

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

### Deferred Clauses:

Report No. 3 of The Administration Committee, Clause No. 1c  
Report No. 4 of The Administration Committee, Clauses Nos. 1b, 12b and 22b  
Report No. 5 of The Administration Committee, Clause No. 8a  
Report No. 6 of The Administration Committee, Clause No. 2a  
Report No. 3 of The Community Services Committee, Clause No. 8c  
Report No. 4 of The Community Services Committee, Clauses Nos. 4b and 9b  
Report No. 5 of The Community Services Committee, Clause No. 2a  
Report No. 5 of The Economic Development and Parks Committee, Clause No. 10a  
Report No. 6 of The Planning and Transportation Committee, Clause No. 6b  
Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1b and 27b  
Report No. 5 of The Policy and Finance Committee, Clause No. 8a  
Report No. 3 of The Works Committee, Clauses Nos. 3c and 17c  
Report No. 4 of The Works Committee, Clause No. 1b  
Report No. 5 of The Works Committee, Clause No. 12a  
Report No. 5 of The Midtown Community Council, Clause No. 4a  
Report No. 5 of The Scarborough Community Council, Clause No. 24a  
Report No. 2 of The Audit Committee, Clause No. 5a  
Report No. 4 of The Board of Health, Clause No. 5a  
Report No. 2 of The Striking Committee, Clause No. 2c  
Report No. 3 of The Striking Committee, Clause No. 4a

### New Reports:

Report No. 7 of The Administration Committee  
Report No. 8 of The Administration Committee  
Report No. 6 of The Community Services Committee  
Report No. 6 of The Economic Development and Parks Committee  
Report No. 7 of The Policy and Finance Committee  
Report No. 8 of The Policy and Finance Committee  
Report No. 8 of The Planning and Transportation Committee  
Report No. 6 of The Works Committee  
Report No. 6 of The Etobicoke Community Council  
Report No. 6 of The Humber York Community Council  
Report No. 6 of The Midtown Community Council  
Report No. 6 of The North York Community Council

Report No. 6 of The Scarborough Community Council  
Report No. 7 of The Toronto East York Community Council  
Report No. 3 of The Audit Committee  
Report No. 5 of The Board of Health

and Notices of Motions and Enquiries and Answers as adopted by the Council of the City of Toronto at its regular meeting held on July 22, 23 and 24, 2003.

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

**DEFERRED CLAUSE FROM REPORT NO. 3 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1c - "Review of the Housing First Policy (All Wards)".**

The Clause was amended by:

- (1) deleting from Recommendation No. (2), the words "to 80 units per site", and inserting in lieu thereof the words "by existing zoning provisions"; and
- (2) inserting in Recommendations Nos. (3) and (4), after the words, "Administration Committee", the words, "as soon as possible";

so that the recommendations of the Administration Committee shall now read as follows:

"The Administration Committee recommends:

- (1) the adoption of the joint report (January 6, 2003) from the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services;
- (2) that excluding current projects, the maximum number of Housing First units be limited by existing zoning provisions;
- (3) that the Chief Administrative Officer be requested to submit a report to the Administration Committee, as soon as possible, on the value and methodology of undertaking an economic analysis and evaluation of the Housing First Policy; and
- (4) that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee, as soon as possible, providing new approaches on how the City can provide housing for the less fortunate."

**DEFERRED CLAUSE FROM REPORT NO. 5 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 8a - "Accrual of Pension Benefits for Elected Officials Over the Age of 69".**

Council adopted the following recommendations:

"It is recommended that:

- (1) the City approach OMERS to request that they allow for the accrual of benefits available to municipal employees and elected officials for service over the age of 69; and
- (2) the Chief Financial Officer and Treasurer, in consultation with the immediately affected parties, be requested to prepare more detailed costing and legal review of Option 3 (salary adjustment) and/or payment of a one-time lump sum payment at the time of retirement."

**DEFERRED CLAUSE FROM REPORT NO. 3 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 8c - "Update on the Recommendations of the Coroner's Inquest Into the Death of Kimberly Rogers and the Provincial Zero Tolerance Policy for Social Assistance Fraud".**

The Clause was amended by deleting the following Recommendation No. (2) embodied in the report dated February 26, 2003, from the Commissioner of Community and Neighbourhood Services, as embodied in the Clause:

- "(2) pending elimination of the Province's zero tolerance lifetime ban policy, commencing in 2003, City Council authorize the provision of 100 percent of the cost of providing social assistance to persons (in a crisis situation) who are subjected to the zero tolerance lifetime ban policy from the 2003 Hardship Fund, and subject to the City's annual budget approval process for subsequent years;"

**DEFERRED CLAUSE FROM REPORT NO. 4 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 9b - "Update Regarding the Status of Litigation with The Learning Enrichment Foundation".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**DEFERRED CLAUSE FROM REPORT NO. 5 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 10a - “Persian New Year – Sunnybrook Park (Ward 25 Don Valley West)”.**

Council adopted the following recommendation:

“It is recommended that Council adopt the report dated May 15, 2003, from the Commissioner of Economic Development, Culture and Tourism, as embodied in the Clause, subject to:

- (1) deleting from Recommendation No. (1), the words ‘an alternate location other than City property’, and inserting in lieu thereof the words ‘other suitable locations, including non City-owned property’; and
- (2) deleting from Recommendation No. (2) the words ‘if a suitable location cannot be found’;

so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) Parks and Recreation Division staff to continue to work closely with the Iranian community to find other suitable locations, including non City-owned property, to host the Persian New Year events;
- (2) the use of open fires without the appropriate approvals and for purposes other than to cook food on a grill or barbeque, be prohibited on City property in accordance with the Ontario Fire Code, Section 2.6.3.4; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

**DEFERRED CLAUSES FROM REPORT NO. 4 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 1b - “City of Toronto Council Governance Review”.**

The Clause was referred to the incoming Council for consideration, together with the following motions placed by Members of Council:

Moved by Councillor Ashton:

“It is further recommended that the Mayor be requested to submit a report to the first meeting of the Policy and Finance Committee, in March 2004, on a Executive Committee model, including, but not limited to, the composition and mandate.”

Moved by Councillor Chow:

“It is further recommended that the Chief Administrative Officer, in consultation with the Chief Financial Officer and Treasurer, be requested to submit a report to the Policy and Finance Committee, in May 2004, prior to the 2005 budget process, on which budget items could be assigned to the Community Councils to provide for a more participatory process.”

Moved by Councillor Duguid:

“That the Clause be amended by referring Recommendation No. (4) embodied in the report dated April 24, 2003, from the Chief Administrative Officer, to the Chief Administrative Officer for further consideration, in consultation with the Commissioner of Works and Emergency Services and the Auditor General, and report thereon to the Works Committee in January 2004, such report to include:

- (1) further consideration of delegated authority for staff and Committee to reduce delays in approving Water and Wastewater contracts;
- (2) alternative procedures, protocols or structural changes to allow Committee and Council to consider how best to ensure more focussed long-term strategic decisions around issues of infrastructure and sustainability; and
- (3) an analysis of the past and current challenges in allocating capital infrastructure work on a timely basis and a strategy to address this concern.”

Moved by Councillor Holyday:

“It is further recommended that:

- (1) the Provincial Government be requested to reduce the size of Toronto City Council to 22 members, plus the Mayor, through the election of one Member of Council per provincial/federal riding; and
- (2) the Provincial Government be requested to establish an elected Board of Control for the City of Toronto consisting of two members elected at-large in each Community Council area.”

Moved by Councillor Irene Jones:

“That the Clause be amended by deleting from Recommendation (I) of the Policy and Finance Committee, the following Recommendations Nos. (1)(a)(i) and (1)(a)(ii):

- (1) upon commencement of the new Council term:
  - (a) the following responsibilities be added to the current mandate of the Policy and Finance Committee:

- (i) recommending and overseeing collective bargaining matters; and
- (ii) recommending and overseeing matters related to the Council-committee governance structure and system;’ ”

Moved by Councillor Mihevc:

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on decentralizing some powers to Community Councils, specifically around decision making authority, and the provincial authority necessary to accomplish this.”

Moved by Councillor Minnan-Wong:

“That the Clause be amended to provide that:

- (1) the Mayor be given the power to appoint:
  - (a) the Chairs of the Standing Committees; and
  - (b) the Chair of the Toronto Transit Commission; and
- (2) the following Recommendation be adopted:
  - ‘(1) upon commencement of the new Council term:
    - (b) the Policy and Finance Committee be composed of the Mayor (Chair), the five Standing Committee Chairs, four Councillors selected from Council as a whole, one of which is the Deputy Mayor and a TTC Commissioner;’ ”

Moved by Councillor Moscoe:

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

‘It is recommended that the report dated April 24, 2003, from the Chief Administrative Officer, as embodied in the Clause, be adopted, subject to deleting Recommendation No. (2).’ ”

Moved by Councillor Walker:

“That:

- (1) Part (2) of the motion by Councillor Minnan-Wong be amended by adding thereto the words ‘and the Chairs of the Community Councils’; and
- (2) the Clause be amended by adding thereto the following:

‘It is further recommended that:

- (a) City Council recommend to the Province that the powers of the Community Councils be changed to provide that the Community Council decisions on all planning matters require a two-thirds vote of City Council to be overturned by City Council; and
- (b) the Striking Committee be abolished and the appointment of Members of Council to the Standing Committees be considered by City Council/Committee of the Whole and the selection of the respective Chairs of the Standing Committees be considered by the members of the respective Standing Committees.”

**Clause No. 27b** - **“Other Items Considered by the Committee”.**  
*(a) Status of Alternative Service Delivery (ASD) Consultation Protocol*

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

### **DEFERRED CLAUSES FROM REPORT NO. 3 OF THE WORKS COMMITTEE**

**Clause No. 3c** - **“Pay-As-You Throw Program for the Residential Sector”.**

The Clause was not adopted.

**Clause No. 17c** - **“Introduction of Photo Radar on City of Toronto Streets and Expressways”.**

The Clause was amended by deleting Recommendation No. (3) of the Works Committee and inserting in lieu thereof the following new Recommendation No. (3):

- “(3) any such program be designed to be revenue neutral; and, further, that the Commissioner of Works and Emergency Services, in consultation with the Toronto Police Service, be requested to submit a report to the Works Committee on a proposed policy and guidelines for any surplus proceeds that may be generated from implementation of such a program.”

**DEFERRED CLAUSE FROM REPORT NO. 4 OF THE WORKS COMMITTEE**

**Clause No. 1b - “Security Measures at Water and Wastewater Facilities for Filming”.**

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

“It is recommended that Council adopt the joint report dated July 22, 2003, from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that Council:

- (1) adopt the principle that there are three categories of Water and Wastewater properties as they relate to filming with differing security needs and requirements:
  - (a) Unrestricted Area - open to the public;
  - (b) Limited Access Area - closed to the public but available for filming; and
  - (c) Restricted Access;
- (2) authorize the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Economic Development, Culture and Tourism on the implications to the film industry, to amend the new procedure for filming at Water and Wastewater facilities as and when required;
- (3) receive for information the amended wording for the protocol for the “Application for Filming at Water and Wastewater Facilities” (Attachment 1) as per Recommendation No. (1) of the joint supplementary report (April 28, 2003) from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services; and
- (4) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.’,

subject to amending Attachment No. (1) to such report by deleting from the end of Part (2), the following words:

‘In a situation where Corporate Security and Water and Wastewater staff determine that a film shoot can take place in an exterior location on Water or Wastewater property which is not normally open to the public, verification will be required that all film shoot personnel/staff have had criminal background checks completed within six months of the start of the film shoot and that these checks came back without any records of offences’,

and inserting in lieu thereof, the words:

‘Criminal background checks will not be required for any exterior locations.’ ”

**DEFERRED CLAUSE FROM REPORT NO. 5 OF THE WORKS COMMITTEE**

**Clause No. 12a - “Downspout Disconnection Program Update”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as part of the 2004 budget process, on the success of these initiatives and with recommendations on further acceleration of the downspout disconnection program.”

**DEFERRED CLAUSE FROM REPORT NO. 5 OF THE MIDTOWN COMMUNITY COUNCIL**

**Clause No. 4a - “359 Deloraine Avenue – Tree Removal Request (Eglinton-Lawrence – Ward 16)”.**

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

“It is recommended that City Council approve the request for possible injury, due to construction, to one City-owned tree located at 359 Deloraine Avenue, conditional on a tree preservation agreement being executed to protect the tree, subject to the posting of a refundable security deposit of \$5,000.00 to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.”

**DEFERRED CLAUSE FROM REPORT NO. 5 OF THE SCARBOROUGH COMMUNITY COUNCIL**

**Clause No. 24a - “Final Report - Combined Application TF CMB 2001 0009, The Muslim Welfare Centre of Toronto, 24, 26 and 28 Rural Avenue, Agincourt Community (Ward 41 – Scarborough Rouge River)”.**

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

“It is recommended that the report dated March 18, 2003, from the Acting Director of Community Planning, East District, as embodied in the Clause, be adopted.”

**DEFERRED CLAUSE FROM REPORT NO. 4 OF THE BOARD OF HEALTH**

**Clause No. 5a - “Phase-out of Coal-fired Electricity Purchases”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**REPORT NO. 7 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 2 - “Establishment of a Compliance Audit Committee”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Members of the Compliance Audit Committee be provided with suitable remuneration to be recommended to the Administration Committee by the City Clerk.”

**Clause No. 7 - “Delay in Award of Request for Quotation for Supply, Printing and Mailing of Tax and Water Bills and Parking Tag Notices”.**

Council adopted the following recommendation:

“It is recommended that Council adopt the report dated July 22, 2003, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

‘It is recommended that:

- (1) authority be granted to enter into a contract with Data Mailing and Machines Inc. for the water component of Request for Quotation No. 3001-03-7319 for a two (2) year period commencing January 1, 2004, and ending December 31, 2005, for an amount not to exceed \$1,717,670.55 (inclusive of all applicable taxes and charges) plus a maximum amount of \$2,098,263.00 for postage, for a total amount of \$3,815,933.55, being the lowest bid received meeting specifications;
- (2) authority be granted to the Chief Financial Officer and Treasurer to exercise the City’s option with Data Mailing and Machines Inc. with respect to the water component, for three additional one-year periods:
  - (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$987,038.47 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,071,200.00 for postage, for a total amount of \$2,058,238.47;
  - (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$1,085,742.32 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,112,400.00 for postage, for a total amount of \$2,198,142.32;

- (c) January 1, 2008, to December 31, 2008, in the total estimated amount not to exceed \$1,194,316.55 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,153,600.00 for postage, for a total amount of \$2,347,916.55,

under the same terms and conditions, following a review by the Chief Financial Officer and Treasurer, in co-operation with the Purchasing Agent, provided the previous year(s) of the contract were performed satisfactorily, to ensure it is feasible to extend the contract at the quoted prices and that funds are available in the Revenue Services Division's Operational Budget for the renewal period;

- (3) authority be granted to enter into a contract with Data Mailing and Machines Inc. for the parking tag component of Request for Quotation No. 3001-03-7319 for a two (2) year and one (1) month period commencing December 1, 2003, and ending December 31, 2005, for an amount not to exceed \$863,195.50 (inclusive of all applicable taxes and charges), plus a maximum amount of \$1,871,366.00 for postage, for a total amount of \$2,734,561.50, being the lowest bid received meeting specifications;
- (4) authority be granted to the Chief Financial Officer and Treasurer to exercise the City's option with Data Mailing and Machines Inc., with respect to the parking tag component, for three additional one-year periods:
  - (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$493,836.75 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$988,000.00 for postage, for a total amount of \$1,481,836.75;
  - (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$543,220.43 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,026,000.00 for postage, for a total amount of \$1,569,220.43;
  - (c) January 1, 2008, to December 31, 2008, in the total estimated amount not to exceed \$597,542.47 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,064,000.00 for postage, for a total amount of \$1,661,542.47,

under the same terms and conditions, following a review by the Chief Financial Officer and Treasurer, in co-operation with the Purchasing Agent, provided the previous year(s) of the contract were performed satisfactorily, to ensure it is feasible to extend the contract at the quoted prices and that funds are available in the Revenue Services Division's Operational Budget for the renewal period;

- (5) authority be granted to enter into a contract with The FSA Group for the tax component of the Request for Quotation No. 3001-03-7319 for a two (2) year period commencing January 1, 2004, and ending December 31, 2005, for an amount not to exceed \$1,225,183.40 (inclusive of all applicable taxes and charges) plus a maximum amount of \$2,306,920.00 for postage, for a total amount of \$3,532,103.40, being the lowest bid received meeting specifications;
- (6) authority be granted to the Chief Financial Officer and Treasurer to exercise the City's option with The FSA Group, with respect to the tax component, for three additional one-year periods:
  - (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$688,563.37 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,222,000.00 for postage, for a total amount of \$1,910,563.37;
  - (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$757,419.71 (inclusive all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,269,000.00 for postage, for a total amount of \$2,026,419.71;
  - (c) January 1, 2008, to December 31, 2008, in the total estimated amount not to exceed \$833,161.68 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,316,000.00 for postage, for a total amount of \$2,149,161.68,

under the same terms and conditions, following a review by the Chief Financial Officer and Treasurer, in co-operation with the Purchasing Agent, provided the previous year(s) of the contract were performed satisfactorily, to ensure it is feasible to extend the contract at the quoted prices and that funds are available in the Revenue Services Division's Operational Budget for the renewal period;

- (7) the award of contracts to Data Mailing and Machines Inc. and The FSA Group be conditional upon the respective parties providing proof of capability as per section 2.4 of RFQ No. 3001-03-7319 (re: Phase I Testing);
- (8) if Data Mailing and Machines Inc. fails to meet the proof of capability requirement (Phase I-Testing) for the production of water bills and related materials, that the Chief Financial Officer and Treasurer be granted authority to award the contract for an amount not to exceed \$3,885,927.00 inclusive of all taxes, postage and programming to The FSA Group, being the next lowest acceptable bidder;
- (9) if Data Mailing and Machines Inc. fails to meet the proof of capability requirement (Phase I-Testing) for the production of parking tag notices and related materials, that the Chief Financial Officer and Treasurer be granted authority to award the contract for an amount not to exceed \$2,823,928.50 inclusive of all taxes, postage and programming to The FSA Group, being the next lowest acceptable bidder;
- (10) if The FSA Group fails to meet the proof of capability requirement (Phase I-Testing) for the production of Tax notices and related materials, that the Chief Financial Officer and Treasurer be granted authority to award the contract for an amount not to exceed \$3,575,691.00 inclusive of all taxes, postage and programming to Data Mailing and Machines Inc., being the next lowest acceptable bidder; and
- (11) the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

**Clause No. 25 - “Professional Facilitation/Mediation Services for Ontario Municipal Board Appeals of the New Toronto Official Plan”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) mediators be hired on the basis that they not be permitted to appear before the Ontario Municipal Board on matters that they have mediated; and
- (2) Members of Council be notified of any mediation activities related to sites within their Wards or involving appeals by resident groups within their Wards, and those Councillors who so wish be consulted during the process.”

**REPORT NO. 8 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 1 - "Union Station Request for Proposals - Status Report - Negotiations with Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)".**

The Clause was amended:

- (1) by striking out Recommendation (I)(A)(1) of the Administration Committee and inserting in lieu thereof the following:

“(1) City Council select Option A embodied in the report dated July 15, 2003, from the Commissioner of Corporate Services;”;

- (2) to provide that the Master Agreement be revised by replacing the date “October 31, 2003” with the date “February 28, 2004”, for all purposes; and

- (3) by adding thereto the following:

“It is further recommended that:

- (a) the terms of the Station Lease include a provision that the Public Advisory Group established by City Council remain in place for the duration of the Station Lease, continue to be fully involved in the revitalization of Union Station and have the authority to report to Council, through the Administration Committee, if concerns arise;
- (b) the Commissioner of Urban Development Services be directed to review and update the zoning for Union Station to allow the City and its transportation tenants the maximum flexibility to revitalize the existing station through adaptive re-use of all space at the station, maintaining transportation as the primary use and without creating/developing any air rights;
- (c) the Chief Administrative Officer be requested to expedite the governance issues so that Council will have ample opportunity to direct the governing board’s priorities, thereby ensuring that decisions are made on the basis of transportation priority and that the public interest is maintained throughout the term of the Lease; and
- (d) the Commissioner of Corporate Services be requested, in preparing for the Lease, to incorporate objective criteria in the build out of the improvements in the upper area and provide for a speedy binding dispute resolution framework in case the parties cannot agree.”

**REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE**

**Clause No. 17 - "Funding for Community Agencies Experiencing Unusual One-Time Operating Expenses".**

The Clause was amended by adding thereto the following:

"It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit an annual report to the Community Services Committee on the disbursement of the 2003 Homeless Initiatives Funds."

**Clause No. 18 - "Cigarette Practices in City Shelters".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**REPORT NO. 6 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

**Clause No. 5 - "Concession Services in High Park and Western Beaches - Additional Capital Improvements and Amendments to Contracts Between the City and 505707 Ontario Ltd. Operating as The Grenadier Group (Ward 13 and 14 Parkdale-High Park)".**

The Clause was amended to provide that the agreement between the City of Toronto and the Grenadier Group for the operation of the Western Beaches Concessions be adjusted to provide for a base rent of \$157,500.00 per annum, plus 15 percent of gross sales of both food and alcohol over a threshold of \$600,000.00 per year, effective January 2004, and be subject to a rent review process conducted by the Commissioner of Economic Development, Culture and Tourism every five years thereafter, and further, that the required legal agreements be executed by September 8, 2003, failing which the Commissioner of Economic Development, Culture and Tourism shall report thereon to the Economic Development and Parks Committee.

**Clause No. 7 - "Proposed Lease Agreement Between the City of Toronto and 1440110 Ontario Limited (Ward 11 York South-Weston)".**

Council adopted the following recommendations:

"It is recommended that:

- (a) Council adopt the report dated July 22, 2003, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

‘It is recommended that:

- (1) pursuant to the condition of approval associated with the Committee of Adjustment decision dated June 26, 2001, and to fulfil the community space requirement, the developer of 2088 Lawrence Avenue West will submit to the City of Toronto the amount of \$36,000.00, prior to issuance of building permit;
  - (2) \$36,000.00 be directed to the improvements of Memorial Park on Little Avenue, Ward 11;
  - (3) staff of the Parks and Recreation Division meet with residents in the vicinity of Memorial Park to establish priorities for the park improvements;
  - (4) the developer agrees that, where possible, any river rock found during excavation of the site will be donated to the City of Toronto for local park improvements;
  - (5) the developer will ensure that the following retail store business will not be permitted to own or lease the storefront units at 2088 Lawrence Avenue. They include: video store, massage parlour, tattoo shop, adult video and product store, and escort service;
  - (6) funds to be deposited into a deferred revenue account in 2003 that will allow disbursements of funds in the 2004 Operating Budget; and
  - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (b) the City Clerk be authorized to conduct a poll of the residents of Little Avenue to determine support for designating Little Avenue, between Lawrence Avenue East and Weston Road, a one-way street running in a north-easterly direction and be requested to submit a report thereon to the Humber York Community Council for its meeting scheduled to be held on September 9, 2003.”

**Clause No. 20 - “Settlement of Litigation - City of Toronto Economic Development Corporation (TEDCO) (Ward 30 Toronto-Danforth)”.**

The Clause was amended by adding thereto the following:

“It is further recommended, with regard to 190 – 242 Cherry Street, that TEDCO ensure that all provisions of the land lease are maintained in good standing.”

**Clause No. 21 - "Film Industry - A Proposal to the City of Toronto".**

Council adopted the following recommendation:

"It is recommended that Council adopt the joint report dated July 21, 2003, from the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer and the City Solicitor, subject to deleting Recommendation No. (2) and inserting in lieu thereof the following:

- "(2) Council appoint the Commissioner of Economic Development, Culture and Tourism, or his designate and the Chief Financial Officer and Treasurer or his designate to the Board of Directors of the Community Small Business Investment Fund Corporations;"

so that the recommendations embodied in such joint report, as amended by Council, shall now read as follows:

"It is recommended that:

- (1) Council agree to sponsor Community Small Business Investment Fund Corporations, in accordance with the Community Small Business Investment Funds Act, S.O. 1992, c. 18 and the proposal described in this report;
- (2) Council appoint the Commissioner of Economic Development, Culture and Tourism, or his designate and the Chief Financial Officer and Treasurer or his designate to the Board of Directors of the Community Small Business Investment Fund Corporations;
- (3) Council authorize the Commissioner of Economic Development, Culture and Tourism, in consultation with the Chief Financial Officer and Treasurer and City Solicitor, to apply to the Ontario Ministry of Finance to register Community Small Business Investment Fund Corporations, in accordance with the proposal described in this report;
- (4) Council direct the Commissioner of Economic Development, Culture and Tourism, in consultation with the Chief Financial Officer and Treasurer and City Solicitor, to report back to City Council, in September 2003, through the Economic Development and Parks Committee, on the status of this project; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

**REPORT NO. 8 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 4 - "Toronto Licensing Tribunal Biannual Report".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**Clause No. 5 - "39 Greenbelt Drive, Fees Appeal by English Lane Homes to the Ontario Municipal Board, Pursuant to Section 69(3) of the Planning Act, Ward 34".**

Council adopted the following recommendation:

"It is recommended that Council adopt the confidential report dated July 18, 2003, from the Commissioner of Urban Development Services, 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) part-lot control fees, in the amount of \$14,250.00, be reimbursed to the owner of 39 Greenbelt Drive, and
- (2) the Commissioner of Urban Development Services review the practice of concurrent part lot control and plan of subdivision application fees and report back on appropriate amendments, if required.' "

**Clause No. 6 - "Enhanced Mosquito Control Activities to Prevent and Control West Nile Virus".**

Council adopted the following recommendation:

"It is recommended that Council adopt the report dated July 23, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

'It is recommended that:

- (1) eight (8) Municipal Standards Officers be hired from August 1, 2003, to October 31, 2003, to deal with complaints concerning the West Nile Virus, and that the necessary funding be accommodated through gapping in 2003;

- (2) if the Provincial policy and standards with respect to the West Nile Virus continue in future years, eight (8) Municipal Standards Officers be hired from April 1st to October 31st of each calendar year to deal with complaints concerning the West Nile Virus, and the funding necessary to cover the costs related to the hiring of seasonal staff be included in the City's request to the Province for funding of the West Nile Virus Program and allocated to the Urban Development Services Department accordingly; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' ”

**REPORT NO. 7 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 1 - “Establishment of Four Community Councils”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the interim names of the four Community Councils be established as follows:
  - Area A - Toronto West Community Council;
  - Area B - Toronto North Community Council;
  - Area C - Toronto South Community Council; and
  - Area D - Toronto East Community Council;
- (2) the interim meeting locations for the Community Councils be established as follows:
  - Area A - Etobicoke Civic Centre;
  - Area B - North York Civic Centre;
  - Area C - Toronto City Hall; and
  - Area D - Scarborough Civic Centre;
- (3) the permanent names of the Community Councils be determined through a public consultation process, followed by approval by the new Community Councils and City Council; and
- (4) the service district boundaries be amended to match the new Community Council boundaries, once they are approved by City Council.”

**REPORT NO. 8 OF THE POLICY AND FINANCE COMMITTEE**

**Clause No. 2 - "Regent Park Revitalization - City Actions (Ward 28 - Toronto Centre-Rosedale)".**

The Clause was amended by adding thereto the following:

"It is further recommended that the Toronto Community Housing Corporation be requested to include, in its September 2003 business plan report to Council, the scope, funding and timing of Capital reinvestment in the entire housing portfolio."

**Clause No. 5 - "Toronto's Participation in the Federation of Canadian Municipalities' 'Bridging the Gap' Campaign".**

The Clause was amended by adding thereto the following:

"It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services be requested to provide support to the City of Toronto's participation in this process, in order to advance the City of Toronto's affordable housing objectives; and
- (2) the City extend its thanks to David Crombie and the Toronto City Summit Alliance for their initiative and leadership on 'Enough Talk: an Action Plan for the Toronto Region'."

**Clause No. 7 - "Status of the 2003 Levy By-law for Railway Roadways or Rights-of-Way and Power Utility Transmission or Distribution Corridors".**

The Clause was amended by adding thereto the following:

"It is further recommended that the Minister of Finance be advised that the City of Toronto anticipates that the revenues generated from these rates will be, at least, consistent with the revenue stream anticipated by the current regulations and that, because of the Memorandum of Understanding that the Government has signed with the Association of Municipalities of Ontario (AMO), any changes in regulations that negatively impact the City of Toronto's revenue stream will not be applicable in the current year because of the lack of consultation."

**Clause No. 8 - “2003 Levy on Institutions under Section 323 of the Municipal Act”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Minister of Municipal Affairs and Housing be requested to amend the number of full time students to reflect the increase in students attending Universities and Colleges as a result of the double cohort, no later than September 15, 2003; and
- (2) if the amended student numbers are received prior to the City Council meeting scheduled to be held on September 22, 23 and 24, 2003, the Chief Financial Officer and Treasurer be authorized to introduce an amending levy by-law directly to such meeting, to give effect thereto.”

**Clause No. 9 - “Resource and Revenue Implications Associated with the Operation of Night Courts”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council not support any action that would eliminate Night Court.”

**Clause No. 16 - “Program Update and Budget Implications for an Enhanced West Nile Virus (WNV) Prevention and Control in 2003”.**

The Clause was amended:

- (1) to provide that the Board of Health budget be increased by \$2,493,355.00 (gross)/“0” net, in order to fund the expanded West Nile Virus prevention and control measures; and
- (2) by adding thereto the following:

“It is further recommended that:

- (a) City Council reiterate its expectation that new provincial requirements be funded 100 percent by the Province of Ontario;
- (b) the Mayor and the Chair of the Board of Health be requested to seek a meeting with the Minister of Health and Long-Term Care to resolve the funding arrangement;
- (c) City Council support the Medical Officer of Health in implementing the statutory requirements of the expanded West Nile Virus Prevention and Control Program;

- (d) if 100 percent funding is not forthcoming from the Province of Ontario, the Medical Officer of Health be requested to submit a report to Council for its meeting scheduled to be held on September 22, 2003, on offsetting expenditure reductions and/or revenue increases in the Public Health Unit and/or Community and Neighbourhood Services Department, through the 2003 second quarter variance report; and
- (e) the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism be requested to identify, to the Medical Officer of Health, capital and maintenance projects and the costs thereof that are necessary to reduce the incidence of West Nile virus, for possible inclusion in the enhanced West Nile Virus prevention and control proposal.”

**Clause No. 18 - “Exemptions to Toronto Municipal Code, Chapter 591, Noise”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to notify affected Councillors on objections received from the public resulting from the Notice of Hearing being issued.”

**Clause No. 20 - “9 Hanna Street - Purchase of Building for Toronto Police Service Central Traffic and Garage and Court Services”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the confidential report dated July 21, 2003, from the Commissioner of Corporate Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the acquisition of property, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) the Commissioner of Corporate Services report directly to the next meeting of the Administration Committee on September 4, 2003, and/or Council at its meeting of September 22, 23 and 24, 2003, on the results of the negotiations with the adjacent property owner related to the minimization of the effect of existing easements on the property; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**Clause No. 24 - “Victoria Memorial Square Park – Funding Activities (Ward 20 - Trinity-Spadina)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendations of the Toronto East York Community Council embodied in the communication dated July 14, 2003, from the City Clerk:

‘The Toronto East York Community Council recommends that:

- (1) in accordance with City Policy, 25 percent of Parks Levies collected in the King-Spadina Area be applied to the improvement of Victoria Park Memorial Square;
- (2) the Chief Financial Officer and Treasurer report to the Policy and Finance Committee and the Toronto East York Community Council in January 2004, regarding the flow of funds to this project; and
- (3) the Commissioner of Economic Development, Culture and Tourism submit a progress report during the 2004 budget process to include neighbourhood fundraising activities, budget and final design.’ ”

**Clause No. 28 - “Funding for Stay Alert, Stay Safe Campaign”.**

Council adopted the following recommendation:

“It is recommended that Council adopt the following recommendation of the Task Force on Community Safety embodied in the communication dated June 15, 2003, from the City Clerk:

‘The Task Force on Community Safety at its meeting held on July 15, 2003, recommended to Council that funds in the amount of \$10,000.00 be allocated to the Stay Alert, Stay Safe Campaign from the 2003 Budget of the Task Force on Community Safety by reallocating \$5,000.00 from the City Watch Program and \$5,000.00 from the Community Crisis Response Program, and that this be subject to City staff reviewing the contents of the document to be distributed by the Stay Alert, Stay Safe Organization.’ ”

**Clause No. 35 - "Other Items Considered by the Committee".**

The Clause was amended as follows:

- (a) Council waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code in order to consider Item (d), entitled "Staff Response to Commission Inquiry: Revised Motion in Support of Funding for Environmental Assessments of Subway Extensions", embodied therein. Council subsequently adopted the following recommendation:

"It is recommended that Council adopt the following Motion in order to permit an application to the Province of Ontario's Golden Horseshoe Transit Investment Partnership to be filed immediately, and that a copy also be forwarded to the Budget Advisory Committee for consideration of the funding implications:

**WHEREAS** the Toronto Transit Commission, at its meeting held on July 16, 2003, adopted a motion regarding the undertaking of environmental assessments for the proposed extensions of the Spadina and Sheppard Subways and requested that City Council consider this matter at its July 22, 2003 meeting as a time critical item; and

**WHEREAS** the provision of high-quality rapid transit service is critical to attracting travellers to transit, as is advocated in the City of Toronto's new Official Plan, in York Region's new Transportation Master Plan, by the Central Ontario Smart Growth Panel, and by the Federal Government's Kyoto Action Plan; and

**WHEREAS** the undertaking of Environmental Assessments of the extensions of the Spadina and Sheppard Subways would be consistent with the provision of such high-quality rapid transit in the Greater Toronto Area; and

**WHEREAS** it is the common interests of the City of Toronto, the Regional Municipality of York and the Toronto Transit Commission to proceed with Environmental Assessment studies in support of the extensions of these subways, both of which would facilitate both inter-regional and intra-regional transit travel; and

**WHEREAS** the City of Toronto and the Toronto Transit Commission have expressed strong support for the extension of the Spadina and Sheppard subways, and confirmed them as their top priorities for transit expansion; and

**WHEREAS** the Regional Municipality of York has demonstrated a financial commitment to participating in the extension of the subway beyond Steeles Avenue by purchasing lands on the north side of Steeles Avenue adjoining York University for an Inter-Regional Bus Terminal/Commuter Parking Gateway Facility, and is fully financing the cost of the Environmental Assessment Study for rapid transit including a future subway from that facility north to Highway 7; and

**WHEREAS** the City of Toronto, the Toronto Transit Commission, the Regional Municipality of York, the City of Vaughan and York University have co-operated extensively in their planning and advocacy efforts as evidenced by their participation in the Spadina-York Subway Extension Committee and the development of a business case report that was submitted to all interest parties; and

**WHEREAS** the Provincial and Federal Governments have recently announced the provision of funding for transit initiatives which facilitate inter-regional transit travel; and

**WHEREAS** the total costs of the Environmental Assessments for the extensions of the Spadina and Sheppard Subways is approximately \$5 million; and

**WHEREAS** the Provincial and Federal governments have not yet agreed to provide any funding towards the undertaking of these Environmental Assessments;

**NOW THEREFORE BE IT RESOLVED THAT**, in order to achieve an equal municipal-provincial-federal sharing of the costs of the environmental assessments for these subway extensions:

- (1) the City of Toronto commits to funding the one-third municipal share of the Environmental Assessment study as it relates to the extension of the subway from Downsview station to the proposed York University station;
- (2) the City of Toronto and the Regional Municipality of York commit to equally cost-share the municipal portion of the Environmental Assessment study as it relates to the section of the proposed line from the York University station to the Inter-Regional Bus Terminal/Commuter Parking Gateway Facility at Steeles Avenue;
- (3) the City of Toronto, the Toronto Transit Commission, the Regional Municipality of York, the City of Vaughan and York University continue to work co-operatively to ensure the co-ordination of these studies and present a unified submission to the senior levels of government requesting their participation;

- (4) the one-third provincial share of the \$5 million cost of the environmental assessments for the extensions of the Spadina and Sheppard Subways be requested from the Province through the submission of a new application to the Province of Ontario's Golden Horseshoe Transit Investment Partnership, which would be jointly prepared and submitted by the City of Toronto, the Regional Municipality of York, the Toronto Transit Commission; and York University; and
  - (5) the one-third federal share of the \$5 million cost of the environmental assessments for the extensions of the Spadina and Sheppard Subways be requested from the federal government through the submission of a new application to the Government of Canada's Canada Strategic Infrastructure Fund, which would be jointly prepared and submitted by the City of Toronto, the Regional Municipality of York, the Toronto Transit Commission and York University.' ”; and
- (b) Item (i), entitled “Toronto Hydro – Payment of Dividends”, embodied in the Clause, was struck out and referred back to the Policy and Finance Committee for further consideration, and in order to provide an opportunity for Toronto Hydro to make a presentation to the Committee on this issue.

The balance of the Clause was received as information.

#### **REPORT NO. 6 OF THE WORKS COMMITTEE**

**Clause No. 1 - “Options to Improve Enforcement and Reduce Instances of Illegal Dumping”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the City Solicitor be requested to submit a joint report to the Works Committee on the option of impounding the vehicles of those who are illicitly dumping.”

**Clause No. 2 - “Solid Waste Disposal - Contingency Planning for Border Closure”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the supplementary joint report dated July 17, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor, embodying the following recommendations:

‘It is recommended that:

- (1) the legal firm of Dean & Fulkerson of Troy, Michigan, be retained on a sole source basis to represent the City of Toronto in matters of U.S. Customs violations associated with the shipment of solid waste, biosolids, grits, screenings and other waste originating from the City of Toronto across the U.S.-Canada border; and
- (2) Dean & Fulkerson be retained on a budget of \$30,000.00 (Canadian), inclusive of all taxes and incidental costs (funds are available in the approved 2003 Operating Budget under Program SW0705-4091), such retainer to be in a form and content satisfactory to the City Solicitor and the Commissioner of Works and Emergency Services.’ ”

**Clause No. 5 - “Automated Vehicle Location (AVL) and Management Control System Pilot Project in Solid Waste Management Services”.**

The Clause was amended by adding thereto the following:

“It is further recommended that a copy of this Clause be forwarded to the IT Sub-Committee for its information.”

**Clause No. 6 - “Human Factors Evaluation of Video Advertising Signs”.**

The Clause was amended by amending the recommendations of the Works Committee, as follows:

- (1) deleting from Recommendation No. (1) the word “two” and inserting in lieu thereof the word “one”; and
- (2) inserting in Recommendation No. (2) after the word “representatives” the words “and the Public Space Committee”,

so that the recommendations of the Works Committee shall now read as follows:

“The Works Committee recommends:

- (1) the adoption of the following report (June 16, 2003) from the Commissioner of Works and Emergency Services, subject to amending Recommendation No. (1) by deleting the reference to “highways” so that such Recommendation reads as follows:

- “(1) the ‘Guidelines for Commercial Advertising on or Adjacent to Expressway Rights-of-Way’ as proposed in this report (Appendix 5) be adopted as an interim measure, and that staff continue to monitor the number of collisions at locations within view of existing video advertising signs which are adjacent to City expressways and report back in one year’s time;”,

and amending the report to provide that the guidelines for commercial advertising apply only to expressways; and

- (2) that industry representatives and the Public Space Committee be consulted as part of any further studies, and that Transportation Services staff be circulated on all future video display applications submitted to the Urban Development Services Department, being either for expressways or for City intersections and streets, and provide comment when necessary:”.

