	To adopt Amendment No. 209 to Section 18 of the former City of Toronto Official Plan to implement a site specific amendment affecting the lands municipally known as 45 Dunfield Avenue.
Bill No. 543	By-law No. 546-2002	To repeal By-law No. 22148 of the former City of Toronto as amended, and to amend By-law No. 438-86 as amended of the former City of Toronto with respect to lands known municipally in the year 2001 as 45 Dunfield Avenue.
Bill No. 544	By-law No. 547-2002	To amend Municipal Code Chapter 681,

		Sewers to provide that certain sections will come into force on November 1, 2002.
Bill No. 545	By-law No. 548-2002	To adopt an amendment to the Official Plan for the former City of Toronto with respect to 18 York Street.
Bill No. 546	By-law No. 549-2002	To amend the Railway Lands East Area A By-law No. 168-93 of the former City of Toronto to provide for the erection of a mixed-use building containing a hotel on block 7B, and revisions to the boundaries of Blocks 7A and 7B.
Bill No. 547	By-law No. 550-2002	To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1063 Gerrard Street East.
Bill No. 548	By-law No. 551-2002	To amend Chapter 915, Parking on Private or Municipal Property, of the City of Toronto Municipal Code to replace the voluntary payment amount for offences under the Chapter.
Bill No. 549	By-law No. 552-2002	To amend Municipal Code Chapter 950, Traffic and Parking, to incorporate provisions regulating the use, operation and management of off-street municipal parking facilities.
Bill No. 550	By-law No. 553-2002	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Progress Employment District.
Bill No. 551	By-law No. 554-2002	To amend By-law No. 196-84 of the former City of York, being a By-law "To regulate traffic on City of York Roads".
Bill No. 552	By-law No. 555-2002	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".



Bill No. 553	By-law No. 556-2002	To amend the former City of York Municipal Code Street - Parking Ch. 982, Parking - Meter.
Bill No. 554	By-law No. 557-2002	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as No. 1063 Gerrard Street East.
Bill No. 555	By-law No. 558-2002	To amend further By-law No. 10649 of the former City of Toronto respecting firefighters' pensions and other benefits.
Bill No. 556	By-law No. 559-2002	To amend further By-law No. 380-74 of the former City of Toronto respecting civic employees' pensions and other benefits.
Bill No. 557	By-law No. 560-2002	To adopt Amendment No. 91-2001 to the Official Plan of the Etobicoke Planning Area in order to implement a site specific amendment affecting lands located on the south side of Dundas Street and west of Kipling Avenue.
Bill No. 558	By-law No. 561-2002	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the south side of Dundas Street and west of Kipling Avenue.
Bill No. 559	By-law No. 562-2002	To authorize the alteration of Roxton Road between Harrison Street and College Street by the installation of speed humps.
Bill No. 560	By-law No. 563-2002	To layout and dedicate certain land between Bathurst Street and Lake Shore Boulevard for public highway purposes to form part of the public highway Fort York Boulevard.

Bill No. 561	By-law No. 564-2002	To authorize the alteration of Chester Avenue between Danforth Avenue and Browning Avenue by the installation of speed humps.
Bill No. 562	By-law No. 565-2002	To authorize the alteration of Blecker Street, between Carlton Street and Wellesley Street East by the installation of speed humps.
Bill No. 563	By-law No. 566-2002	To authorize the alteration of Wallingford Road between Tanburn Place and Treadgold Crescent by the construction of a raised driveable median.
Bill No. 564	By-law No. 567-2002	To authorize the alteration of Dennis Avenue at Weston Road by narrowing the road.
Bill No. 565	By-law No. 568-2002	To authorize the alteration of Croham Road and Eglinton Avenue West by modifying the turning radius of the northeast corner.
Bill No. 566	By-law No. 569-2002	To authorize the alteration of Gilbert Avenue from Rogers Road to Summit Avenue by the installation of speed humps.
Bill No. 567	By-law No. 570-2002	To authorize the alteration of Briar Hill Avenue from Dufferin Street to Locksley Avenue by the installation of speed humps.
Bill No. 568	By-law No. 571-2002	To amend former City of Toronto Municipal Code Chapter 194, Footpath, Bicycle Lanes and Pedestrian Ways, to designate a bicycle lane on Montrose Avenue between Harbord Street and Bloor Street West.
Bill No. 569	By-law No. 572-2002	To authorize the establishment of designated bicycle lanes on both sides of

Browns Line between Lake Shore  
Boulevard West and points further  
north.

Bill No. 570	By-law No. 573-2002	To exempt lands municipally known as 665 Trethewey Drive from Part Lot Control.
Bill No. 571	By-law No. 574-2002	To amend By-law No. 438-2002, being a by-law to amend the City of Toronto Municipal Code Chapter 71, Financial Control, and to amend City of Toronto Municipal Code Chapter 27, Council Procedures, to require the reporting of certain financial information.
Bill No. 572	By-law No. 575-2002	To adopt a new City of Toronto Municipal Code Chapter 841, Waste Collection, Commercial Properties.
Bill No. 573	By-law No. 576-2002	To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding “H” provisions on lands located within the Humber Bay Shore Development Area (formerly the Motel Strip), known municipally as No. 2083-2095 Lake Shore Boulevard West (Etobicoke).
Bill No. 574	By-law No. 577-2002	To amend Chapter 179, Parking Authority, of the Municipal Code of the City of Toronto to reflect City Council’s policy governing land transactions among City agencies, boards, commissions and departments, including the allocation of net proceeds from the sale of City-owned real property.

5.104 On June 20, 2002, at 5:59 p.m., Councillor Mammoliti, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried, more than two-thirds of Members present having voted in the affirmative:

Bill No. 525	By-law No. 578-2002	To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.
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5.105 On June 20, 2002, at 7:04 p.m., Councillor Chow, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 579

By-law No. 579-2002

To confirm the proceedings of the Council at its meeting held on the 18th, 19th and 20th days of June, 2002,

the vote upon which was taken as follows:

Yes - 28 Councillors: Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Disero, Duguid, Flint, Ford, Hall, Holyday, Jones, Kelly, Layton, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 0

Carried, without dissent.

