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These Minutes were confirmed by City Council on June 24, 2003

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

**WEDNESDAY, MAY 21, 2003,
THURSDAY, MAY 22, 2003 AND
FRIDAY, MAY 23, 2003**

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

7.1 CALL TO ORDER - 9:37 a.m.

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

The meeting opened with O Canada.

7.2 CONFIRMATION OF MINUTES

Councillor Shiner, seconded by Councillor Johnston, moved that the Minutes of the regular Council meeting held on the 14th, 15th and 16th days of April, 2003, and the Minutes of the Special Council meeting held on the 24th day of April, 2003, be confirmed in the form supplied to the Members, which carried.

7.3 PETITIONS

- (a) Councillor Mihevc filed a petition containing the signatures of approximately 440 individuals respecting the community use of school pools.

Council considered this petition with Clause No. 5 of Report No. 4 of The Policy and Finance Committee, headed "Status of Negotiations between the Parks and Recreation Division and the Toronto District School Board (All Wards) and City Incorporation of Toronto's School Boards".

- (b) Councillor Korwin-Kuczynski filed a petition containing the signatures of approximately 8,000 individuals respecting Falun Gong.

This petition was filed with the City Clerk.

- (c) Councillor Korwin-Kuczynski filed a petition containing the signatures of approximately 543 individuals respecting the Ideal Bread Factory.

This petition was filed with the City Clerk.

PRESENTATION OF REPORTS

- 7.4 Councillor Altobello presented the following Reports for consideration by Council:

Deferred Clauses:

Report No. 3 of The Policy and Finance Committee, Clause No. 5a
Report No. 2 of The Administration Committee, Clause No. 3b
Report No. 3 of The Administration Committee, Clause No. 1a
Report No. 2 of The Community Services Committee, Clause No. 7b
Report No. 3 of The Community Services Committee, Clauses Nos. 8a and 22a
Report No. 3 of The Works Committee, Clauses Nos. 3a and 17a
Report No. 1 of The Audit Committee, Clause No. 9a
Report No. 2 of The Striking Committee, Clause No. 2a

New Reports:

Report No. 4 of The Policy and Finance Committee
Report No. 4 of The Economic Development and Parks Committee
Report No. 6 of The Planning and Transportation Committee
Report No. 4 of The Works Committee
Report No. 4 of The Administration Committee
Report No. 4 of The Community Services Committee
Report No. 4 of The Midtown Community Council
Report No. 4 of The North York Community Council
Report No. 4 of The Scarborough Community Council
Report No. 5 of The Toronto East York Community Council
Report No. 4 of The Etobicoke Community Council
Report No. 4 of The Humber York Community Council
Report No. 3 of The Board of Health
Report No. 4 of The Nominating Committee

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

7.5 DECLARATIONS OF INTEREST

Councillor Augimeri declared her interest in Clause No. 10 of Report No. 4 of The Humber York Community Council, headed “1415 Lawrence Avenue - Site Plan Approval, Keele Lawrence Investments Inc. (Ward 12 - York South-Weston)”, and in Motion J(34), moved by Councillor Di Giorgio, seconded by Councillor Li Preti, headed “Proposal Regarding 1415 Lawrence Avenue”, in that her mother owns a condominium in the immediate vicinity.

Councillor Dominelli declared his interest in Clause No. 15 of Report No. 5 of The Toronto East York Community Council, headed “Designation under Part IV of the Ontario Heritage Act - 183 Dovercourt Road (Ideal Bread Company Factory) (Trinity-Spadina, Ward 19)”, in that he owns property in the immediate vicinity.

Mayor Lastman declared his interest in the report of Justice Coulter Osborne regarding the Union Station Proposal, in that his son is a member of the Board of the Borealis Capital Corporation.

Councillor Li Preti declared his interest in Clause No. 13 of Report No. 4 of The North York Community Council, headed “Final Report - Application to Amend the Zoning By-law - TB ZBL 2002 0010 - Jeanice Klerer & Joel Lichtblau - 499 Wilson Heights Boulevard (Ward 10 -York Centre)”, in that he owns property in the immediate vicinity.

Councillor Miller declared his interest in Clause No. 11 of Report No. 4 of The Administration Committee, headed “Sale of City-Owned Surplus Land at 20 Gothic Avenue (Ward 13 - Parkdale-High Park)”, in that he and his wife own a home in the immediate vicinity.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 3 of The Policy and Finance Committee, Clause No. 5a.

Report No. 2 of The Administration Committee, Clause No. 3b.

Report No. 3 of The Administration Committee, Clause No. 1a.

Report No. 2 of The Community Services Committee, Clause No. 7b.

Report No. 3 of The Community Services Committee, Clauses Nos. 8a and 22a.

Report No. 3 of The Works Committee, Clauses Nos. 3a and 17a.

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

Report No. 2 of The Striking Committee, Clause No. 2a.

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1, 2, 3, 5, 6, 7, 8, 9, 12, 13, 15, 16, 19, 24, 26 and 27.

Report No. 4 of The Economic Development and Parks Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 20 and 21.

Report No. 6 of The Planning and Transportation Committee, Clauses Nos. 3, 4, 6 and 9.

Report No. 4 of The Works Committee, Clauses Nos. 1, 2, 7, 8, 10, 11, 13 and 16.

Report No. 4 of The Administration Committee, Clauses Nos. 1, 2, 12, 17 and 22.

Report No. 4 of The Community Services Committee, Clauses Nos. 1, 3, 4, 6, 8 and 9.

Report No. 4 of The Midtown Community Council, Clauses Nos. 8, 15, 20 and 21.

Report No. 4 of The North York Community Council, Clauses Nos. 15, 16 and 21.

Report No. 5 of The Toronto East York Community Council, Clauses Nos. 1, 2, 6, 15, 16, 25 and 40.

Report No. 4 of The Etobicoke Community Council, Clauses Nos. 7, 11, 12, 15, 18 and 20.

Report No. 4 of The Humber York Community Council, Clauses Nos. 10, 16, 19, 20, 31, 32, 33, 37, 39 and 43.

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

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

Report No. 3 of The Policy and Finance Committee, Clause No. 5a.

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 3, 8, 9, 13, 15 and 16.

Report No. 4 of The Economic Development and Parks Committee, Clauses Nos. 1, 13, 20 and 21.

Report No. 4 of The Works Committee, Clauses Nos. 2, 8, 10 and 13.

Report No. 4 of The Community Services Committee, Clauses Nos. 1 and 8.

Report No. 4 of The Midtown Community Council, Clause No. 20.

Report No. 4 of The North York Community Council, Clauses Nos. 15 and 16.

Report No. 5 of The Toronto East York Community Council, Clause No. 25.

Report No. 4 of The Etobicoke Community Council, Clauses Nos. 7, 11 and 12.

Report No. 4 of The Humber York Community Council, Clauses Nos. 19, 20 and 37.

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

CONSIDERATION OF REPORTS CLAUSES WITH MOTIONS, VOTES, ETC.

7.7 Clause No. 1 of Report No. 4 of The Works Committee, headed “Security Measures at Water and Wastewater Facilities for Filming”.

Motion:

Councillor Shiner moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

Vote:

The motion by Councillor Shiner carried.

7.8 Clause No. 9 of Report No. 4 of The Community Services Committee, headed “Update Regarding the Status of Litigation with The Learning Enrichment Foundation”.

Motion:

Councillor Moscoe moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003, and the City Solicitor be requested to submit a further report to Council, for such meeting, on the status of litigation between the City of Toronto and the Learning Enrichment Foundation.

Vote:

The motion by Councillor Moscoe carried.

7.9 **Clause No. 8 of Report No. 4 of The Midtown Community Council, headed “Parking Prohibitions: Blanchard Road (Don Valley West - Ward 25)”.**

Motion:

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

“It is recommended that Council adopt the report dated April 17, 2003, from the Director, Transportation Services, District 3, as embodied in the Clause.”

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

7.10 **Clause No. 1 of Report No. 5 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 157A-177 Church Street (Toronto Centre-Rosedale, Ward 27)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary report dated May 12, 2003, from the City Solicitor, embodying the following recommendation:

‘It is recommended that before introducing the necessary Bills in Council, the owner be required to submit to the City Solicitor a letter undertaking to withdraw its appeal of the new Official Plan for the City of Toronto, dated April 9, 2003, once the site specific zoning by-law and Official Plan amendment come into force.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

7.11 Clause No. 2 of Report No. 5 of The Toronto East York Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 22 and 24 Wellesley Street East (Toronto Centre-Rosedale, Ward 27)”.

Motion:

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

“It is further recommended that Council adopt the supplementary report dated May 12, 2003, from the City Solicitor, embodying the following recommendation:

‘It is recommended that before introducing the necessary Bills in Council, the owner be required to submit to the City Solicitor a letter undertaking to withdraw its appeal of the new Official Plan for the City of Toronto, dated April 10, 2003, once the site specific zoning by-law and Official Plan amendment come into force.’ ”

Votes:

The motion by Councillor Rae carried.

The Clause, as amended, carried.

7.12 Clause No. 40 of Report No. 5 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.

Motions:

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

(1) amending Recommendation No. (1) of the Toronto East York Community Council by adding thereto the following new Part (i):

“(i) Inti Raymi festival to be held at Christie Pits Park on June 21 and 22, 2003;” and

(2) adding to Recommendation No. (3) of the Toronto East York Community Council the following new Parts (d) to (n):

“(d) CHUM Television Fall Programming Schedule Event to be held on Thursday, June 5, 2003, from 5:00 p.m. to 1:00 a.m., in the Chum City

Building and Parking Lot located at 299 Queen Street West;

- (e) Canadian Manda Group BBQ to be held on June 8, 2003, from 8:00 p.m. to midnight, in the Beer Hall and West Patio of the Steam Whistle Brewing Company, 255 Bremner Boulevard;
 - (f) RIV/QM/INC Staff Picnic to be held on Sunday, July 27, 2003, from 2:00 p.m. to 1:00 a.m., at the Ward's Island Club House at 14 Withrow Avenue;
 - (g) wedding reception to be held on June 7, 2003, at 5:00 p.m., at Berkeley Church, 315 Queen Street East;
 - (h) wedding reception to be held on May 23, 2003, from 5:30 p.m. to 12:30 a.m., at Casa Loma, 1 Austin Terrace;
 - (i) Courier Classic Charity Bicycle Event to be held on May 31, 2003, from 12 noon to 11:00 p.m., at Trinity Bellwoods Park;
 - (j) reception to be held on June 4, 2003, from 4:00 p.m. to 10:00 p.m., at the Blue Dot Gallery;
 - (k) Sounds of Hope Gala to be held on May 29, 2003, at Casa Loma;
 - (l) Torys LLP's Client Reception to be held on June 4, 2003, from 5:00 p.m. to 1:00 a.m., in the Beer Hall, Tank Room and outdoor, fenced patio area of the Steam Whistle Brewing Company, 255 Bremner Boulevard;
 - (m) University of Toronto's Campus Beverage Services use of its caterer's endorsement for the Institute of Child Study's Hot Dog Event to be held on June 3, 2003, from 6:00 p.m. to 8:30 p.m., at the Institute's playground area, 45 Walmer Road; and
 - (n) University of Toronto's Campus Beverage Services use of its caterer's endorsement for the Faculty of Physical Health Education Sport's Hall of Fame Event to be held on June 4, 2003, from 5:30 p.m. to 9:30 p.m., at Trinity College, 6 Hoskin Avenue, Buttery;".
- (b) Councillor McConnell moved that the Clause be amended by amending Recommendation No. (1) of the Toronto East York Community Council by adding thereto the following new Parts (j) and (k):
- “(j) the Groundswell Festival of New Works by Women to be held from June 2 to 8, 2003, at the Nightwood Theatre in the Distillery District; and

- (k) the St. Lawrence Neighbourhood Annual Festival to be held at Crombie Park on June 13 and 14, 2003;”.

Votes:

The motion by Councillor Rae carried.

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Rae moved that the Clause be further amended by:

- (1) amending Recommendation No. (1) of the Toronto East York Community Council by deleting Part (a) and inserting in lieu thereof the following new Part (a):

“(a) 37th Annual CHIN International Picnic to be held at Exhibition Place from June 28 – July 1, 2003;” and

- (2) adding the following location to Recommendation No. (2) of the Toronto East York Community Council:

“The Croissant Tree, 625 Church Street”.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

Motion to Re-Open:

Councillor Rae, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further

consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Rae moved that the Clause be further amended by adding to Recommendation No. (3) of the Toronto East York Community Council the following new Part (o):

“(o) the 6th Annual EMI Music Publishing BBQ to be held on June 5, 2003, at 119 Spadina Avenue, on the 12th Floor rooftop gardens;”.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

In summary, Council amended this Clause by:

- (1) amending Recommendation No. (1) of the Toronto East York Community Council as follows:
 - (a) deleting Part (a) and inserting in lieu thereof the following new Part (a):

“(a) 37th Annual CHIN International Picnic to be held at Exhibition Place from June 28 – July 1, 2003;”; and
 - (b) adding thereto the following new Parts (i), (j) and (k):
 - “(i) Inti Raymi festival to be held at Christie Pits Park on June 21 and 22, 2003;
 - (j) the Groundswell Festival of New Works by Women to be held from June 2 to 8, 2003, at the Nightwood Theatre in the Distillery District; and
 - (k) the St. Lawrence Neighbourhood Annual Festival to be held at Crombie Park on June 13 and 14, 2003;”;
- (2) adding the following location to Recommendation No. (2) of the Toronto East York Community Council:

“The Croissant Tree, 625 Church Street”; and

- (3) adding to Recommendation No. (3) of the Toronto East York Community Council the following new Parts (d) to (o):
- “(d) CHUM Television Fall Programming Schedule Event to be held on Thursday, June 5, 2003, from 5:00 p.m. to 1:00 a.m., in the Chum City Building and Parking Lot located at 299 Queen Street West;
 - (e) Canadian Manda Group BBQ to be held on June 8, 2003, from 8:00 p.m. to midnight, in the Beer Hall and West Patio of the Steam Whistle Brewing Company, 255 Bremner Boulevard;
 - (f) RIV/QM/INC Staff Picnic to be held on Sunday, July 27, 2003, from 2:00 p.m. to 1:00 a.m., at the Ward’s Island Club House at 14 Withrow Avenue;
 - (g) wedding reception to be held on June 7, 2003, at 5:00 p.m., at Berkeley Church, 315 Queen Street East;
 - (h) wedding reception to be held on May 23, 2003, from 5:30 p.m. to 12:30 a.m., at Casa Loma, 1 Austin Terrace;
 - (i) Courier Classic Charity Bicycle Event to be held on May 31, 2003, from 12 noon to 11:00 p.m., at Trinity Bellwoods Park;
 - (j) reception to be held on June 4, 2003, from 4:00 p.m. to 10:00 p.m., at the Blue Dot Gallery;
 - (k) Sounds of Hope Gala to be held on May 29, 2003, at Casa Loma;
 - (l) Torys LLP’s Client Reception to be held on June 4, 2003, from 5:00 p.m. to 1:00 a.m., in the Beer Hall, Tank Room and outdoor, fenced patio area of the Steam Whistle Brewing Company, 255 Bremner Boulevard;
 - (m) University of Toronto’s Campus Beverage Services use of its caterer’s endorsement for the Institute of Child Study’s Hot Dog Event to be held on June 3, 2003, from 6:00 p.m. to 8:30 p.m., at the Institute’s playground area, 45 Walmer Road;
 - (n) University of Toronto’s Campus Beverage Services use of its caterer’s endorsement for the Faculty of Physical Health Education Sport’s Hall of Fame Event to be held on June 4, 2003, from 5:30 p.m. to 9:30 p.m., at Trinity College, 6 Hoskin Avenue, Buttery; and
 - (o) the 6th Annual EMI Music Publishing BBQ to be held on June 5, 2003, at 119 Spadina Avenue, on the 12th Floor rooftop gardens;”.

7.13 Clause No. 20 of Report No. 4 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”.

Motion:

Councillor Milczyn moved that the Clause be received as information, subject to striking out and referring Item (d), entitled “Reconstruction of Royal York Road from Mimico Creek to Dundas Street West”, embodied therein, back to the Etobicoke Community Council for further consideration.

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, was received as information.

7.14 Clause No. 32 of Report No. 4 of The Humber York Community Council, headed “Declaration of Bloordale Village Festival as a Community Event (Ward 18 - Davenport)”.

Motion:

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

“It is further recommended that Council, for liquor licensing purposes, declare the Canada Day Celebrations to be held on July 1, 2003, at the Weston Lions Park, to be a community festival of municipal significance, and the Alcohol and Gaming Commission of Ontario be advised that the City of Toronto has no objection to the event taking place.”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

7.15 Clause No. 33 of Report No. 4 of The Humber York Community Council, headed “Declaration of Our Lady of Light Festival as a Community Event (Ward 17 - Davenport)”.

Motion:

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

“It is further recommended that Council, for liquor licensing purposes, declare the Maltese Annual Mnarja Festival to be held on June 15, 2003, at Runnymede Park, to be a community festival of municipal significance, and the Alcohol and Gaming

Commission of Ontario be advised that the City of Toronto has no objection to the event taking place.”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

7.16 **Clause No. 39 of Report No. 4 of The Humber York Community Council, headed “Renaming of the High Park Adventure Playground to Jamie Bell Adventure Playground (Ward 13 - Parkdale High-Park)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary report dated May 20, 2003, from the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

‘It is recommended that:

- (1) the Adventure Playground in High Park be named the “Jamie Bell Adventure Playground”; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

7.17 **Clause No. 15 of Report No. 4 of The Midtown Community Council, headed “357 Bedford Park Avenue - Tree Removal Request (Eglinton-Lawrence - Ward 16)”.**

Motion:

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

“It is further recommended that the request for the removal of one City-owned tree located at 357 Bedford Park Avenue be further conditional on the applicant paying an amount of \$4,133.00 for the appraised value and removal costs of the Green Ash tree.”