**Clause No. 8 - “Alternate Side Parking - Changeover Times and Grace Periods”.**

The Clause was struck out and referred back to the Works Committee for further consideration, and the Commissioner of Works and Emergency Services was requested to submit a report to the Works Committee, for consideration therewith, on the feasibility of including the grace period in the appropriate by-law to make it clear to parking enforcement personnel that tags are not be issued during this period.

**Clause No. 9 - “Agreements with Minglehaze Investors Inc. and with the Regional Municipality of York and City of Vaughan for Extension of Water and Wastewater Services to Long-Term Care Facility, Steeles Avenue West and Gihon Springs Drive (Ward 1 - Etobicoke-North)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the conditions referred to in Recommendation No. (2) of the report dated June 16, 2003, from the Commissioner of Works and Emergency Services, as embodied in the Clause, be consistent with the provisions of the Steeles Avenue agreement between the City of Toronto and York Region and be subject to the terms of that agreement; and
- (2) the Commissioner of Works and Emergency Services be requested to advise the Councillor for Ward 1, Etobicoke North, should any further change of land use be considered for the lands surrounding the proposed development at the northwest corner of Steeles Avenue West and Gihon Springs Drive.”

**Clause No. 18** - **“Speed Control on W.R. Allen Road During Structural Rehabilitation of Overpass at Wilson Avenue - Contract No. 03FS-21S, Tender Call No. 148-2003 (Wards 9 and 10 – York Centre)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to develop an enforcement protocol with the Toronto Police Service to ensure that speed is appropriately but not excessively monitored at this location.”

**Clause No. 20** - **“Hearne Avenue and Jane Street - Drainage Problem on Private Laneway (Ward 12 - York South-Weston)”**.

Council adopted the following recommendations:

“It is recommended that:

- (1) the supplementary report dated July 18, 2003, from the Commissioner of Works and Emergency Services be received;
- (2) the installation of the required catch basin at the rear of 10 Hearne Avenue be subject to receiving written authorization from the property owner for installation purposes only; and
- (3) prior to the installation of the catch basin and lead that:
  - (a) the owners of 10 Hearne Avenue grant an easement to the City of Toronto for nominal consideration (\$1.00), to permit the City to install and maintain the catch basin and lead and to provide access to the City to carry out the maintenance;
  - (b) the owners of 10 Hearne Avenue and other properties, which properties, in the opinion of the Commissioner of Works and Emergency Services, are required to be traversed to maintain the catch basin and the lead, grant to the City, for nominal consideration (\$1.00), rights-of-way over the lands designated necessary by the Commissioner for this purpose; and
  - (c) all such documents to be of a content satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor.”

**Clause No. 22 - “Lavender Creek Water Quality Assessment”.**

The Clause was amended by adding thereto the following:

“It is further recommended Council adopt the following motion:

**Moved by: Councillor Nunziata**

**‘WHEREAS** the students of Archbishop Romero Catholic Secondary School, with their teacher Robert Colle, pushed for an inquiry to analyze the visibly polluted Lavender Creek; and

**WHEREAS** the students of Archbishop Romero demonstrated the community leadership that is an example to all Torontonians; and

**WHEREAS** the students of Archbishop Romero have led a significant and ongoing inquiry into the sources of pollution within Lavender Creek, and within the City of Toronto’s water system; and

**WHEREAS** the students of Archbishop Romero have led to the dramatic cleanup and revitalization of Lavender Creek; and

**WHEREAS** the actions of the students of Archbishop Romero will facilitate the enjoyment of Lavender Creek for future generations;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council commend Robert Colle and the students of Archbishop Romero for their leadership, initiative and strong environmental advocacy to save Lavender Creek;

**AND BE IT FURTHER RESOLVED THAT** a tree be planted adjacent to the Creek to commend the students’ initiative, and to grow as a reminder commemorating the rebirth of Lavender Creek;

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

**REPORT NO. 6 OF THE ETOBICOKE COMMUNITY COUNCIL**

**Clause No. 15 - “Final Report - Application to Amend the Etobicoke Zoning Code, K & K Car Wash, Michael Faric, Architect, 110 Rexdale Boulevard; File No. TA CMB 2002 0023 (Ward 2 – Etobicoke North)”.**

Council adopted the following recommendation:

“It is recommended that the report dated June 16, 2003, from the Director, Community Planning, West District, as embodied in the Clause, be adopted.”

- Clause No. 16** - **“Final Report - Application to Amend the Etobicoke Zoning Code, Tilak Corporation, John Beresford, Architect, 120 Eringate Drive File No. TA CMB 2003 0001 (Ward 3 - Etobicoke Centre)”**.

The Clause was amended by amending Recommendation No. (2) of the Etobicoke Community Council to now read as follows:

- “(2) that 25 percent of the cash-in-lieu of parkland dedication from the subject site be directed to local parks in the area, in compliance with City policy.”

### **REPORT NO. 6 OF THE HUMBER YORK COMMUNITY COUNCIL**

- Clause No. 1** - **“Final Report - 61 Harvard Avenue (South Side of Harvard Avenue Mid-block Between Roncesvalles and Triller Avenues) Application to Amend the Official Plan and the (former) City of Toronto Zoning By-law No. 438-86; Bhushan Taneja (Ward 14 - Parkdale-High Park)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that all properties approved in the past under the Parkdale Pilot Project also be subject to the same conditions, and that this be a condition when the licence is renewed.”

- Clause No. 13** - **“Final Report – 403 Keele Street; Application to Amend the Official Plan and (former) City of Toronto Zoning By-law No. 438-86; Nexxt Corporation (Ward 14 – Parkdale-High Park)”**.

The Clause was amended by amending Recommendation No. (4) contained in the report dated June 24, 2003, from the Director, Community Planning, South District, as embodied in the Clause, to now read as follows:

- “(4) before introducing the necessary Bills in Council for enactment, require the owner to enter into a Section 37 Agreement that is satisfactory to the Commissioner of Urban Development Services, such agreement to include, among other matters, the following:
- (a) \$150,000.00 to the Junction Gardens BIA for streetscape improvements to Keele Street north of Dundas Street West, as well as underpass upgrading, future beautification initiatives to Heintzman, Indian Grove and Hook Avenue, including the Trellis Improvement Plan to Heintzman and Indian Grove intersections with Dundas Street West and that an application be made to Economic Development Services under their matching Capital Improvement Funds to the local BIA area;

- (b) \$20,000.00 to the West Toronto Junction Team for Marketing and New Business Development;
- (c) \$10,000.00 for playground enhancements for a nearby Ward 14 parkette in Ward 14;
- (d) \$10,000.00 for playground enhancements in a park in the former City of Toronto within Ward 11;
- (e) \$10,000.00 for playground enhancements for Vine Avenue Parkette in Ward 13; and
- (f) the Section 37 Agreement be amended to reflect the above changes.”

**Clause No. 15 - “103 and 111 Ingram Drive - Information Report (Ward 12 – York South-Weston)”.**

Council adopted the following recommendations:

“It is recommended that:

- (1) in light of concerns about possible changes in activity since the last permit was issued for the site located at 103 and 111 Ingram Drive, the owner be requested to confirm with the Building Division the main use on the sites and additional current uses;
- (2) once the owner has confirmed the uses, the Commissioner of Urban Development Services, in consultation with the City Solicitor, be requested to submit a report to the Humber York Community Council on any implications with respect to compliance with the Zoning By-laws resulting from the determination of the uses on the site, and that this report replace the reports requested by Humber York Community Council on the zoning by-law requirements for the sites;
- (3) the Chief Building Official be directed to verify whether a one-metre strip of landscaping abutting the street is required at 103 Ingram Drive and Municipal Licensing and Standards by-law enforcement officers be requested to enforce any landscaping requirements or other relevant by-laws that apply to the site;
- (4) the Commissioner of Urban Development Services, the Medical Officer of Health, the Commissioner of Works and Emergency Services, the Minister of the Environment and the Minister of Labour be requested to inspect and investigate whether 103 and 111 Ingram Drive violate their respective by-laws or legislation or regulations with regard to the adverse affects associated with noise, dust and contaminated water/wastewater emanating from these sites;

- (5) Council acknowledge that the activities at these sites constitute a public nuisance and have a detrimental impact on the use and enjoyment of properties and their employees in the vicinity of the premises and that adequate steps have not been taken to eliminate the public nuisance; and
- (6) the local Councillor be requested to meet with the owner and the surrounding community separately, to determine possible ways of relieving the adverse impacts at 103 and 111 Ingram Drive, and to advise the Humber York Community Council at its September 9, 2003 meeting on a potential mediated solution.”

**Clause No. 29 - “Langside Avenue and Wall Avenue - All-Way Stop Control (Ward 11 - York South-Weston)”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**Clause No. 33 - “Results of a Six-Month Trial on One-Way Traffic Management Plan; Aileen Avenue and Dunraven Drive (Ward 12 - York South-Weston)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that a one-way eastbound be introduced on Aileen Avenue, between Scott Road and Kane Avenue.”

**Clause No. 48 - “Northcliffe Boulevard and Westmount Avenue - Poll Results on Reversing Direction of Travel to Accommodate School Bus Loading Zone (Ward 17 - Davenport)”.**

The Clause was amended by deleting Recommendation No. (2) of the Humber York Community Council and inserting in lieu thereof the following new Recommendations Nos. (2) and (3):

- “(2) a school bus loading zone be designated on the west side of Northcliffe Boulevard, between a point 82.7 metres north of St. Clair Avenue West and a point 73.5 metres further north thereof; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that may be required.”

- Clause No. 54** - **“Poll Results - Request for Overnight On-Street Permit Parking; and One-Hour Parking on Onslow Crescent Between Vaughan Road and Glenholme Avenue (Ward 15 - Eglinton Lawrence)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that provision be made in the by-law to install parking meters on a portion of Onslow Crescent to accommodate the short-term visitor parking demand from adjacent residential property, as outlined in the communication dated July 8, 2003, from the Manager, Operational Planning and Customer Service, Toronto Parking Authority.”

- Clause No. 59** - **“Other Items Considered by the Community Council”**.

The Clause was received as information, subject to striking out and referring Item (f), entitled “Traffic Calming Poll Results – Ewart Avenue between Keele Street and Scott Road (Ward 12 – York South-Weston)”, back to the Humber York Community Council for further consideration.

#### **REPORT NO. 6 OF THE MIDTOWN COMMUNITY COUNCIL**

- Clause No. 4** - **“Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening for Two Vehicles at 38 Belsize Drive (St. Paul’s - Ward 22)”**.

Council adopted the following recommendation:

“It is recommended that the following Option 2 contained in the report dated June 17, 2003, from the Manager, Right-of-Way Management, Transportation Services, District 1, as embodied in the Clause, be adopted:

‘City Council approve the application for two angled parking spaces, as shown on Appendix “A”, notwithstanding the required setback will not be provided, subject to:

- (a) the parking area not exceeding 2.2 metres by 5.9 metres in dimension for each space;
- (b) the applicants providing the landscape features, substantially in accordance with the plan, as shown on Appendix “D”, to the satisfaction of the Commissioner of Works and Emergency Services;

- (c) the parking area being paved with semi-permeable paving materials, such as ecostone pavers or approved equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking and Licences, of the former City of Toronto Municipal Code.’ ”

**Clause No. 17 - “Naming of Proposed Public Street at 1929 Bayview Avenue (Don Valley West - Ward 26)”.**

Council adopted the following recommendation:

“It is recommended that Council adopt the following motion:

**Moved by: Councillor Pitfield**

**Seconded by: Councillor Walker**

**‘WHEREAS** the Midtown Community Council, at its meeting on July 8, 2003, had before it a report dated June 23, 2003, from the City Surveyor, Works and Emergency Services, recommending that the proposed public street to be located at 1929 Bayview Avenue be named “Colonel Baker Drive”; and

**WHEREAS** the Midtown Community Council has submitted the said report to Council for its meeting on July 22, 2003, without recommendation; and

**WHEREAS** the owners of the subdivision have proposed an alternative name for the proposed street, after one of the original settlers in the area, Joseph Kilgour; and

**WHEREAS** the proposed name ‘Kilgour Road’ conforms with City Council’s Policy on Street Names and is acceptable to personnel representing the Midtown Preservation Panel and staff of Technical Services, Emergency Medical Services, Fire Services and Police Services;

**NOW THEREFORE BE IT RESOLVED THAT** the proposed public street to be located at 1929 Bayview Avenue be named ‘Kilgour Road’;

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

**REPORT NO. 6 OF THE NORTH YORK COMMUNITY COUNCIL**

**Clause No. 3 - "All Way Stop Control - Radine Road at Johnston Avenue and Franklin Avenue (Ward 23 - Willowdale)".**

The Clause was amended by deleting the street name "Radine Avenue", wherever it appears in the Clause, and inserting in lieu thereof the street name "Radine Road".

**Clause No. 16 - "Amendment to the Sign By-law for the Former City of North York, to Restrict Signs on Office and Industrial Buildings in the Yonge Street City Centre Area (Ward 23 - Willowdale)".**

The Clause was struck out and referred back to the North York Community Council for further consideration at its next meeting scheduled to be held on September 10, 2003, and the Commissioner of Urban Development Services was requested to submit a further report to the North York Community Council, for consideration therewith, on amendments to the By-law to address potential impacts and other uses within office and industrial buildings.

**Clause No. 21 - "Special Occasion Beer Garden Permit Request for Community Event (Ward 23 - Willowdale)".**

The Clause was amended by adding thereto the following:

"It is further recommended that City Council declare, for liquor licensing purposes, the Canadian National Soccer Foundation event to be held on September 27 and 28, 2003, at Downsview Arena, to be an event of municipal and/or community significance and that it has no objection to such event taking place, and the Alcohol and Gaming Commission be so advised."

**Clause No. 26 - "Submission of Bills Respecting Lifting of Holding (H) Symbol - Trinity Development Group - TB ZBL 2002 0007 and TB SUB 2002 0001, Southwest Corner of Steeles Avenue West and Dufferin Street (Ward 8 - York West)".**

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

"It is recommended that:

- (1) Council adopt the confidential joint report dated July 22, 2003, from the Commissioner of Urban Development 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 which is subject to solicitor-client privilege, save and except the following recommendation embodied therein:

‘It is recommended that the Bills to lift the Holding Symbol with respect to the development site at the southwest corner of Steeles Avenue West and Dufferin Street not be introduced until the draft plan of subdivision for the lands, which provides for a new street to serve the proposed development, has been approved.’; and

- (2) the City Solicitor be directed to take all the necessary steps to obtain an early hearing date from the Ontario Municipal Board on the appeal.”

#### **REPORT NO. 6 OF THE SCARBOROUGH COMMUNITY COUNCIL**

**Clause No. 18 - “Request for Direction - Combined Application TF CMB 2002 0017 - Bell-Am Apartments (Rayman Architects Inc.), 126 Bellamy Road North – Eglinton Community (Ward 38 - Scarborough Centre)”.**

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

#### **REPORT NO. 7 OF THE TORONTO EAST YORK COMMUNITY COUNCIL**

**Clause No. 3 - “Settlement Report - Official Plan Amendment and Rezoning - 28 Rees Street and Sign By-law Exemption - 1 Blue Jays Way (SkyDome) (Trinity-Spadina, Ward 20)”.**

Council adopted the following recommendation:

“It is recommended that Council adopt the confidential report dated July 21, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) authority be granted:
  - (a) for the City to enter into Minutes of Settlement, substantially in the form described in Appendix “B” to City Solicitor’s report, with either or both of Sportsco International, L.P., and Sportsco Canada, Inc. (collectively and individually, “Sportsco”) and Rogers Blue Jay Baseball Partnership (the “Blue Jays”);

- (b) for the City to enter into the City Building Agreement substantially in the form described in Appendix “B” to City Solicitor’s report;
  - (c) for the City to amend the Metro Leases by the execution of the SkyDome Lands And Access Ramp Lands Lease Amending Agreement and the Metro SkyDome Entrance Driveway Lease Amending Agreement substantially in the form described in Appendix “C” to the City Solicitor’s report; and
  - (d) for the City Solicitor to advise the Ontario Municipal Board that the City consents to a modification to By-law No. 459-2992 that would target the residential building proposed for 28 Rees Street to an affordable seniors building by restricting:
    - (i) the dwelling unit parking to 130 spaces;
    - (ii) the parking for the commercial component of the proposed residential building to 90 percent of the maximum currently permitted by the Railway Lands Central Zoning By-law for commercial parking; and
    - (iii) the average per unit floor area to a maximum of 60 square metres;
- (2) the recommendations contained in the report from the Director, Community Planning, South District, dated May 22, 2003, recommending approval of the SkyDome Sign Application, be adopted; and
  - (3) the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

**Clause No. 4 - “Draft By-laws - Amendments to Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan (Fort York Neighbourhood) (Trinity-Spadina, Wards 19 and 20)”.**

Council adopted the following recommendations:

“It is recommended that:

- (a) Council adopt the confidential report dated July 22, 2003, from the Commissioner of Urban Development Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that City Council:

- (1) direct the City Solicitor and Planning staff to attend the Ontario Municipal Board on September 22, 2003 and support zoning by-law amendments proposed by Wittington that are consistent with the City initiated changes to the Bathurst/Strachan Part II Official Plan and Bathurst/Strachan Secondary Plan and as generally described in the June 23, 2003 report from the Director, Community Planning, South District, and further clarified in this report;
  - (2) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to the September meeting of City Council for further instructions regarding Blocks 8, 9 and 10 in the Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan if these Blocks are consolidated into the September Ontario Municipal Board Hearing;
  - (3) direct staff to consult with the residents of Harbourfront immediately south of Blocks 8, 9 and 10 regarding proposed changes to these Blocks;
  - (4) amend Recommendation No. (3) of the June 23, 2003 staff report on Amendments to the Bathurst/Strachan Official Plan to replace the word “require” with the word “request” so that Recommendation No. (3) will read as follows:

“request the owners to submit to the City Solicitor letters undertaking to withdraw their appeals to the new City-wide Official Plan, the in-force City of Toronto Official Plan and the Central Waterfront Secondary Plan once the Official Plan amendment which is the subject of this report comes into force”; and
  - (5) authorize the Commissioner of Urban Development Services to give notice of a Public Meeting to be held at the September 9, 2003 meeting of Toronto East York Community Council on amendments to the implementing Zoning By-laws for the Bathurst/Strachan Area including holding provisions.’; and
- (b) Council adopt the report dated July 18, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services, be directed to apply the cost-sharing arrangement as outlined in this report in securing contributions from the landowners in the Railway Lands West and Bathurst-Strachan Secondary Planning Areas towards the cost to undertake the modifications at the intersection of Bathurst Street and Bremner Boulevard/Fort York Boulevard, through subdivision and Section 37 agreements or any other agreements deemed appropriate by the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect to the above.’ ”

**Clause No. 5** - **“Directions Report - Official Plan Amendment and Rezoning Applications - 511 Bremner Boulevard and 2 and 20 Housey Street (Railway Lands West, Blocks 33 and 27) (Trinity-Spadina, Ward 20)”**.