#### **OFFICIAL RECOGNITIONS:**

##### **5.106 Condolence Motions**

Councillor Holyday, seconded by Councillors Ford, Hall, Jones, Lindsay Luby and Milczyn, moved that:

“**WHEREAS** Mrs. Norma Anne Carrier passed away on Sunday, June 9, 2002, after a lengthy illness, in her 86th year; and

**WHEREAS** Mrs. Carrier was a long-time resident of the former City of Etobicoke; and

**WHEREAS** Mrs. Carrier, following her retirement from her position as a consumer consultant for General Foods Limited, became actively involved in the volunteer community; and

**WHEREAS** Mrs. Carrier’s keen interest in heritage matters led to her active involvement in the Etobicoke Historical Board/LACAC, the Etobicoke Historical Society and the James Shaver Woodsworth Foundation; and

**WHEREAS** Mrs. Carrier played a significant role in the fundraising for the ‘driveshed’ expansion of Montgomery’s Inn, which now serves as the administration part of Etobicoke’s museum, and also the moving and restoration of ‘Applewood’, the birthplace of James Shaver Woodsworth, which is now the official non-denominational wedding chapel for the Etobicoke Community; and

**WHEREAS** Mrs. Carrier was also involved with Arts Etobicoke, the Islington Community School Advisory Board, the Etobicoke Social Development Council, Humber Valley United Church, the Ontario Consumers Association, the Canadian UNICEF Committee, the Canadian Standards Association, and the Mental Health Association; and

**WHEREAS**, in 1987, in recognition of Mrs. Carrier’s commitment to volunteerism, she was named ‘Citizen of the Year’ during Etobicoke’s first annual Civic Awards presentations;

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

Leave to introduce the foregoing Motion was granted and the Motion was adopted unanimously.

Council rose and observed a moment of silence in memory of the late Mrs. Norma Carrier.

#### 5.107 **Presentations/Introductions/Announcements:**

##### **June 18, 2002:**

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Shaughnessy Public School, present at the meeting.

Mayor Lastman, during the afternoon session of the meeting, addressed the Council and advised that he was wearing a Carolina Hurricanes jersey to mark the victory of the Carolina Hurricanes in their NHL play-off series against the Toronto Maple Leafs. He congratulated City of Raleigh Mayor Charles Meeker and advised that a North Carolina oak tree will be planted in Nathan Phillips Square in keeping with their gentleman’s agreement.

Acting Chair Disero, during the afternoon session of the meeting, called upon Councillor Ashton, Chair of the Toronto Transit Commission, who addressed the Council with respect to the TTC’s Papal Pass, which will be available in honour of World Youth Day. Councillor Ashton presented commemorative passes to Father Tom Rosica, National Director and CEO of World Youth Day, Mayor Lastman, Councillor Mihevc, Chair of the Council Reference Group on World Youth Day, and Anne Leahy, Federal Co-ordinator for World

Youth Day, in honour of their hard work in this regard. Father Rosica and Councillor Mihevc also addressed the Council and thanked those involved in this project.

Mayor Lastman, during the afternoon session of the meeting, officially welcomed the new Lieutenant Governor of Ontario, The Honourable James K. Bartleman, to this meeting of City Council and to the City of Toronto. Lieutenant Governor Bartleman addressed the Council, expressing his thanks for the warm welcome, and offering his support to the City. Deputy Mayor Ootes invited Members of Council to join the Lieutenant Governor for a reception in the Rotunda for the official opening of the Aboriginal Art Exhibition and the proclamation of National Aboriginal Week.

**June 19, 2002:**

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Brian Elementary School, present at the meeting.

Councillor Rae, with the permission of Council, during the afternoon session of the meeting, addressed the Council with respect to the Ontario Heritage Foundation's Young Heritage Leader program, a program which provides communities the opportunity to acknowledge youth who have made outstanding contributions to preserving and promoting local heritage. Councillor Rae introduced Ned Gallagher, recipient of the Young Heritage Leader program award. Mayor Lastman presented Master Gallagher with a certificate and memento to mark the occasion.

**5.108 MOTIONS TO VARY PROCEDURE**

*Vary the order of proceedings of Council:*

**June 18, 2002:**

Councillor Miller, at 10:07 a.m., moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 10 of The Policy and Finance Committee, headed "Service Improvement and Alternative Service Delivery Work Program", at 4:00 p.m. on June 19, 2002, in lieu of 2:00 p.m. on June 18, 2002, as proposed by Deputy Mayor Ootes, the vote upon which was taken as follow:

Yes - 14	
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Johnston, Jones, McConnell, Miller, Moscoe, Pantalone, Silva, Walker
No - 26	
Mayor	Lastman

Councillors:	Altobello, Balkissoon, Di Giorgio, Disero, Duguid, Feldman, Filion, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas
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Lost by a majority of 12.

**June 19, 2002:**

Deputy Mayor Ootes, at 5:30 p.m., moved that Council vary the order of its proceedings in order to conclude its consideration of Clause No. 15 of Report No. 6 of The Community Services Committee, headed “Local Access Priorities for Geared-to-Income Units in Social Housing”, in lieu of commencing the in-camera portion of the meeting, as previously proposed by Deputy Mayor Ootes, the vote upon which was taken as follow:

Yes - 19	
Councillors:	Bussin, Chow, Di Giorgio, Disero, Duguid, Ford, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield
No - 7	
Councillors:	Augimeri, Feldman, Moeser, Shiner, Silva, Sutherland, Walker

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

*Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:*

**June 18, 2002:**

Deputy Mayor Ootes, at 12:28 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to conclude its consideration of Clause No. 3 of Report No. 10 of The Policy and Finance Committee, headed “Funding for Trudeau Memorial (All Wards)”, which was carried, more than two-thirds of Members present having voted in the affirmative.