Votes:

The motion by Councillor Johnston carried.

The Clause, as amended, carried.

7.18 **Clause No. 6 of Report No. 5 of The Toronto East York Community Council, headed “Variance from Chapter 297, Signs, of the former City of Toronto Municipal Code - 220 Bloor Street West (Hotel Intercontinental) (Trinity-Spadina, Ward 20)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that Council adopt the report dated May 9, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that:

- (1) the request for variances be approved to replace three existing illuminated fascia signs, for identification purposes, with three newly designed illuminated fascia signs at 220 Bloor Street West; and
- (2) the applicant be advised, upon approval of a variance, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.’ ”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

7.19 **Deferred Clause No. 3b of Report No. 2 of The Administration Committee, headed “Tenant Outreach Program 2003 Election Tenant Information Program”.**

Motions:

- (a) Councillor Soknacki moved that the Clause be amended to provide that the adoption of “Option 2 - Newsletter to Apartment Residents”, as the selected option to undertake the 2003 Election Tenant Information Package, be subject to the expense being limited to the ability of the City Clerk to absorb the expense within the current communications budget for the 2003 municipal election.
- (b) Councillor Walker moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the next regular meeting of City Council scheduled to be held on June 24, 2003, through the Administration Committee, on the source of the additional funds.”
- (c) Councillor Ford moved that the Clause be received.

Votes:

Adoption of motion (c) by Councillor Ford:

Yes - 6	
Councillors:	Ford, Holyday, Kelly, Minnan-Wong, Ootes, Tziretas
No - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Di Giorgio, Filion, Hall, I. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker

Lost by a majority of 20.

Adoption of motion (a) by Councillor Soknacki:

Yes - 10	
Mayor:	Lastman
Councillors:	Ashton, Filion, Hall, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Shiner, Soknacki
No - 24	

Councillors:	Altobello, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Ford, Holyday, I. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
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Lost by a majority of 14.

Adoption of motion (b) by Councillor Walker:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Filion, Hall, I. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Walker
No - 6	
Councillors:	Ford, Holyday, Kelly, Ootes, Soknacki, Tziretas

Carried by a majority of 22.

Adoption of Clause, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Filion, Hall, I. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Silva, Walker
No - 6	
Councillors:	Ford, Holyday, Kelly, Ootes, Soknacki, Tziretas

Carried by a majority of 22.

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit a report to the next regular meeting of City Council scheduled to be held on June 24, 2003, through the Administration Committee, on the source of the additional funds.”

7.20 **Clause No. 3 of Report No. 3 of The Board of Health, headed “West Nile Virus”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that:

(1) Council adopt the supplementary report dated May 20, 2003, from the Medical Officer of Health, embodying the following recommendations:

‘It is recommended that:

(1) this report be referred to the Toronto Board of Health for information;

(2) City Council request that Toronto Public Health and Municipal Licensing and Standards report to the Policy and Finance Committee regarding the costs of implementing the West Nile Virus response plan pertaining to standing water hazards on private property; and

(3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;

(2) the City of Toronto publish a 24-hour West Nile Virus hot line number(s), in order that:

(a) residents may call in regarding standing water and other West Nile Virus-related complaints;

(b) residents may have their questions answered; and

(c) Members of Council may obtain a fast response to West Nile Virus-related matters; and

(3) the Medical Officer and Health be requested to develop a neighbourhood response mechanism to educate communities where cases of West Nile Virus exist.”

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

“It is recommended that the Commissioner of Works and Emergency Services, in consultation with the Medical Officer of Health, be requested to develop a public response and inspection strategy for reported potential West Nile Virus hazards in areas of the City of Toronto where drainage of public rights-of-way is achieved by open ditches and culverts.”

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

“It is recommended that the Medical Officer of Health be requested to submit a monthly report to City Council, through the Board of Health, on reported and/or confirmed cases of West Nile Virus in humans and animals in each Ward, and what action has been taken by City of Toronto staff to control the outbreak of West Nile Virus.”

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

“It is recommended that all catch basins in the City of Toronto be treated with larvicide and the Chief Financial Officer and Treasurer be requested to submit a report to Council, through the Policy and Finance Committee, on ways of funding such an expanded program.”

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

“It is recommended that the City of Toronto provide home owners with an option of having their catch basins treated with larvicide and the Commissioner of Works and Emergency Services be requested to implement such a program and to include a requirement that home owners sign a waiver protecting the City of Toronto from liability.”

- (f) Councillor Li Preti moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the feasibility of City staff applying larvicide to catch basins on private property and charging home owners a nominal fee of \$10.00.”

- (g) Councillor Flint moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be authorized to spray the ditches in the Leaside Spur line and provide advice and cost estimates as to how this area can be adequately drained in the future.”

- (h) Mayor Lastman moved that all motions on this Clause, save and except Part (1) of motion (a) by Councillor Moscoe, be referred to the Medical Officer of Health for appropriate action and report back to City Council, through the Board of Health at its next meeting scheduled to be held on June 16, 2003, and the West Nile Virus control program commence as soon as possible and the Medical Officer of Health be requested to notify the municipalities surrounding the City of Toronto and request that similar action be taken.
- (i) Councillor Korwin-Kuczynski moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to educate the public on the appropriate materials that can be purchased over the counter and safely used to deal with catch basins and eavestroughs on private property.”

Votes:

Motion (h) by Mayor Lastman carried.

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

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (a) Council adopt the supplementary report dated May 20, 2003, from the Medical Officer of Health, embodying the following recommendations:

‘It is recommended that:

- (1) this report be referred to the Toronto Board of Health for information;
- (2) City Council request that Toronto Public Health and Municipal Licensing and Standards report to the Policy and Finance Committee regarding the costs of implementing the West Nile Virus response plan pertaining to standing water hazards on private property; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.';
- (b) the following motions be referred to the Medical Officer of Health for appropriate action and report back to City Council, through the Board of Health at its next meeting scheduled to be held on June 16, 2003, and the West Nile Virus control program commence as soon as possible and the Medical Officer of Health be requested to notify the municipalities surrounding the City of Toronto and request that similar action be taken:

Moved by Councillor Cho:

'It is recommended that the Medical Officer of Health be requested to submit a monthly report to City Council, through the Board of Health, on reported and/or confirmed cases of West Nile Virus in humans and animals in each Ward, and what action has been taken by City of Toronto staff to control the outbreak of West Nile Virus.'

Moved by Councillor Flint:

'It is recommended that the Commissioner of Works and Emergency Services be authorized to spray the ditches in the Leaside Spur line and provide advice and cost estimates as to how this area can be adequately drained in the future.'

Moved by Councillor Kelly:

'It is recommended that all catch basins in the City of Toronto be treated with larvicide and the Chief Financial Officer and Treasurer be requested to submit a report to Council, through the Policy and Finance Committee, on ways of funding such an expanded program.'

Moved by Councillor Korwin-Kuczynski:

'It is recommended that the Commissioner of Works and Emergency Services be requested to educate the public on the appropriate materials that can be purchased over the counter and safely used to deal with catch basins and eavestroughs on private property.'

Moved by Councillor Li Preti:

'It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on

the feasibility of City staff applying larvicide to catch basins on private property and charging home owners a nominal fee of \$10.00.'

Moved by Councillor Milczyn:

'It is recommended that the Commissioner of Works and Emergency Services, in consultation with the Medical Officer of Health, be requested to develop a public response and inspection strategy for reported potential West Nile Virus hazards in areas of the City of Toronto where drainage of public rights-of-way is achieved by open ditches and culverts.'

Moved by Councillor Minnan-Wong:

'It is recommended that the City of Toronto provide home owners with an option of having their catch basins treated with larvicide and the Commissioner of Works and Emergency Services be requested to implement such a program and to include a requirement that home owners sign a waiver protecting the City of Toronto from liability.'

Moved by Councillor Moscoe:

'It is recommended that:

- (1) the City of Toronto publish a 24-hour West Nile Virus hot line number(s), in order that:
 - (a) residents may call in regarding standing water and other West Nile Virus-related complaints;
 - (b) residents may have their questions answered; and
 - (c) Members of Council may obtain a fast response to West Nile Virus-related matters; and
- (2) the Medical Officer and Health be requested to develop a neighbourhood response mechanism to educate communities where cases of West Nile Virus exist.' "

7.21 Clause No. 3 of Report No. 4 of The Economic Development and Parks Committee, headed "2003 Recreation Grants Program Recommendations (All Wards)".

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

7.22 **Clause No. 4 of Report No. 4 of The Economic Development and Parks Committee, headed “Grant Funds for the 2003 Canadian Aboriginal Festival”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

7.23 **Clause No. 5 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Community Festivals and Special Events Grants Recommendations for Community Organizations and Business Improvement Areas (All Wards)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

7.24 **Clause No. 6 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Grant Recommendations for the Economic Development Sector Initiatives Program (EDSIP) and the Economic Sponsorship Initiatives (ESI) (All Wards)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

7.25 **Clause No. 8 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Arts and Culture Grants Recommendations Local Arts Service Organizations (All Wards)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

- 7.26 **Clause No. 9 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Commercial Research Grant Program Grant Recommendations (All Wards)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

- 7.27 **Clause No. 10 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Arts and Culture Grant - The Royal Agricultural Winter Fair (RAWF) (Ward 19 Trinity-Spadina)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

- 7.28 **Clause No. 11 of Report No. 4 of The Economic Development and Parks Committee, headed “Museum Grants - Campbell House and Toronto’s First Post Office (Ward 20 Trinity-Spadina and Ward 28 Toronto Centre-Rosedale)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ford requested that his opposition to this Clause be noted in the minutes of this meeting.

- 7.29 **Clause No. 10 of Report No. 4 of The Humber York Community Council, headed “1415 Lawrence Avenue - Site Plan Approval, Keele Lawrence Investments Inc. (Ward 12 - York South-Weston)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Di Giorgio moved that Council adopt the following recommendation:

“It is recommended that Council adopt the report dated May 6, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

‘It is recommended that, should Council wish to approve the application for Site Plan approval for the property at 1415 Lawrence Avenue West, File No. TC SPC 2001 046 (Revised) containing revised plans A100, A200, A201, A206, A501 and A502, all date stamped as received March 11, 2003, prepared by AJ Tregobov Architect, and L-O1 and L-02, both date stamped as received March 11, 2003, by Douglas W. Kerr & Associates Ltd., appropriate conditions of site plan approval follow:

- (1) The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law to the satisfaction of the Chief Building Official.
- (2) The Owner shall obtain and final and binding decision for Minor Variance Application #A143/03HY, pursuant to Section 45 of the Planning Act.
- (3) All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within 2 years of the date of this approval failing which, this approval shall require an extension by the Director, Community Planning, North District or his/her successor prior to the issuance of any building permit.
- (4) All refuse and recycling storage shall be contained within the building.
- (5) All driveways, loading and parking areas shall be paved with asphalt, concrete or concrete unit pavers.
- (6) All designated parking spaces for persons with disabilities shall be identified with signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his/her successor. All designated parking spaces, walkways and curb ramps shall conform to the North York ‘Barrier-Free

Accessibility, Design Guidelines and Policy Handbook' (Exterior Guidelines).

- (7) No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of the Director.
- (8) The existing trees to remain on site shall be protected during the construction period, in accordance with the North York Standards for the Protection And Care Of Trees. Any tree that is removed in contravention of the Site Plan Approval, or that is severely damaged, shall be replaced with a tree or trees of similar value to the satisfaction of the Director, Community Planning, North District or his/her successor.
- (9) Drainage shall be directed to ensure that no drainage problems are created on adjacent properties.
- (10) All site illumination shall be designed to prevent the spread of light onto adjacent properties.
- (11) Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade in any yard abutting a public street unless screened from view with landscaping or fencing to the satisfaction of the Director, Community Planning, North District or his/her successor.
- (12) The owner shall make arrangements to the satisfaction of the affected utility for the installation, relocation and protection of all utilities. All clearances from Toronto Hydro-Electric Commission facilities shall be maintained to the satisfaction of the Toronto Hydro Electric Commission or successor body.
- (13) The municipal address of the project is to be well illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
- (14) The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the following memoranda:
 - (a) Toronto Hydro dated June 8, 2002;
 - (b) Bell Canada dated March 8, 2002;

- (c) Works and Emergency Services, dated March 26, 2003;
 - (d) Urban Forestry Services, Economic Development, Culture and Tourism, dated March 18, 2003; and
 - (e) Policy and Development Division, Economic Development, Culture and Tourism, dated March 28, 2002.
- (15) The Owner shall submit 3 copies of a revised site and landscape plan which incorporates the following:
- (a) remove the asphalt between the curb and sidewalk and replace with sod on Keele Street and Lawrence Avenue to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services and the Acting Director of Community Planning, North District;
 - (b) provide additional amenity including pedestrian seating including benches or seat walls, pedestrian scale lighting and planting within the northeast portion of the subject site at the corner of Keele Street and Lawrence Avenue West to the satisfaction of the Acting Director of Community Planning, North District;
 - (c) provide minimum tree size of 70 mm caliper for all trees to the satisfaction of the Commissioner of Economic Development, Culture and Tourism and the Acting Director of Community Planning, North District; and
 - (d) provide revised gross floor area statistics which reflect the current proposal, as shown on the site plan as Attachment 1, based on the definition of gross floor area contained in the City of North York Zoning By-law No. 7625 to the satisfaction of the Acting Director of Community Planning, North District.
- (16) The Owner shall provide section and detail drawings of the retaining walls, fence and planting along Keele Street and south and west perimeter conditions to ensure that adequate space exists for the proposed landscape to the satisfaction of the Acting Director of Community Planning, North District.
- (17) The Owner shall provide a lighting plan for the parking area that promotes the safe use of this space at night and maintains comfortable lighting conditions for the adjacent apartments to the satisfaction of the

Acting Director of Community Planning, North District.

- (18) Confirmation that arrangements have been made to satisfy the requirements of the Technical Services Division of the Works and Emergency Services Department as noted in their memorandum dated March 26, 2003.
- (19) Confirmation that arrangements have been made to satisfy the requirements of the Urban Forestry Services, Economic Development, Culture and Tourism, as noted in their memorandum dated March 18, 2003.
- (20) Confirmation that arrangements have been made to satisfy the requirements of the Policy and Development Division, Economic Development, Culture and Tourism, as noted in their memorandum, dated March 28, 2002.
- (21) Confirmation that arrangements have been made to satisfy the requirements of Toronto Hydro, as noted in their memorandum dated June 8, 2002.
- (22) Confirmation that arrangements have been made to satisfy the requirements of Bell Canada, as noted in their memorandum dated March 8, 2002.
- (23) All rooftop mechanical equipment shall be screened from view (or integrated into the overall design of the building) to the satisfaction of the Director, Community Planning, North District or his/her successor.
- (24) The Owner shall submit confirmation from a qualified professional (i.e., qualified environmental control consultant) that all intake/exhaust vents and mechanical equipment will not create objectionable noise impacts to the adjacent sites.
- (25) The Owner agrees to provide 176 m² of indoor amenity space on the lower ground floor level for the use of the residents of the proposed development, comprising a 104 m² gym and a 72 m² party room, as shown on the Drawing No. A200 (Overall Lower Level Floor Plan), date stamped as received March 11, 2003.
- (26) The Owner agrees to provide a 50 m² bicycle storage room and 56 storage lockers, comprising a total gross floor area of 276 m² on the lower ground floor level for the use of the residents of the proposed

development, as shown on the Drawing No. A200 (Overall Lower Level Floor Plan), date stamped as received March 11, 2003.

- (27) The Owner shall submit the following to the satisfaction of the Director, Community Planning, North District or his/her successor prior to the issuance of any building permit:
- (a) an executed site plan agreement, shall be registered on title for the approved drawings and conditions of approval, to the satisfaction of the City Solicitor and the Director, Community Planning, North District, or his/her successor. The site plan agreement shall stipulate:
 - (i) The Owner shall agree, to at all times, indemnify and save the City harmless from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings made, brought against, suffered by or imposed on the City in respect of any failure by the Owner to fulfil any of its obligations under this Agreement in respect of its responsibility for any potential soil contamination or remediation of the lands.
 - (ii) The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120 percent of the value of the landscaping including plantings, decorative paving and fencing. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and conditions of approval.
- (28) In the event of non-completion of work the Owner:
- (a) acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work;

- (b) agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the Municipal Act; and
 - (c) acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
- (29) The Owner agrees:
- (a) that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;
 - (b) it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and
 - (c) on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.' "

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

7.30 **Clause No. 43 of Report No. 4 of The Humber York Community Council, headed “Request for Traffic Calming on Queens Drive Between Jane Street and Culford Road (Ward 12 - York South-Weston)”.**

Motion:

Councillor Di Giorgio moved that the Clause be amended by deleting the words “Queens Drive between Jane Street and Culford Road” wherever they occur in the Clause, and inserting in lieu thereof the words “Queens Drive between Upwood Avenue and Culford Road”.

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

7.31 **Clause No. 15 of Report No. 4 of The Etobicoke Community Council, headed “Avenues Study - Implementation Report (Phase 3) - The Queensway Between the Mimico Creek Valley and Kipling Avenue (Ward 5 - Etobicoke-Lakeshore)”.**

Motion:

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

“It is further recommended that Council adopt the supplementary report dated May 15, 2003, from the Commissioner of Urban Development Services, embodying the following recommendation:

‘It is recommended that City Council direct staff to amend the draft zoning by-law appended to the staff report dated April 14, 2003 (as Attachment 4), to apply the existing Etobicoke Zoning Code standards, pursuant to Sections 304-36C.(1) and 304-36D.(5), to include the Avenues zoning category.’ ”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

Councillor Irene Jones requested that her opposition to this Clause be noted in the minutes of this meeting.