Council adopted the following recommendation:

“It is recommended that Council adopt the confidential report dated July 22, 2003, from the Commissioner of Urban Development Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that City Council:

- (1) direct the City Solicitor and Planning staff to attend the Ontario Municipal Board on September 22, 2003, and support zoning by-law amendments proposed by Wittington that are consistent with the City initiated changes to the Bathurst/Strachan Part II Official Plan and Bathurst/Strachan Secondary Plan and as generally described in the June 23, 2003 report from the Director, Community Planning, South District and further clarified in this report;
- (2) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to the September meeting of City Council for further instructions regarding Blocks 8, 9 and 10 in the Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan if these Blocks are consolidated into the September Ontario Municipal Board Hearing;

- (3) direct staff to consult with the residents of Harbourfront immediately south of Blocks 8, 9 and 10 regarding proposed changes to these Blocks;
- (4) amend Recommendation No. (3) of the June 23, 2003 staff report on Amendments to the Bathurst/Strachan Official Plan to replace the word “require” with the word “request” so that Recommendation No. (3) will read as follows:

“request the owners to submit to the City Solicitor letters undertaking to withdraw their appeals to the new City-wide Official Plan, the in-force City of Toronto Official Plan and the Central Waterfront Secondary Plan once the Official Plan amendment which is the subject of this report comes into force”;  
and

- (5) authorize the Commissioner of Urban Development Services to give notice of a Public Meeting to be held at the September 9, 2003 meeting of Toronto East York Community Council on amendments to the implementing Zoning By-laws for the Bathurst/Strachan Area including holding provisions.’ ”

**Clause No. 6** - **“Settlement of Outstanding Issues - 22 Bathurst Street, 640R and Part of 640 Fleet Street (St. Mary’s Cement) (Trinity-Spadina, Ward 19)”**.

The Clause was amended in accordance with the supplementary report dated July 23, 2003, from the Commissioner of Urban Development Services, embodying the following recommendation:

“It is recommended that Attachment 2 to the June 19, 2003 report from the Director, South District, Community Planning, be replaced with Attachment 1 to this report and that the text of the proposed Zoning By-law Amendment state that buildings within the 26 and 47 metre height limits shall not exceed 8 and 15 storeys, respectively.”

**Clause No. 10** - **“Site Plan Control - 150 College Street (The Pharmacy Building, University of Toronto) (Trinity-Spadina, Ward 20)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated July 21, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

'It is recommended that City Council:

- (1) approve the co-ordinated landscape plan (Map 1) as it applies to the University of Toronto lands east of the Fitzgerald Building, including the interior courtyard formed by the Tanz, the Fitzgerald and the proposed Pharmacy Building; and
- (2) instruct staff to include the following requirements in the Site Plan Agreement:
  - (a) that the owner shall restrict access to the interior courtyard to emergency vehicles, vehicles providing maintenance to equipment within the adjoining buildings, and exceptional deliveries of material or equipment that can not be delivered through loading areas otherwise provided on site; and
  - (b) the owner shall limit vehicular access to the interior courtyard to those vehicles authorized by University staff.' ”

**Clause No. 11 - “Site Plan Control - 150 College Street (Centre for Cellular and Biomolecular Research, University of Toronto) (Trinity-Spadina, Ward 20)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the supplementary report dated July 21, 2003, from the Commissioner of Urban Development Services, embodying the following recommendation:

‘It is recommended that City Council approve the attached landscape plan.’ ”

**Clause No. 23 - “Refusal of Application for Site Plan Approval - 190 - 242 Cherry Street (Toronto-Danforth, Ward 30)”.**

The Clause was amended by deleting the following Recommendation No. (4) contained in the report dated June 16, 2003, from the Director, Community Planning, South District, as embodied in the Clause:

“(4) that Council instruct TEDCO to ensure that all provisions of the land lease are maintained in good standing.”

**Clause No. 27 - “Amendments to Parking Regulations to Provide Additional Parking Spaces - College Street, Between Beatrice Street and Manning Avenue (Trinity-Spadina, Ward 19)”.**

The Clause was amended by amending the Recommendations of the Toronto East York Community Council, as follows:

- (1) deleting from Recommendation No. (2) the word, “north” and inserting in lieu thereof the word, “south”, so that such recommendation shall now read as follows:
  - “(2) two additional parking spaces be installed on the south side of College Street, east of Grace Street;” and
- (2) deleting from Recommendation No. (3) the word, “south” and inserting in lieu thereof the word, “north”, so that such recommendation shall now read as follows:
  - “(3) two additional parking spaces be installed on the north side of College Street, west of Grace Street.”

**Clause No. 56 - “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

The Clause was amended by amending the recommendations of the Toronto East York Community Council, as follows:

- (1) by adding the following a new Parts (i), (j), (k), (l), (m) and (n) to Recommendation No. (7):
  - “(i) Wedding reception to be held at the Algonquin Island Association Hall on Ward’s Island on August 10, 2003, from 4:00 p.m. to 3:00 a.m.;
  - (j) MTCC 876 Barbeque to be held in the rear of the building at 1001 Bay Street on August 21, 2003, from 6:00 p.m. to 12:30 a.m.;
  - (k) Ryerson Students’ Administrative Council Week of Welcome (Orientation Week) Events:
    - (i) WOW Launch Party, to be held on Gould Street from Church Street to Victoria Street on September 2, 2003, from 10:00 a.m. to 1:00 a.m.;
    - (ii) Campus Groups Day, to be held on Gould Street from Church Street to Victoria Street on September 3, 2003, from 10:00 a.m. to 1:00 a.m.;
  - (l) Art Vernissage to be held at Gallery 888, 888 Queen Street East, on Wednesday, August 6, 2003, from 6:00 p.m. to 9:30 p.m.;

- (m) Annual Beaches Blues Fest to be held at Stan Wadlow Park, located at Cosburn Avenue and Cedarvale Avednue, on Saturday, August 30, 2003, and Sunday, August 31, 2003, from 12:00 noon to 9:00 p.m., and Monday, September 1, 2003, from 12:00 noon to 6:00 p.m.;”; and
  - (n) Ontario Gay and Lesbian Chamber of Commerce Annual Barbecue, to be held at the YCC 427, Party Room and Patio, located at 86 Gloucester Street, on Wednesday, August 20, 2003, from 5:00 p.m. to 10:00 p.m.;”; and
- (2) adding the following new Recommendations Nos. (9) and (10):
- “(9) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Hard Rock Café Toronto, 279 Yonge Street, to extend the patio on to Dundas Square on July 29, 2003, in order to host a SARS Relief pre-concert and has no objection to the granting of such extension; and
  - (10) advise the Alcohol and Gaming Commission of Ontario that it is aware of the requests for extensions of patio licenses for the establishments, submitted to Council under separate cover, to permit the sale and service of alcohol on August 8, 2003, until 2:00 a.m., on August 9, 2003, until 2:00 a.m., and on August 10, 2003, until 10:00 p.m., in conjunction with the Taste of the Danforth Festival, and has no objection to the granting of such requests.”

**Clause No. 67 - “Revisions to Draft Plan of Subdivision - Precincts 1 and 2; Removal of Holding Designation from Blocks 24, 25, 26 and 29 in Railway Lands West (Trinity-Spadina, Ward 20)”.**

The Clause was amended:

- (a) in accordance with the following motion:

**Moved by: Councillor Chow**

“It is recommended that:

- (1) authority be granted to enter into the necessary agreements with Concord Adex Developments Corp. allowing for the release of the 1994 Acknowledgment Agreement from the blocks in Railway Lands Central without posting a letter of credit to secure the community park construction, but providing for an equal sharing of the fees that would have been incurred to post a letter of credit to secure the park construction;

- (2) the funds be held in a Railway Lands environmental reserve to be allocated to the interpretation of the mouth of Garrison Creek in the Railway Lands West; and
- (3) any funding resulting from the overlooked contribution of the H&R development be used as a contribution from the City portion resulting from the City's housing blocks.”; and

(b) by adding thereto the following:

“It is recommended that Council adopt the supplementary report dated July 18, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

‘It is recommended that:

- (1) the Commissioner of Urban Development Services, in consultation with the Commissioner of Works and Emergency Services, be directed to apply the cost-sharing arrangement as outlined in this report in securing contributions from the landowners in the Railway Lands West and Bathurst-Strachan Secondary Planning Areas towards the cost to undertake the modifications at the intersection of Bathurst Street and Bremner Boulevard/Fort York Boulevard, through subdivision and Section 37 agreements or any other agreements deemed appropriate by the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect to the above.’ ”

**Clause No. 69 - “Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 100 Front Street West (Toronto Centre-Rosedale, Ward 28)”.**

The Clause was amended to provide that the fascia sign at the top floor level of the Royal York Hotel, 100 Front Street West, read “Fairmont Royal York” as per the new proposal submitted by Pattison Signs on behalf of Fairmont Hotels.

**REPORT NO. 5 OF THE BOARD OF HEALTH**

**Clause No. 1 - "Physical Activity and Public Health: A Call to Action".**

The Clause was amended by adding thereto the following:

"It is further recommended that:

- (a) the Commissioner of Economic Development, Culture and Tourism be requested to investigate and compare employee fitness incentive programs in the private sector and other levels of government and submit a report to City Council, through Policy and Finance Committee, on the most suitable models for the City of Toronto and the benefits that can be expected; and
- (b) Council adopt the following recommendations of the Community Services Committee embodied in the communication dated July 3, 2003, from the City Clerk:

'The Community Services Committee on July 3, 2003, recommended to Council that:

- (1) the Medical Officer of Health's "Call to Action" be endorsed; and
- (2) the report be forwarded to the Federation of Canadian Municipalities and the Honourable Alan Rock, Federal Minister of Industry, in order to encourage the Federal Government to fund the social infrastructure request of \$40 million from the Federation of Canadian Municipalities.' "

**REPORT NO. 3 OF THE AUDIT COMMITTEE**

**Clause No. 4 - "Toronto Parking Authority - An Assessment of the Adequacy and Effectiveness of Financial and Administrative Controls".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**Clause No. 7 - "2002 Expenditures for Consulting Services - Departments and Boards".**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

**ENQUIRIES AND ANSWERS:**

- (1) **Enquiry from Councillor Walker regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto.**

Council received the Enquiry dated June May 21, 2003, from Councillor Walker, together with the Answers thereto dated June 19, 2003, from the City Clerk, and June 24, 2003, from the Mayor.

- (2) **Enquiry from Councillor Walker regarding the Union Station Project**

Council received the Enquiry dated June 12, 2003, from Councillor Walker, together with the Answer thereto dated June 23, 2003, from the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor.

**NOTICES OF MOTION APPEARING UNDER ITEM F**

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

**Moved by: Councillor Bussin**

**Seconded by: Councillor I. Jones**

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

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

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

**NOW THEREFORE BE IT RESOLVED THAT:**

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

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.*

**(2) Request to Provincial Government to Abandon Electricity Deregulation and Privatization**

**Moved by: Councillor Walker**

**Seconded by: Councillor Moscoe**

**“WHEREAS** City Council at its meeting held on February 4, 5, and 6, 2003, adopted, without amendment, Policy and Finance Committee Report No. 1, Clause No. 9, headed 'For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002'; and

**WHEREAS** the Ontario government's electricity deregulation and privatization policy has clearly been a disaster; and

**WHEREAS** the various electricity policies implemented by this provincial government over the past six years have imposed hundreds of millions of dollars of additional costs on local distribution companies and their customers; and

**WHEREAS** the government has now enacted Bill 210, The Electricity Pricing, Conservation and Supply Act, 2002 (the 'Act'), which requires each municipality to decide whether to continue to operate its local distribution utility as a for-profit corporation (as required by previous legislation) or allow it to become a zero-return on equity corporation with various additional restrictions (the so-called 'non-profit' status); and

**WHEREAS** the Act gives only an appearance of choice for citizens and their elected municipal representatives, because it places onerous and punishing financial consequences on the local distribution company (LDC) and the municipal shareholder if it opts for the 'non-profit' model; and

**WHEREAS** this false choice seems only to serve as an attempt to scapegoat municipalities and their local distribution companies (LDC) for the provincial government's disastrous electricity policies; and

**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. 1, Clause No. 9, headed 'For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council call on the Government of Ontario to rescind Bill 210, to abandon plans for deregulation and privatization of Ontario's electricity in accord with the wishes of the people of Ontario, to develop and implement a renewed vision for public power in Ontario, and to:

- (1) stop the sell-off of public generating stations and local hydro utilities;
- (2) stop paying higher deregulated prices to electricity producers; and
- (3) implement genuine energy conservation policies and expand clean, renewable energy sources;

**AND BE IT FURTHER RESOLVED THAT** this Resolution be sent for action to: the Honourable Ernie Eves, Premier, and the Honourable John Baird, Ontario Minister of Energy; and for information to: Dalton McGuinty, MPP; Howard Hampton, MPP; Shelly Martel, MPP; Michael Bryant, MPP; and for endorsement to: the Association of Municipalities of Ontario, and to all Ontario municipalities with populations greater than 50,000."

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003. Council further directed that this Motion be dealt with at such meeting.*

- (3) **Request of Toronto District School Board Supervisor to Withdraw Plans to Charge Parking User Fees to Toronto Residents for Overnight Parking in TDSB Neighbourhood School Parking Lots**

**Moved by: Councillor Bussin**

**Seconded by: Councillor McConnell**

**“WHEREAS** neighbourhood school parking lots provide an invaluable parking resource for the residents of the City of Toronto, especially in its older downtown neighbourhoods; and

**WHEREAS** the Toronto District School Board (TDSB) intends to charge the current users of these parking lots excessive fees for overnight parking; and

**WHEREAS** the imposition of fees by the TDSB will undoubtedly result in the current users of the TDSB parking lots to seek parking on our already overburdened residential streets – causing a parking crisis; and

**WHEREAS** in a recent agreement with the TDSB, the City of Toronto agreed to provide \$11 million to TDSB over the next two years to keep 47 school pools open across the City; and

**WHEREAS** implicit in this agreement, the TDSB Supervisor, Paul Christie, agreed that there would be no additional user fees imposed upon the City of Toronto and its residents; and

**WHEREAS** the imposition of the parking user fees on the residents of the City is in violation of the spirit and intent of the school pools agreement;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request that TDSB Supervisor, Paul Christie respect his agreement with the City on user fees and immediately withdraw plans to charge overnight parking user fees in neighbourhood TDSB parking lots.”

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

(4) **Funding to Assist With Ontario Municipal Board Appeal - 151-165 St. Clair Avenue West**

**Moved by: Councillor Walker**

**Seconded by: Councillor Pitfield**

“**WHEREAS** City Council, at its meeting held on October 1, 2 and 3, 2002, adopted, without amendment, Midtown Community Council Report No. 7, Clause No. 54, headed ‘Refusal Report - Applications for Amendments to the Official Plan and Zoning By-law and for Site Plan Approval - 151-165 St. Clair Avenue West, 468 Avenue Road Holdings Inc. - Application No. 202002 – CMB 2002 0002 (St. Paul’s - Ward 22)’, and, in so doing, refused the application for an Official Plan Amendment, Re-zoning and Site Plan Approval at 151-165 St. Clair Avenue West and directed the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board to defend City Council’s decision; and

**WHEREAS** the proposed development would be 24 storeys and would have a density of 17 times the area of the lot; and

**WHEREAS** this property is within site specific policy area #221 of the new Toronto Official Plan which contemplates intensification between 4 and 6 storeys and this policy has been re-affirmed by the Great Gulf development at Russell Hill Road and St. Clair Avenue West; and

**WHEREAS** the Zoning By-law permits a density of two times the area of the lot and permits 14 metres in height; and

**WHEREAS** the developer has assembled a highly skilled team of consultants led by Mr. Adam Brown; and

**WHEREAS**, if approved, this development would pose a significant threat to the neighbourhoods abutting St. Clair Avenue West; and

**WHEREAS** with after-tax dollars, the Committee For the Rational Development of St. Clair and Avenue Road expects to spend upwards of \$110,000.00 to have professional representation at the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council authorize a contribution to the Committee For the Rational Development of St. Clair and Avenue Road in the amount of \$5,000.00, funds to be drawn from the Legal Services reserve account for Ontario Municipal Board appeals;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council thank the executive of the Committee for their vigilance on behalf of their community and the new Official Plan.”

*Disposition:                    The Motion was not adopted.*

(5) **Freedom of Information Request – Removal of Trees at Bales Avenue and Glendora Avenue (Ward 23, Willowdale)**

**Moved by:                    Councillor Filion**

**Seconded by:                Councillor Moscoe**

“**WHEREAS** City Council at its meeting held on April 14, 15 and 16, 2003, adopted, without amendment, North York Community Council Report No. 3, Clause No. 19, headed ‘Final Report - Application to Amend the Official Plan and Zoning By-law 7625 - TB CMB 2002 0005, TB SPC 2002 0034, 1314193 Ontario Limited - 27-49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue - Ward 23 – Willowdale’; and

**WHEREAS** Council also had before it a confidential report dated April 7, 2003, from the City Solicitor, pertaining to this matter, and in that report the City Solicitor made various statements related to the unauthorized removal of City trees on the site; and

**WHEREAS** Councillor John Filion, who is the Councillor for that area and is mentioned in the report, believes there are several inaccurate or misleading statements contained in the report; and

**WHEREAS** Councillor Filion requires access to the City files on this matter, in order to prepare a response to Council and the City Solicitor with regard to statements made in her report of April 7, 2003; and

**WHEREAS** Councillor Filion was denied access to the files by the City Solicitor; and

**WHEREAS** following a subsequent Freedom of Information request, Councillor Filion was again denied access to the files and specifically to some 65 pages of material on the grounds of Solicitor-Client Privilege; and

**WHEREAS** in this instance, City Council is the client;

**NOW THEREFORE BE IT RESOLVED THAT** City Council waive Solicitor-Client privilege with regard to the contents of the file and the Freedom of Information request so that any Member of Council who so wishes can have access to this information;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk determine which, if any, of the documents should be provided to Members of Council on a confidential basis only, in accordance with the rules governing such matters.”

*Disposition:                      Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.*

(6) **Proposed Amendment to the Taxpayer Protection Act**

**Moved by:                      Councillor Moscoe**

**Seconded by:                Councillor Johnston**

“**WHEREAS** the Tory Government of Ernie Eves has recently announced, as a plank in their election platform, that they would amend the Taxpayer Protection Act to require municipalities to conduct a referendum, in order to be able to raise property taxes; and

**WHEREAS** this is nothing more than a cheap attempt to scapegoat municipal governments; and

**WHEREAS** such a provision is an expression of contempt for the some 450 democratically-elected governments across Ontario; and

**WHEREAS** to date, over 50 municipal governments have adopted Resolutions in opposition to this desperate attempt to grab for votes; and

**WHEREAS** the Association Municipalities of Ontario (AMO), despite offers from Minister Young and Premier Eves to discuss the details of the legislation, has refused to enter into such discussions, taking the position that it is unalterably opposed to the legislation and will not participate in discussing the details of its own funeral; and

**WHEREAS** given that the Province has (1) by regulation exempted itself from the Taxpayer Protection Act; (2) offered so many exceptions as to render the act the Taxpayer 'Deception' Act; (3) imposed more regulations, controls and restrictions on municipalities than did the former Communist Government of the Soviet Union; (4) broken its promise to remove education from the property tax bill and instead has chosen to set the mill rate so as to suck property tax money out of Toronto and spray it around the Province; and (5) caused the pressure on the municipal tax base by downloading responsibilities and costs onto municipalities and forced them to pay expenses that were previously provincial responsibility;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto express its unalterable opposition to the Taxpayer Protection (Deception) Act and this contemptuous proposal;

**AND BE IT FURTHER RESOLVED THAT** if the Government is so interested in a referendum, that it have the intestinal fortitude to have one on its own mandate and be requested by Council to call a Provincial election now;

**AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer be requested to seek an outside legal opinion on the decision of the Province to exempt itself by Regulation from the requirements of the Taxpayer Protection Act;

**AND BE IT FURTHER RESOLVED THAT** this position be conveyed to AMO, the Opposition Parties at Queen's Park and the Government of Ontario."