**June 20, 2002:**

Councillor Minnan-Wong, at 5:58 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive



the requirement of the 6:00 p.m. adjournment, and continue in session until 6:30 p.m., the vote upon which was taken as follows:

Yes - 25	
Mayor:	Lastman
Councillors:	Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Jones, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Soknacki, Sutherland
No - 13	
Councillors:	Augimeri, Balkissoon, Feldman, Johnston, Kelly, Miller, Moeser, Moscoe, Pantalone, Rae, Shiner, Tziretas, Walker

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

Councillor Chow, at 5:59 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, in order to conclude its consideration of Clause No. 16 of Report No. 8 of The Toronto East York Community Council, headed “Ontario Municipal Board Hearing - SkyDome Charter-Bus Parking Requirements and Related Court Application to Close and Convey a Portion of Van de Water Crescent (Trinity-Spadina, Ward 20)”, and Clause No. 11 of Report No. 6 of The Scarborough Community Council, headed “Site Plan Control Application TF SPC 2001 0086 Yee Hong Centre for Geriatric Care Finch Avenue/Scottfield Drive Marshalling Yard Employment District (Ward 41 - Scarborough Rouge River)”, the vote upon which was taken as follows:

Yes - 26	
Mayor:	Lastman
Councillors:	Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Johnston, Jones, Kelly, Layton, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Soknacki
No - 11	
Councillors:	Augimeri, Balkissoon, Feldman, Korwin-Kuczynski, Li Preti, Minnan-Wong, Pitfield, Shiner, Sutherland, Tziretas, Walker

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

5.109 ATTENDANCE

June 18, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 10:24 a.m.	2:15 p.m. to 6:43 p.m.	Roll Call 4:10 p.m.
Lastman	x	x	x	x
Altobello	x	x	x	-
Ashton	x	-	x	-
Augimeri	x	x	x	x
Balkissoon	x	-	x	-
Berardinetti	x	-	x	-
Bussin	x	-	x	-
Cho	x	-	x	-
Chow	x	x	x	x
Di Giorgio	x	x	x	x
Disero	x	x	x	x
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	x	x	x	-
Flint	x	-	x	x
Ford	x	x	x	x
Hall	x	x	x	x
Holyday	x	x	x	x
Johnston	x	x	x	-
Jones	x	x	x	-
Kelly	x	x	x	x
Korwin-Kuczynski	x	x	x	-
Layton	x	x	x	x
Li Preti	x	-	x	x
Lindsay Luby	x	x	-	-
Mammoliti	x	x	-	-

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June 18, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 10:24 a.m.	2:15 p.m. to 6:43 p.m.	Roll Call 4:10 p.m.
McConnell	x	x	x	x
Mihevc	-	-	x	x

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June 18, 2002	9:40 a.m. to 12:30 p.m.*	Roll Call 10:24 a.m.	2:15 p.m. to 6:43 p.m.	Roll Call 4:10 p.m.
Milczyn	x	x	x	-
Miller	x	-	x	x
Minnan-Wong	x	x	x	x
Moeser	x	-	x	x
Moscoe	x	x	x	x
Nunziata	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	-	x	x
Pitfield	x	x	x	-
Rae	x	-	x	-
Shaw	x	x	x	x
Shiner	x	x	x	-
Silva	x	x	x	x
Soknacki	x	x	x	-
Sutherland	x	x	x	-
Tziretas	x	x	x	-
Walker	x	x	x	x
Total	44	33	43	26

\* Members were present for some or all of the time period indicated.

June 19, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	2:10 p.m. to 4:25 p.m.*	Roll Call 3:10 p.m.	Roll Call 3:20 p.m.
Lastman	-	x	x	x	-
Altobello	x	x	x	x	x
Ashton	-	-	-	-	-
Augimeri	x	x	x	x	x
Balkissoon	x	x	x	-	-
Berardinetti	-	-	x	x	x

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June 19, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	2:10 p.m. to 4:25 p.m.*	Roll Call 3:10 p.m.	Roll Call 3:20 p.m.
Bussin	-	x	x	-	-
Cho	-	-	-	-	-
Chow	-	x	x	-	x
Di Giorgio	x	x	x	x	x
Disero	x	x	x	x	x
Duguid	x	x	x	x	x
Feldman	x	x	x	x	x
Filion	-	x	x	x	x
Flint	x	x	x	-	x
Ford	x	x	x	x	x
Hall	x	x	x	-	x
Holyday	x	x	x	x	x
Johnston	-	x	x	x	-
Jones	x	x	x	x	-
Kelly	-	x	x	-	x
Korwin-Kuczynski	x	x	x	x	-
Layton	x	x	x	x	x
Li Preti	-	-	-	-	-
Lindsay Luby	x	x	x	x	x
Mammoliti	x	x	x	x	x
McConnell	-	x	x	x	-
Mihevc	-	x	x	x	x
Milczyn	-	x	x	-	x
Miller	x	x	x	-	x
Minnan-Wong	x	x	x	-	-
Moeser	x	x	x	-	x
Moscoe	x	x	x	-	-
Nunziata	x	x	x	-	-
Ootes	x	x	x	x	x

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June 19, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	2:10 p.m. to 4:25 p.m.*	Roll Call 3:10 p.m.	Roll Call 3:20 p.m.
Pantalone	x	x	x	x	-
Pitfield	-	x	x	x	x
Rae	x	x	x	-	-
Shaw	-	-	-	-	-
Shiner	x	x	x	x	-
Silva	x	x	x	x	x
Soknacki	-	x	x	-	-
Sutherland	-	x	x	x	x
Tziretas	x	x	x	-	-
Walker	x	x	x	-	x
Total	28	40	41	25	26

\* Members were present for some or all of the time period indicated.