- 7.32 **Clause No. 18 of Report No. 4 of The Etobicoke Community Council, headed “Application to Amend the Etobicoke Official Plan and Zoning Code - 125 The Queensway (Baldwin & Franklin, Architects) and 125 QW-1 and 125 QW-2 Inc. (Owners); File No. TA CMB 2002 0008 (Ward 5 - Etobicoke-Lakeshore)”.**

Motion:

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

“It is recommended that Council adopt the report dated April 14, 2003, from the Director, Community Planning, West District, as embodied in the Clause.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

Councillor Irene Jones requested that her opposition to this Clause be noted in the minutes of this meeting.

- 7.33 **Clause No. 16 of Report No. 5 of The Toronto East York Community Council, headed “Proposed Bicycle Lanes - Dundas Street East, from Broadview Avenue to Kingston Road (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)”.**

Vote:

The Clause was adopted, without amendment.

Councillor Ashton requested that his opposition to this Clause be noted in the minutes of this meeting.

- 7.34 **Clause No. 16 of Report No. 4 of The Humber York Community Council, headed “All Way Stop Control at Culford Road and Gulliver Road (Ward 12 - York South-Weston)”.**

Motion:

Councillor Augimeri moved that the Clause be struck out and referred back to the Humber York Community Council for further consideration.

Vote:

The motion by Councillor Augimeri carried.

7.35 Clause No. 2 of Report No. 4 of The Administration Committee, headed “Elected Officials Pension”.

Motion:

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

“It is further recommended that a copy of the Clause be forwarded to the Council of the Town of Markham.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.36 Clause No. 17 of Report No. 4 of The Administration Committee, headed “Legal Proceedings to Recover Amounts Owing on Overpayment to Former City Employee”.

Vote:

The Clause was adopted, without amendment, two-thirds of all Members of Council having voted in the affirmative.

7.37 Clause No. 1 of Report No. 3 of The Board of Health, headed “Proposed Pesticide By-law”.

Debate on Deferral of Clause:

Motions:

- (a) Councillor Minnan-Wong moved that consideration of the Clause be deferred until 2004 to allow the Commissioner of Economic Development, Culture and Tourism, in consultation with the Toronto Interdepartmental Environment Pesticide Sub-Committee, to define levels of pest infestation, whereby limited use of pesticides may be implemented to preserve the City of Toronto’s valuable green infrastructure.
- (b) Councillor Hall moved that motion (a) by Councillor Minnan-Wong be amended to provide that consideration of the Clause be deferred until September 2003, provided a definition of pest infestation and an equitable enforcement process is proposed.

- (c) Councillor Ashton moved that motion (a) by Councillor Minnan-Wong be amended by adding thereto the following words:
- “and the Medical Officer of Health be requested to report to Council, through the Board of Health, on an aggressive public education strategy and program that assists the public in employing lawn and garden maintenance methods that reduce the use of pesticides and, further, that such report include resource requirements, stakeholder involvement, provincial regulatory change, an implementation schedule and a work program”.
- (d) Councillor Filion moved that motion (a) by Councillor Minnan-Wong be amended to provide that consideration of the Clause be deferred until the Toronto Interdepartmental Environment Pesticide Sub-Committee can report to Council, through the Board of Health, on a definition of infestation; and that, concurrently, the Board of Health attempt to improve the implementation and enforcement provisions in the proposed by-law.
- (e) Councillor Di Giorgio moved that motion (d) by Councillor Filion be amended to provide that the deferral be subject to the reports requested being submitted to the first meeting of City Council in January 2004.
- (f) Councillor Balkissoon moved that motion (a) by Councillor Minnan-Wong be amended to provide that the deferral be until April 2004; and, further, that the compromise proposal for the Pesticide By-law, proposed by Councillors Duguid and Mihevc, be appended to motion (a) by Councillor Minnan-Wong as direction to the Medical Officer of Health.

Vote on Deferral:

Adoption of motion (b) by Councillor Hall:

Yes - 6	
Councillors:	Augimeri, Berardinetti, Chow, Hall, Mihevc, Miller
No - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Duguid, Filion, Flint, Ford, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 30.

Motion (c) by Councillor Ashton carried.

Adoption of motion (e) by Councillor Di Giorgio:

Yes - 10	
Councillors:	Augimeri, Chow, Di Giorgio, Hall, Mammoliti, Mihevc, Moscoe, Shiner, Silva, Soknacki
No - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Duguid, Filion, Flint, Ford, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Sutherland, Tziretas, Walker

Lost by a majority of 22.

Adoption of motion (f) by Councillor Balkissoon:

Yes - 15	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Flint, Hall, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Ootes, Shaw, Shiner, Soknacki
No - 27	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Duguid, Filion, Ford, Holyday, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Silva, Sutherland, Tziretas, Walker

Lost by a majority of 12.

Adoption of motion (d) by Councillor Filion, without amendment:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Chow, Duguid, Filion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Shaw, Soknacki
No - 19	

Councillors:	Ashton, Bussin, Cho, Di Giorgio, Ford, Holyday, Johnston, Kelly, Li Preti, McConnell, Minnan-Wong, Pantalone, Pitfield, Rae, Shiner, Silva, Sutherland, Tziretas, Walker
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Carried by a majority of 4.

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

Yes - 20	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Fillion, Flint, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland
No - 22	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker

Lost by a majority of 2.

Debate on Adoption of Clause:

Motions:

(g) Councillor Duguid moved that:

- (1) the Clause be amended in accordance with the following recommendations of the Works Committee embodied in the communication dated April 30, 2003, from the City Clerk:

“The Works Committee advises Council of its support for the proposed Pesticide By-law attached to the report dated March 25, 2003, from the Medical Officer of Health, subject to the following amendments:

- (1) amending Section 1, ‘Definitions’, subsection B(1) to read ‘A product that uses pheromones to lure insect pests, sticky media to trap insect pests and “quick-kill” traps for vertebrate species considered “pests” such as mice and rats’;
- (2) amending Section 1, ‘Definitions’, subsection B(2) as follows:
 - (a) changing the preamble to the list to read ‘A product

that is or contains any of the following active ingredients’;

- (b) changing ‘Ferrous phosphate’ to ‘Ferric phosphate’;
 - (c) adding fatty acids and sulphur to the list of products;
 - (d) changing ‘horticultural vinegar’ to ‘Acetic acid’; and
 - (e) changing the definition of ‘Borax’ to read ‘Borax, also called boric acid or boracic acid’; and
- (3) amending Section 2, ‘Restrictions’, subsection B(7) to read ‘To exterminate or repel rodents’.’; and
- (2) seconded by Councillor Mihevc, that the Clause be amended in accordance with the following compromise proposal for the Pesticide By-law:

Moved by: Councillor Duguid

Seconded by: Councillor Mihevc

“BE IT RESOLVED THAT:

- (1) an Advisory Committee be formed, called the Pesticide By-law Advisory Committee, which will consist of the following members:
- two representatives from the Toronto Environmental Alliance;
 - one representative of the Water and Waste Water Division of the Works and Emergency Services Department;
 - one Public Health official;
 - one representative of the medical profession;
 - two representatives of the lawn care industry;
 - two representatives of Landscape Ontario; and
 - one scientific representative.

The Committee will be Chaired by a designated member of staff to be appointed by the Chief Administrative Officer. The Committee will be requested to consider the issues referred to

it in this compromise document and report through the Chief Administrative Officer to the appropriate Standing Committees and City Council with recommendations, including, where appropriate, amendments to the By-law.

- (2) the Pesticide By-law Advisory Committee be requested to further define pest infestation and develop 'action thresholds' for the most common weed and insect pests for which non-exempt pesticides may be used and this be reported to City Council, through the Chief Administrative Officer to the appropriate Standing Committees, and received by City Council for approval by April 2004, such report to include, if appropriate, amendments to the Pesticide By-law.
- (3) the Medical Officer of Health (MOH), in consultation with the Pesticide By-law Advisory Committee, integrate the definition of pest infestation, which is based on 'action thresholds', into the resource materials that will form the basis of a public education campaign and the core of the City enforcement policy for the Pesticide By-law.
- (4) the principles of Integrated Pest Management (IPM) be supported and integrated into the definition of an 'infestation' and the development of 'action thresholds' under which the use of non-exempt pesticides may be implemented.
- (5) the Pesticides By-law allow the use of non-exempted pesticides for managing an infestation which will be defined by developing 'action thresholds' to be determined through the recommended process.
- (6) in the education program, City residents will be encouraged to consult a professional licensed applicator and make use of their services, if application of non-exempted pesticide is anticipated.
- (7) the proposed Pesticide By-law be amended:
 - (a) by requiring that any person that applies a 'non-exempt' pesticide under the By-law report such application to the Medical Officer of Health with in five (5) business days of the application for the purpose of monitoring trends in pesticide use. The Pesticide By-law Advisory Committee should be consulted in determining how that

reporting can take place at minimum cost to the City of Toronto and to the lawn care industry. Further, that the reporting system be capable of monitoring non-exempt pesticide application geographically;

- (b) to provide that it is permitted to use a pesticide on a golf course or a lawn bowling green, as long as the following conditions are met:
 - (i) the pesticide is applied by a licensed applicator only;
 - (ii) the pesticide is stored in a fire proof storage area with containment, ventilation, steel shelving and a fireproof sign, and the golf clubs or lawn bowling club must maintain an up-to-date inventory list which must be available to the City's Medical Officer of Health;
 - (iii) the applicator must have and comply with material safety data sheets available for each pesticide they might apply and they must provide the sheet, upon request, to any person abutting the golf club or lawn bowling green property;
 - (iv) there be no application of pesticides within two (2) metres of the golf club or lawn bowling green's property lines;
 - (v) there be no application of pesticides within five (5) metres of any open watercourses; and
 - (vi) on January 31 of each year, the golf clubs or lawn bowling greens must submit to the Medical Officer of Health a written report of all measures which have been taken to reduce the use of pesticides and produce a detailed inventory of all pesticides applied in the previous year on the golf course or lawn bowling club; and
- (c) to provide that the City Solicitor be requested to prepare

a set fine application for the Pesticide By-law for review and approval by the Chief Judge and that the recommended set fine for breach of the By-law be \$250.00.

- (8) the Commissioner of Economic Development, Culture and Tourism, in consultation with the Medical Officer of Health, monitor the Integrated Pest Management Council's Accreditation Program and report back to City Council annually, beginning in October 2004, on its effectiveness in meeting the City of Toronto objective of reducing pesticide use and, further, that consideration be given to replacing references in the By-law to 'an applicator licensed under the Ontario Pesticides Act', to 'an applicator licensed under the Ontario Pesticides Act and accredited through the Integrated Pest Management Council's Accreditation Program', when the Integrated Pest Management Council's Accreditation Program has sufficiently progressed.
- (9) the Medical Officer of Health report to City Council by April 2004 on the details of a cost-effective enforcement plan for the Pesticide By-law, including the provision for 'stepped' enforcement geared towards public education with a provision for warnings for first offenders.
- (10) the Medical Officer of Health ensure that education and by-law compliance measures place high priority on sensitive sites, such as child care facilities, schools and hospitals and sites adjacent to those sensitive locations, as well as properties adjacent to natural bodies of water.
- (11) the Medical Officer of Health, in consultation with the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism, report back to City Council on an evaluation of the Pesticide By-law within three years following the phase-in of the By-law.
- (12) the Pesticide By-law be phased in as follows:
 - (a) 2003-2005 - while public education will begin sooner, the By-law comes into effect on April 1, 2004, with a period for continued public education and a transition

period for the lawn care industry to expand and enhance the Integrated Pest Management Program, with the issuance of warnings only for non-compliance to begin in spring 2005; and

- (b) September 2005 - the By-law is fully implemented and enforcement is fully operational, in keeping with the above principles outlined in the Pesticide By-law Compromise.”

Councillor Lindsay Luby in the Chair.

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that:

- (1) the Commissioner of Urban Development Services and the City Solicitor be requested to submit a joint report to the Board of Health on the feasibility of amending the Licensing By-law to require, as a condition of a business licence, that all vendors of registered control products under the Federal Pest Control Products Act be required to display in a prominent location adjacent to where these substances are being sold, a message approved by the Medical Officer of Health; and
- (2) the City establish a demonstration project in one park in each Community Council area for a total of 6 parks in which the City Parks and Recreation Department deploys horticultural methods that are totally pesticide and herbicide free;
- (3) these demonstration parks be used to experiment with methods of creating healthy turf and deploying parks management techniques which could later be incorporated into Standard Park methodology;
- (4) these demonstration parks be selected on the following basis:
 - (a) they possess a variety of physical and use characteristics to reflect most park situations within the City;
 - (b) they not be existing show parks like Edwards Gardens or Rosetta McLean Gardens; and

- (c) they be selected in co-operation with local Councillors;
 - (5) the Commissioner of Economic Development, Culture and Tourism, be requested to submit a report to the Economic Development and Parks Committee on the status of this project as it unfolds, with an annual report to the Committee outlining the results of techniques used and applicability to other park situations;
 - (6) these demonstration parks be appropriately signed and the community be invited to share in the work being done by establishing a Citizen Advisory Committee, including the respective local Councillor(s) for each of the demonstration parks; and
 - (7) the Commissioner of Economic Development, Culture and Tourism, be requested to prepare a proposed budget for the demonstration project for consideration by the Economic Development and Parks Committee and the Budget Advisory Committee; and, in consultation with the Chief Financial Officer and Treasurer and the Chief Administrative Officer, recommend an appropriate source of funds for the project.”
- (i) Councillor Ford moved that the Clause be received.
 - (j) Councillor Flint moved that:
 - (1) the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by deleting the following Part (7)(a):
 - “(7) the proposed Pesticide By-law be amended:
 - (a) by requiring that any person that applies a ‘non-exempt’ pesticide under the By-law report such application to the Medical Officer of Health with in five (5) business days of the application for the purpose of monitoring trends in pesticide use. The Pesticide By-law Advisory Committee should be consulted in determining how that reporting can take place at minimum cost to the City of Toronto and to the lawn care industry. Further, that the reporting system be capable of monitoring non-exempt pesticide application geographically;”;
 - and
 - (2) the Clause be amended by adding thereto the following:

“It is further recommended that the City of Toronto be subject to the provisions of the Pesticide By-law.”

- (k) Councillor Bussin moved that the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by adding the following to Part (2):

“and further, that the Pesticide By-law Advisory Committee be requested to review the Federal Government’s pest management research and initiatives, such as the Federal/Provincial/Territorial Healthy Lawns Strategy for Urban Pesticide Reduction, to facilitate the development of ‘action thresholds’ ”.

- (l) Councillor Di Giorgio moved that Part (7)(c) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended to provide that the proposed set fine for breach of the By-law, in the amount of \$250.00, only be applied after the City of Toronto has demonstrated fully the effectiveness of using organic products on City parkland.

Councillor Nunziata in the Chair.

- (m) Councillor Hall moved that the Clause be amended:

- (1) to provide that dandelions be included in the definition of “infestation” and the Pesticide By-law Advisory Committee be requested to develop action thresholds; and
- (2) by adding thereto the following:

“It is further recommended that:

- (1) the Federal Government be requested to address the following issues:
 - (a) the availability of pesticides and the ability of the public to purchase them; and
 - (b) the use of pesticides by the agricultural industry and the regulations which govern such usage.”
- (n) Councillor Kelly moved that the Clause be amended by striking out the recommendations of the Board of Health and inserting in lieu thereof the following

recommendations of the Medical Officer of Health which were embodied in her November 2002 report entitled "Finding Common Ground":

"It is recommended that:

- (1) the City set a three-year target of pesticide reduction of 60 percent, effective January 1, 2004;
 - (2) the City work with the lawn care industry to set standards, practices and products to achieve this goal, as well as developing ways of measuring performance through the establishment of a Monitoring and Audit Committee;
 - (3) the City develop an education program to reinforce industry/City initiatives; and
 - (4) at the end of the three-year period, if that target is not achieved, the City consider reducing pesticides through the introduction of a by-law."
- (o) Councillor Balkissoon moved that the Clause be amended to provide that adoption of the implementing Bill be deferred until the Pesticide By-law Advisory Committee, as suggested in the compromise proposed by Councillor Duguid, seconded by Councillor Mihevc, has submitted its report in April 2004, such that the Bill would reflect all of the amendments recommended by the Pesticide By-law Advisory Committee.

Deputy Mayor Ootes in the Chair.

- (p) Councillor Pantalone moved that Part (1) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended to provide that a representative of the Economic Development, Culture and Tourism Department be added to the membership of the Pesticide By-law Advisory Committee.
- (q) Councillor Irene Jones moved that Part (1) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended to provide that a representative of the Organic Landscape Companies be added to the membership of the Pesticide By-law Advisory Committee.
- (r) Councillor Soknacki moved that the Clause be amended to provide that:

- (1) for the purposes of the Pesticide By-law, residential property owners are deemed to have the right to determine “infestation” with respect to their own properties; and
 - (2) for the purposes of monitoring pesticide usage, the City of Toronto consider analyzing pesticide usage and sales at the wholesale or retail level, and not require reporting by individuals.
- (s) Councillor Pitfield moved that:
- (1) the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by:
 - (a) deleting from Part (3) the word “consultation”, and inserting in lieu thereof the word “collaboration”; and
 - (b) inserting in Part (4), after the words “Integrated Pest Management (IPM)”, the words “plant health care”;
 - (2) Part (7)(a) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be referred to the Pesticide By-law Advisory Committee for further consideration; and
 - (3) Part (7)(b) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be referred to the Pesticide By-law Advisory Committee for further consideration.
- (t) Councillor Cho moved that the Clause be amended to provide that the by-law be phased in over a period of three years.
- (u) Councillor Tziretas moved that:
- (1) Part (5) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by deleting the words “an infestation”, and inserting in lieu thereof the words “a suspected infestation”, so that Part (5) shall now read as follows:

“(5) the Pesticides By-law allow the use of non-exempted pesticides for managing a suspected infestation which will be defined by developing ‘action thresholds’ to be determined through the recommended process.”; and
 - (2) in the event Part (1) of motion (j) by Councillor Flint fails, the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by

Councillor Duguid, seconded by Councillor Mihevc, be amended by amending Part (7)(a) by:

- (a) deleting the words “any person”, and inserting in lieu thereof the words “professional applicator”; and
- (b) deleting the words “five (5) business days”, and inserting in lieu thereof the words “three (3) months”.