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

## **NOTICES OF MOTION APPEARING UNDER ITEM I**

### **(1) Remuneration of the Incoming Council**

**Moved by:                    Councillor Moscoe**

**Seconded by:                Councillor Rae**

**"WHEREAS** it has been traditional for the outgoing Council to undertake a review of the remuneration of the incoming Council;

**NOW THEREFORE BE IT RESOLVED THAT** Council establish an Ad Hoc Review Panel to make recommendations regarding the remuneration for the incoming Members of Council for the new term;

**AND BE IT FURTHER RESOLVED THAT** such Panel include at least two representatives of the Board of Trade, two representatives of the Toronto and York Region Labour Council and three representatives of the general public selected through the Nominating Committee process;

**AND BE IT FURTHER RESOLVED THAT** this Panel be directed to review compensation paid to Councillors in other comparable cities;

**AND BE IT FURTHER RESOLVED THAT** in so reviewing the appropriate level of compensation, the Panel review compensation levels for Provincial and Federal members, as well as those in the surrounding municipalities like Mississauga;

**AND BE IT FURTHER RESOLVED THAT** the Panel submit its recommendation directly to the September 22, 2003 meeting of Council, and that Council agree in advance, to adopt, without debate, the recommendations of the Panel, and enact a compensation By-law to take effect December 1, 2003.”

*Disposition:                    The Motion was not adopted.*

(2) **Revision to the City’s Coat of Arms**

**Moved by:                    Councillor Kelly**

**Seconded by:                Councillor Sutherland**

“**WHEREAS** in 1998, the Council of the City of Toronto adopted a Coat of Arms; and

**WHEREAS** the figures and emblems on the Coat of Arms are purported to be representative of the local flora and fauna; and

**WHEREAS** the medallions worn by the figures of the beaver and bear contain representations of the alder leaf and the columbine flower; and

**WHEREAS** the City of Toronto has now fallen into a state of obvious neglect; and

**WHEREAS** in the parks and on the municipal boulevards, the evidence of the neglect in the form of weeds is growing daily; and

**WHEREAS** the weed problem will only be exacerbated by the recent Council decisions to desist from implementing proven weed control programs; and

**WHEREAS** it is important to keep the City symbols relevant ;

**NOW THEREFORE BE IT RESOLVED THAT** the representations of the alder leaf and the columbine flower on the medallions worn by the beaver and the bear on the City's Coat of Arms be replaced by the more fitting symbols of the dandelion and ragweed flower."

*Disposition: The Motion was ruled out of order.*

(3) **Request of the Minister of Labour to Ensure that Local Labour is used for Toronto Community Events**

**Moved by: Councillor Miller**

**Seconded by: Councillor I. Jones**

"**WHEREAS** SARS has had a devastating effect on the economy of the City of Toronto; and

**WHEREAS** a Concert for Toronto was held on June 21, 2003, consisting of Canadian performers at the Air Canada Centre and the Skydome; and

**WHEREAS** technical support for this concert was provided by out of Province and out of country workers and not local unionized labour; and

**WHEREAS** the Ministry of Labour has access to contact information for all employers and unions in the Province;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto request that, in future, the Ministry of Labour direct that all future events and concerts in Toronto, such as Canada Day festivities, use local unionized labour to provide technical support so that the wages paid stay within the Toronto economy."

*Disposition: The Motion was adopted, subject to:*

(1) *deleting the words "local unionized labour" wherever they occur and inserting in lieu thereof the words, "Ontario labour, where possible";*

(2) *amending the Operative Paragraph by:*

(a) *deleting the word "direct" and inserting in lieu thereof the word "encourage";*

- (b) *inserting the words, “SARS-related” before the word “events” and inserting the words “funded by the different levels of government” after the words “in Toronto”;*
- (c) *deleting the words, “Ministry of Labour” and inserting in lieu thereof the words, “Provincial Government”;*
- (d) *inserting the words, “wherever possible”, after the words, “technical support, so that”; and*
- (e) *adding to the end thereof the words, “until the City of Toronto has fully recovered from the effect of SARS”,*

*so that such Operative Paragraph shall now read as follows:*

*“NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request that, in future, the Provincial Government encourage that all future SARS-related events and concerts in Toronto funded by the different levels of government, such as Canada Day festivities, use Ontario labour, where possible, to provide technical support so that, wherever possible, the wages paid stay within the Toronto economy, until the City of Toronto has fully recovered from the effect of SARS.”*

**(4) City of Toronto Support of the GO Transit Capital Growth/Enhancement Program**

**Moved by: Councillor Holyday**

**Seconded by: Councillor I. Jones**

**“WHEREAS** numerous studies have shown that a more efficient inter-regional transit system contributes to a healthier economy; and

**WHEREAS** capacity constraints of the current transit system are a factor inhibiting Toronto’s ability to accommodate additional employment growth downtown; and

**WHEREAS** the Official Plan of the City of Toronto recognizes the importance of an efficient transit system; and

**WHEREAS** the viability of TTC and GO Transit are both required for ensuring the enhancement and sustainability of the City of Toronto transit system; and

**WHEREAS** GO Transit has become a critical component of this system, supporting employment growth within the City; and

**WHEREAS** the other funding partners have committed financial support for the GO Transit 10-year growth plan; and

**WHEREAS** the GO Board has indicated that the GO Capital expansion program within the City of Toronto will be deferred until such time as the City commits to its fair share of GO's growth capital program; and

**WHEREAS** the GO Board has asked the City of Toronto to reconsider the commitment to the GO Transit Capital Growth program; and

**WHEREAS** City Council at its meeting held on May 21, 22 and 23, 2003, did not adopt Policy and Finance Committee Report No. 4, Clause No. 6, headed 'City of Toronto Support of the GO Transit Capital Growth/Enhancement Program'; and

**WHEREAS** the GO Transit Board of Directors' in a communication dated June 18, 2003, has requested the City to reconsider its decision regarding funding for GO Transit; and

**WHEREAS** the Board of Directors will have this matter before it at its meeting on July 11, 2003, and, therefore, Council should consider this matter at this meeting;

**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. 4, Clause No. 6, headed 'City of Toronto Support of the GO Transit Capital Growth/Enhancement Program', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council adopt the report dated April 30, 2003, from the Chief Financial Officer and Treasurer, as embodied in the Clause."

**Disposition:** *Council re-opened Policy and Finance Committee Report No. 4, Clause No. 6, headed "City of Toronto Support of the GO Transit Capital Growth/Enhancement Program", for further consideration, and adopted the balance of this Motion, subject to deleting the second Operative Paragraph embodied therein, and inserting in lieu thereof the following new Operative Paragraphs:*

***"AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to convene a meeting with representatives of the Toronto Transit Commission and GO Transit and the Minister of Transport, to review this matter and seek an accommodation with GO Transit and the Province;***

*AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer be requested to seek a legal opinion to help determine if the Toronto Transit Commission can legally make a contribution to GO Transit that is not authorized by statute and submit a report thereon to the Policy and Finance Committee;*

*AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer, in consultation with the Chief General Manager, Toronto Transit Commission, be requested to submit a report to the next meeting of Council, through the Policy and Finance Committee, on how the commitment to the GO Transit Capital Growth/Enhancement Program will impact on the Toronto Transit Commission Capital Program.”*

**NOTICES OF MOTION APPEARING UNDER ITEM J**

**(1) West Rouge Family Day – Designation as Community Festival**

**Moved by: Councillor Moeser**

**Seconded by: Councillor Cho**

**“WHEREAS** for the tenth consecutive year, the West Rouge Community Association and the West Rouge Sports and Recreation Association will be holding their Family Day at the West Rouge Community Centre, 270 Rouge Hills Drive, on Saturday, September 13, 2003; and

**WHEREAS** the event will commence with a breakfast and involve a day of games, dog competitions, prizes and a Barbecue, concluding at 6:00 p.m.; and

**WHEREAS** the intention is to have an outdoor beer/wine garden from 11:00 a.m. to 6:00 p.m.; and

**WHEREAS** all food will be served by volunteers who have taken server training; and

**WHEREAS** this is an important festival activity within the Scarborough community; and

**WHEREAS** the West Rouge Community Association and the West Rouge Sports and Recreation Association are seeking 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 West Rouge Family Day, to be held on Saturday, September 13, 2003, to be a community festival, and that the Alcohol and Gaming Commission be so advised.”

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

(2) **Status Report on Local 416 Collective Agreement 2002 Bargaining - Letters of Intent**

**Moved by:                    Deputy Mayor Ootes**

**Seconded by:                Councillor Holyday**

“**WHEREAS** the provincially appointed arbitrator, Tim Armstrong, awarded a Collective Agreement between the City of Toronto and the Toronto Civic Employees’ Union, Local 416, covering the term of January 1, 2002, to December 31, 2004; and

**WHEREAS**, as part of this award, the parties agreed to Letters of Intent to resolve long-standing issues related to pay for the trades classifications (Electrician, Electronic Technician, Industrial Millwright, Plant Technician and Plant Technician Trainee) in Water and Wastewater Services; and

**WHEREAS** the City and the Union have reached a negotiated settlement on June 19, 2003, which was ratified by Local 416 on July 3, 2003; and

**WHEREAS** the financial impacts associated with this Motion are described in the attached confidential report;

**NOW THEREFORE BE IT RESOLVED THAT** the joint confidential report dated July 11, 2003, from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services be adopted.”

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

*In adopting Motion J(2), without amendment, Council, adopted, without amendment, the confidential joint report dated July 11, 2003, from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services, such joint report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of the property of the municipality, save and except the following recommendations embodied therein:*

*“It is recommended that:*

- (1) *authority be granted to establish new rates of pay of \$26.27 per hour, effective July 3, 2003, for the following trade classifications as represented by Local 416:*

*Electrician,  
Plant Technician,  
Industrial Millwright, and  
Electronic Technician;*

- (2) *authority be granted to establish new rates of pay of \$23.64; \$22.33; \$21.02 per hour, effective July 3, 2003, for Plant Technician Trainee 1, 2 and 3, respectively;*
- (3) *the 2003 Water and Wastewater Operating Budget with a gross expenditure excluding Reserve Contribution of \$335.4 million, be increased by \$0.768 million, as offset by a like decrease to the 2003 Capital Reserve contribution, as an in-year adjustment such that the net 2003 Operating Budget remains at zero;*
- (4) *the \$50,200.00 expenditures for 22 Electricians and 3 Millwrights not employed in the Water and Wastewater Division be charged directly to the affected employees home program and reported through the respective 2003 Operating Budget Variance Reports;*
- (5) *authority be granted to pay a total lump sum payment not to exceed \$4,240,900 for retroactivity for the years 2000, 2001 and 2002, to cover approximately 400 employees in the affected trade classifications and employees in apprenticeship and skills development programs in Water and Wastewater Treatment Facilities only as impacted by the Works Best Practices Program;*
- (6) *the \$4.241 million in retroactive payments for Water and Wastewater staff be charged directly to the respective Water (XR6003) and Wastewater (XR6004) Reserves;*

- (7) *the Commissioner, Works and Emergency Services, and Commissioner, Corporate Services, report back to the Personnel Sub-Committee on the results of the on-going discussions relating to the fourth Letter of Intent still being negotiated between the interested parties; and*
- (8) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(3) **Dundas Street East Bike Lanes – Dundas Street East, from Broadview Avenue to Kingston Road**

**Moved by: Councillor Ootes**

**Seconded by: Councillor Sutherland**

“**WHEREAS** City Council, at its meeting held on May 21, 22 and 23, 2003, adopted, without amendment, Toronto East York Community Council Report No. 5, Clause No. 16, headed ‘Proposed Bicycle Lanes – Dundas Street East, from Broadview Avenue to Kingston Road (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)’, and, in so doing, adopted the recommendations of the Toronto East York Community Council to authorize the installation of bike lanes along this stretch of Dundas Street East; and

**WHEREAS** there have been raised a number of concerns about the adoption of the report and the impact it will have on this minor arterial roadway; and

**WHEREAS** it is likely that Council as a whole may not have been aware of how significant the impact to traffic operations on Dundas Street East and the surrounding areas as outlined in the staff report; and

**WHEREAS** the report warns that ‘the benefits of installing bicycle lanes on both sides of Dundas Street East between Broadview Avenue and Kingston Road...be weighed against the considerable impacts that would arise to general traffic capacity, congestion and the likelihood of traffic diversion through adjoining neighbourhoods as described in this report’; and

**WHEREAS** the report also states that, ‘Although there is the physical width to implement this bicycle lane design on Dundas Street East, there will be significant impacts on traffic during the morning and afternoon peak periods’; and

**WHEREAS** further consideration of this matter is warranted; and

**WHEREAS** implementation of such traffic changes needs to be better highlighted, not just for major arterials but also for minor arterials and this required opening of the City of Toronto Road Classification System;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto Road Classification System, as embodied in Works Committee Report No. 4, Clause No. 1, adopted by City Council at its meeting held on February 29, March 1 and 2, 2000, be amended to provide that bicycle facilities on minor arterials also be reported to the Works Committee;

**AND BE IT FURTHER RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto East York Community Council Report No. 5, Clause No. 16, headed ‘Proposed Bicycle Lanes – Dundas Street East, from Broadview Avenue to Kingston Road (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)’, be re-opened for further consideration, for the purpose of referring it to the Works Committee;

**AND BE IT FURTHER RESOLVED THAT** this Clause be referred to the Works Committee for further consideration and the hearing of depositions;

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

*Disposition:                    Having regard that a motion to re-open Toronto East York Community Council Report No. 5, Clause No. 16, headed “Proposed Bicycle Lanes – Dundas Street East, from Broadview Avenue to Kingston Road (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)”, for further consideration, did not carry, the Motion was not adopted.*

- (4) **Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road – Contract No. 03D4-23RD, Tender Call No. 176-2003 (Ward 37 – Scarborough Centre)**

**Moved by:                    Councillor Duguid**

**Seconded by:                Councillor Berardinetti**

“**WHEREAS** the contract for Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, Contract No. 03D4-23RD needs to be awarded as soon as possible to allow work to begin without delay so the project can be completed this year; and

**WHEREAS** the value of the contract is in excess of the authority of the Bid Committee to award and the next scheduled meeting of the Works Committee is not until September 4, 2003;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the joint report dated July 14, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled ‘Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, Contract No. 03D4-23RD, Tender Call No. 176-2003 (Ward 37 – Scarborough Centre)’, and that such report be adopted.”

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

*In adopting Motion J(4), without amendment, Council adopted, without amendment, the joint report dated July 14, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled “Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, Contract No. 03D4-23RD, Tender Call No. 176-2003 (Ward 37 – Scarborough Centre)”, embodying the following recommendation:*

*“It is recommended that Contract No. 03D4-23RD, Tender Call No. 176-2003, for the Road Resurfacing in District 4 - Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, be awarded to Furfari Paving Co. Ltd., in the amount of \$3,483,161.69, including all taxes and charges, being the lowest Tender received.”*

(5) **Mandatory Retirement Policy**

**Moved by: Councillor Johnston**

**Seconded by: Councillor Miller**

“**WHEREAS** the Ontario Human Rights Commission has held that mandatory retirement is age discrimination; and

**WHEREAS** the United Nations has said that state parties to the International Covenant on Economic, Social and Cultural Rights, should expedite the trend towards the elimination of mandatory retirement; and

**WHEREAS** Bill 68 2003, An 'Act to amend the provisions of certain Acts respecting the age of retirement', has had a first reading on May 29, 2003, in the provincial legislature, and has been committed to by the government in its throne speech; and

**WHEREAS** mandatory retirement tends to particularly affect women and recent immigrants; and

**WHEREAS** the application of this policy has resulted in the cancellation of important and valuable recreation services to the citizens of this City; and

**WHEREAS** mandatory retirement results in the loss of an irreplaceable source of institutional memory that is especially crucial as the City of Toronto attempts to move forward after the enforced amalgamation of the former six cities;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Corporate Services, in consultation with the employee associations and labour unions, be directed to report back to Council, through the Administration Committee, on the merits of abolishing mandatory retirement in its future labour agreements.”

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.*

(6) **Defence of Committee of Adjustment Decision - 47 Queensbury Avenue**

**Moved by: Councillor Ashton**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** the Committee of Adjustment (East District) at its meeting held on June 11, 2003, denied Application No. B009/03/SC to sever the property at 47 Queensbury Avenue and Applications Nos. A044/03SC and A045/03SC to vary the existing Zoning By-law for the property at 47 Queensbury Avenue; and

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

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the appropriate staff from Legal Services to defend the decision of the Committee of Adjustment at any future Ontario Municipal Board hearings with respect to these applications,”

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

(7) **Reconsideration of Clause No. 1 of Report No. 6 of The Administration Committee – “Potential Litigation – The Honourable Coulter A. Osborne”**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Ashton**

**“WHEREAS** City Council at its meeting held on June 24, 25 and 26, 2003, adopted, as amended, Clause No. 1 of Report No. 6 of The Administration Committee, headed ‘Potential Litigation – The Honourable Coulter A. Osborne’, and, in so doing, adopted the recommendations to indemnify the Honourable Coulter A. Osborne for any reasonable expenses incurred in connection with his review and report on the Union Station RFP prepared for City Council, on terms and conditions satisfactory to the City Solicitor; and

**WHEREAS** City Council adopted an amendment to the aforesaid report which requested the City Solicitor to report periodically to Council for approval of the legal fees, as required; and

**WHEREAS** the effect of the amendment would require that the City Solicitor report to Council for approval, prior to payment of any invoice submitted for payment by the Honourable Coulter A. Osborne; and

**WHEREAS** the approval of this amendment will unnecessarily delay payment of any invoice submitted by the Honourable Coulter A. Osborne; and

**WHEREAS** it was the intention of the mover of the amendment that Council be kept advised of the magnitude of the indemnification and that the City not write a ‘blank cheque’ for this purpose; and

**WHEREAS** it would be appropriate to amend Recommendation (b) to provide that the City Solicitor report to Council only when the amount of the indemnification paid has reached the amount of \$50,000.00 to advise of the payments made and the anticipated level of future payments;

**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. 6, Clause No. 1, headed ‘Potential Litigation – The Honourable Coulter A. Osborne’, be reopened for further consideration, only insofar as it pertains to Recommendation (b) that the City Solicitor be requested to report periodically to Council for approval of legal fees, as required;

**AND BE IT FURTHER RESOLVED THAT** Recommendation (b) be deleted and replaced with a new Recommendation (b) which reads: ‘the City Solicitor be requested to report to Council when the amount of the indemnification has reached the amount of \$50,000.00 to advise of the payments made and the anticipated level of future payments, if any’.’”

*Disposition: Council re-opened Administration Committee Report No. 6, Clause No. 1, headed “Potential Litigation – The Honourable Coulter A. Osborne”, for further consideration, only insofar as it pertains to Recommendation (b) that the City Solicitor be requested to report periodically to Council for approval of legal fees, as required, and adopted the balance of this Motion, without amendment.*

(8) **Defence of Committee of Adjustment Decision - 14 John Street**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Di Giorgio**

“**WHEREAS** the Humber York Committee of Adjustment, at its hearing of Tuesday, May 13, 2003, unanimously refused Application File No. A113/03HY, by Mohammed Zakiullah, Lixo Investments, to permit the continued use of the subject land as a commercial parking lot; and

**WHEREAS** under By-law No. 1-83, Section 12.2, a gravel-surfaced, commercial parking lot is not permitted in an MCR District; and

**WHEREAS** the Committee of Adjustment, in March 1993, granted relief, subject to certain conditions being fulfilled within three years; and

**WHEREAS** the owner received site plan approval in July 1993 for the commercial parking lot, but never entered into a site plan agreement; and

**WHEREAS** since the Committee of Adjustment approval in March 1993, and the site plan application filed in 1993, no further work has been undertaken by the owner to address either the Committee of Adjustment conditions or By-law No. 1-83 provisions and the gravel-surfaced commercial parking lot use has continued; and

**WHEREAS** in January 2000, the Committee of Adjustment, once again, considered an application to permit the continued operation of the gravel-surfaced parking lot because conditions imposed by the Committee of Adjustment had not been fulfilled and the applicant continued to operate the parking lot business on the subject lands; and

**WHEREAS** the Committee of Adjustment on January 25, 2000, granted the variances, subject to only one condition; namely that the variance extend for a period of two years, expiring on January 31, 2002; and

**WHEREAS** once again, the Committee of Adjustment on April 23, 2002, granted the variance, subject to only one condition; namely that the variance extend for a period of one year, expiring on May 13, 2003; and

**WHEREAS** given the history of this property, the expressed intent of the owner that the parking lot use was to only be a temporary use, and the ten years that have lapsed; and

**WHEREAS** the Director, Community Planning, West District, in a report dated May 8, 2003, to the Committee of Adjustment, recommended against granting of the same variances for the fourth time; and that the commercial parking lot use should cease until site plan approval is granted; and

**WHEREAS** the site plan approval process will secure appropriate landscaping, fencing, and proper surfacing and drainage to comply with by-law standards; and

**WHEREAS** the improvements obtained under site plan would contribute to revitalizing the immediate community and providing opportunities for additional parking on a properly surfaced lot; and

**WHEREAS** the Weston Residents Association concurs with the City of Toronto Planning Staff, that the variance should not be granted without site plan approval;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the City Solicitor to authorize City legal staff to attend the Ontario Municipal Board hearing to support the unanimous decision of the Committee of Adjustment and the recommendations of the Director, Community Planning, West District.”