June 19, 2002	Roll Call 3:30 p.m.	Roll Call 4:05 p.m.	Roll Call 4:37 p.m.	4:37 p.m. to 6:06 p.m.*	Ctte. of the Whole In-Camera 6:15 p.m.	7:28 p.m. to 7:30 p.m.*
Lastman	-	x	x	x	-	-
Altobello	x	x	-	-	x	x
Ashton	-	-	-	-	-	-
Augimeri	x	-	-	x	-	-
Balkissoon	x	-	-	x	x	x
Berardinetti	x	x	-	-	-	-
Bussin	-	x	x	x	x	x
Cho	-	-	-	-	-	-
Chow	-	x	x	x	x	x
Di Giorgio	-	x	x	x	x	x
Disero	-	x	x	x	x	x
Duguid	-	x	x	x	x	x

Minutes of the Council of the City of Toronto  
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June 19, 2002	Roll Call 3:30 p.m.	Roll Call 4:05 p.m.	Roll Call 4:37 p.m.	4:37 p.m. to 6:06 p.m.*	Ctte. of the Whole In-Camera 6:15 p.m.	7:28 p.m. to 7:30 p.m.*
Feldman	x	x	x	x	x	x
Filion	x	x	-	-	-	-
Flint	x	x	x	x	x	x
Ford	-	x	x	x	x	x
Hall	-	x	x	x	x	x
Holyday	x	x	x	x	x	x
Johnston	x	-	-	x	x	x
Jones	x	x	-	x	x	x
Kelly	-	x	x	x	x	x
Korwin-Kuczynski	-	x	x	x	x	x
Layton	-	-	-	x	x	x
Li Preti	-	-	x	x	x	x
Lindsay Luby	-	x	x	x	x	x
Mammoliti	x	x	x	x	x	x
McConnell	-	x	-	x	-	-
Mihevc	-	x	x	x	x	x
Milczyn	x	x	x	x	x	x
Miller	x	x	x	x	x	x
Minnan-Wong	x	x	x	x	-	-
Moeser	x	x	x	x	x	x
Moscoe	-	x	x	x	x	x
Nunziata	x	x	x	x	x	x
Ootes	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x
Rae	-	-	-	x	x	x
Shaw	-	-	-	-	-	-
Shiner	x	x	-	x	x	x



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June 19, 2002	Roll Call 3:30 p.m.	Roll Call 4:05 p.m.	Roll Call 4:37 p.m.	4:37 p.m. to 6:06 p.m.*	Ctte. of the Whole In-Camera 6:15 p.m.	7:28 p.m. to 7:30 p.m.*
Silva	x	x	x	x	x	x
Soknacki	-	x	-	x	x	x
Sutherland	x	x	-	x	x	x
Tziretas	-	x	x	x	x	x
Walker	x	x	-	x	x	x
Total	23	36	28	39	36	36

\* Members were present for some or all of the time period indicated.

June 20, 2002	Roll Call 9:44 a.m.	9:44 a.m. to 9:46 a.m.*	Ctte. of the Whole in-Camera 9:50 a.m.	Roll Call 2:15 p.m.	2:15 p.m. to 2:40 p.m.*	Ctte. of the Whole in-Camera 2:45 p.m.	5:58 p.m. to 7:10 p.m.*
Lastman	-	-	x	x	x	x	x
Altobello	x	x	x	x	x	x	x
Ashton	-	-	-	-	-	-	-
Augimeri	-	-	x	x	x	x	x
Balkissoon	x	x	x	-	x	x	x
Berardinetti	-	-	-	x	x	x	x
Bussin	x	x	x	x	x	x	x
Cho	-	-	-	-	-	-	-
Chow	-	-	x	-	x	x	x
Di Giorgio	x	x	x	x	x	x	x
Disero	x	x	x	x	x	x	x
Duguid	x	x	x	x	x	x	x
Feldman	x	x	x	x	x	x	x
Filion	-	-	-	-	x	x	x

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Flint	x	x	x	x	x	x	x
Ford	x	x	x	x	x	x	x
Hall	-	x	x	x	x	x	x
Holyday	x	x	x	x	x	x	x
Johnston	-	-	x	x	x	x	x
Jones	-	-	x	x	x	x	x
Kelly	-	-	x	x	x	x	x
Korwin-Kuczynski	-	-	x	-	-	x	x
Layton	-	-	x	-	x	x	x
Li Preti	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x
Mammoliti	x	x	x	-	x	x	x
McConnell	x	x	x	-	x	x	x
Mihevč	x	x	x	x	x	x	x
Milczyn	-	-	-	x	x	x	x
Miller	-	-	x	x	x	x	x
Minnan-Wong	-	-	x	x	x	x	x
Moeser	x	x	x	-	x	x	x
Moscoe	-	-	x	-	x	x	x
Nunziata	x	x	x	x	x	x	x
Ootes	x	x	x	x	x	x	x
Pantalone	-	-	x	x	x	x	x
Pitfield	-	-	x	x	x	x	x
Rae	x	x	x	x	x	x	x
Shaw	-	-	-	-	-	-	-
Shiner	-	-	x	-	x	x	x

Silva	x	x	x	-	-	x	x
Soknacki	x	x	x	x	x	x	x
Sutherland	x	x	x	x	x	x	x
Tziretas	x	x	x	x	x	x	x
Walker	x	x	x	-	x	x	x
Total	24	25	39	30	40	42	42

\* Members were present for some or all of the time period indicated.