(v) Councillor Ashton moved that:

- (1) the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by adding thereto the words “and the Medical Officer of Health be requested to report to Council, through the Board of Health, on an aggressive public education strategy and program that assists the public in employing lawn and garden maintenance methods that reduce the use of pesticides and, further, that such report include resource requirements, stakeholder involvement, provincial regulatory change, an implementation schedule and a work program”; and
- (2) motion (k) by Councillor Bussin be amended by adding thereto the words “and report on the status of the initiatives of the Federal Government and/or its agencies in reviewing chemical pesticides as products safe for public sale”.

(w) Councillor Filion moved that the Clause be amended to provide that the Pesticide By-law not be enforced until such time as City Council has approved a definition of “infestation”.

(x) Councillor Milczyn moved that Part (7)(b) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended to provide that cemeteries be added to the list of land usage where pesticides may be used.

(y) Councillor Lindsay Luby moved that Part (7)(c) of the compromise proposal for the Pesticide By-law as embodied in Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, be amended by deleting the figure “\$250.00”, and inserting in lieu thereof the figure “\$25.00”.

(z) Councillor Chow moved that the following motions be referred to the Medical Officer of Health:

- (1) Part (1) of motion (j) by Councillor Flint;
- (2) motion (l) by Councillor Di Giorgio;

- (3) Part (1) of motion (r) by Councillor Soknacki;
- (4) motion (t) by Councillor Cho;
- (5) Part (1) of motion (u) by Councillor Tziretas;
- (6) Part (2) of motion (u) by Councillor Tziretas;
- (7) motion (x) by Councillor Milczyn; and
- (8) motion (y) by Councillor Lindsay Luby.

Votes:

Adoption of motion (i) by Councillor Ford:

Yes - 7	
Councillors:	Ford, Holyday, Kelly, Mammoliti, Minnan-Wong, Nunziata, Sutherland
No - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Tziretas, Walker

Lost by a majority of 27.

Adoption of motion (n) by Councillor Kelly:

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

Lost by a majority of 11.

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

Yes - 27	
Mayor:	Lastman

Councillors:	Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Tziretas, Walker
No - 15	
Councillors:	Altobello, Ashton, Balkissoon, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Shaw, Shiner, Sutherland

Carried by a majority of 12.

Adoption of Part (2) of motion (s) by Councillor Pitfield:

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 5	
Councillors:	Flint, Ford, Mammoliti, Minnan-Wong, Tziretas

Carried by a majority of 32.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Parts (1) and (6) of motion (z) by Councillor Chow, Part (1) of motion (j) by Councillor Flint, and Part (2) of motion (u) by Councillor Tziretas, redundant.

Adoption of motion (p) by Councillor Pantalone:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 6	

Councillors: Cho, Duguid, Ford, Moscoe, Pitfield, Walker
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Carried by a majority of 30.

Adoption of motion (q) by Councillor Irene Jones:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shaw, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 10	
Councillors:	Cho, Duguid, Ford, Holyday, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Ootes, Shiner

Carried by a majority of 22.

Motion to Re-Open:

Councillor Di Giorgio, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, motion (q) by Councillor Irene Jones be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pitfield, Shiner, Silva, Soknacki, Tziretas, Walker
No - 12	
Councillors:	Augimeri, Balkissoon, Bussin, Johnston, I. Jones, Lindsay Luby, McConnell, Minnan-Wong, Pantalone, Rae, Shaw, Sutherland

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

Vote:

Adoption of motion (q) by Councillor Irene Jones:

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

Lost by a majority of 8.

Motion to Re-Open:

Councillor Irene Jones, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, motion (p) by Councillor Pantalone be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 21	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berardinetti, Cho, Duguid, Filion, Flint, Ford, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Miller, Moscoe, Ootes, Pitfield
No - 21	
Councillors:	Altobello, Balkissoon, Bussin, Chow, Di Giorgio, Holyday, Johnston, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

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

Votes:

Adoption of Part (2) of motion (v) by Councillor Ashton:

Yes - 41	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Moscoe

Carried by a majority of 40.

Adoption of motion (k) by Councillor Bussin, as amended:

Yes - 39	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Ford, Mammoliti, Sutherland

Carried by a majority of 36.

Adoption of Part (8) of motion (z) by Councillor Chow:

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

Lost by a majority of 6.

Adoption of motion (y) by Councillor Lindsay Luby:

Yes - 19 Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland
No - 23 Mayor: Lastman Councillors: Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker

Lost by a majority of 4.

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

Yes - 23 Councillors: Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Walker
No - 19 Mayor: Lastman Councillors: Altobello, Ashton, Balkissoon, Flint, Ford, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Shaw, Shiner, Soknacki, Sutherland, Tziretas

Carried by a majority of 4.

Adoption of Part (7) of motion (z) by Councillor Chow:

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

Carried by a majority of 6.

Adoption of Parts (1)(a) and (1)(b) of motion (s) by Councillor Pitfield:

Yes - 38	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Mammoliti, Milczyn, Nunziata

Carried by a majority of 34.

Adoption of Part (3) of motion (s) by Councillor Pitfield:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Walker
No - 11	
Councillors:	Ashton, Flint, Ford, Holyday, I. Jones, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Tziretas

Carried by a majority of 20.

Adoption of Part (5) of motion (z) by Councillor Chow:

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

Carried by a majority of 10.

Adoption of Part (1) of motion (v) by Councillor Ashton:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 6	
Councillors:	Cho, Ford, Li Preti, Minnan-Wong, Pitfield, Walker

Carried by a majority of 29.

Adoption of Part (2) of motion (g) by Councillor Duguid, seconded by Councillor Mihevc, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 13	

Councillors:	Ashton, Flint, Ford, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Shaw, Shiner, Soknacki, Sutherland
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Carried by a majority of 15.

Adoption of motion (o) by Councillor Balkissoon:

Yes - 19	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Filion, Flint, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 23	
Councillors:	Augimeri, Berardinetti, Bussin, Cho, Chow, Duguid, Ford, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Walker

Lost by a majority of 4.

Adoption of motion (w) by Councillor Filion:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 9	
Councillors:	Bussin, Ford, I. Jones, L. Jones, Li Preti, Milczyn, Pantalone, Rae, Silva

Carried by a majority of 24.

Adoption of Part (d) of motion (z) by Councillor Chow:

Yes - 21	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Sutherland, Walker
No - 21	

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas
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Lost, there being an equal division of votes.

Adoption of Part (1) of motion (r) by Councillor Soknacki:

Yes - 20	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Filion, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shaw, Shiner, Soknacki, Sutherland, Tziretas
No - 22	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Pitfield, Rae, Silva, Walker

Lost by a majority of 2.

Adoption of Part (2) of motion (r) by Councillor Soknacki:

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

Carried by a majority of 10.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (4) of motion (z) by Councillor Chow, and motion (t) by Councillor Cho, redundant.

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

Yes - 28	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Pantalone, Pitfield, Rae, Shaw, Silva, Walker
No - 14	
Mayor:	Lastman
Councillors:	Ashton, Flint, Ford, Holyday, Kelly, Lindsay Luby, Mammoliti, Nunziata, Ootes, Shiner, Soknacki, Sutherland, Tziretas

Carried by a majority of 14.

Adoption of the balance of motion (h) by Councillor Moscoe:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, McConnell, Mihevc, Miller, Moscoe, Pantalone, Shaw, Shiner, Silva, Soknacki, Walker
No - 14	
Councillors:	Ford, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Rae, Sutherland, Tziretas

Carried by a majority of 14.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (j) by Councillor Flint, ruled such Part redundant.

Councillor Flint challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 27	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Bussin, Cho, Chow, Duguid, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Li Preti, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Walker
No - 15	
Councillors:	Altobello, Ashton, Balkissoon, Di Giorgio, Filion, Flint, I. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Shaw, Tziretas

Carried by a majority of 12.

Votes:

Adoption of Part (2) of motion (m) by Councillor Hall:

Yes - 38	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Milczyn, Nunziata

Carried by a majority of 34.

Adoption of Part (1) of motion (m) by Councillor Hall:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Cho, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Shaw, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 14	
Councillors:	Augimeri, Berardinetti, Bussin, Chow, Ford, Johnston, I. Jones, L. Jones, McConnell, Milczyn, Miller, Pantalone, Rae, Silva

Carried by a majority of 14.
 Adoption of Clause, as amended:

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

Carried by a majority of 10.

In summary, Council amended this Clause:

- (a) in accordance with the following portions of the compromise proposal for the Pesticide By-law, as amended by City Council:

Moved by: Councillor Duguid

Seconded by: Councillor Mihevc

“BE IT RESOLVED THAT:

- (1) an Advisory Committee be formed, called the Pesticide By-law Advisory Committee, which will consist of the following members:
- two representatives from the Toronto Environmental Alliance;
 - one representative of the Water and Waste Water Division of the Works and Emergency Services Department;
 - one representative of the Economic Development, Culture and Tourism Department;
 - one Public Health official;
 - one representative of the medical profession;
 - two representatives of the lawn care industry;
 - two representatives of Landscape Ontario; and
 - one scientific representative.

The Committee will be Chaired by a designated member of staff to be

appointed by the Chief Administrative Officer. The Committee will be requested to consider the issues referred to it in this compromise document and report through the Chief Administrative Officer to the appropriate Standing Committees and City Council with recommendations, including, where appropriate, amendments to the By-law.

- (2) the Pesticide By-law Advisory Committee be requested to further define pest infestation and develop 'action thresholds' for the most common weed and insect pests for which non-exempt pesticides may be used and this be reported to City Council, through the Chief Administrative Officer to the appropriate Standing Committees, and received by City Council for approval by April 2004, such report to include, if appropriate, amendments to the Pesticide By-law, and further, that the Pesticide By-law Advisory Committee be requested to review the Federal Government's pest management research and initiatives, such as the Federal/Provincial/Territorial Healthy Lawns Strategy for Urban Pesticide Reduction, to facilitate the development of 'action thresholds', and report on the status of the initiatives of the Federal Government and/or its agencies in reviewing chemical pesticides as products safe for public sale.
- (3) the Medical Officer of Health (MOH), in collaboration with the Pesticide By-law Advisory Committee, integrate the definition of pest infestation, which is based on 'action thresholds', into the resource materials that will form the basis of a public education campaign and the core of the City enforcement policy for the Pesticide By-law.
- (4) the principles of Integrated Pest Management (IPM) plant health care be supported and integrated into the definition of an 'infestation' and the development of 'action thresholds' under which the use of non-exempt pesticides may be implemented.
- (5) the Pesticides By-law allow the use of non-exempted pesticides for managing an infestation which will be defined by developing 'action thresholds' to be determined through the recommended process.
- (6) in the education program, City residents will be encouraged to consult a professional licensed applicator and make use of their services, if application of non-exempted pesticide is anticipated.
- (7) the proposed Pesticide By-law be amended:
 - (c) to provide that the City Solicitor be requested to prepare a set

fine application for the Pesticide By-law for review and approval by the Chief Judge and that the recommended set fine for breach of the By-law be \$250.00.

- (8) the Commissioner of Economic Development, Culture and Tourism, in consultation with the Medical Officer of Health, monitor the Integrated Pest Management Council's Accreditation Program and report back to City Council annually, beginning in October 2004, on its effectiveness in meeting the City of Toronto objective of reducing pesticide use and, further, that consideration be given to replacing references in the By-law to 'an applicator licensed under the Ontario Pesticides Act', to 'an applicator licensed under the Ontario Pesticides Act and accredited through the Integrated Pest Management Council's Accreditation Program', when the Integrated Pest Management Council's Accreditation Program has sufficiently progressed.
- (9) the Medical Officer of Health report to City Council by April 2004 on the details of a cost-effective enforcement plan for the Pesticide By-law, including the provision for 'stepped' enforcement geared towards public education with a provision for warnings for first offenders.
- (10) the Medical Officer of Health ensure that education and by-law compliance measures place high priority on sensitive sites, such as child care facilities, schools and hospitals and sites adjacent to those sensitive locations, as well as properties adjacent to natural bodies of water.
- (11) the Medical Officer of Health, in consultation with the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism, report back to City Council on an evaluation of the Pesticide By-law within three years following the phase-in of the By-law.
- (12) the Pesticide By-law be phased in as follows:
 - (a) 2003-2005 - while public education will begin sooner, the By-law comes into effect on April 1, 2004, with a period for continued public education and a transition period for the lawn care industry to expand and enhance the Integrated Pest Management Program, with the issuance of warnings only for non-compliance to begin in spring 2005; and
 - (b) September 2005 - the By-law is fully implemented and

enforcement is fully operational, in keeping with the above principles outlined in the Pesticide By-law Compromise;

and the Medical Officer of Health be requested to report to Council, through the Board of Health, on an aggressive public education strategy and program that assists the public in employing lawn and garden maintenance methods that reduce the use of pesticides and, further, that such report include resource requirements, stakeholder involvement, provincial regulatory change, an implementation schedule and a work program.”;

- (b) in accordance with the following recommendations of the Works Committee embodied in the communication dated April 30, 2003, from the City Clerk:

“The Works Committee advises Council of its support for the proposed Pesticide By-law attached to the report dated March 25, 2003, from the Medical Officer of Health, subject to the following amendments:

- (1) amending Section 1, ‘Definitions’, subsection B(1) to read ‘A product that uses pheromones to lure insect pests, sticky media to trap insect pests and “quick-kill” traps for vertebrate species considered “pests” such as mice and rats’;
 - (2) amending Section 1, ‘Definitions’, subsection B(2) as follows:
 - (a) changing the preamble to the list to read ‘A product that is or contains any of the following active ingredients’;
 - (b) changing ‘Ferrous phosphate’ to ‘Ferric phosphate’;
 - (c) adding fatty acids and sulphur to the list of products;
 - (d) changing ‘horticultural vinegar’ to ‘Acetic acid’; and
 - (e) changing the definition of ‘Borax’ to read ‘Borax, also called boric acid or boracic acid’; and
 - (3) amending Section 2, ‘Restrictions’, subsection B(7) to read ‘To exterminate or repel rodents’.”;
- (c) to provide that:
- (1) dandelions be included in the definition of “infestation” and the Pesticide By-

law Advisory Committee be requested to develop action thresholds;

- (2) the Pesticide By-law not be enforced until such time as City Council has approved a definition of “infestation”; and
- (3) for the purposes of monitoring pesticide usage, the City of Toronto consider analyzing pesticide usage and sales at the wholesale or retail level, and not require reporting by individuals; and

(d) by adding thereto the following:

“It is further recommended that:

- (1) the Federal Government be requested to address the following issues:
 - (a) the availability of pesticides and the ability of the public to purchase them; and
 - (b) the use of pesticides by the agricultural industry and the regulations which govern such usage;
- (2) the Commissioner of Urban Development Services and the City Solicitor be requested to submit a joint report to the Board of Health on the feasibility of amending the Licensing By-law to require, as a condition of a business licence, that all vendors of registered control products under the Federal Pest Control Products Act be required to display in a prominent location adjacent to where these substances are being sold, a message approved by the Medical Officer of Health;
- (3) the City establish a demonstration project in one park in each Community Council area for a total of 6 parks in which the City Parks and Recreation Department deploys horticultural methods that are totally pesticide and herbicide free;
- (4) these demonstration parks be used to experiment with methods of creating healthy turf and deploying parks management techniques which could later be incorporated into Standard Park methodology;
- (5) these demonstration parks be selected on the following basis:
 - (a) they possess a variety of physical and use characteristics to reflect most park situations within the City;

- (b) they not be existing show parks like Edwards Gardens or Rosetta McLean Gardens; and
- (c) they be selected in co-operation with local Councillors;
- (6) the Commissioner of Economic Development, Culture and Tourism, be requested to submit a report to the Economic Development and Parks Committee on the status of this project as it unfolds, with an annual report to the Committee outlining the results of techniques used and applicability to other park situations;
- (7) these demonstration parks be appropriately signed and the community be invited to share in the work being done by establishing a Citizen Advisory Committee, including the respective local Councillor(s) for each of the demonstration parks;
- (8) the Commissioner of Economic Development, Culture and Tourism, be requested to prepare a proposed budget for the demonstration project for consideration by the Economic Development and Parks Committee and the Budget Advisory Committee; and, in consultation with the Chief Financial Officer and Treasurer and the Chief Administrative Officer, recommend an appropriate source of funds for the project;
- (9) the following portions of the compromise proposal for the Pesticide By-law be referred to the Pesticide By-law Advisory Committee for further consideration:

‘(7) That the proposed Pesticide By-law be amended:

- (a) by requiring that any person that applies a “non-exempt” pesticide under the By-law report such application to the Medical Officer of Health with in five (5) business days of the application for the purpose of monitoring trends in pesticide use. The Pesticide By-law Advisory Committee should be consulted in determining how that reporting can take place at minimum cost to the City of Toronto and to the lawn care industry. Further, that the reporting system be capable of monitoring non-exempt pesticide application geographically.
- (b) to provide that it is permitted to use a pesticide on a golf course or a lawn bowling green, as long as the

following conditions are met:

- (i) the pesticide is applied by a licensed applicator only;
 - (ii) the pesticide is stored in a fire proof storage area with containment, ventilation, steel shelving and a fireproof sign, and the golf clubs or lawn bowling club must maintain an up-to-date inventory list which must be available to the City's Medical Officer of Health;
 - (iii) the applicator must have and comply with material safety data sheets available for each pesticide they might apply and they must provide the sheet, upon request, to any person abutting the golf club or lawn bowling green property;
 - (iv) there be no application of pesticides within two (2) metres of the golf club or lawn bowling green's property lines;
 - (v) there be no application of pesticides within five (5) metres of any open watercourses; and
 - (vi) on January 31 of each year, the golf clubs or lawn bowling greens must submit to the Medical Officer of Health a written report of all measures which have been taken to reduce the use of pesticides and produce a detailed inventory of all pesticides applied in the previous year on the golf course or lawn bowling club.'; and
- (10) the following motions be referred to the Medical Officer of Health:

Moved by Councillor Di Giorgio:

'That Part (7)(c) of the compromise proposal for the Pesticide By-law be amended to provide that the proposed set fine for breach of the By-law, in the amount of \$250.00, only be applied after the City of

Toronto has fully demonstrated the effectiveness of using organic products on City parkland.’