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

**(9) Defence of Committee of Adjustment Decision – 29 Church Street**

**Moved by:                    Councillor Nunziata**

**Seconded by:                Councillor Di Giorgio**

“**WHEREAS** the Humber York Committee of Adjustment Panel, at its hearing of Tuesday, May 13, 2003, unanimously refused an application, under File No. A253/02HY, by Korce Group Ltd., to legalize and to maintain three additional dwelling units, which were installed on the main floor of the existing nine-storey apartment building without authorization; and

**WHEREAS** 62.96 parking spaces are required on site; and

**WHEREAS** only 46 parking spaces comply with the Zoning By-law requirements; and

**WHEREAS** there is a parking deficiency, not only on the subject site, but also on the adjacent streets; and

**WHEREAS** the residents of the adjacent streets feel that any additional demand for parking on their street will result in undue hardship; and

**WHEREAS** the Weston Residents Association does not support the granting of the variances;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the City Solicitor to authorize City legal staff to attend the Ontario Municipal Board hearing to support the unanimous decision of the Committee of Adjustment.”

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

(10) **Federal Funding Assistance for SARS-Related Expenses**

**Moved by:                    Councillor Sutherland**

**Seconded by:                Councillor Lindsay Luby**

“**WHEREAS** the recent outbreak of SARS (Severe Acute Respiratory Syndrome) has been an unforeseen and unpreventable health crisis in the City of Toronto; and

**WHEREAS** Toronto is the economic engine of the Province of Ontario and the Country of Canada; and

**WHEREAS** the Ontario government drafted and passed the SARS Bill, protecting jobs of people affected by SARS, ensuring the right tools are available to front-line workers and delivering tax relief to businesses affected by the economic fallout; and

**WHEREAS** the Ontario government, in collaboration with Toronto front-line health workers and experts, was diligent and able to take decisive steps to protect the health and safety of Ontarians, contain the spread of SARS, and ensure the people of Toronto have access to the health care services they require when they need them; and

**WHEREAS** the total economic impact of SARS on the health care system and the business community is approximately \$1,000,000,000.00 and continues to accumulate; and

**WHEREAS** the federal government contributed more than \$250,000.00 to assist China in its fight against SARS on June 4, 2003, and \$300,000,000.00 to assist the rebuilding of Iraq; and

**WHEREAS** the federal government has offered Ontario only 13 percent (\$150,000,000.00) of the total financial impact to the City of Toronto; and

**WHEREAS** the SARS crisis in Toronto should be considered within the Disaster Funding Assistance Arrangement which contains a 90/10 Federal/Provincial funding formula;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto request the Federal Government to resume talks with the Province of Ontario to renegotiate a fair-share funding agreement under the Disaster Funding Assistance Arrangement, and that the Mayor's Toronto 'You Belong Here' Task Force be actively involved with negotiations."

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

(11) **Remediation of 11R Hounslow Heath Road and Abutting Properties**

**Moved by: Councillor Dominelli**

**Seconded by: Councillor Di Giorgio**

"**WHEREAS** City Council, at its meeting held on February 4, 5, and 6, 2003, directed that the Commissioner of Corporate Services report directly to City Council on matters relating to the remediation options applicable to 11R Hounslow Heath Road and abutting properties; and

**WHEREAS** time is of the essence; and

**WHEREAS** the Commissioner of Corporate Services has prepared a confidential report dated July 5, 2003, seeking Council direction on this matter;

**NOW THEREFORE BE IT RESOLVED THAT** City Council (In-Camera) consider the confidential report dated July 5, 2003, from the Commissioner of Corporate Services, and that such confidential report be adopted."

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

*In adopting Motion J(11), without amendment, Council adopted, without amendment, the confidential report dated July 5, 2003, from the Commissioner of Corporate Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to litigation or potential litigation, save and except the following recommendations embodied therein:*

*“It is recommended that:*

- (1) approval be granted to undertake the ‘Complete Remediation Option’ involving all City-owned lands as well as the Additional Lands as set out in the body of this report;*
- (2) approval be granted to dedicate, for public road purposes, the lands identified as Part 6 on Expropriation Plan 66D-1036, once remediation and physical possession of the Property have been completed; and*
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect hereto.”*

**(12) Deferral of Property Tax Payments – All Wards**

**Moved by: Councillor Ashton**

**Seconded by: Councillor Miller**

**“WHEREAS** City Council, at its Meeting held on June 24, 25 and 26, 2003, adopted Notice of Motion J(44), headed ‘Request for Report to the SARS Recovery Team for a Property Tax Deferral Program’, as amended; and

**WHEREAS** in adopting the Notice of Motion, Council authorized the SARS Recovery Team to report directly to Council at its July 22, 2003 meeting with respect to a Property Tax Deferral Program; and

**WHEREAS** the Chief Financial Officer and Treasurer has submitted the attached report dated July 18, 2003, entitled, ‘Deferral of Property Tax Payments (All Wards)’, in this regard;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated July 18, 2003, from the Chief Financial Officer and Treasurer, and that such report be received, for information.”

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

***“AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to forward a copy of this Motion to the Prime Minister and the Premier of Ontario for any appropriate actions to aid the businesses within the City of Toronto;***

***AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to send all SARS recovery-related requests to the Federal Government together as one package.”***

***In adopting Motion J(12), as amended, Council received, for information, the report dated July 18, 2003, from the Chief Financial Officer and Treasurer.***

(13) **Proposed Smog “Free” Toronto Transit Commission Day**

**Moved by: Councillor Pantalone**

**Seconded by: Councillor Bussin**

**“WHEREAS** the City of Toronto suffers several ‘smog days’ every summer; and

**WHEREAS** these smog days have a severe impact on the people of Toronto, particularly the elderly, and those with respiratory illnesses; and

**WHEREAS** the City of Toronto has played a leading role in combating smog and responding to smog days through a Corporate response plan that includes protecting our employees and lowering our energy use on smog days; and

**WHEREAS** the Toronto Transit Commission (TTC) is the best tool that we have to limit the use of cars on smog days; and

**WHEREAS** the City of Windsor has implemented free transit on smog days, through pilot funding from Environment Canada;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto request the Toronto Transit Commission to prepare a report on the costs, service level impacts and the desirability of requesting funding from Environment Canada for Smog ‘Free’ TTC on smog days.”

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

(14) **Closure of Allen Road for Outdoor Concert – Downsview Park, July 30, 2003**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Augimeri

“**WHEREAS** the City of Toronto has supported the presentation of an outdoor concert at Downsview Park on July 30, 2003; and

**WHEREAS** the Transportation Services Division has identified that the temporary closure of Allen Road, between Highway 401 and Eglinton Avenue West, is required to ensure the safety of attendees and to enhance access to public transit;

**NOW THEREFORE BE IT RESOLVED THAT** the closure of Allen Road, between Highway 401 and Eglinton Avenue West, be approved for the period commencing 12:01 a.m. on July 30, 2003, and terminating at 5:00 a.m. on July 31, 2003;

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

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

(15) **Prohibited Parking on Affected Streets for Outdoor Concert – Downsview Park - July 30, 2003**

**Moved by:** Councillor Feldman

**Seconded by:** Councillor Li Preti

“**WHEREAS** the City of Toronto has supported the presentation of an outdoor concert at Downsview Park on July 30, 2003; and

**WHEREAS** the Transportation Services Division has identified several roadways where prohibited parking at any time restrictions are required to ensure the safety of attendees to the outdoor concert and adequate traffic circulation in the adjacent neighbourhoods;

**NOW THEREFORE BE IT RESOLVED THAT** the parking restrictions identified in the following list of streets be approved:

<b>Roadway</b>	<b>Side</b>	<b>Limits</b>	<b>Date/Time</b>
Bathurst Street	Both	Finch Avenue West to Lawrence Avenue West	12:01 a.m. July 30 to 5:00 a.m. July 31
Wilmington Avenue	Both	Finch Avenue West to Sheppard Avenue West	12:01 a.m. July 30 to 5:00 a.m. July 31

<b>Roadway</b>	<b>Side</b>	<b>Limits</b>	<b>Date/Time</b>
Faywood Boulevard	Both	Sheppard Avenue West to Wilson Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Wilson Heights Boulevard	Both	Kennard Avenue to Wilson Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Dufferin Street	Both	Steeles Avenue West to Kennard Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Dufferin Street	Both	Lawrence Avenue West to Katherine Road	12:01 a.m. July 30 to 5:00 a.m. July 31
Garratt Boulevard	Both	Gilley Road to Wilson Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Northgate Boulevard	Both	Wilson Avenue to Whitley Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Whitehorse Road	Both	Steepprock Drive to Kodiak Crescent	12:01 a.m. July 30 to 5:00 a.m. July 31
Kodiak Crescent	Both	Whitehorse Road to Sheppard Avenue West, south intersection	12:01 a.m. July 30 to 5:00 a.m. July 31
Chesswood Drive	Both	Finch Avenue West to Sheppard Avenue West	12:01 a.m. July 30 to 5:00 a.m. July 31
St. Regis Crescent	Both	Keele Street to Tuscan Gate	12:01 a.m. July 30 to 5:00 a.m. July 31
Tuscan Gate	Both	St. Regis Crescent to Sheppard Avenue West	12:01 a.m. July 30 to 5:00 a.m. July 31
Keele Street	Both	Finch Avenue West to Wilson Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Sentinel Road	Both	Grandravine Drive to Sheppard Avenue West	12:01 a.m. July 30 to 5:00 a.m. July 31
Finch Avenue West	Both	Keele Street to Bathurst Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Grandravine Drive	Both	Sentinel Road to Keele Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Sunfield Road	Both	Sheppard Avenue West to Diana Drive	12:01 a.m. July 30 to 5:00 a.m. July 31
Diana Drive	Both	Sunfield Road to Keele Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Steepprock Drive	Both	Chesswood Drive to Dufferin Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Overbrook Place	Both	Dufferin Street to Wilmington Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Kennard Avenue	Both	Dufferin Street to Wilmington Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Sheppard Avenue West	Both	Jane Street to Yonge Street	12:01 a.m. July 30 to 5:00 a.m. July 31

<b>Roadway</b>	<b>Side</b>	<b>Limits</b>	<b>Date/Time</b>
Clanton Park Road	Both	Wilson Heights Boulevard to Faywood Boulevard	12:01 a.m. July 30 to 5:00 a.m. July 31
Wilson Avenue	Both	Keele Street to Bathurst Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Whitley Avenue	Both	Northgate Boulevard to Keele Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Yorkdale Road	Both	Dufferin Street to southerly limit of Yorkdale Road	12:01 a.m. July 30 to 5:00 a.m. July 31

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

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

(16) **Update on the Restructuring of \$183.75 Million Provincial Loans**

**Moved by: Councillor Shiner**

**Seconded by: Councillor Moscoe**

“**WHEREAS** at its meeting held on June 24, 25 and 26 2003, City Council adopted Clause 7(a) of Report No. 4 of The Policy and Finance Committee, headed ‘Debenture Issuance – Restructuring of \$183.75 million Provincial Loans’, amended, as follows:

- ‘(1) to provide that the payment be made conditional upon the Provincial government:
  - (a) confirming it will pay Toronto its full one-third share of the Toronto Transit Commission 2003 Capital Budget of \$104 million; and
  - (b) paying the balance outstanding on the City of Toronto’s request for \$11,500,000.00 request for \$11.5 million for SARS expenditures; and
- (2) adding thereto the following:

It is further recommended that the Provincial Government be requested to defer the first loan payment instalment of \$10 million, due in 2003, until the end of the debenture term, without interest’; and

**WHEREAS** the Chief Administrative Officer and the Chief Financial Officer and Treasurer have recently met with senior provincial government Officials to review Council's actions;

**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. 4, Clause No. 7(a), headed, 'Debenture Issuance – Restructuring of \$183.75 million Provincial Loans', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council give consideration to the joint report dated July 17, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled 'Update on the Restructuring of \$183.75 million Provincial Loans', and that such joint report be adopted, subject to amending Recommendation No. (2) to read as follows with respect to the Toronto Transit Commission Capital Budget funding:

- '(2)(i) a separate letter of agreement be signed with the Province of Ontario to confirm Provincial funding of the one-third share of the capital needs of \$3,800,000,000.00 billion for the Toronto Transit Commission ten-year State of Good Repair Capital plan, including the funding of the Provincial 2003 contribution to \$104,000,000.00; and
- (ii) for the Province to flow through the one-third contribution of \$104,000,000.00 million from the federal government towards the 2003 Toronto Transit Commission Capital Budget'."

**Disposition:** *Council re-opened Policy and Finance Committee Report No. 4, Clause No. 7(a), headed, "Debenture Issuance – Restructuring of \$183.75 million Provincial Loans", for further consideration, and adopted the balance of this Motion, subject to adding the following new Operative Paragraph:*

*"AND BE IT FURTHER RESOLVED THAT it be clear in discussions with the Province that the City of Toronto is maintaining the position that the funding of the Toronto Transit Commission, in future, should be based on the traditional funding of 75 percent Capital and 50 percent of the Operating deficit, as has recently been endorsed by the former Premier William Davis at the Toronto City Summit Alliance."*

*In adopting Motion J(16), as amended, Council adopted, as amended, the joint report dated July 17, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Update on the Restructuring of \$183.75 Million Provincial Loans", embodying the following recommendations, amended to now read as follows:*

*“It is recommended that:*

- (1) authority be granted for the Mayor and Chief Financial Officer and Treasurer to enter into an agreement (the ‘Agreement’), in accordance with section 102 of the City of Toronto Act, 1997 (No.2) and the Municipal Act, 2001, with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing, for the issuance and sale of a debenture in a maximum aggregate principal amount of \$183,750,000.00, such agreement to be substantially in accordance with the draft agreement attached to this report as Appendix A and in form satisfactory to the City Solicitor, and that the Chief Financial Officer and Treasurer be authorized to execute such agreement and to issue the debenture on behalf of the City;*
- (2) (i) a separate letter of agreement, be signed with the Province of Ontario to confirm Provincial funding of the one-third share of the capital needs of \$3,800,000,000.00 billion for the Toronto Transit Commission ten-year State of Good Repair capital plan, including the funding of the Provincial 2003 contribution to \$104,000,000.00; and*
  - (ii) for the Province to flow through the one-third contribution of \$104,000,000.00 million from the federal government towards the 2003 Toronto Transit Commission Capital Budget;*
- (3) a further report be presented to Council at its September 2003 meeting from the Chief Administrative Officer and the Chief Financial Officer and Treasurer on the status of 2003 SARS funding and TTC Capital funding;*
- (4) authority be granted for the introduction of the necessary Bills in Council to give effect thereto; and*
- (5) the appropriate City officials be authorized to take the necessary actions to give effect thereto.”*

(17) **Outdoor Amphitheatre at Earls court Park**

**Moved by: Councillor Dominelli**

**Seconded by: Councillor Silva**

**“WHEREAS** in Ward 17, the Joseph J. Piccininni Community Advisory Board wanted to build a ‘Year 2000 Millenium Project’, in honour of the new millenium; and

**WHEREAS** The Joseph J. Piccininni Community Advisory Board chose an outdoor amphitheatre in Earls court Park for such a project; and

**WHEREAS** City Council at its meeting held on February, 29, March 1 and 2, 2000, in adopting Policy and Finance Committee Report No. 3, Clause No. 7, headed ‘Issuance of Tax Receipts for Earls court Park Amphitheatre’ adopted a report from the Chief Financial Officer and Treasurer, to set up a capital account, so that the community can raise money and accept donations and issue tax receipts, to build the outdoor amphitheatre at Earls court Park; and

**WHEREAS** the Community raised \$80,450.00 to assist with this project; and

**WHEREAS** Mr. Vic Soncin of Soncin Construction graciously agreed to voluntarily build the project; and

**WHEREAS** Local 183 of the Universal Workers Union helped Soncin Construction to build the project; and

**WHEREAS** the amphitheatre is now approaching completion and being used by the community; and

**WHEREAS** funds are needed to pay for materials and/or services that helped build the project;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Financial Officer and Treasurer be requested to release funds for services or goods properly invoiced to the Finance Department from the Earls court Park Amphitheatre Account, after verification of these services or goods is obtained;

**AND BE IT FURTHER RESOLVED THAT** City Council express its appreciation to The Joseph J. Piccininni Community Advisory Board, Local 183 Universal Workers Union, and Mr. Victor Soncin of Soncin Construction, for all their work in the creation of the ‘Year 2000 Millenium Project’ in Earls court Park.”

**Disposition:** *The Motion was adopted, subject to inserting in the first Operative Paragraph, after the words “properly invoiced”, the words “and certified by the Commissioner of Economic Development, Culture and Tourism that value has been received for the invoice”, so that such Operative Paragraph shall now read as follows:*

***“NOW THEREFORE BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be requested to release funds for services or goods properly invoiced and certified by the Commissioner of Economic Development, Culture and Tourism that value has been received for the invoice, to the Finance Department from the Earls court Park Amphitheatre Account, after verification of these services or goods is obtained.”***

(18) **Clothing Drop Boxes**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Holyday**

**“WHEREAS** the City of Toronto requires any person or business wishing to encroach on public property to secure an agreement with the City; and

**WHEREAS** the owners of clothing drop boxes, many of whom represent charities that are questionable, seem to indiscriminately drop these boxes onto public property; and

**WHEREAS** an unsupervised box frequently is accompanied by litter and piles of clothing being deposited onto the road allowance; and

**WHEREAS** legitimate charities should have no difficulty whatsoever in securing permission from the City to locate their clothing drop boxes on City property;

**NOW THEREFORE BE IT RESOLVED THAT** the City require anyone wishing to locate a clothing drop box on City property to:

- (a) secure the permission of the City;
- (b) agree to maintain and keep clean the area in and around the drop box; and
- (c) produce a legally registered charitable number;

**AND BE IT FURTHER RESOLVED THAT** staff do all things necessary to ensure that this policy is enforced.”

***Disposition: Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on September 22, 2003.***

(19) **Declaration as Surplus - Parcels of Vacant Land Located at the Rear of Nos. 7 and 11 Blakeley Road (Ward 23 – Willowdale)**

**Moved by: Councillor Filion**

**Seconded by: Councillor Lindsay Luby**

**“WHEREAS** North York Community Council at its meeting on July 9, 2003, recommended adoption of a report, entitled ‘Final Report – Application to Amend Zoning By-law 7625 and for Site Plan Approval – South Side of Finch Avenue West between Blakeley Road and Lorraine Drive’ from the Acting Director, Community Planning, North District, which report recommends, amongst other matters, the commencement of the necessary proceedings to consider the disposal of the City-owned lands at the rear of Nos. 7 and 11 Blakeley Road (approximate total area of 6.5 m<sup>2</sup>); and

**WHEREAS** the City acquired the Property for the purpose of the Uptown Service Road through previous development applications and the densities from these lots have already been allocated to other projects; and

**WHEREAS** these City-owned lands are not required for Service Road purposes and the applicant proposes to acquire the subject lands and consolidate them with the development site; and

**WHEREAS** the City is required to declare the Property surplus to municipal requirements under the Municipal Act; and

**WHEREAS** due to the time sensitivity of meeting all of the steps necessary to declare the property surplus and approve the sale, prior to the upcoming break in the Council Schedule, and due to timing requirements relating to the site plan approval, it is necessary that the declare surplus matter be considered at the July 22, 23 and 24, 2003 Council meeting;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated July 16, 2003, from the Commissioner of Corporate Services, entitled ‘Declaration of Surplus Parcels of Vacant Land, Located at the Rear of Nos. 7 and 11 Blakely Road (Ward 23 - Willowdale)’, and that such report be adopted.”