**MEL LASTMAN,**  
Mayor

**ULLI S. WATKISS,**  
City Clerk

**ATTACHMENT NO. 1 [Enquiry (1)(a)]**

Enquiry dated May 8, 2002, from Councillor Walker, to the Chief Administrative Officer, regarding any negotiated settlement pertaining to 2195 Yonge Street (See Minute No. 5.3, Page 1):

I am writing to ask that you provide members of City Council with answers to the following questions regarding the negotiations with Minto Y/E Inc. and the City Solicitor on their proposal for skyscrapers at 2195 Yonge Street:

- (1) Will the City Solicitor be reporting back to City Council, at any point, about the negotiations, the proposed settlement or, if reached, the final settlement?
- (2) Council was not provided with any information regarding the proposed \$1.0 million “privately funded rent supplement program to fund seniors housing in the community”. Do you have any details about this proposed program and, if so, what are they?
- (3) What will happen to those seniors receiving supplements at the end of the 10-year period? For instance, once the subsidy ends will they be evicted?
- (4) Would such an operating fund, with a sunset date for its’ operation and no eligibility criteria or basic details, be sought by the City’s Planning Department as a Section 37 Public Benefit?

I appreciate your reply to these questions regarding this important matter.

**ATTACHMENT NO. 2 [Answer (1)(b)]**

Answer dated May 17, 2002, from the Chief Administrative Officer, to Councillor Walker, regarding any negotiated settlement pertaining to 2195 Yonge Street (See Minute No. 5.3, Page 1):

I am in receipt of an inquiry from Councillor Michael Walker regarding negotiations with Minto Y/E Inc. and 2195 Yonge Street.

I have consulted with the Commissioner of Urban Development Services and the City Solicitor in preparing the following response:

- (1) Will the City Solicitor be reporting back to City Council, at any point, about the negotiations, the proposed settlement or, if reached, the final settlement?

As directed by City Council at its meeting of April 16, 17 and 18, 2002, the City Solicitor negotiated and achieved settlement with Minto YE Inc. Written terms of settlement were filed with the Ontario Municipal Board, and Councillor Walker was provided with a copy on May 1, 2002. The terms have also been filed with the City Clerk.

- (2) Council was not provided with any information regarding the proposed \$1.0 million “privately funded rent supplement program to fund seniors housing in the community”. Do you have any details about this proposed program and, if so, what are they?

Under the terms of settlement and the Section 37 Agreement, Minto YE Inc. must deliver a \$1.0 million letter of credit before the first building permit is issued. Minto may propose a rent supplement program which City Council can then approve or reject. If the proposal is rejected, then the City may draw down the full \$1.0 million to be used in the City’s sole discretion to provide affordable rental housing for seniors in the community.

- (3) What will happen to those seniors receiving supplements at the end of the 10-year period? For instance, once the subsidy ends will they be evicted?

The Section 37 Agreement permits Minto to propose a rent supplement program. The proposal will have to address specifics, including the location and number of dwelling units, the duration of the program, transition provisions and the manner in which the sum of \$1.0 million will be expended. If Minto does not address all issues properly, Council will reject the proposal.

- (4) Would such an operating fund, with a sunset date for its operation and no eligibility criteria or basic details be sought by the City’s Planning Department as a Section 37 public benefit?

As noted in response to Inquiry No. 3, no specific proposal has been made. If Minto makes a proposal, then it must address all issues to Council's satisfaction, or Council will reject it.

**ATTACHMENT NO. 3 [Notice of Motion F(3)]**

Joint report dated May 21, 2002, from the Chief Administrative Officer and the City Solicitor, entitled "Public Inquiry in Relation to MFP Financial Services Equipment Leases" (See Minute No. 5.64, Page 87):

Purpose:

To respond to the request of City Council to review all information and records and determine which of these are proposed to be withheld from the Inquiry Commissioner and Legal Counsel.

Financial Implications and Impact Statement:

There are no financial implications at this time.

Recommendation:

It is recommended that this report be received for information.

Background:

City Council at its meeting of April 16, 17 and 18, 2002 had before it Clause No. 5 of Report No. 4 of The Audit Committee dealing with the status of the public inquiry in relation to the MFP Financial Services Equipment Leases. Council amended this clause and requested the Chief Administrative Officer to submit a confidential report to the next meeting of City Council on all information and records proposed to be withheld from the inquiry Commissioner and Legal Counsel for Council's direction with respect thereto.

Comments:

The Director of Litigation has reviewed the documents in the custody of the City Solicitor. Almost all of the documents have now been copied and provided to Commission Counsel. The KPMG report has also been provided to Commission Counsel subject to striking out certain limited portions of the report. The Director of Litigation will be meeting shortly with Commission Counsel at which time full disclosure of the documents will be made. Commission Counsel will determine if the withheld documents and the struck out portions of the KPMG report are critical to the Inquiry. If Commission Counsel requests production of these documents for Inquiry purposes, a further report will be prepared for Council's determination whether the documents should be released or not.

The Director of Litigation will be meeting with KPMG shortly to review documents in their possession and if determined that this material should not be released to Commission Counsel, it will be included in a report for Council's direction whether to release it or not.

Commission Counsel has requested that the City take all steps to ensure that all documents relevant to the Inquiry have been provided to them. A corporate communication will be sent to all staff advising that if they have in their possession any documents relating to the subject matter of the Inquiry, it should be provided to the City Solicitor for review and release.

In addition, we have been advised that the Inquiry Project Plan and estimated budget will be available in early June and a report advising of same will be prepared for Council's consideration.

Contact:

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City Solicitor  
Tel: 392-8040  
Fax: 397-5624  
Email: [Akinasto@city.toronto.on.ca](mailto:Akinasto@city.toronto.on.ca)



**ATTACHMENT NO. 4 [Notice of Motion J(17)]**

Report dated June 5, 2002, from the Chief Administrative Officer, entitled “Authority to enter into agreements with the Federation of Canadian Municipalities respecting the Green Municipal Funds” (See Minute No. 5.83, Page 112):

Purpose:

To seek authority for the City to enter into grant and loan agreements with the Federation of Canadian Municipalities (“FCM”) in respect to funding awards made under its Green Municipal Funds program.