Moved by Councillor Milczyn:

‘That Part (7)(b) of the compromise proposal for the Pesticide By-law be amended to provide that cemeteries be added to the list of land usage where pesticides may be used.’

Moved by Councillor Tziretas:

‘That Part (5) of the compromise proposal for the Pesticide By-law be amended by deleting the words “an infestation”, and inserting in lieu thereof the words “a suspected infestation”, so that Part (5) shall now read as follows:

“(5) the Pesticides By-law allow the use of non-exempted pesticides for managing a suspected infestation which will be defined by developing ‘action thresholds’ to be determined through the recommended process.” ’ ’ ”

7.38 Clause No. 4 of Report No. 4 of The Community Services Committee, headed “The Evolution of Ontario Works: Critical Issues for Service Delivery”.

Motion:

Councillor Moscoe moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003, such Clause to be considered with deferred Clause No. 9 of Report No. 4 of The Community Services Committee, headed “Update Regarding the Status of Litigation with The Learning Enrichment Foundation”.

Vote:

The motion by Councillor Moscoe carried.

7.39 Clause No. 12 of Report No. 4 of The Economic Development and Parks Committee, headed “Civic Garden Centre - Organizational Name Change (Ward 25 - Don Valley West)”.

Motion:

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

“It is further recommended that Council, in endorsing the name change from the ‘Civic Garden Centre’ to ‘Toronto Botanical Garden’, retains the right, in the future,

to also possibly agree to other horticultural places or gardens in the City of Toronto being identified as complementary to, associated with or part of Toronto Botanical Garden and such name need not be exclusively associated with the present Civic Garden Centre location in Edwards Gardens Park.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

7.40 **Clause No. 7 of Report No. 4 of The Economic Development and Parks Committee, headed “2003 Cultural Grants Recommendations - Major Cultural Organizations (All Wards)”.**

Motion:

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

“It is further recommended that:

- (1) an exemption from the Noise By-law be granted for the period 11:00 p.m. to 1:00 a.m. to accommodate the following Caribbean Cultural Committee events:
 - Friday, August 1, 2003, for the Pan Alive at the CNE Bandshell; and
 - Saturday, August 2 and Sunday, August 3, 2003 for the Caribbean Cultural Committee Concert at the CNE Bandshell;
- (2) the matter of the exemption from the Noise By-law for the Caribbean Cultural Committee’s King and Queen Event to be held on Thursday, July 31, 2003, at Lamport Stadium be referred to the Commissioner of Economic Development, Culture and Tourism, with a request that he consult with the Ward Councillor in this regard; and
- (3) the Malvern and Jane-Finch Junior Carnivals be fully supported by City Departments, that the City’s user fees be waived for these two events and that the parade route for the Malvern Parade be changed as per the recommendation of the Commissioner of Economic Development, Culture and Tourism.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

- 7.41 **Clause No. 21 of Report No. 4 of The Midtown Community Council, headed “Final Report - Application to Amend the Official Plan for the Former Borough of East York and Zoning By-law 1916 - 1500022 Ontario Limited (Turner Fleischer Architects Inc.) 237, 239 and 241 McRae Drive, 207 and 209 Randolph Road - File Number TD CMB 20020008 (Don Valley West - Ward 26)”.**

Motion:

Councillor Johnston, seconded by Councillor Pitfield, moved that the Clause be struck out and referred back to the Midtown Community Council for further consideration, and the City Arborist be requested to submit a report to the Midtown Community Council, for consideration therewith, providing comments on the retention of trees on the site and on Randolph Road.

Vote:

The motion by Councillor Johnston, seconded by Councillor Pitfield, carried.

- 7.42 **Clause No. 9a of Report No. 1 of The Audit Committee, headed “SAP Financial and Human Resources/Payroll Information Systems - Post Implementation Review”.**

Vote:

The Clause was adopted, without amendment, two-thirds of all Members of Council having voted in the affirmative.

- 7.43 **Clause No. 4 of Report No. 6 of The Planning and Transportation Committee, headed “Graffiti Transformation Grants Program: 2003 Recommendations”.**

Motion:

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

“It is further recommended that City Council authorize the Commissioner of Community and Neighbourhood Services, the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism to prepare and submit applications to Human Resources Development Canada (HRDC) to support the work undertaken by the Mayor’s ‘Toronto You Belong Here’ Task Force on SARS Recovery Initiatives.”

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

7.44 **Clause No. 6 of Report No. 4 of The Community Services Committee, headed “Update on Ontario Works Incentive Fund - Youth-At-Risk Initiatives”.**

Motion:

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, at the appropriate time, providing an evaluation of the Youth-At-Risk project.”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

7.45 **Clause No. 3 of Report No. 6 of The Planning and Transportation Committee, headed “Hawker/Pedlars - Proposed Exemption for Event Ticket Sellers”.**

Motion:

Councillor Moscoe moved that the Clause be amended by deleting from Recommendation No. (3) embodied in the report dated April 11, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, all of the words after the words “of the Act”, so that such recommendation shall now read as follows:

“(3) the City consult with the Provincial Government to seek amendments to the Ticket Speculation Act which would enable better enforcement of the Act; and”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Moscoe moved that:

- (1) the previous action of Council with respect to this Clause be rescinded; and
- (2) the Clause be amended by adding to the end of Recommendation No. (3)(a) contained in the report dated April 11, 2003, from the Commissioner of Urban Development Services, as embodied in the Clause, the words “save and except subscribers (season ticket holders)”, so that such recommendation shall now read as follows:

“(3) the City consult with the Provincial Government to seek amendments to the Ticket Speculation Act which would enable better enforcement of the Act, including the following amendments:

- (a) all re-sellers of event tickets be designated as agents of the organizer or producer of the event for which the tickets are being sold, save and except subscribers (season ticket holders);”.

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

7.46 Clause No. 7 of Report No. 4 of The Works Committee, headed “Service Improvement Initiatives for Curbside Recycling Collection - District 1 and District 3”.

Motion:

Councillor Soknacki moved that the Clause be amended by adding to Recommendations Nos. (2) and (3) contained in the report dated April 29, 2003, from the Commissioner of Works and Emergency Services, as embodied in the Clause, the words “and such recycling operations be done using existing staff resources”, so that the recommendations in such report shall now read as follows:

“It is recommended that:

- (1) the provision of curbside recycling on routes currently contracted out in District 1 and District 3 be provided by municipal staff;
- (2) municipal staff take over the recycling operation in District 3 effective the expiry date of the current contract with Canadian Waste Services Incorporated on June 30, 2003, and such recycling operations be done using existing staff resources;
- (3) municipal staff take over the recycling operation in District 1 on September 1, 2003, following the roll-out of the single-stream recycling operation in District 4, and such recycling operations be done using existing staff resources;
- (4) to bridge the gap between the availability of City vehicles and staff and the roll-out of the single-stream recycling operation and the contract expiry for Capital Environmental Services on July 1, 2003, staff be authorized to extend the current contract or enter into a sole source purchase order with Capital Environmental Services to provide service to the City for the rental of three recycling collection vehicles and operators for the period of July 2, 2003 to August 31, 2003, with the right to extend the work for an additional period of September 1, 2003 to September 30, 2003, as deemed necessary; and
- (5) the appropriate officials be authorized and directed to take the necessary actions to give effect thereto.”

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

7.47 **Clause No. 26 of Report No. 4 of The Policy and Finance Committee, headed “Toronto Hydro Energy Services Inc. - Assignment of City’s Natural Gas Supply Contract and Related Matters”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Shiner moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Council adopt the supplementary confidential report dated May 16, 2003, from the Commissioner of Corporate Services, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of the property of the municipality; and
- (2) the Commissioner of Corporate Services, or her designate, be requested to meet with representatives of Enwave District Energy Limited to discuss potential business arrangements pertaining to the purchase of natural gas, prior to the issuance of a Request for Proposals in this regard, and submit a report thereon to the Policy and Finance Committee by September 2003.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

7.48 **Clause No. 2 of Report No. 4 of The Policy and Finance Committee, headed “Achieving an Improved Legislative Framework for Toronto, ‘The Right Deal for Toronto is a Great Deal for Ontario’ ”.**

Motions:

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

“It is further recommended that the City of Toronto establish its six (6) funding priorities as follows:

- (1) adequate funding to support public transit rehabilitation and renewal, based on the past provincial model under Premiers Davis and Peterson and Rae, of 75 percent capital and 50 percent operating subsidy;
- (2) adequate funding to support affordable housing and legislative authority to preserve rental housing stock, including the City of Toronto being a signatory to Federal/Provincial housing agreements;
- (3) adequate funding to expand the number of affordable child care spaces, including the City of Toronto being a signatory to Federal/Provincial child care agreements;

- (4) a fair share of funding for immigration settlement costs, including the City of Toronto being a signatory to Federal/Provincial immigration agreements;
 - (5) authority to levy appropriate fees, including a destination marketing fee; and
 - (6) implementation of the full Rozanski report recommendations, including the community use of schools and related fees.”
- (b) Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) a copy of this Clause be forwarded to the Leader of each of Ontario’s political parties, with a request of each that a meeting be held to discuss the issues in this report, and advising them that the purpose of the meeting is to explore the extent to which each of them is prepared to commit to the priorities and principles outlined therein;
- (2) the Mayor be requested to include, in these meetings, Members of Council who are members of each of the respective political parties; and
- (3) a copy of this Clause be forwarded to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.”

Councillor Lindsay Luby in the Chair.

- (c) Councillor Kelly moved that motion (b) by Councillor Moscoe, and any other motions moved by Members of Council on this Clause which refer to “three political parties”, be amended by deleting any reference to “three parties”, and inserting in lieu thereof “the Conservative and Liberal Parties”.
- (d) Councillor Mihevc moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Mayor be requested to seek a response from each of the Provincial political parties as to their receptiveness to the process and to their proposals for a new deal for Toronto, such responses to be requested for June 6, 2003, in light of the upcoming Provincial election, and to be collected by the Chief Administrative Officer and distributed to Members of Council by June 7, 2003.”

- (e) Councillor Minnan-Wong moved that motion (a) by Councillor Miller be amended by inserting the following as the second priority after funding for transit and re-numbering the subsequent priorities accordingly:

“(2) adequate funding for the remediation of crumbling infrastructure, such as roads, sewers and bridges, in the City of Toronto;”.

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion (c) by Councillor Kelly:

Yes - 4	
Mayor:	Lastman
Councillors:	Holyday, Kelly, Minnan-Wong
No - 29	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Walker

Lost by a majority of 25.

Motion (e) by Councillor Minnan-Wong carried.

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

Motion (b) by Councillor Moscoe carried.

Motion (d) by Councillor Mihevc carried.

Adoption of Clause, as amended:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Walker

No - 2 Councillors: Ford, Holyday

Carried by a majority of 29.

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

“It is further recommended that:

- (a) the City of Toronto establish its seven (7) funding priorities as follows:
 - (1) adequate funding to support public transit rehabilitation and renewal, based on the past provincial model under Premiers Davis and Peterson and Rae, of 75 percent capital and 50 percent operating subsidy;
 - (2) adequate funding for the remediation of crumbling infrastructure, such as roads, sewers and bridges, in the City of Toronto;
 - (3) adequate funding to support affordable housing and legislative authority to preserve rental housing stock, including the City of Toronto being a signatory to Federal/Provincial housing agreements;
 - (4) adequate funding to expand the number of affordable child care spaces, including the City of Toronto being a signatory to Federal/Provincial child care agreements;
 - (5) a fair share of funding for immigration settlement costs, including the City of Toronto being a signatory to Federal/Provincial immigration agreements;
 - (6) authority to levy appropriate fees, including a destination marketing fee; and
 - (7) implementation of the full Rozanski report recommendations, including the community use of schools and related fees;
- (b) a copy of this Clause be forwarded to the Leader of each of Ontario’s political parties, with a request of each that a meeting be held to discuss the issues in this report, and advising them that the purpose of the meeting is to explore the extent to which each of them is prepared to commit to the priorities and principles outlined therein;
- (c) the Mayor be requested to include, in these meetings, Members of Council

who are members of each of the respective political parties;

(d) the Mayor be requested to seek a response from each of the Provincial political parties as to their receptiveness to the process and to their proposals for a new deal for Toronto, such responses to be requested for June 6, 2003, in light of the upcoming Provincial election, and to be collected by the Chief Administrative Officer and distributed to Members of Council by June 7, 2003; and

(e) a copy of this Clause be forwarded to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.”

7.49 **Clause No. 22a of Report No. 3 of The Community Services Committee, headed “Outstanding Hydro Charges - Various Non-Profit Agencies”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Chow moved that Council adopt the following recommendations:

“It is recommended:

- (1) the Commissioner of Community and Neighbourhood Services be authorized to draw on available sources of funding, including the Supporting Communities Partnership Initiative (SCPI) in the amount of \$20,000.00, and the Mayor’s Homelessness Initiative Fund up to a maximum of \$163,979.80, for the payment of the outstanding Hydro bill and part of the go-forward costs, of Chill Out and Furniture Bank, the two occupants of 200 Madison Avenue;
- (2) the funding to cover the outstanding Hydro bill for Chill Out and Furniture Bank be in the form of a loan, and that the agencies be requested to make their best effort to repay the loan to the City; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Votes:

The motion by Councillor Chow carried.

Adoption of Clause, as amended:

Yes - 25

Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Duguid, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Silva, Walker
No - 4	
Councillors:	Ford, Holyday, Minnan-Wong, Ootes

Carried by a majority of 21.

7.50 Clause No. 31 of Report No. 4 of The Humber York Community Council, headed “Declaration of Bloor West Village Festival as a Community Event (Ward 13 – Parkdale-High Park)”.

Motion to Re-Open:

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

Motion:

Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council, for liquor licensing purposes, declare the Western Beaches Canada Day Festival to be held on July 1, 2003, and the Beachfest Labour Day Festival to be held on September 1, 2003, to be community festivals of municipal significance, and the Alcohol and Gaming Commission of Ontario be advised that the City of Toronto has no objection to these events taking place.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

7.51 Clause No. 3 of Report No. 4 of The Community Services Committee, headed “Ontario Works Benefit Rates: Loss of Purchasing Power Since 1995”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Milczyn, with the permission of Council, moved that, in accordance with §27-49

of Chapter 27 of the City of Toronto Municipal Code, this Clause be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 12	
Mayor:	Lastman
Councillors:	Ashton, Duguid, Flint, Holyday, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki
No - 18	
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Hall, I. Jones, Johnston, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Rae, Silva, Sutherland, Walker

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

7.52 **Clause No. 12 of Report No. 4 of The Policy and Finance Committee, headed “Development Charges By-law Review Statutory Public Meeting”.**

Motion:

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

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the statutory public meeting of the Policy and Finance Committee to be held on July 10, 2003, outlining the relative benefits of area specific development charges versus City-wide development charges, and providing comments on which areas of the City of Toronto may be subject to such specific charges.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

7.53 **Clause No. 11 of Report No. 4 of The Works Committee, headed “Fire and Explosion at 3885-3887 Bloor Street West”.**

Motion:

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

“It is further recommended that:

- (1) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the discussions taking place with utility companies and the construction industry related to measures that are being considered to prevent future accidents from taking place that result from damage to utilities; and
- (2) appropriate staff from the Works and Emergency Services Department and other City of Toronto departments be requested to attend the June 12, 2003 community meeting that will be held to advise the area residents of the known facts surrounding the tragedy at 3885-3887 Bloor Street West.”

Votes:

The motion by Councillor Milczyn carried.

The Clause, as amended, carried.

- 7.54 **Clause No. 1a of Report No. 3 of The Administration Committee, headed “Review of the Housing First Policy (All Wards)”.**

Motion:

Councillor Soknacki moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

Vote:

The motion by Councillor Soknacki carried.

- 7.55 **Clause No. 24 of Report No. 4 of The Policy and Finance Committee, headed “Toronto Library Board Composition”.**

Motion:

Councillor Augimeri moved that the Clause be amended by inserting in Recommendation No. (2) embodied in the report dated February 24, 2003, from the Chief Administrative Officer, after the words “the Mayor”, the words “or designate”, so that such recommendation shall now read as follows:

- “(2) a Library Board Recruitment Panel be constituted at the beginning of the new term of Council by the Striking Committee and be composed of the Mayor, or designate, as Chair of the Panel, two (2) Councillors on the Library Board, and the Chair of the Community Services Committee to recruit, interview and recommend citizen appointees to the Library Board;”.

Votes:

The motion by Councillor Augimeri carried.

The Clause, as amended, carried.

7.56 Clause No. 21 of Report No. 4 of The North York Community Council, headed “Surplus Land Declaration and Proposed Closing of a Portion of Murray Ross Parkway Road Allowance (Ward 8 - York West)”.