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

***In adopting Motion J(19), without amendment, Council adopted, without amendment, the report dated July 16, 2003, from the Commissioner of Corporate Services, embodying the following recommendations:***

***“It is recommended that:***

- (1) *the parcels of vacant land located at the rear of Nos. 7 and 11 Blakeley Road, being part of Lots 86 and 88 on Plan 3705, also shown as Parts 1 and 2 on PS-2003-081, be declared surplus to the City's requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property developer;*
- (2) *all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."*

(20) **Amendments to Official Plans and Etobicoke Zoning Code – 35 Fieldway Road**

**Moved by:** Councillor Milczyn

**Seconded by:** Councillor Lindsay Luby

**“WHEREAS** CIC Millwork Ltd. has, pursuant to Application No. TACMB 2002 0020, applied for amendments to the Etobicoke Official Plan and the Etobicoke Zoning Code for the development of a 100-unit townhouse project at 35 Fieldway Road; and

**WHEREAS** Etobicoke Community Council at the statutory Public Meeting held under the Planning Act on June 11, 2003, considered the Final Report of the Director of Community Planning, West District, dated May 26, 2003, and referred the report back to the Director for further revisions to the site plan; and

**WHEREAS** City Council at its meeting held on June 24, 25 and 26, 2003, adopted, as amended, Clause 22(b) of Etobicoke Community Council Report No. 5, thereby adopting the May 26, 2003 report of the Director of Community Planning, West District, recommending passage of amendments to the Official Plan for the former City of Etobicoke, the new Toronto Official Plan and the Zoning Code for the former City of Etobicoke, subject to additional community benefits being provided in the form of public pedestrian and vehicular easements for access to the new public park, and \$25,000.00 for local traffic calming measures, with the balance of such funds, if any, to be used for the purpose of local park improvements; and

**WHEREAS** it is necessary to amend the proposed amendments to the Etobicoke Official Plan and the Etobicoke Zoning Code contained in the May 26, 2003 Final Report to reflect the additional community benefits required by City Council; and

**WHEREAS** by Recommendation No. (6) of the Final Report as adopted by City Council, a condition to introducing the necessary bills to City Council for enactment is that the applicant's Air Quality Survey be complete and satisfactory to the Commissioner of Works and Emergency Services; and

**WHEREAS** the applicant has agreed to submit an Air Quality Survey to the satisfaction of the Commissioner of Works and Emergency Services, prior to Site Plan approval of the proposed development;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Etobicoke Community Council Report No. 5, Clause No. 22(b), headed "Final Report – Application to Amend the Etobicoke Official Plan and Zoning Code, CIC Millwork Ltd., 35 Fieldway Road, File No. TA CMB 2002 0020 (Ward 5- Etobicoke-Lakeshore)", be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council hereby directs the City Solicitor to amend the proposed amendments to the Etobicoke Official Plan and the Etobicoke Zoning Code to include as additional community benefits, pursuant to Section 37 of the Planning Act, the public pedestrian and vehicular easements for access to the new public park and the \$25,000.00 for local traffic calming measures, with the balance of such funds, if any, to be used for the purpose of local park improvements;

**AND BE IT FURTHER RESOLVED THAT** Recommendation No. (6) of the Final Report dated May 26, 2003, be deleted and replaced with the requirement that 'the applicant submit an Air Quality Survey to the satisfaction of the Commissioner of Works and Emergency Services, prior to Site Plan approval of the proposed development';

**AND BE IT FURTHER RESOLVED THAT** Council, pursuant to Section 34(17) of the Planning Act, hereby determines that no further notice to the public is required of the changes noted herein."

**Disposition:** *Council re-opened Etobicoke Community Council Report No. 5, Clause No. 22(b), headed "Final Report – Application to Amend the Etobicoke Official Plan and Zoning Code, CIC Millwork Ltd., 35 Fieldway Road, File No. TA CMB 2002 0020 (Ward 5 – Etobicoke-Lakeshore)", for further consideration and adopted the balance of this Motion, without amendment.*

(21) **Report from City Solicitor on 1465 Lawrence Avenue West**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Dominelli**

“**WHEREAS** City Council at its meeting held on June 24, 25 and 26, 2003, adopted, without amendment, Motion J(43), entitled ‘Request for Report from City Solicitor on 1465 Lawrence Avenue West’, and the City Solicitor submitted a confidential report dated June 25, 2003, in this regard; and

**WHEREAS** Council subsequently requested the City Solicitor to report directly back to Council at its next regular meeting scheduled to be held on July 22, 2003, on both the status of the investigation, as well as a recommended response to the proposed settlement outlined in the recent correspondence dated April 29, 2003, from Williams Shier Environmental lawyers, to the City; and

**WHEREAS** the City Solicitor has submitted a confidential report dated July 17, 2003, in response to this request;

**NOW THEREFORE BE IT RESOLVED THAT** City Council give consideration to the confidential report dated July 17, 2003, from the City Solicitor.”

*Disposition: The Motion, together with the confidential report dated July 17, 2003, from the City Solicitor, was received, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to litigation or potential litigation.*

(22) **Toronto Police Service Security Plan for the Rolling Stones Concert to be held in Downsview Park on July 30, 2003**

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Nunziata**

“**WHEREAS** City Council at its meeting held on June 24, 25 and 26, 2003, adopted, as amended, Motion J(23), entitled ‘Road Closures and Restrictions for Outdoor Concert – Downsview Park - July 30, 2003’, and in so doing, requested the Chief of Police, Toronto Police Service, to submit a report to the July 22, 2003 Council meeting on the status of the security arrangements for the Rolling Stones Concert at Downsview Park, including crowd management; and

**WHEREAS** the Toronto Police Services Board, at its meeting held on July 17, 2003, gave consideration to a report dated July 15, 2003, from the Acting Chair in this regard; and

**WHEREAS** the Acting Chair, Toronto Police Services Board, has submitted the attached report dated July 21, 2003, to Council for its information;

**NOW THEREFORE BE IT RESOLVED THAT** City Council give consideration to the report dated July 21, 2003, from the Acting Chair, Toronto Police Services Board, and that such report be received, for information.”

**Disposition:** *The Motion was adopted, subject to adding, after the last Recital, the following new Recitals, and adding the following new Operative Paragraph:*

*“WHEREAS the City recognizes the economic benefit related to the Molson Concert at Downsview Park; and*

*WHEREAS the City of Toronto and more specifically the Federal and Provincial governments will benefit with increased commodity and service tax revenues (i.e., GST and PST, etc.); and*

*WHEREAS the City of Toronto has already committed approximately \$500,000.00 in services and waiving of fees; and*

*WHEREAS there are incremental and extraordinary costs related to Police services outside the concert site, presently estimated at \$500,000.00, which cannot be financed by the City;*

*AND BE IT FURTHER RESOLVED THAT Council support the position of the Toronto Police Services Board wherein the Board requested that the Federal government fund 100 percent of the policing costs related to the concert.”*

*In adopting Motion J(22), as amended, Council received, for information, the report dated July 21, 2003, from the Acting Chair, Toronto Police Services Board.*

- (23) **Declaration as Surplus - Parcel of Vacant Land Located at the Rear of No. 963 Roselawn Avenue (Ward 15 – Eglinton – Lawrence)**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Di Giorgio

**“WHEREAS** in connection with a Site Plan application for the development of 963 and 1001 Roselawn Avenue, the owner of that property (the ‘Owner’) has expressed interest in acquiring the vacant City land adjoining the southerly limit of No. 963 Roselawn Avenue, in order regularize the property boundary of the proposed development site: and

**WHEREAS** this triangular-shaped parcel of land forms part of the City's Beltline Trail (York); and

**WHEREAS** the Owner has proposed to convey an eight (8) foot width strip of land adjoining the easterly limit of a City park identified as Walter Saunders Memorial Park in exchange for the City land; and

**WHEREAS** staff of Economic Development, Culture and Tourism advised that the disposal of the City land would not compromise the integrity of the Beltline Trail and that the property to be conveyed by the Owner to the City in exchange will complement the adjoining parkland and trail; and

**WHEREAS** the City is required to declare the Property surplus to municipal requirements under the Municipal Act; and

**WHEREAS** due to the procedural requirements of declaring Property surplus and then approving the sale in accordance with Council's pending schedule, the approval of the Site Plan application, the proposed development schedule and potential effect of the designation of the Property under the new Official Plan, it is necessary that the declare surplus matter be considered at the July 22, 2003 Council meeting;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated July 21, 2003, from the Commissioner of Corporate Services, entitled 'Declaration as Surplus Parcel of Vacant Land Located at the Rear of No. 963 Roselawn Avenue (Ward 15 - Eglinton- Lawrence)', and that such report be adopted."

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

*In adopting Motion J(23), without amendment, Council, adopted, without amendment, the report dated July 21, 2003, from the Commissioner of Corporate Services, embodying the following recommendations:*

*"It is recommended that:*

- (1) the parcel of vacant land located at the rear of No. 963 Roselawn Avenue, being part of Lot 2, Concession 2, West of Yonge Street, designated as Part 22 on Reference Plan 66R-19954, be declared surplus to the City's requirements and that the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner;*

- (2) *all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

(24) **Assignment of Agreements for the Provision of Litter Bins with Advertising within the City of Toronto**

**Moved by:** Councillor Duguid

**Seconded by:** Councillor Pitfield

“**WHEREAS** the City has entered into various agreements with Olifas Marketing Group Inc. for the provision of litter bins with advertising within the City of Toronto; and

**WHEREAS** the agreements for the provision of litter bins with advertising state that Olifas Marketing Group Inc. shall not assign its interest in the agreements without the consent of the City, which consent shall not be unreasonably withheld; and

**WHEREAS** Olifas Marketing Group Inc. has advised the City that it intends to sell substantially all of its assets to Torstar Corporation or one of Torstar Corporation’s wholly-owned subsidiaries; and

**WHEREAS** Olifas Marketing Group Inc. has requested that the City consent to the assignment by Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries of the agreements with the City for the provision of litter bins with advertising;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the joint report dated July 21, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor, entitled ‘Assignment of the Agreements for the Provision of Litter Bins with Advertising within the City of Toronto’, and that such joint report be adopted.”

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

**“AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to negotiate with Torstar Corporation an enhanced ability to relocate boxes for legitimate municipal purposes and report thereon to the Works Committee.”**

*In adopting Motion J(24), as amended, Council adopted, without amendment, the joint report dated July 21, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor, entitled “Assignment of the Agreements for the Provision of Litter Bins with Advertising within the City of Toronto”, embodying the following recommendations:*

*“It is recommended that:*

- (1) Council consent to the request of Olifas Marketing Group Inc. for the assignment from it of its obligations and benefits under the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto to Torstar Corporation or one of its wholly-owned subsidiaries provided that (a) Council’s consent shall not be given for an assignment to a wholly-owned subsidiary of Torstar, unless Torstar guarantees all of the obligations of its subsidiary under the agreements and (b) Torstar Corporation and its wholly-owned subsidiary, as the case may be, enters into the agreement referred to in Recommendation No. (2);*
- (2) the Commissioner of Works and Emergency Services be authorized to execute, on behalf of the City:*
  - (a) an assignment, assumption and release agreement in relation to the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto, on the terms and conditions as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with Torstar Corporation and/or one of its wholly-owned subsidiaries, which assignment, assumption and release agreement, shall*
    - (i) assign the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto from Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries;*



**WHEREAS** City Planning staff have recently become aware that this parking lot has now been purchased by The Goldman Group with the intent of redeveloping the site with a high density residential development, for which a rezoning would be necessary to amend the existing City Centre Town Square (CCTS) zoning of the site; and

**WHEREAS** the City of Toronto owns an underutilized and unfinished gravel staff parking lot immediately to the south, adjacent to and serving the Scarborough Civic Centre, which is currently zoned Agricultural (AG); and

**WHEREAS** very significant additional public benefits could be realized from a potential future expansion of Albert Campbell Square easterly, along the south side of the Government of Canada Building over the subject commercial parking lot through to Town Centre Court, further contributing to substantial public activity and the enhancement of this key public realm within Scarborough Centre and the City of Toronto; and

**WHEREAS** such potential benefits would be lost if the subject commercial parking lot were to be redeveloped for private purposes; and

**WHEREAS** to assist in meeting the City's housing objectives, new opportunities for additional residential development in Scarborough Centre should still be pursued, and that of the two parking lot sites, the City's parking lot potentially represents a more appropriate location for such development;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the Commissioner of Corporate Services, in consultation with the Commissioners of Urban Development Services and Economic Development, Culture and Tourism, be authorized and directed to initiate discussions with The Goldman Group on the potential for a possible full or partial land exchange between The Goldman Group and the City of Toronto involving the subject parking lots;
- (2) the Commissioner of Corporate Services be directed to report on the progress of these discussions to the Administration Committee meeting scheduled for Thursday, September 4, 2003; and
- (3) in view of the significant public benefits that would potentially result from such a land exchange and resulting redistribution of new land uses, and to assist in these discussions, City Council authorize The Goldman Group to submit an application to rezone the City's parking lot for residential purposes."

**Disposition:** *The Motion was adopted, subject to amending the Operative Paragraph by deleting Recommendation No. (3).*

(26) **First Parliament Site – 265–271 Front Street East**

**Moved by:** Councillor Ootes

**Seconded by:** Councillor Rae

“**WHEREAS** City Council, at its meeting held on June 24, 25 and 26, 2003, directed staff to report to the July meeting of the Policy and Finance Committee or directly to City Council on matters pertaining to the First Parliament Site at 265-271 Front Street East; and

**WHEREAS** the Commissioner of Economic Development, Culture and Tourism, in consultation with other City staff, has negotiated with the property owners at 265 Front Street East and was able to negotiate only one option, described in the attached proposal, which will bring the property into public ownership; and

**WHEREAS** the successful option to bring the property into public ownership requires the participation of the Province of Ontario;

**NOW THEREFORE BE IT RESOLVED THAT** City Council approve the attached confidential proposal, in principle;

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the Commissioner of Economic Development, Culture and Tourism, in consultation with the appropriate City staff, to negotiate an agreement, on the basis of the attached confidential proposal, with the Province of Ontario and the property owners of 265 Front Street East, to bring the First Parliament Site into public ownership;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Economic Development, Culture and Tourism be requested to report back on the conclusions of the agreement to the September 11, 2003 meeting of the Policy and Finance Committee.”

**Disposition:** *The Motion was adopted, subject to:*

- (1) *amending the second Operative Paragraph by adding after the words “265 Front Street East”, the words “and the Toronto Transit Commission”, so that such Operative Paragraph shall now read as follows:*

**“AND BE IT FURTHER RESOLVED THAT** authority be granted for the Commissioner of Economic Development, Culture and Tourism, in consultation with the appropriate City staff, to negotiate an agreement, on the basis of the attached confidential proposal, with the Province of Ontario and the property owners of 265 Front Street East and the Toronto Transit Commission, to bring the First Parliament Site into public ownership; and

- (2) *amending the third Operative Paragraph by adding thereto the words “and to the Toronto Transit Commission” so that such Operative Paragraph shall now read as follows:*

*AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to report back on the conclusions of the agreement to the September 11, 2003 meeting of the Policy and Finance Committee and to the Toronto Transit Commission.”*

*In adopting Motion J(26), as amended, Council approved the confidential proposal, in principle; such proposal to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it pertains to litigation or potential litigation.*

- (27) **Proposed Speed Humps – Gracefield Avenue, between Arkwright Street and Culford Road**

**Moved by: Councillor Di Giorgio**

**Seconded by: Councillor Dominelli**

**“WHEREAS** the residents of Gracefield Avenue have expressed concern with regard to the speed and volume of vehicles on the roadway between Arkwright Street and Culford Road; and

**WHEREAS** there is a definite and well defined need for the introduction of traffic calming measures on Gracefield Avenue, between Arkwright Street and Culford Road; and

**WHEREAS** there are few opportunities to affect the flow of traffic along this portion of Gracefield Avenue;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) appropriate staff be authorized to conduct a poll of eligible residents on Gracefield Avenue, between Arkwright Street and Culford Road, to determine resident support for the installation of speed humps, and that in accordance with the City of Toronto Traffic Calming Policy, public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Medical Services and Toronto Police Services;

- (2) subject to favourable results of the poll, that:
- (i) a by-law be prepared for the alteration of sections of the roadway on Gracefield Avenue, between Arkwright Street and Culford Road, for traffic calming purposes;
  - (ii) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
  - (iii) the speed limit be reduced from forty kilometres per hour to thirty kilometres per hour on Gracefield Avenue between Arkwright Street and Culford Road, coincident with the implementation of speed humps; and
- (3) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

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

(28) **Proposed Amendment Regarding the Discharge of Guns and Other Firearms**

**Moved by: Councillor Mihevc**

**Seconded by: Councillor I. Jones**

“**WHEREAS** the By-laws of the former municipalities that prohibit or regulate the discharge of firearms and other weapons have not yet been harmonized; and

**WHEREAS** the former City of North York By-law No. 366, being ‘A By-law to regulate the discharge of guns and other firearms’, as amended, only has exemptions for certain indoor shooting ranges and dog catchers in the course of their employment with the City; and

**WHEREAS**, in order to deal with an animal control problem, it may be necessary for the City’s contracted agent to discharge a firearm within the geographic boundaries of the former City of North York and By-law No. 366 needs to be amended to permit this action;

**NOW THEREFORE BE IT RESOLVED THAT** the former City of North York By-law No. 366, being ‘A By-law to regulate the discharge of guns and other firearms’, as amended, be amended, as necessary, to permit an agent of the City, who has the required licences under the Firearms Act (Canada) and the Fish and Wildlife Conservation Act, 1997, to discharge a firearm within the geographic area of the former City of North York, in the course of carrying out their contracted duties;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Urban Development Services consult with the Commissioner of Economic Development, Culture and Tourism and the Medical Officer of Health on the draft harmonized firearms by-law and its application to animal control matters and activities permitted under the uniform parks by-laws.”

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

- (29) **Approval to Erect Election Signs on Mayoral and City Councillor Candidates Campaign Offices prior to September 11, 2003 (60 days prior to voting day)**

**Moved by: Councillor Bussin**

**Seconded by: Councillor Pantalone**

“**WHEREAS** candidates for the Office of Mayor and for Toronto City Council may officially register and commence campaigning as early as January 2, 2003; and

**WHEREAS** candidates for Mayor and City Council can establish a campaign office any time after registering; and

**WHEREAS** major contending candidates for Mayor have established their campaign offices many months prior to September 11, 2003; and

**WHEREAS** it is democratically desirable and appropriate that the residents of Toronto have every opportunity to access their municipal candidates for elected office and know where the campaign offices are located;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize a minor variance from Article II, Election Signs, of Chapter 693, Signs, of the City of Toronto Municipal Code to permit candidates in the 2003 municipal election to erect and display election signs on their campaign offices prior to September 11, 2003 (60 days prior to voting day);

**AND BE IT FURTHER RESOLVED THAT**, in the opinion of Council, the general intent and purpose of Article II, Election Signs, of Chapter 693, Signs, of the Toronto Municipal Code are maintained.”

*Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.*

(30) **Republic Contract – Adoption of Letter Agreement**

**Moved by:** Councillor Duguid

**Seconded by:** Councillor Pitfield

“**WHEREAS** City Council on December 4, 5 and 6, 2001, adopted recommendations from the Policy and Finance Committee (Clause No. 18 embodied in Report No. 16 of The Policy and Finance Committee) that committed to our contractors, Republic Services of Canada and Wilson Logistics (the ‘Republic Contractors’), the receipt and disposal of the City’s residual municipal solid waste from January 1, 2003 to December 31, 2005; and

**WHEREAS** the Republic Contractors have experienced operational impacts due to increased time delays at border crossings and U.S. Customs that have arisen due to the imposition of the U.S. Homeland Security Program, and have advised that their ability to provide consistent levels of service, as required by the City, may be affected; and

**WHEREAS** the proposed arrangements with the Republic Contractors involve security of the property of the City;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider and adopt the confidential report dated July 22, 2003, from the Commissioner of Works and Emergency Services;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Works and Emergency Services report to the next meeting of the Works Committee, scheduled for September 4, 2003, with recommendations to expand access to City transfer stations for the public and small contractors, given the proposal to open most transfer stations 24 hours per day, 5 days per week.”

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

*In adopting Motion J(30), without amendment, Council adopted, without amendment, the confidential report dated July 22, 2003, from the Commissioner of Works and Emergency Services, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of the property of the municipality, save and except the following recommendations embodied therein:*

*“It is recommended that:*

- (1) the attached negotiated Letter Agreement between the City of Toronto, Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Wilson Logistics Inc., dated July 21, 2003, be adopted as presented;*

- (2) *authorization be provided to the General Manager, Solid Waste Management Services, Works and Emergency Services, to execute the attached negotiated Letter Agreement on behalf of the City of Toronto;*
  - (3) *the Commissioner of Works and Emergency Services be requested to submit a report in the first quarter of 2004 that provides a status report regarding the implementation of the provisions in the negotiated Letter Agreement and the associated financial impacts; and*
  - (4) *the appropriate staff be authorized to take the necessary action to give effect to this Letter Agreement.”*
- (31) **Declaration of September 22, 2003 as “Toronto Car Free Day”**

**Moved by:** Councillor Chow

**Seconded by:** Councillor Moscoe

**“WHEREAS** City Council adopted motions supporting of Toronto Car Free Day in 2001 and 2002; and

**WHEREAS** Car Free Day now takes place this year in Toronto on September 22nd, along with over 1,400 cities and 38 countries worldwide; and

**WHEREAS** Council has supported the promotion of alternative modes of transportation in a number of documents, including the Official Plan and the ‘Shifting Gears’ report; and

**WHEREAS** this year’s Car Free Day has a number of neighbourhoods seeking to participate through small community street parties and events;

**NOW THEREFORE BE IT RESOLVED THAT** Council declare September 22, 2003, ‘Toronto Car Free Day’;

**AND BE IT FURTHER RESOLVED THAT** the appropriate staff assist in facilitating the street closure applications from participating neighbourhoods.”

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

(32) **Maintenance of Vacant Buildings in the City of Toronto**

**Moved by:** Councillor Korwin-Kuczynski

**Seconded by:** Councillor Altobello

**“WHEREAS** there are a growing number of vacant buildings within the City; and

**WHEREAS** these vacant buildings are remaining vacant for ever-increasing periods of time; and

**WHEREAS** these vacant buildings are locations where litter accumulates, weeds grow up, and windows are broken; and

**WHEREAS** such vacant building attract unwanted intruders; and

**WHEREAS** these vacant buildings are a blight on the neighbourhoods of the City; and

**WHEREAS** Chapter 629, Property Standards, of the City of Toronto Municipal Code, currently provides for maintenance standards for vacant buildings and property in §629-24 of the Chapter; and

**WHEREAS** it is desirable to rehabilitate vacant residential buildings to supplement the affordable housing stock;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Urban Development Services be requested to submit a report to Planning and Transportation Committee on the current regulations applicable to the maintenance of vacant buildings and any recommended amendments to the current regulations that will enhance the condition and appearance of vacant buildings and reduce their impact on the surrounding neighbourhood;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Community and Neighbourhood Services, in consultation with the Commissioner of Urban Development Services, be requested to submit a report to Planning and Transportation Committee on opportunities to encourage the rehabilitation and re-use of vacant residential buildings to provide affordable housing units.”

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

(33) **Report on Heritage Designation of the Fairmont Royal York Hotel, 100 Front Street West**

**Moved by:** Councillor Walker

**Seconded by:** Councillor Balkissoon

**“BE IT RESOLVED THAT** the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to Council for its meeting scheduled to be held on September 22, 2003, through the Toronto Preservation Board and the Toronto East York Community Council, on whether the Fairmont Royal York Hotel at 100 Front Street West should be designated under Part IV of the Ontario Heritage Act.”

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

(34) **Appointment of Citizen Members to the Lakeshore Village Business Improvement Area Board of Management**

**Moved by:** Councillor I. Jones

**Seconded by:** Councillor Flint

**“WHEREAS** the Lakeshore Village Business Improvement Area no longer has a quorum since, for a variety of reasons, it has lost several of its executive members; and

**WHEREAS** the Lakeshore Village Business Improvement Area held a General Meeting on the evening of Tuesday, July 22, 2003, to nominate five new members to its board; and

**WHEREAS** those members who are nominated by the general membership to the Business Improvement Area Board of Management cannot act with authority until they are approved at a meeting of the Toronto City Council; and

**WHEREAS** the next meeting of Toronto City Council, after this one, will not be held until Monday, September 22, 2003, which would create challenges for the Business Improvement Area in carrying out their program;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council now appoint the following people, who were duly nominated at the General Meeting of the Lakeshore Village Business Improvement Area, to serve on their Board of Management, for a term of office expiring November 30, 2003, and until their successors are appointed:

Mrs. Patricia Delfin;  
Mr. Peter Donato;  
Mr. Alex Faulkner;  
Mrs. Ilona McCoppen; and  
Mr. John Scheffer;

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

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

(35) **Ontario Municipal Board Review and Reforms**

**Moved by:                    Councillor Moscoe**

**Seconded by:                Councillor Soknacki**

“**WHEREAS** there is growing concern from Toronto and other municipalities across the Greater Toronto Area (the ‘GTA’) that the decisions of the Ontario Municipal Board (the ‘OMB’) are eroding local planning decision-making and authority; and

**WHEREAS** the City of Toronto has been part of ongoing initiatives to review the role of the OMB; and

**WHEREAS** the GTA Task Force on OMB Reform, chaired by Mr. Roger Anderson, Chair of the Region of Durham, and comprised of an informed group of GTA-wide municipal elected and staff representatives from 34 municipalities, including Toronto, after study and consultation, has made recommendations for reforming the OMB and improving the planning appeal process; and

**WHEREAS** the Council of the City of Toronto, at its meeting held on May 21, 22 and 23, 2002, adopted a report dated March 7, 2002, from the Commissioner of Urban Development Services, entitled ‘Report on a Review of Ontario Municipal Board Decisions’, which is consistent, in principle and direction, with the Report of the GTA Task Force on OMB Reform;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto endorses the Report of the GTA Task Force on OMB Reform dated March 7, 2003;

**AND BE IT FURTHER RESOLVED THAT** this Resolution be circulated to the Chair of the GTA Task on OMB Reform, the Attorney General, the Minister of Municipal Affairs and Housing, and the provincial party leaders.”

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

(36) **Insurance Coverage – Molson Concert at Downsview Park**

**Moved by: Councillor Nunziata**

**Seconded by: Deputy Mayor Ootes**

**“WHEREAS** City Council encourages and supports initiatives for economic recovery from SARS; and

**WHEREAS** Molson Sport and Entertainment is producing a music concert at Downsview Park on July 30, 2003, which may be one of the world’s largest ever ticketed music events; and

**WHEREAS** numerous City services will be provided to assist Molson’s in facilitating their event; and

**WHEREAS** the Chief Financial Officer and Treasurer wishes to inform Council Members of the City’s position on the potential for liability arising from its involvement in the Molson event;

**NOW THEREFORE, BE IT RESOLVED THAT** Council give consideration to the confidential report dated July 23, 2003, from the Chief Financial Officer and Treasurer, and that such report be adopted.”

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

*In adopting Motion J(36), without amendment, Council adopted, without amendment, the confidential report dated July 23, 2003, from the Chief Financial Officer and Treasurer, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of the property of the municipality, save and except the following recommendations:*

*“It is recommended that:*

- (1) authority be granted for the City to enter into an agreement, satisfactory to the City Solicitor, whereby the City is held harmless, indemnified and included as an insured for loss or damage arising from the relevant Molson corporate entity responsible for the production of the concert and its contractors and suppliers; and*
- (2) City staff and officials be authorized to give effect to the foregoing.”*

(37) **Declaration of Surplus, Part of No. 1 Colonel Samuel Smith Park Drive Lakeshore Psychiatric Grounds (Ward 6 – Etobicoke – Lakeshore)**

**Moved by: Councillor I. Jones**

**Seconded by: Councillor Milczyn**

**“WHEREAS** the Assembly Hall at No. 1 Colonel Samuel Smith Park Drive currently has a significant shortage of parking facilities and this lack of parking is detrimentally affecting the operation of the facility, its capacity to generate revenue and deliver community programs; and

**WHEREAS** it is intended that new parking facilities will be constructed by the City to the east and west of Humber College’s current parking on the site; and

**WHEREAS** it is beneficial for the City to enter into an exchange agreement with Humber College (‘Humber’) that will bring about a more efficient use of the City’s and Humber’s respective parking areas; and

**WHEREAS** Humber has also agreed to provide a right-of-way in favour of the City over Humber’s existing driveway which abuts Parts 1 and 2 to the south for access to all adjoining parking facilities; and

**WHEREAS** Humber's concession of a right-of-way to the City is a matter of great significance to the City in achieving its parking goals at the Assembly Hall site; and

**WHEREAS** the City cannot enter into the exchange agreement with Humber and commence construction of the Assembly Hall parking facility until a portion of No. 1 Colonel Samuel Smith Park Drive, shown as Part 1 on Sketch PS-2002-046, has been declared surplus; and

**WHEREAS** the City is required to declare the Property surplus to municipal requirements under the Municipal Act; and

**WHEREAS** due to the time sensitivity of meeting all of the steps necessary to declare the Property surplus and approve the sale, prior to the upcoming break in the Council Schedule, and to timing requirements relating to the provision of parking and potential effect of the designation of the Property under the new Official Plan, it is necessary that the declare surplus matter be considered at the July, 22, 2003 Council meeting;

**NOW THEREFORE BE IT RESOLVED THAT COUNCIL** give consideration to the attached report dated July 22, 2003 from the Commissioner of Corporate Services, entitled 'Declaration of Surplus, Part of No. 1 Colonel Samuel Smith Park Drive – Lakeshore Psychiatric Grounds (Ward 6 - Etobicoke Lakeshore)', and that the recommendations contained in such report be adopted.”

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

*In adopting Motion J(37), without amendment, Council adopted, without amendment, the report dated July 22, 2003, from the Commissioner of Corporate Services, entitled “Declaration as Surplus, Part of No. 1 Colonel Samuel Smith Park Drive - Lakeshore Psychiatric Grounds (Ward 6 - Etobicoke-Lakeshore)”, embodying the following recommendations:*

*“It is recommended that:*

- (1) the parcel of vacant land located on part of No. 1 Colonel Samuel Smith Park Drive, being a portion of Lot 1, Plan 66M-2319, shown as Part 1 on PS-2002-046, be declared surplus to the City’s requirements with the intended method of disposal to be by way of a new long-term lease to Humber College;*
  - (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and*
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*
- (38) **Amendment to Final Report - Application to Amend the Zoning, By-law No. 7625 - TB ZBL 2001 0019 - Nuc-Tuct, Non-Profit Housing Corporation 53 Cummer Avenue (Ward 24 - Willowdale)**

**Moved by: Councillor Shiner**

**Seconded by: Councillor Feldman**

“**WHEREAS** City Council at its meeting of April 16, 17 and 18, 2002, adopted, as amended, Clause No. 26 of Report No. 3 of The North York Community Council, headed, ‘Final Report - Application to Amend the Zoning, By-law 7625 - TB ZBL 2001 0019 - Nuc-Tuct, Non-Profit Housing Corporation, 53 Cummer Avenue (Ward 24 – Willowdale)’, being an application to amend the Zoning By-law to permit the construction of a 57 unit 4-storey apartment building at 53 Cummer Avenue, and to eliminate the access to the development on Averill Crescent; and

**WHEREAS** the project is supported by the City's Let's Build Program; and

**WHEREAS** the applicant was required to revise his plans to provide an alternate service access that resulted in a reduction in the size of the proposed building;

**NOW THEREFORE BE IT RESOLVED THAT** the draft By-law attached to the Final Report dated February 8, 2002, from the Director, Community Planning, North District, Urban Development Services, entitled, 'Final Report - Application to Amend the Zoning, By-law 7625 - TB ZBL 2001 0019 - Nuc-Tuct, Non-Profit Housing Corporation - 53 Cummer Avenue (Ward 24 – Willowdale)', be amended by reducing the gross floor area from 9,045 m<sup>2</sup> to 7,700 m<sup>2</sup>, reducing the unit count from 57 to 54, reducing the number of residential parking spaces to 37, reducing the building footprint on Schedule RM5(12), increasing the amount of outdoor amenity space to 3222 m<sup>2</sup> and increasing the lot coverage to 50 percent;

**AND BE IT FURTHER RESOLVED THAT** Council, pursuant to Section 34(17) of the Planning Act, hereby determines that no further notice to the public is required of the changes noted herein."

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

(39) **Amendment to College Street Avenue Study**

**Moved by: Councillor Chow**

**Seconded by: Councillor Pantalone**

**“WHEREAS** the College Street revitalization plan, between Bathurst Street and College Street, has been approved by the City Council, several times in the past; and

**WHEREAS** City Council at its meeting held on June 24, 25 and 26, 2003, by its adoption of Planning and Transportation Committee Report No. 7, Clause No. 4, headed 'Selected Avenue Studies for 2003 and 2004 – File No. 002050', has approved the Avenue Study on College Street; and

**WHEREAS** in approving the Avenue Study, City Council did not include the stretch of College Street, between Bathurst Street and Spadina Avenue;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Planning and Transportation Committee Report No. 7, Clause No.4, headed 'Selected Avenue Studies for 2003 and 2004 – File No. 002050', be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the College Street Avenue study be expanded to include the section from Bathurst Street and Spadina Avenue separately, and in conjunction with the already approved College Street Avenue Study.”

*Disposition: Council re-opened Planning and Transportation Committee Report No. 7, Clause No. 4, headed “Selected Avenue Studies for 2003 and 2004 – File No. 002050”, for further consideration, and adopted the balance of this Motion, without amendment.*

(40) **Expansion and Repaving of the Parking Lot Adjacent to the Royal York GO Station**

**Moved by: Councillor I. Jones**

**Seconded by: Councillor Milczyn**

“**BE IT RESOLVED THAT** the Commissioner of Works and Emergency Services be requested to prepare the specifications and tender documents for the expansion and repaving of the parking lot adjacent to the Royal York GO Station, if GO Transit and the Toronto Parking Authority decides not to proceed, and report to Council for its meeting scheduled to be held on September 22, 2003, through the Policy and Finance Committee, for the appropriate approvals related to funding and construction.”

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

(41) **The 50<sup>th</sup> Anniversary of the Scottish Rugby Football Club**

**Moved by: Councillor Miller**

**Seconded by: Councillor Li Preti**

“**WHEREAS** the Toronto Scottish Rugby Football Club is celebrating its fiftieth (50<sup>th</sup>) anniversary in 2003; and

**WHEREAS** the Toronto Scottish, the Toronto Saracens, three other Toronto clubs and the Ontario Rugby Union themselves built and maintain Fletcher’s Fields, the home of Ontario Rugby, a facility used by many other amateur sports for athletes of all ages; and

**WHEREAS** the Toronto Scottish Rugby Club represents the best of amateur sports, having teams of women and men, girls and boys, including an ‘Ancients’ team on which over ‘70’ men participate in their chosen sport of Rugby; and

**WHEREAS** the Toronto Scottish have a full week of celebrations planned, culminating in several matches against their arch rival Toronto Saracens, on July 26, 2003, who will demonstrate to the Scottish the skills of an excellent Rugby Club;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor and Members of Council of the City of Toronto convey their congratulations to the Toronto Scottish Rugby Football Club on its fiftieth (50<sup>th</sup>) anniversary.”

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

**CONDOLENCE MOTIONS**

(1)    **Moved by:                    Councillor Rae**

**Seconded by:                Councillor Shaw**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Dr. Daniel G. Hill on June 26, 2003; and

**WHEREAS** Dr. Hill received his Doctorate in Sociology at the University of Toronto and made Toronto his home in 1953; and

**WHEREAS** Dr. Hill rose above the racism and segregation that welcomed him in Toronto and spent the next 50 years championing human rights, racial equality and Black history within the City and throughout the Country; and

**WHEREAS** Dr. Hill guided the first human rights commission in Canada, the Ontario Human Rights Commission, in its infancy as its first director in the 1960s, and served as Ontario’s second Ombudsman from 1984 to 1989, and in those roles was a respected champion of human rights; and

**WHEREAS** Dr. Hill was instrumental in the development of the Canadian human rights legislation; and

**WHEREAS** Dr. Hill received the Order of Ontario in 1993, and the Order of Canada in 2000, for his contributions to human rights and race relations within the Province and nation-wide; and

**WHEREAS** Dr. Hill wrote the first published account of the history of Blacks in Canada written for the popular market which helped to stimulate a scholarly interest in Black studies in Canada; and

**WHEREAS** Dr. Hill helped educate countless students on Black history by beginning the tradition of going into schools and offering Black history presentations; and

**WHEREAS** Dr. Hill was one of the founders of the Ontario Black History Society in 1978, and was instrumental in having the City of Toronto proclaim February as Black History Month in 1979; and

**WHEREAS** Dr. Hill lent his considerable experience and skills as an advisor to the provincial government on religious cults, advisor to the President of the University of Toronto on race relations, and advisor to the Toronto Mayor's Committee on Community and Race Relations;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife, Donna, their children Larry, Dan, and Karen, and several grandchildren."

*Disposition: The Motion was adopted unanimously.*

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

**Seconded by: Councillor Feldman**

"**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mrs. Evelyn Davids, who resided in Seneca Towers, a Toronto Community Housing Corporation Seniors Residence in Ward 24 – Willowdale; and

**WHEREAS** Evelyn Davids, having lived in Seneca Towers for approximately eighteen years, was very actively involved with the residents of the building, serving as the Tenant Representative for Seneca Towers and who, just a few weeks prior to her death, was once again acclaimed to this position; and

**WHEREAS** Evelyn Davids, as President, also played an important role in the '1700 Finch Social Club' of Seneca Towers; and

**WHEREAS** Evelyn Davids took the time to assist the residents of Seneca Towers whenever possible, whether it be by helping them complete forms, doing their shopping, filling out medical questionnaires or just by sharing her smile and a little bit of conversation with them; and

**WHEREAS** most recently, over one hundred and fifty residents attended an 80th birthday celebration dinner given by Evelyn Davids' children in her honour, and the residents joined in whole-heartedly, singing, dancing, performing and sharing stories of Evelyn Davids' many acts of kindness; and

**WHEREAS** Evelyn Davids' gracious, compassionate and friendly manner, along with her tireless dedication to her fellow residents at Seneca Towers will be sadly missed;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to her sons, Denis, Llewelyn and Trevor and their families."

*Disposition: The Motion was adopted unanimously.*

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

**Seconded by: Deputy Mayor Ootes**

“**WHEREAS** the Members of Toronto City Council are deeply saddened to learn of the tragic death of New York Councilman James E. Davis at the New York City Hall Council Chambers on Wednesday, July 23, 2003;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere condolences to Mayor Michael Bloomberg and Members of New York City Council.”

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

Toronto, Ontario  
July 29, 2003

City Clerk