Financial Implications and Impact Statement:

Adoption of this report will permit the City to accept grants and loans from FCM for which applications and the financial implications thereof have been previously reported to Council. The funding received supports the implementation of environmental initiatives at the City.

Recommendations:

It is recommended that:

- (1) the City be authorized to enter into grant and loan agreements as required with the Federation of Canadian Municipalities (“FCM”) in respect of funding awards made under its Green Municipal Funds program, satisfactory in form and content to the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Comments:

City Council, by the adoption of Clause No. 7 of Report No. 12 of The Policy and Finance Committee at its meeting of October 2, 3, and 4, 2001, delegated standing authority to the Chief Administrative Officer to submit applications to the Federation of Canadian Municipalities “Green Municipal Funds” granting program, subject to the CAO reporting on her actions to Council after each submission is made. However, that authority did not include the authority necessary to allow the City to enter into grant and/or loan agreements that result from successful applications. There are several grant agreements awaiting signature and this authority needs to be established for the projects to proceed.

Accordingly, it is recommended that Council authorize the City to enter into grant and loan agreements with FCM as required in respect of funding awards made under its Green Fund program in a form satisfactory to the City Solicitor.

Contact:

John D. Elvidge, Manager, Corporate Policy  
Tel : 416 392-8641 / FAX: 696-3645

**ATTACHMENT NO. 5 [Notice of Motion J(18)]**

Report dated June 12, 2002, from the Chief Financial Officer and Treasurer, entitled “Payment in-lieu of Public Pedestrian Connection – 5055 Dundas Street West and Mabelle Avenue, Ward 5 Etobicoke-Lakeshore” (See Minute No. 5.84, Page 113):

Purpose:

To seek authority to amend the Section 37 Agreement between the City and Port Royal Place Developments Inc. to provide for a cash payment to be used towards streetscape improvements along Dundas Street West in lieu of a public pedestrian walkway.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Council approve an amendment to Clause 20 of the Section 37 agreement between the City and Port Royal Place Developments Inc. to provide for a cash payment of \$150,000.00 to the City in lieu of the requirement of the developer to provide a public pedestrian connection through the site to lands located between the eastern boundary of the site and Mabelle Avenue;
- (2) Council establish a discretionary reserve fund called the “Dundas Street West Streetscape Improvements Reserve Fund” to receive the payment referred to in Recommendation No. (1) above, and to be used for the purposes of funding streetscape improvements along Dundas Street West in proximity to the development;
- (3) specific streetscape improvements projects up to \$150,000.00, referred to above, be reported upon by the appropriate staff as part of the Capital Budget process commencing in 2003;
- (4) Municipal Code Chapter 227 be amended by adding the “Dundas Street West Streetscape Improvements Reserve Fund” to Schedule C, Discretionary Reserve Funds; and

- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

Background:

In 1999, Outlook Investments and Development Ltd., now known as Port Royal Place Developments Inc., submitted applications to amend the Official Plan and Zoning Code to permit the development of several high-rise apartment buildings and townhouse blocks on the subject property. The subject property is a 3.8 hectare (9 acre) site located on the south side of Dundas Street West, between Dundas and Bloor Streets, east of Dunbloor Street and west of Mabelle Avenue. The application underwent a number of revisions including an increase in height and density authorized under Section 37 of the Planning Act, in exchange for, among other things, the provision of an east-west public pedestrian walkway through the centre of the site, predicated upon the City obtaining a further connection through to Mabelle Avenue at some future time.

Subsequently, upon further consideration, including a review by the Police Services Board, issues about safety and the advantages of this walkway were raised, and therefore, it would now be inappropriate to pursue this walkway. Given this circumstance, and in return for a release from its obligation to the City to provide the pedestrian connection, Port Royal Place Developments Inc. has offered to make a cash payment of \$150,000.00.

At its meeting of May 8, 2002, Etobicoke Community Council, by way of a motion, requested that the Chief Financial Officer and Treasurer report, in consultation with the City Solicitor and Commissioner of Economic Development, Culture and Tourism, on an appropriate method for ensuring, if possible, the payment of the said monies to such board of management of a local improvement area as Council considers appropriate.

Comments:

At present, the portion of Dundas Street West in proximity to the subject development is to the west of and outside of the boundary of the Village of Islington Business Improvement Area (BIA). There have been discussions between the Board of Management for the Village of Islington BIA, its general membership, and the business community to the west of the BIA to explore interest in expanding the BIA boundary westward along Dundas Street to Bloor Street West.

It is the responsibility of the Board of Management of the existing BIA to meet and consult with stakeholders to confirm interest in expanding the BIA's boundaries. If there is sufficient interest in the affected business community, the Board of Management of the existing BIA can request that a poll be conducted to confirm and

establish the BIA's expanded boundary. Poll results are reported back to Council, and subject to successful results and Council's approval, the expanded BIA comes into force under the terms and conditions of the Municipal Act and Chapter 19 of the City of Toronto Municipal Code.

Responsibilities of a BIA include civic improvements above and beyond that provided by the City, and marketing and promoting the business improvement area. On an annual basis, the BIA submits a budget approved by the Board of Management and its general membership, which may also include a line item for capital improvements. The budget of the BIA is funded by way of a special levy on commercial and industrial assessment in the designated area. In addition, the BIA may also request through the Capital Cost Sharing program of the City's Economic Development Department matching funds from the City in respect of their capital improvement plan.

In respect of the Port Royal Place Development, the City entered into a Section 37 agreement with the developer to authorize an increase in height and density that otherwise would not have been permitted, in return for public benefits, including the provision of a pedestrian walkway. Given that Etobicoke Community Council has considered this walkway inappropriate, the local Councillor has been able to negotiate the cash payment of \$150,000.00 in lieu of the developer's obligation to the City to provide the walkway, which the City can use to provide other public benefits.