Motion:

Councillor Augimeri, seconded by Councillor Li Preti, moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Fred Young Park proposed at the southwest corner of Shoreham Drive and Pond Road be located at the north end of the existing Murray Ross Parkway and abutting the Black Creek;
- (2) a minimum park block of three acres (Fred Young Park) of tableland contiguous to the Black Creek at the north end of Murray Ross Parkway be achieved by including the parkland proposed to be dedicated as part of the Tribute Homes application (estimated at 1.75 acres) and the 0.5 acre parkland credit secured from the previously developed projects, and any additional lands that may be required to provide for a minimum of the three acre contiguous park block referred to herein;
- (3) the Commissioner of Corporate Services be authorized to take appropriate action to declare surplus the westerly half of the Murray Ross Parkway road allowance, together with those portions of the easterly half of the road allowance which are part of the valley corridor and negotiate with the Toronto and Region Conservation Authority; and
- (4) if the City determines that the balance of the unopened Murray Ross Parkway be closed and conveyed to York University, and York University agrees to accept this conveyance, then York University will pay for the land by exchanging an equivalent amount of parkland for expansion of the Fred Young Park.”

Votes:

Adoption of motion by Councillor Augimeri, seconded by Councillor Li Preti:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner, Sutherland, Tziretas, Walker
No - 0	

Carried, without dissent.

The Clause, as amended, carried.

7.57 Clause No. 2 of Report No. 4 of The Economic Development and Parks Committee, headed “Aerospace Sector (All Wards)”.

Motion:

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

“It is further recommended that:

- (1) the Federal Government be requested to consider supporting the production of the ‘turboprop’ aircraft as a means to achieving its Kyoto Accord obligation;
- (2) the Province of Ontario be requested to provide a financing mechanism for domestic and export sales of aircraft;
- (3) the Mayor be requested to:
 - (a) meet with the Premier of Ontario and the Prime Minister of Canada to communicate the need to develop an aerospace strategy for Toronto and the Province of Ontario; and
 - (b) convene a meeting with the officials of Bombardier to discuss its plans for the future of the plant, in order to ensure the long-term stability for the Downsview Plant and to discuss how the City of Toronto can work with Bombardier to ensure the long-term stability of the aerospace industry in Toronto; and

- (4) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the following:
 - (a) a comparison of Quebec versus Ontario incentives to support the aerospace industry; and
 - (b) the creation of a tax incentive/tax free zone at the Downsview lands for the aerospace industry.”

Votes:

The motion by Councillor Augimeri carried.

The Clause, as amended, carried.

7.58 Clause No. 5 of Report No. 4 of The Policy and Finance Committee, headed “Status of Negotiations Between the Parks and Recreation Division and the Toronto District School Board (All Wards) and City Incorporation of Toronto’s School Boards”.

Motions:

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism be requested to submit a joint report to the Policy and Finance Committee on the feasibility of negotiating a lump sum payment to the Toronto District School Board and the Toronto Catholic District School Board, in order to allow Members of Council to use school space for community meetings.”

Councillor Nunziata in the Chair.

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism, in consultation with the Chief Financial Officer and Treasurer, be requested to submit a report to the Policy and Finance Committee on:

- (1) the feasibility of the City of Toronto assuming responsibility for the operation of the Toronto District School Board;
 - (2) the potential costs associated with this proposal; and
 - (3) any cost savings that could be achieved as a result.”
- (c) Councillor Chow moved that the Clause be amended by further amending the recommendations of the School Advisory Committee, as amended by the Policy and Finance Committee, by adding to Recommendation No. (11), the words “including all child care centres funded by the City of Toronto”.
- (d) Councillor Ashton moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Supervisor of the Toronto District School Board be requested to notify MPPs of any school pool closures in their respective ridings.”
- (e) Councillor Miller moved that the Clause be amended by further amending the recommendations of the School Advisory Committee, as amended by the Policy and Finance Committee, by:
- (1) deleting from Recommendation No. (9), the words “where possible”, and adding thereto the words “if a City-owned pool is available and located in the same neighbourhood”; and
 - (2) adding to Recommendation No. (11), the words “and no new or higher user fees will be imposed on residents”.

Votes:

Adoption of motion (c) by Councillor Chow:

Yes - 26	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Miller, Nunziata, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 25.

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

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

Yes - 24 Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 5 Mayor: Councillors:	Lastman Ford, Hall, Holyday, Lindsay Luby

Carried by a majority of 19.

Motion (a) by Councillor Moscoe carried.

Adoption of motion (b) by Councillor Walker:

Yes - 14 Councillors:	Altobello, Augimeri, Balkissoon, Di Giorgio, Ford, Kelly, Korwin-Kuczynski, Li Preti, Milczyn, Miller, Rae, Shaw, Tziretas, Walker
No - 17 Mayor: Councillors:	Lastman Ashton, Chow, Dominelli, Duguid, Flint, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, McConnell, Minnan-Wong, Moscoe, Nunziata, Pantalone, Silva

Lost by a majority of 3.

Motion (d) by Councillor Ashton carried.

Adoption of Clause, as amended:

Yes - 30 Mayor:	Lastman
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Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 1 Councillor:	Ford

Carried by a majority of 9.

In summary, Council amended this Clause by:

- (1) further amending the recommendations of the School Advisory Committee, as amended by the Policy and Finance Committee, by:
 - (a) deleting from Recommendation No. (9), the words “where possible”, and adding thereto the words “if a City-owned pool is available and located in the same neighbourhood”, so that such recommendation shall now read as follows:

“(9) staff continue to migrate City aquatic programs into City-owned pools if a City-owned pool is available and located in the same neighbourhood;”; and
 - (b) adding to Recommendation No. (11), the words “and no new or higher user fees will be imposed on residents, including all child care centres funded by the City of Toronto”, so that such recommendation shall now read as follows:

“(11) no net increase to fees or charges shall be levied by the TDSB to any Department in the City of Toronto for the duration of this agreement, anticipated to be year end 2004 with an option to extend to 2006, including no charges for parking in school parking lots for participants of City programs while attending at the premises, and no new or higher user fees will be imposed on residents, including all child care centres funded by the City of Toronto;”; and
- (2) adding thereto the following:

“It is further recommended that:

- (a) the Supervisor of the Toronto District School Board be requested to notify MPPs of any school pool closures in their respective ridings; and
- (b) the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism be requested to submit a joint report to the Policy and Finance Committee on the feasibility of negotiating a lump sum payment to the Toronto District School Board and the Toronto Catholic District School Board, in order to allow Members of Council to use school space for community meetings.”

7.59 Clause No. 6 of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto Support of the GO Transit Capital Growth/Enhancement Program”.

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that:

- (1) Council adopt the report dated April 30, 2003, from the Chief Financial Officer and Treasurer, as embodied in the Clause, subject to:
 - (a) deleting from Recommendation No. (1), the words “from prior year GO credits (unexpended GO funding)”, and inserting in lieu thereof the words “only from surplus funds available after the Toronto Transit Commission Capital program approved by City Council, including those Capital expenditures related to the ridership growth strategy, have been fully funded”; and
 - (b) deferring consideration of Recommendation No. (2) and forwarding Recommendation No. (2) to the Toronto Transit Commission for comment; and
- (2) the Chief Financial Officer and Treasurer be requested to submit a report to the September 2003 Policy and Finance Committee meeting on the status of Toronto Transit Commission Capital funding from the Provincial and Federal Governments.”

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

“It is recommended that Council adopt the report dated April 30, 2003, from the Chief Financial Officer and Treasurer, as embodied in the Clause.”

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

“It is recommended that, in this event this GO Transit Capital funding is not provided, the City of Toronto undertake to provide the funding to complete the parking lot at Mimico GO Station in 2003.”

Votes:

Adoption of motion (a) by Councillor Moscoe:

Yes - 17	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Chow, Dominelli, Duguid, L. Jones, Korwin-Kuczynski, Li Preti, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva
No - 11	
Councillors:	Balkissoon, Di Giorgio, Flint, Ford, Hall, Holyday, I. Jones, McConnell, Milczyn, Tziretas, Walker

Carried by a majority of 6.

Acting Chair Nunziata, having regard to the foregoing decision of Council, declared motion (b), by Councillor Holyday, redundant.

Adoption of motion (c) by Councillor Jones:

Yes - 15	
Councillors:	Augimeri, Chow, Di Giorgio, Dominelli, Flint, I. Jones, L. Jones, Li Preti, McConnell, Milczyn, Miller, Moscoe, Pantalone, Rae, Silva
No - 13	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Duguid, Ford, Hall, Holyday, Korwin-Kuczynski, Nunziata, Shaw, Tziretas, Walker

Carried by a majority of 2.

Adoption of Clause, as amended:

Yes - 14 Councillors:	Ashton, Augimeri, Chow, Di Giorgio, I. Jones, L. Jones, Li Preti, McConnell, Miller, Moscoe, Pantalone, Rae, Shaw, Silva
No - 14 Mayor: Councillors:	Lastman Altobello, Balkissoon, Dominelli, Duguid, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Milczyn, Nunziata, Tziretas, Walker

Lost, there being an equal division of votes.

In summary, Council did not adopt this Clause.

7.60 **Clause No. 7 of Report No. 4 of The Policy and Finance Committee, headed “Debenture Issuance-Restructuring of \$183.75 Million Provincial Loans”.**

Motions:

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

“It is recommended that, because of the budgetary pressures resulting from Provincial downloading, the Premier of Ontario be requested to forgive the loan.”
- (b) Councillor Holyday moved that motion (a) by Councillor Moscoe be amended by adding thereto the words “and, in the event the Premier does not agree to forgive the loan by July 1, 2003, the report dated May 6, 2003, from the Chief Financial Officer and Treasurer, as embodied in the Clause, be deemed to have been approved by City Council”.
- (c) Councillor Miller moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003, and the Mayor be requested to ask the Premier of Ontario, the Leader of the Opposition Party and the Leader of the Third Party to undertake that the loan will be waived, as has been done with other municipalities.

Votes:

Adoption of motion (c) by Councillor Miller:

Yes - 21

Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 7	
Councillors:	Ashton, Flint, Ford, Hall, Holyday, Milczyn, Nunziata

Carried by a majority of 14.

Acting Chair Nunziata, having regard to the foregoing decision of Council, declared motions (a) and (b) by Councillors Moscoe and Holyday, respectively, redundant.

7.61 **Clause No. 15 of Report No. 5 of The Toronto East York Community Council, headed “Designation Under Part IV of the Ontario Heritage Act - 183 Dovercourt Road (Ideal Bread Company Factory) (Trinity-Spadina, Ward 19)”.**

Motion:

Councillor Korwin-Kuczynski moved that the Clause be struck out and referred back to the Toronto East York Community Council for further consideration.

Vote on Referral:

Adoption of motion by Councillor Korwin-Kuczynski:

Yes - 5	
Councillors:	Altobello, Ford, Korwin-Kuczynski, Minnan-Wong, Silva
No - 19	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Di Giorgio, Duguid, Flint, Holyday, I. Jones, L. Jones, Li Preti, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Walker

Lost by a majority of 14.

Ruling by Acting Chair:

Acting Chair Nunziata ruled that Councillor Korwin-Kuczynski not be permitted to again speak to this Clause, having regard that the Councillor had made his remarks to Council and moved his motion to refer the Clause back to the Toronto East York Community Council.

Councillor Korwin-Kuczynski challenged the ruling of the Acting Chair.

Vote to Uphold Ruling of Acting Chair:

Yes - 17 Councillors: Altobello, Augimeri, Chow, Di Giorgio, Duguid, Flint, Holyday, I. Jones, Li Preti, McConnell, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Rae, Shaw
No - 6 Councillors: Ford, Korwin-Kuczynski, Miller, Minnan-Wong, Silva, Walker

Carried by a majority of 11.

Vote on Clause:

Adoption of Clause, without amendment:

Yes - 19 Councillors: Altobello, Augimeri, Chow, Di Giorgio, Duguid, Flint, Holyday, I. Jones, Li Preti, McConnell, Milczyn, Miller, Moeser, Moscoe, Nunziata, Pantalone, Rae, Shaw, Walker
No - 4 Councillors: Ford, Korwin-Kuczynski, Minnan-Wong, Silva

Carried by a majority of 15.

7.62 Clause No. 19 of Report No. 4 of The Policy and Finance Committee, headed “Youth Criminal Justice Act Referral Model”.

Motions:

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

“It is further recommended that the Federal and Provincial Governments be requested to assist in funding programs and services required to support the placement of youth offenders in community centres and social service agencies.”
- (b) Councillor Hall moved that the Clause be amended by deleting from the Attendance Chart embodied in the May 17, 2003 minutes of the meeting of the Youth Gang Work Group, the name and title “Councillor Chris Korwin-Kuczynski, City Councillor, Chair”, and inserting in lieu thereof the name and title “Councillor Suzan Hall, City Councillor, Chair”.

Disposition:

Having regard that Council did not conclude its consideration of this Clause prior to the end of this meeting, consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.63 **Deferred Clause No. 3a of Report No. 3 of The Works Committee, headed “Pay-As-You Throw Program for the Residential Sector”.**

Motion:

Councillor Duguid moved that the Clause be amended by deleting from the lead-in phrase of Recommendation No. (1) embodied in the report dated March 17, 2003, from the Commissioner of Works and Emergency Services, as amended by the Works Committee, the word and year “in 2005”, so that such lead-in phrase shall now read as follows:

“(1) the Commissioner of Works and Emergency Services conduct research and public consultation and report to the Works Committee, in time for the 2005 budget cycle, on the consideration of a hybrid Pay-As-You-Throw Program for the residential sector with consideration of the following planning principles:”.

Disposition:

Having regard that Council did not conclude its consideration of this Clause prior to the end of this meeting, consideration of this Clause was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

ADDITIONAL MATTERS CONSIDERED BY COUNCIL

7.64 **Union Station Review- Report of The Honourable Coulter A. Osborne**

Motion:

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

“It is recommended that the report dated May 22, 2003, from The Honourable Coulter A. Osborne, headed ‘Union Station Review’, be referred to the Administration Committee for consideration at its Special meeting to be held at the Call of the Chair.”

Vote:

The motion by Councillor Moscoe carried.

7.65 **Contributions to the City of Toronto’s SARS Recovery Efforts**

Motion:

Mayor Lastman, with the permission of Council, moved that Council adopt the following recommendation:

“It is recommended that letters of appreciation be sent out, on behalf of all Members of Council, to:

- (1) the people of Prince Edward Island, in recognition of the friendship they have shown to the City of Toronto with their recent donation of 20,000 pounds of mussels to our City’s seafood restaurants, and advising them that Mayor Lastman has proclaimed July 28, 2003, as ‘PEI Day’ in Toronto; and
- (2) the following companies which have contributed to the City’s SARS recovery efforts:
 - (a) Air Canada;
 - (b) Jetsgo;
 - (c) Canada’s major banks;
 - (d) Mirvish Productions;
 - (e) Molson’s Brewery; and
 - (f) The Toronto Blue Jays.”

Vote:

The motion by Mayor Lastman carried.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

7.66 Proposed ‘Super Hospital’ – Keele Street and Sheppard Avenue

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

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

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

WHEREAS the Toronto District Health Council has, at the Ontario Provincial

Government's request, reviewed this proposal and rejected it as not being in the best interest of the Community; and

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

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

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

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(1) prior to the end of this meeting, consideration of Motion F(1) was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

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

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

Moved by: Councillor Chow

Seconded by: Councillor Miller

“**WHEREAS** City Council on April 16, 17 and 18, 2002, adopted a number of motions

as part of Policy and Finance Committee Report No. 6, Clause No. 1, headed 'Implications of the Sale of Hydro One for the City of Toronto', calling on the Provincial Government to stop the sale of Hydro One because of the many negative impacts such a sale could have on Torontonians; and

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

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

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

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

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

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

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

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

City Council also had before it, during consideration of Motion F(2), the following report and communication:

- (i) report dated September 27, 2002, from the City Solicitor, entitled "Potential Sale of Hydro One - Status of Legal Proceedings" (See Attachment No. 1, Page 217); and
- (ii) communication dated October 7, 2002, from Steven Shrybman, Sack Goldblatt Mitchell, Barristers and Solicitors, submitted by Councillor Layton, which is on file in the Office of the City Clerk.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 1, Page 260)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(2) prior to the end of this meeting, consideration of Motion F(2) was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.68 City Employees Strike - Summer of 2002

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

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*’.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(3) prior to the end of this meeting, consideration of Motion F(2) was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.69 **Establishment of Four Community Councils**

Deputy Mayor Ootes called upon Notice of Motion F(4) appearing on the Order Paper, as follows:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Holyday**

“**WHEREAS** on October 3, 2000, Council elected to retain six (6) Community Councils; and

WHEREAS on November 6, 7 and 8, 2001, Council adopted, without amendment, Clause No. 10 of Report No. 16 of The Administration Committee, headed ‘Four District Model for City Public Services (All Wards)’; and

WHEREAS on July 30 and 31 and August 1, 2002, Council adopted, as amended, Clause No. 2 of Report No. 10 of The Administration Committee, headed ‘Four District Model for City Public Services (All Wards)’, wherein the Chief Administrative Officer was requested to include in her review of the Council-Committee structure, a

review of options for the relationship between Community Councils and service districts; and

WHEREAS the attempt to run six political divisions through four administrative districts has created a significant administrative challenge, particularly in those Wards that fall into more than one administrative zone; and

WHEREAS this has created a dysfunctional structure which is becoming more remote from the citizens it serves; and

WHEREAS the present groupings of some of the Community Councils are artificial constructs that bear little resemblance to the historic communities that existed prior to amalgamation; and

WHEREAS it would be desirable to rationalize the political and administrative boundaries into more functional units;

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. 10, Clause No. 2, headed 'Four District Model for City Public Services (All Wards)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council elect to establish a four Community Council model to come into effect immediately following the next municipal election;

AND BE IT FURTHER RESOLVED THAT staff, after discussion with individual Councillors, particularly those who have dysfunctional Wards, propose alternative Community Council groupings for consideration by the Administration Committee;

AND BE IT FURTHER RESOLVED THAT staff further refine the administrative districts to match the political divisions selected.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(4), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion is still to be determined. (See Fiscal Impact Statement No. 2, Page 261)

Motion:

Having regard that Council at its meeting held on February 4, 5 and 6, 2003, had previously re-opened Clause No. 2 of Report No. 10 of The Administration Committee, headed “Four

District Model for City Public Services (All Wards)”, for further consideration, Councillor Moscoe moved that the balance of Motion F(4) be adopted, subject to deleting from the third Operative Paragraph, the words “Administration Committee”, and inserting in lieu thereof the words “Policy and Finance Committee”, so that such Operative Paragraph now reads as follows:

“AND BE IT FURTHER RESOLVED THAT staff, after discussion with individual Councillors, particularly those who have dysfunctional Wards, propose alternative Community Council groupings for consideration by the Policy and Finance Committee;”.