The possibility of making this payment directly to a board of management of a local BIA was raised. There have been limited instances wherein cash payments were obtained through Section 37 agreements for specific purposes of a local BIA. However, in this instance, no capital project has been approved in the 2002 Capital Budget of the abutting Village of Islington BIA to which these funds could be directed. Therefore, it would be appropriate to hold these funds in a reserve fund until the purpose to which they may be put may be decided by Council as part of the 2003 Capital Budget.

The local Councillor has indicated the intent that these funds be used for streetscape improvements along Dundas Street West in the proximity of this development. At present, the Village of Islington BIA boundary does not encompass the subject area, and even if the boundary was expanded, it would be up to the BIA and its general membership to determine its capital improvement priorities as part of its future budget submissions to the City.

Accordingly, the appropriate method to receive this payment would be to place it in a reserve fund account to be held for streetscape improvements along Dundas Street West in the area between Islington and Kipling Avenue, with the appropriate staff reporting back as part of the Capital Budget process on specific streetscape

improvement projects to be undertaken by the City of up to \$150,000.00.

The characteristics of the Dundas Street West Streetscape Improvements Reserve Fund shall be:

Purpose:	To fund streetscape improvements along Dundas Street West in the area between Islington and Kipling Avenue.
Initial Contribution:	\$150,000.00 developer contribution.
Contribution Policy:	No further external contributions anticipated.
Withdrawal Policy:	Specific streetscape projects to be identified as part of the capital budget process.
Review Cycle:	This fund will be reviewed in 2004.

A question was also raised whether payment may be directed to the BIA, which would then use these funds as the BIA's contribution to the City's BIA Capital Cost Sharing Program. However, from a policy perspective, applying these funds in this way would result in the City matching its own funds rather than the BIA matching City funding.

The local Councillor, the City Solicitor and the Commissioner of Economic Development, Culture and Tourism have been consulted in the preparation of this report.

#### Conclusions:

The City entered into a Section 37 agreement with Port Royal Place Development that provided, among other things, a pedestrian walkway through the site between the eastern boundary of the site and Mabelle Avenue. The walkway is no longer warranted, and in return for a release from its obligation to the City to provide the pedestrian walkway, Port Royal Place Developments Inc. has offered to make a cash payment of \$150,000.00.

This report recommends that the Section 37 agreement be amended to authorize such a payment, which will be held in a reserve fund of the City for the purposes of funding streetscape improvements along Dundas Street West in proximity of the development.

#### Contacts:

Joe Farag,  
Director, Development Policy and Research, Finance Department,  
jfarag@city.toronto.on.ca, 416-392-8108

Christopher Toomey,

Financial Analyst, Development Policy and Research, Finance Department,  
ctoomey@city.toronto.on.ca, 416-392-4283

**ATTACHMENT NO. 6 [Notice of Motion J(19)]**

Report dated June 17, 2002, from the Commissioner of Urban Development Services, entitled "Clause No. 14, Report No. 3 of The Midtown Community Council, 45 Dunfield Avenue, 299011, TO CMB 19990048, St. Paul's, Ward No. 22" (See Minute No. 5.85, Page 115):

Purpose:

To report to Council on proposed amendments to the public benefits to be provided under Section 37 of the *Planning Act* relating to the Official Plan Amendment and amendment to Zoning By-law 438-86 for 45 Dunfield Avenue as approved in Clause No. 14, Report No. 3 of The Midtown Community Council.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that City Council require that, before introducing the necessary Bills to City Council for enactment, the applicant enter into an agreement authorized under Section 37 of the *Planning Act* regarding the provision of public benefits in exchange for the increase in permitted building density on the property, as set out in Clause No. 14, Report No. 3 of The Midtown Community Council, with amendments as set out in the report.

Background:

City Council, at its meeting of April 16, 17 and 18, 2002, approved Clause No. 14, Report No. 3 of The Midtown Community Council. This report recommended approval of an application to amend the Official Plan and the Zoning By-law for the lands at 45 Dunfield Avenue. The amendments would permit a 16-storey, 108-unit addition to the existing 576-unit apartment building.

Council required the applicant to enter into an agreement under Section 37 of the *Planning Act* before the Bills enacting the Official Plan Amendment and Zoning By-law Amendment could be introduced to Council for enactment. The Section 37 agreement would include, among other things, the retention of the existing rental units as rental for 10 years and the design and installation, by the applicant, of a 1,000 square metre park on the property that would be leased by the City upon completion.



With regards to the park, the applicant would be given the lesser of 24 months after the zoning by-law was enacted or 18 months after the building permit was issued to install the park to the City's satisfaction. In addition, no occupancy of the new addition would be permitted before the City accepted the park.

If the applicant made no reasonable effort to meet these deadlines, the City would have the right to cash a security provided by the applicant and use the proceeds for parks improvements elsewhere within Parks' Central Planning District. Alternatively, the City could downzone the site and the applicant would not object to this downzoning. In effect, the City and the applicant were agreeing that if the park was not built within 24 months after the enactment of the zoning by-law, the increased height and density provided by the Zoning By-law amendment could be taken away or the money the applicant would have spent to construct the park could be used for parks facilities elsewhere in the area.

Subsequent to Council's approval, the applicant contacted City staff requesting changes to this agreement. The applicant wished the deadlines relating to the zoning by-law to be deleted and wished to revise the provision that it would not object to future downzoning, regardless of whether it provided the park or not.

Comments:

The applicant's proposed revisions to the agreement were reviewed by staff in the Community Planning, Economic Development, Culture and Tourism and Legal departments. It was noted that the proposed park is to be partially built upon the existing ramps to the underground parking garage. As such, it is not feasible to build the park until construction has commenced for the addition, which includes new ramps for the underground garage in different locations. For this reason, tying the deadlines for park construction to the issuance of a building permit, rather than the enactment of the Zoning By-law, would appear to be a reasonable request.

Under the applicant's proposals, it would be required to build the park to the City's satisfaction within 18 months of the issuance of a building permit. However, if the park were to be tied to the issuance of a building permit, it would not be legally possible for the City to downzone the site. The only remedy the City would have if the applicant did not provide the park would be to attempt to prevent occupancy of the new addition and/or to use the security provided for other parks purposes.

Staff were of the opinion that the City's objectives are better met through the provision of the park in this location rather than the use of the money for other parks facilities in the area. To accomplish this, staff suggested to the applicant that the agreement be amended to provide, in the event the applicant does not make reasonable

efforts to complete the park, an ability for the City to enter onto the applicant's land and build the park to its satisfaction, thereby triggering the lease. All costs associated with this work would be charged to the applicant. The applicant would also still agree that no occupancy of the new addition would be permitted until the City has accepted the park. The applicant accepted these conditions.

Conclusions:

Due to the difficulty of constructing the proposed park separate from the construction of the building, I recommend that the deadline to commence installation of the park be 18 months after the issuance of a building permit and that the park be completed to the City's satisfaction within 24 months after the issuance of a building permit. In conjunction with this amendment, I recommend that Council agree that it will not downzone the site solely because the park has not been constructed.

To permit greater certainty that the park will be installed, I recommend that a provision be included in the Section 37 agreement that, in the event the applicant does not make reasonable efforts to complete the park within the time permitted, the City shall have the right to enter onto the applicant's lands to construct the park to the City's satisfaction and thereby trigger the lease, with all costs to be charged to the applicant.

Conditions specifying no occupancy of the addition until the park is accepted by the City and giving the City the option to cash securities instead of building the park shall remain part of the agreement.

Contact:

Brian Gallagher, Planner, North Section  
Telephone: 416-392-1306  
Fax No.: 416-392-1330  
E-mail: bgallau@city.toronto.on.ca

**ATTACHMENT NO. 7 [Notice of Motion J(29)]**

Report dated June 18, 2002, from the Chief Administrative Officer, entitled “City of Toronto Appointments to University Health Network Board of Trustees, Wards 20 - Trinity-Spadina, and 27 - Toronto Centre-Rosedale” (See Minute No. 5.95, Page 130):

Purpose:

This report recommends that Council not object to proposed amendments to the Toronto Hospital Act that would eliminate the three City of Toronto appointees to the University Health Network Board of Trustees.

Financial Implications and Impact Statement:

There are no financial implications to this report.

Recommendations:

It is recommended that:

- (1) Council indicate that it does not object to the proposal by the University Health Network that the Province of Ontario amend the Toronto Hospital Act, 1997 as it relates to the elimination of the three citizens appointed to the University Health Network Board of Trustees by the City of Toronto;
- (2) Council encourage the University Health Network Board of Trustees to maintain a mechanism to receive and consider community input into the vital services that this large healthcare network provides; and
- (3) the City Clerk be directed to communicate Council’s decision to the President and Chief Executive Officer of the University Health Network immediately so that it can be forwarded to the Province in time for the current legislative session.

Background:

In an e-mail (attached) addressed to the Mayor and the Chief Administrative Officer dated June 4, 2002, Mr. Tom Closson, the President and Chief Executive Officer of the University Health Network (formerly the Toronto Hospital), reported that the Network has applied to the Province for an amendment to the Toronto Hospital Act, 1997, that would reduce the Board of Trustees from 38 to 20 members.

The Toronto Hospital Act currently provides for a Board of Trustees comprised of 11 appointed members and 27 elected and ex-officio members. The 11 appointed members include 3 trustees appointed by the City of Toronto from persons nominated by the Network's Community Advisory Committee. The proposed amendment would eliminate 9 of the appointed trustee positions including all three of the City of Toronto appointees. Mr. Closson has requested that the City of Toronto confirm that it has no objection to the proposed change of composition of the Board of Trustees with respect to the elimination of the City of Toronto appointees. This information is required as soon as possible in response to a request from the Province of Ontario in order that legislation may be introduced during the current session of the Provincial Legislature, which is anticipated to end on June 27, 2002.

Comments:

In his communication, Mr. Closson notes that the City has no real involvement in the operation of the Board or Hospital aside from appointing three citizen members every three years, following a municipal election, from a shortlist prepared by the Network's Community Advisory Committee. The three citizen members are appointed by Council on recommendation of the Nominating Committee. In January 2001 the Nominating Committee recommended to Council the appointment of three citizens based on the information forwarded by the Network on each candidate without conducting interviews. The timeline for a decision was short and the Community Advisory Committee had already undertaken an application and shortlisting process. The appointees are not specifically required to report to the City of Toronto Council on the Network's activities during their term of office.

The City of Toronto's involvement in the University Health Network Board of Trustees is peripheral and requires the Nominating Committee and Council to make appointments based on an abbreviated process and limited information about the appointees. However, the shortlist of five citizens is provided by the Network's Community Advisory Committee, so that the three City appointees are also to reflect the wishes and concerns of the community.

Council should indicate to the University Health Network that the Board maintain a mechanism to receive and consider community input into the vital services that this large healthcare network provides. There are no Council Member appointees to this Board.

A communication was sent to Mr. Closson indicating that a decision could not be made by Council by the requested date of June 7, 2002, but that the matter would be placed before Council as soon as possible.

Conclusions:

It is recommended that Council not object to the University Health Network request for the Province of Ontario to amend the Toronto Hospital Act, 1997 to eliminate the three citizens appointed to the University Health Network Board of Trustees by the City of Toronto. Council should direct the City Clerk to communicate Council's decision to the President and Chief Executive Officer of the University Health Network urgently so that it can be forwarded to the Province in time for the current legislative session.

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List of Attachments:

Communication dated June 4, 2002, from Mr. Tom Closson, President and Chief Executive Officer, University Health Network.

(A copy of the attachment, referred to in the foregoing report, is on file in the office of the City Clerk.)