Votes:

The motion by Councillor Moscoe carried.

Motion F(4), as amended, carried.

Councillors Tziretas and Walker requested that their opposition to Motion F(4) be noted in the minutes of this meeting.

Motion to Re-Open:

Councillor Walker, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion F(4) be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 8	
Councillors:	Altobello, Chow, Ford, Korwin-Kuczynski, McConnell, Miller, Tziretas, Walker
No - 23	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Di Giorgio, Dominelli, Duguid, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva

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

7.70 **Establishing a Toll Pilot Project**

Deputy Mayor Ootes called upon Notice of Motion F(5) appearing on the Order Paper, as follows:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Flint**

“WHEREAS Council, by adopting the new Official Plan, made a long term commitment to public transit; and

WHEREAS, to support that commitment, the City of Toronto should be expanding and enhancing TTC services and encouraging drivers to favour the use of public transit over cars; and

WHEREAS the only operating tax money that the public transit system receives comes from property taxes collected within the City of Toronto; and

WHEREAS commuters who opt to drive into Toronto from the 905 areas, rather than take the public transit system, place an inordinate burden on the property tax base of Toronto, without contributing to the public transit system; and

WHEREAS the City of London, England, has recently introduced a toll system, in order to encourage commuters to abandon their cars in favour of public transit;

NOW THEREFORE BE IT RESOLVED THAT the City establish a tolling pilot project;

AND BE IT FURTHER RESOLVED THAT it consist of a toll for inbound cars at the Mimico Creek boundary, on the centre core lanes only, of the Queen Elizabeth Highway;

AND BE IT FURTHER RESOLVED THAT the tolls be in place during the hours of 7:00 a.m. to 6:00 p.m. weekdays;

AND BE IT FURTHER RESOLVED THAT the toll be established at the level of the average 'GO' fare and the estimated \$1 million a day that this would raise, after expenses, be directed to support public transit in Toronto;

AND BE IT FURTHER RESOLVED THAT this matter be forwarded to the Chief Administrative Officer, with a request that she report on the operational and policy aspects of this matter to the Planning and Transportation Committee."

City Council also had before it, during consideration of Motion F(5), a 2003 Budget Briefing Note from the Chief Financial Officer and Treasurer, entitled "Designation, Operation and Maintenance of Toll Roads Within the City of Toronto", a copy of which is on file in the Office of the City Clerk.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(5), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Motion:

Councillor Moscoe moved that Motion F(5) be referred to the Planning and Transportation Committee.

Vote:

The motion by Councillor Moscoe carried.

7.71 Request for Legislative Authority to Levy Tolls

Deputy Mayor Ootes called upon Notice of Motion F(6) appearing on the Order Paper, as follows:

Moved by: Councillor Mihevc

Seconded by: Councillor Moscoe

“WHEREAS the City of Toronto will have capital shortfalls in coming years; and
WHEREAS the City of Toronto needs to develop revenues other than property taxes;
and

WHEREAS other municipalities have authority to levy tolls on highways (London, England);

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the Province of Ontario for legislative authority to develop these rights to tax;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, in consultation with the City Solicitor, be requested to prepare a private Bill for presentation to Provincial parliament;

AND BE IT FURTHER RESOLVED THAT the Mayor’s office be requested to develop a special task force of Members of Council and residents to pursue these initiatives;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to prepare a report on these matters to be presented to the Policy and Finance Committee.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(6), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Motion:

Councillor Moscoe moved that Motion F(6) be referred to the Planning and Transportation Committee.

Vote:

The motion by Councillor Moscoe carried.

7.72 **Grants to the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway**

Councillor Walker, with the permission of Council, withdrew the following Notice of Motion F(7):

Moved by: Councillor Walker

Seconded by: Councillor Milczyn

“WHEREAS City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases, participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications, and making appeals to Divisional Court in defence of tenants' interests; and

WHEREAS City Council established the Tenant Defence Sub-Committee to monitor the Tenant Defence Fund Program and to recommend to the Community Services Committee actions in defence of tenants in the City of Toronto; and

WHEREAS the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway applied for an additional grant, under the Tenant Support Grant Program in May 2002, to appeal to the Divisional Court of the Ontario Superior Court of Justice on an Order issued by the Ontario Rental Housing Tribunal approving the landlord's application for an above-guideline rent increase (AGI) based on a one-time spike in heating costs; and

WHEREAS the appeal hearing for 1305 Wilson Avenue was completed on June 28, 2002, and a decision was released by the Divisional Court on August 26, 2002, ordering that the appeal be dismissed and that costs of \$2,500.00 be paid by the tenants to the landlord; and

WHEREAS despite the decision to dismiss the Wilson Avenue tenants' appeal, the judges who presided over the hearing expressed sympathy for the tenants and suggested that the Minister of Municipal Affairs and Housing review the provisions in the Tenant Protection Act (TPA) relating to applications for above-guideline rent increases based on extraordinary utility costs; and

WHEREAS the Tenants' Association of 1305 Wilson Avenue further made an application for Leave to Appeal to the Ontario Court of Appeals on the Divisional Court decision and requested a further grant of \$10,000.00 for the legal costs of the second appeal and an additional \$2,500.00 to cover the costs awarded against them by the Divisional Court; and

WHEREAS the same solicitor also performed preparatory work to file an application for Leave to Appeal for the Tenants' Association of 34 Riverwood Parkway; and

WHEREAS the report (dated November 8, 2002) from the Commissioner of Community and Neighbourhood Services did not recommend the approval of further funding to the Tenants' Associations, as a second appeal is beyond the mandate of Tenant Support Grant Program; and

WHEREAS on December 12, 2002, the Wilson Avenue tenants' application for Leave to Appeal was denied by the Ontario Court of Appeals and the tenants were ordered to pay \$1,000.00 to the landlord for legal costs; and

WHEREAS at an informal meeting of the Tenant Defence Sub-Committee on March 4, 2003, the matters were discussed and the solicitor for the Wilson Tenants' Association requested \$3,500.00 to cover the total legal costs the two courts had ordered the Tenants' Association to pay to the landlord; and

WHEREAS the Tenant Defence Sub-Committee requested the solicitor to provide staff with further documentation regarding the costs associated with these cases; and

WHEREAS the solicitor has identified a further \$2,675.00 expenditure in his appeal preparation for the 34 Riverwood Parkway Tenants' Association; and

WHEREAS section 113 of the Municipal Act provides that the council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the council, is in the interests of the municipality; and

WHEREAS the issues raised by the Tenants' Association of 1305 Wilson Avenue in the courts may precipitate a review of the TPA by the provincial government that could have a significant impact on other tenants in Toronto and is, therefore, in the interests of the City; and

WHEREAS there are sufficient funds in the 2003 Tenant Support Grants Program to provide a grant to the Tenants' Association of 1305 Wilson Avenue to assist them with paying the legal costs to the landlord as ordered by the Courts; and

WHEREAS there are also sufficient funds in the Program to assist the Tenants' Association of 34 Riverwood Parkway to pay their solicitor's fees for his work in preparing the application for Leave to Appeal;

NOW THEREFORE BE IT RESOLVED THAT City Council grant \$3,500.00 to the Tenants' Association of 1305 Wilson Avenue for payment of the legal costs

ordered by the Courts and \$2,675.00 to the Tenants' Association of 34 Riverwood Parkway for its outstanding legal fees, to be allocated from the 2003 Tenant Support Grant Program, and deem such grant to be in the municipal interest."

City Council also had before it, for consideration with Motion F(7), a report dated November 8, 2003, from the Commissioner of Community and Neighbourhood Services, addressed to the Tenant Defence Sub-Committee, entitled "1305 Wilson - Request for Funding of Appeal to the Court of Appeal", which is on file in the Office of the City Clerk.

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion F(7), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 3, Page 262)

7.73 Request to Provincial Government to Abandon Electricity Deregulation and Privatization

Deputy Mayor Ootes called upon Notice of Motion F(8) appearing on the Order Paper, as follows:

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.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(8), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Disposition:

Having regard that Council did not conclude its consideration of Motion F(8) prior to the end of this meeting, consideration of Motion F(8) was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.74 Increasing Fines for Illegal Dumping and Littering

Deputy Mayor Ootes called upon Notice of Motion F(9) appearing on the Order Paper, as follows:

Moved by: Councillor Cho

Seconded by: Councillor Miller

“WHEREAS the City of Toronto has set fines under Municipal Code Chapter 841 and Chapter 844 for illegal dumping and littering; and

WHEREAS illegal dumping, littering and garbage at the curb on wrong collection days continues to be a problem across the City; and

WHEREAS the current set fines for illegal dumping, littering and garbage not stored on private property should be reviewed, in order to ensure maximum effectiveness;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as soon as possible, on a review of the current set fines for illegal dumping, littering and garbage not stored on private property, such report to identify where such fines may be increased while continuing to maintain maximum effectiveness;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services also be requested to submit a report to the Works Committee on a strategy to encourage property owners to keep the public property, adjacent to their private property, clean, and to restore pride in the cleanliness of our City.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion F(9) to the Works Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion F(9), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion F(9) to the Works Committee carried, more than

two-thirds of Members present having voted in the affirmative.

Disposition:

Having regard that Council did not conclude its consideration of Motion F(9) prior to the end of this meeting, consideration of Motion F(9) was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.75 Request to Incoming Council to Impose Tax Increase to Fund the Toronto Transit Commission Ridership Growth Strategy and Subway Expansion Plan

Deputy Mayor Ootes called upon Notice of Motion I(1) appearing on the Order Paper, moved by Councillor Moscoe, seconded by Councillor Soknacki, and, in the absence of Councillor Moscoe, moved by Councillor Chow, seconded by Councillor Soknacki, as follows:

Moved by: Councillor Chow

Seconded by: Councillor Soknacki

“BE IT RESOLVED THAT, conditional upon the federal and provincial governments committing their one-third share of the funding for the Subway Expansion Plan and the Ridership Growth Strategy capital programs, in addition to their one-third share of the current Toronto Transit Commission State of Good Repair Budget for 2003, City Council recommend to the next City Council that it implement a one percent property tax increase in 2004, 2005 and 2006, across the entire tax base, to be dedicated to the Subway Expansion Plan and Ridership Growth Strategy.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion I(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion I(1) to the Policy and Finance Committee, was taken as follows:

Yes - 21	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Di Giorgio, Duguid, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Nunziata, Pantalone, Shaw, Silva, Sutherland, Tziretas, Walker
No - 14	
Councillors:	Ashton, Bussin, Chow, Filion, Flint, Johnston, Li Preti, Mihevc, Minnan-Wong, Ootes, Pitfield, Rae, Shiner, Soknacki

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

Having regard to the foregoing decision of Council, Motion I(1) was referred to the Policy and Finance Committee.

7.76 Proposed Installation of Speed Humps on Schell Avenue, between Dufferin Street and Fairbank Avenue

Councillor Mammoliti moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(1), moved by Councillor Moscoe, seconded by Councillor Di Giorgio, and, in the absence of Councillor Moscoe, moved by Councillor Mammoliti, seconded by Councillor Di Giorgio:

Moved by: Councillor Mammoliti

Seconded by: Councillor Di Giorgio

“WHEREAS residents of Schell Avenue have expressed concern with regard to the vehicle speeds on the roadway between Dufferin Street and Fairbank Avenue; and

WHEREAS residents of Schell Avenue have expressed concern with regard to the volume of traffic on the roadway between Dufferin Street and Fairbank Avenue and have requested the installation of speed humps;

NOW THEREFORE BE IT RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents on Schell Avenue, between Dufferin Street and Fairbank Avenue, in accordance with the traffic calming policy, to determine if the

residents of the roadway support the installation of speed humps on the roadway;

AND BE IT FURTHER RESOLVED THAT the appropriate staff convey the results of the survey to the respondents;

AND BE IT FURTHER RESOLVED THAT because the road is being reconstructed in 2004, it is imperative that this matter be dealt with to coincide with the reconstruction;

AND BE IT FURTHER RESOLVED THAT, subject to positive results of the poll, a by-law be prepared for the alteration of Schell Avenue for the installation of speed humps and the speed limit be reduced to 30 kilometres per hour;

AND BE IT FURTHER RESOLVED THAT, pursuant to the requirements of the Municipal Class Environmental Assessment Act, Schedule B, a notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and the Toronto Police Service and, upon approval of a by-law by Council, Notice of Completion be issued;

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

the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Mihevc, Minnan-Wong, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 9	
Councillors:	Augimeri, Duguid, Ford, Holyday, Johnston, Li Preti, Nunziata, Ootes, Pitfield

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

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(1), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(1) to the Humber York Community Council was taken as follows:

Yes - 12	
Councillors:	Berardinetti, Di Giorgio, Flint, I. Jones, Korwin-Kuczynski, Mammoliti, Pantalone, Rae, Shaw, Silva, Tziretas, Walker
No - 25	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Duguid, Filion, Ford, Hall, Holyday, Johnston, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland

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

Having regard to the foregoing decision of Council, Motion J(1) was referred to the Humber York Community Council.

Motion to Re-Open:

Councillor Hall, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, the vote to waive referral of Motion J(1) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Advice by Deputy Mayor:

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

Procedural Vote:

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

Vote:

Motion J(1) was adopted, without amendment.

7.77 Proposed Ban or Restriction on Rickshaws in the City of Toronto

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

Moved by: Councillor Mammoliti

Seconded by: Councillor Minnan-Wong

“**WHEREAS** the City of Toronto has received hundreds of complaints about rickshaw operators abusing passengers, particularly tourists, in the core of the City; and

WHEREAS rickshaws tend to severely damage the reputation of the City of Toronto’s tourism market; and

WHEREAS rickshaws are a hazard to both pedestrians and traffic; and

WHEREAS the presence of rickshaws in the City of Toronto represents a severe nuisance;

NOW THEREFORE BE IT RESOLVED THAT the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to either ban or significantly restrict rickshaws within the City;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, in consultation with the City Solicitor, be requested to submit a report to the Planning and Transportation Committee on this matter;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to prepare a draft By-law for consideration at the public meeting;

AND BE IT FURTHER RESOLVED THAT notice of the proposed By-law be given in accordance with Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the Municipal Act, 2001.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(2), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion was yet to be determined. (See Fiscal Impact Statement No. 4, Page 263)

Procedural Vote:

The vote to waive referral of Motion J(2) to the Planning and Transportation Committee was taken as follows:

Yes – 18	
Councillors:	Augimeri, Balkissoon, Berardinetti, Di Giorgio, Flint, Ford, I. Jones, L. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Milczyn, Minnan-Wong, Pantalone, Shaw, Sutherland, Tziretas, Walker
No – 19	
Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Duguid, Filion, Hall, Holyday, Johnston, Li Preti, Mihevc, Nunziata, Ootes, Pitfield, Rae, Shiner, Silva, Soknacki

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

City Council also had before it, during consideration of Motion J(2), the following communications which are on file in the Office of the City Clerk:

- (i) (May 21, 2003) from Leandre Casselman, Orient Express; and
- (ii) (April 16, 2003) from the Acting Supervisor, Complaints and Information, Municipal Licensing and Standards, addressed to Orient Express Rickshaws.

Having regard to the foregoing decision of Council, Motion J(2) was referred to the Planning and Transportation Committee.

7.78 **2003 Contribution Rebate Program**

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

Moved by: Councillor Mihevc

Seconded by: Councillor Bussin

“WHEREAS City Council at its meeting held on October 29, 20 and 31, 2002, adopted, as amended, Administration Committee Report No. 13, Clause No. 5, headed ‘2003 Contribution Rebate Program’, and in so doing enacted By-law No. 1011-2002, which establishes the conditions under which payment of rebates to persons who make contributions to candidates for an office on the municipal Council for the 2003 election are made; and

WHEREAS under subsection 82(1) of the Municipal Elections Act, 1996, rebates may be provided to individuals, corporations or trade unions residing within the Province of Ontario; and

WHEREAS it escaped the notice of most members of Council that this By-law restricted the payment of rebates to residents of Toronto only; and

WHEREAS given the structure of the Greater Toronto Area, to impose such a geographic limitation on donors is to ignore the fundamental nature of the urban fabric of our society; and

WHEREAS the establishment of such artificial limitations will simply encourage donors to skirt the Act and promote disrespect for the By-law;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 13, Clause No. 5, headed ‘2003 Contribution Rebate Program’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the phrase ‘residing in the City of Toronto’ be deleted from the By-law (*mutatus mutandis*);

AND BE IT FURTHER RESOLVED THAT the issuance of receipts be permitted in accordance with the full provisions of the Municipal Elections Act, 1996;

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(3), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 5, Page 264)

Votes:

Adoption of the first Operative Paragraph embodied in Motion J(3):

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Nunziata, Pantalone, Pitfield, Rae, Shaw, Silva, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Ford, Holyday, Minnan-Wong, Ootes, Shiner, Soknacki

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

Adoption of the balance of Motion J(3), without amendment:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Duguid, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Silva, Soknacki, Tziretas, Walker
No - 7	
Councillors:	Ford, Holyday, Lindsay Luby, Minnan-Wong, Pitfield, Shiner, Sutherland

Carried by a majority of 23.

7.79 Proposed Traffic Calming Measures - Old Yonge Street, from York Mills Road to Campbell Crescent

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

Moved by: Councillor Flint

Seconded by: Councillor Mihevc

“**WHEREAS** the residents of Old Yonge Street have expressed concern with regard to the vehicle speeds on the roadway between York Mills Road and Campbell Crescent; and

WHEREAS staff of District 3, Transportation Services Division has confirmed that the 85th percentile speed on Old Yonge Street, between York Mills Road and Campbell Crescent, is 48 kilometres per hour within the 40 kilometres per hour speed zone;

NOW THEREFORE BE IT RESOLVED THAT the appropriate staff be authorized to conduct a poll of eligible residents on Old Yonge Street, from York Mills Road to Campbell Crescent, to determine resident support for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy, and 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 Services and the Toronto Police Service;

AND BE IT FURTHER RESOLVED THAT, subject to favourable results of the poll:

- (1) a by-law be prepared for the alteration of sections of the roadway on Old Yonge Street, from York Mills Road to Campbell Crescent, for traffic calming purposes, as shown in the attached speed hump plan No. NY-1451; and
- (2) pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;

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.”

the vote upon which was taken as follows:

Yes - 36	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Kelly

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

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(4), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Council also had before it, during consideration of Motion J(4), Drawing No. NY-1451, entitled "Old Yonge Street", which is on file in the Office of the City Clerk.

Procedural Vote:

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

Motion:

Councillor Kelly moved that Motion J(4) be adopted, subject to adding the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee providing a list of all streets which have gone through the approval process, and their rankings.”

Votes:

The motion by Councillor Kelly carried.

Motion J(4), as amended, carried.

7.80 **Technical Amendment to Clause - 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**

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

Moved by: Councillor Filion

Seconded by: Councillor Shiner

“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 it is noted in the Clause that Councillor Filion voted in favour of the development at the North York Community Council, when in fact Councillor Filion was opposed; and

WHEREAS Councillor Filion wishes it to be noted in the Clause that he did not vote in favour of this development; and this revision will not affect the outcome on this matter;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report No. 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’, be re-opened for further consideration, only insofar as it pertains to the notation in the Clause regarding a recorded vote taken at the North

York Community Council with respect to Recommendation No. (1);

AND BE IT FURTHER RESOLVED THAT the notation be amended to reflect Councillor Filion in the negative.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(5), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Votes:

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

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

7.81 **Grant to Tenant’s Association of 1305 Wilson Avenue**

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

Moved by: Councillor Walker

Seconded by: Councillor Milczyn

“**WHEREAS** City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above-guideline rent increases, participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition application and making appeals to Divisional Court in defence of tenants interests; and

WHEREAS City Council established the Tenant Defence Sub-Committee to monitor the Tenant Defence Fund Program and to recommend to the Community Services Committee actions in defence of tenants in the City of Toronto; and

WHEREAS the Tenants’ Association of 1305 Wilson Avenue applied for and received an additional grant of \$10,000.00, under the Tenant Support Grant Program in May 2002, to appeal to the Divisional Court of the Ontario Superior Court of Justice on an Order issued by the Ontario Rental Housing Tribunal approving the landlord’s application for an above-guideline rent increase (AGI) based on a one-time spike in heating costs; and

WHEREAS the appeal hearing for 1305 Wilson was completed on June 28, 2002, and

a decision was released by the Divisional Court on August 26, 2002, ordering that the appeal be dismissed and that the tenants pay \$2,500.00 to the landlord for legal costs; and

WHEREAS despite the decision to dismiss the Wilson tenants' appeal, the judges who presided over the hearing expressed sympathy for the tenants and suggested that the Minister of Municipal Affairs and Housing review the provisions in the Tenant Protection Act (TPA) relating to applications for above-guideline rent increases based on extraordinary utility costs; and

WHEREAS the Tenants' Association of 1305 Wilson further made an application for Leave to Appeal to the Ontario Court of Appeals on the Divisional Court decision and requested a further grant of \$10,000.00 for the legal expenses of the second appeal and an additional \$2,500.00 to cover the costs awarded against them by the Divisional Court; and

WHEREAS the report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, did not recommend the approval of further funding to the 1305 Wilson Tenants' Association, as court costs and second appeals are beyond the mandate of the Tenant Support Grant Program; and

WHEREAS on December 12, 2002, the 1305 Wilson tenants' application for Leave to Appeal was denied by the Ontario Court of Appeal and the tenants were ordered to pay \$1,000.00 to the landlord for legal costs; and

WHEREAS at an informal meeting of the Tenant Defence Sub-Committee on March 4, 2003, the matters were discussed and the solicitor for the 1305 Wilson Tenants' Association requested \$3,500.00 to cover the total legal costs the two courts had ordered the Tenants' Association to pay to the landlord; and

WHEREAS section 107 of the Municipal Act, 2001 provides that the Council of every municipality may, subject to section 106 of the Municipal Act, 2001, make grants, on such terms and conditions as to security and otherwise as the Council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the Council, is in the interests of the municipality; and

WHEREAS the issues raised by the Tenants' Association of 1305 Wilson Avenue in the courts may precipitate a review of the TPA by the provincial government that could have a significant impact on other tenants in Toronto and is, therefore, in the interests of the City; and

WHEREAS there are sufficient funds in the 2003 Tenant Support Grants Program to provide a grant to the Tenants' Association of 1305 Wilson to assist them with paying the legal costs to the landlord as ordered by the courts;

NOW THEREFORE BE IT RESOLVED THAT Council grant \$3,500.00 from the

2003 Tenant Support Grant Program to the Tenants' Association of 1305 Wilson Avenue for payment of the legal costs ordered by the courts, and deem such grant to be in the municipal interest.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(6) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(6), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 6, Page 265)

Procedural Vote:

The vote to waive referral of Motion J(6) to the Community Services Committee was taken as follows:

Yes - 29	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Nunziata, Pantalone, Pitfield, Rae, Shaw, Silva, Tziretas, Walker
No - 9	
Councillors:	Ashton, Duguid, Ford, Holyday, Kelly, Minnan-Wong, Ootes, Shiner, Soknacki

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

Council also had before it, during consideration of Motion J(6), a report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, entitled “1305 Wilson - Request for Funding of Appeal to the Court of Appeal”, addressed to the Tenant Defence Sub-Committee. (See Attachment No. 2, Page 219)

Vote:

Adoption of Motion J(6), without amendment:

Yes - 33

Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Ashton, Ford, Holyday, Kelly, Ootes, Soknacki

Carried by a majority of 27.

7.82 **Grant to the Tenant's Association of 34 Riverwood Parkway**

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

Moved by: Councillor Walker

Seconded by: Councillor Milczyn

“WHEREAS City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases, participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition application, and making appeals to Divisional Court in defence of tenants interests; and

WHEREAS City Council established the Tenant Defence Sub-Committee to monitor the Tenant Defence Fund Program and to recommend to the Community Services Committee actions in defence of tenants in the City of Toronto; and

WHEREAS the Tenants' Association of 34 Riverwood Parkway was approved for a \$10,000.00 grant, under the Tenant Support Grant Program in May 2002, to appeal to the Divisional Court of the Ontario Superior Court of Justice on an Order issued by the Ontario Rental Housing Tribunal approving the landlord's application for an above-guideline rent increase (AGI) based on a one-time spike in heating costs; and

WHEREAS the Riverwood Parkway tenants had been paid \$7,182.35 from the approved \$10,000.00 grant, in October 2002, to cover the legal expenses for the filing of the Divisional Court appeal; and

WHEREAS the Divisional Court's dismissal of the appeal by the 1305 Wilson Tenants' Association on the same issue resulted in a withdrawal of the Riverwood Parkway appeal to the Divisional Court; and

WHEREAS the Tenants' Association of Riverwood Parkway joined with the 1305 Wilson Tenant's Association in applying for a Leave to Appeal to the Ontario Court of Appeal regarding the Divisional Court's original decision on 1305 Wilson; and

WHEREAS the solicitor for 34 Riverwood Parkway requested \$2,675.00 for preparatory work done for the 34 Riverwood Parkway Tenants' Association related to the Leave to Appeal to the Ontario Court of Appeal; and

WHEREAS the report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services did not recommend the approval of further funding to the Riverwood Tenant's Associations, as a second appeal is beyond the mandate of the Tenant Support Grant Program; and

WHEREAS the solicitor for 34 Riverwood Parkway has provided staff with further documentation regarding the costs associated with this appeal; and

WHEREAS section 107 of the Municipal Act, 2001 provides that the Council of every municipality may, subject to section 106 of the Municipal Act, 2001, make grants, on such terms and conditions as to security and otherwise as the Council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the Council, is in the interests of the municipality; and

WHEREAS the issues raised by the Tenants' Association of 34 Riverwood Parkway and other tenants' associations may precipitate a review of the TPA by the provincial government that could have a significant impact on other tenants in Toronto and is, therefore, in the interests of the City; and

WHEREAS there is \$2,817.00 remaining in unexpended funds from the original \$10,000.00 approved grant to the Riverwood Parkway Tenants' Association under the 2002 Tenant Support Grant Program; and

WHEREAS the unexpended amount has been accrued from the 2002 Shelter, Housing and Support Operating Budget and is sufficient to cover the solicitor's costs;

NOW THEREFORE BE IT RESOLVED THAT Council grant \$2,675.00 to the Tenants' Association of 34 Riverwood Parkway for its outstanding legal fees, to be allocated from the 2002 Tenant Support Grant Program, and deem such grant to be in the municipal interest."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(7) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(7), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 7, Page 266)

Procedural Vote:

The vote to waive referral of Motion J(7) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(7), a report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, entitled "1305 Wilson - Request for Funding of Appeal to the Court of Appeal", addressed to the Tenant Defence Sub-Committee. (See Attachment No. 2, Page 219)

Vote:

Adoption of Motion J(7), without amendment:

Yes - 33	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Sutherland, Tziretas, Walker
No - 6	
Councillors:	Ashton, Ford, Holyday, Kelly, Ootes, Soknacki

Carried by a majority of 27.

7.83 Proposed Support of Falun Dafa (Falun Gong)

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

Moved by: **Councillor Walker**

Seconded by: **Councillor Korwin-Kuczynski**

“WHEREAS the City’s Legal Department is of the opinion that the human rights issue surrounding Falun Dafa is not ultra vires to City Council, in light of the fact that, on September 5, 2001, Mayor Mel Lastman wrote Prime Minister Jean Cretien requesting his attention to the plight of 130 Falun Dafa practitioners engaged in a hunger strike in Shenyang City; and

WHEREAS Falun Dafa is a peaceful and non-violent form of personal exercise and philosophical practice, based on the principles of Truthfulness, Compassion and Tolerance, with tens of millions of practitioners in China, Canada and over sixty (60) other countries around the world; and

WHEREAS presently, there are over twelve (12) family members of Toronto residents being persecuted in China for being practitioners of Falun Dafa; and

WHEREAS MPP and past City Councillor Michael Prue, on July 16, 2002, said 'I have to say, looking down the list of Canadian citizens and permanent residents who are detained in China, it is readily apparent that most of those people are from the Toronto, Ontario area'; and

WHEREAS, since July 20, 1999, the Government of the People's Republic of China has forbidden Falun Dafa practitioners to practice their beliefs and has systematically attempted to eradicate the practice and those who follow it; and

WHEREAS China's Government policy violates the Constitution of the People's Republic of China, as well as the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights; and

WHEREAS Amnesty International has proclaimed Falun Dafa practitioners 'Prisoners of Conscience', because they continue to refuse to entertain the prospect of violent retaliation, even while under extremely violent conditions, similar to the actions and traditions of Mahatma Gandhi; and

WHEREAS in 2001 and 2002 the founder of Falun Dafa, Mr. Li Hongzhi, was nominated for the Nobel Peace Prize; and

WHEREAS the Government of the People's Republic of China has created notorious government '610', offices throughout the People's Republic of China, with the special task of overseeing the persecution of Falun Dafa practitioners through organized brainwashing, torture and murder; and

WHEREAS propaganda from state-controlled media in the People's Republic of China has inundated the public, in an attempt to breed hatred and discrimination; and

WHEREAS women, in particular, have been the target of numerous forms of sexual violence, including rape, sexual assault and forced abortion; and

WHEREAS the campaign of persecution that has been generated by the Chinese government is carried out by government officials and state police and has permeated every village and every level of government in China; and

WHEREAS Falun Dafa is a system of mind and body which has ancient historical roots in oriental culture; and

WHEREAS between July 20, 1999, and December 1, 2001, in under a year and a half, more than 500 hundred practitioners were sentenced to long prison terms; more than 1,000 practitioners were illegally imprisoned in 43 psychiatric hospitals; over 20,000 practitioners were sent to labour camps without trial; at least 100,000 practitioners were arrested and detained; and at least 319 Falun Dafa practitioners were persecuted to death -- this is an average of 20 deaths per month; and

WHEREAS on October 8, 1999, in Beijing, China, a Secret Press Conference was held by Falun Dafa practitioners to appeal, through the world media, to other countries for help; and

WHEREAS in April 2002, an official document calling for large-scale assault on Falun Dafa practitioners, including a suggestion to use the death sentence, was distributed to middle level officials of some government agencies in Shenyang City, Liaoning Province, China; and

WHEREAS on August 4, 2001, under the headline 'China Systematically Eradicating Group', The Washington Post printed an interview with a Chinese government advisor who revealed three ingredients in the crackdown on Falun Dafa: (1) state sanctioned violence; (2) brainwashing; and (3) propaganda to turn public opinion against the group. 'Each aspect of the campaign is critical, pure violence doesn't work... And none of it would be working if the propaganda hadn't started to change the way the public thinks. You need all three.'; and

WHEREAS in 2000, ABC News in Australia reported that 'over half of all people in labour-camps in China are Falun Dafa practitioners'; and

WHEREAS on April 20, 2000, The Wall Street Journal published a Pulitzer Prize winning article about the Chinese government's sponsored and enforced persecution of Falun Dafa, stating '...the effects on society of such [state sanctioned] systematic brutality is hard to gauge... None of the deaths have been reported in the Chinese media... Only those directly touched by the crackdown know of its scope and ferocity.'; and

WHEREAS Canadian unions, including the Canadian Labour Congress, the Hospital Employees Union and the National Union of Public and General Employees, have written letters supporting Falun Dafa practitioners on behalf of over five (5) million member employees; and

WHEREAS the Mayor of Ottawa, Bob Chiarelli, proclaimed January 24, 2001, *Falun Dafa Day*; and

WHEREAS nine (9) municipalities in Ontario have proclaimed Falun Dafa Week,

namely: Orillia, Elliot Lake, Ajax, Aurora, East Gwillimbury, Spring Water, New Tecumseth, Whitby and Uxbridge; and

WHEREAS on July 19, 2002, nearly the third anniversary of the ongoing Chinese government campaign of persecution, the Councils of six (6) Canadian municipalities passed Resolutions condemning the persecution of Falun Dafa practitioners in China, namely: the Township of Carling, the Town of Harbour Breton, the Town of Torbay, the Township of Coleman, the Municipality of the County of Richmond and the Town of Burin; and

WHEREAS on July 23, 2002, the U.S. Congress unanimously passed Bill 188 condemning China on its persecution of Falun Dafa practitioners; and

WHEREAS on November 6, 2002, Chicago City Council unanimously passed a Resolution condemning China on its persecution of Falun Dafa practitioners;

NOW THEREFORE BE IT RESOLVED THAT City Council request the incoming Council to consider proclaiming May 13 to 20, 2004, 'Falun Dafa Week', in remembrance of the 12th anniversary of the public practice of Falun Dafa;

AND BE IT FURTHER RESOLVED THAT Toronto City Council petition the Federal Government to request the Government of the People's Republic of China to cease its persecution of Falun Dafa practitioners and its representatives in Toronto, to cease their harassment of citizens and residents of Toronto who practice Falun Dafa and to cease their attempts to put pressure on officials of multiple levels of governments in Canada to refuse or withdraw support for Falun Dafa and its practitioners;

AND BE IT FURTHER RESOLVED THAT Toronto City Council and the Federal Government should use every appropriate public and private forum to urge the Government of the People's Republic of China:

- (1) to release from detention all Falun Dafa practitioners and put an end to the practices of torture and other cruel, inhumane and degrading treatment against them and other prisoners of conscience; and
- (2) to abide by the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights by allowing Falun Dafa practitioners to pursue their beliefs;

AND BE IT FURTHER RESOLVED THAT Toronto City Council support those who practice Falun Dafa and feel that what they are teaching and what they are practicing is a positive thing and would like the Chinese government to look at Toronto

and see what a good thing Falun Dafa has been to Toronto and to believe that, just as there is room for everyone in this City, so there should be room for everyone in a large and increasingly prosperous country like China;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Federal Government and its appropriate agencies to investigate allegations of illegal activities in Canada of the Government of the People’s Republic of China and its representatives and agents, including allegations of unlawful harassment of Canadian citizens and residents who practice Falun Dafa and of officials of Provincial and local governments in Canada who support Falun Dafa, and should take appropriate action, including but not limited to enforcement of the immigration laws, against any such representatives or agents who engage in such illegal activities;

AND BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to the Honourable Mr. Jean Cretien, Prime Minister of Canada, the Honourable Mr. John Manley, Deputy Prime Minister of Canada, the Honourable Mr. Bill Graham, Minister of Foreign Affairs, the Honourable Kofi Annan, General-Secretary of the United Nations, Mr. Hu Jintao, President of China, Mr. Wen Jiabao, Prime Minister of China, Mr. Jiang Zemin, Chairman of China’s Central Military Commission and Mr. Ping Mei, Chinese Ambassador in Canada.”

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion J(8), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Motion J(8), ruled such Motion ultra vires.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes – 21	
Councillors:	Ashton, Augimeri, Cho, Di Giorgio, Duguid, Filion, Flint, Ford, Hall, Holyday, Li Preti, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pitfield, Shiner, Silva, Soknacki
No – 18	

Councillors: Altobello, Balkissoon, Berardinetti, Bussin, Chow, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, McConnell, Miller, Pantalone, Rae, Shaw, Sutherland, Tziretas, Walker
--

Carried by a majority of 3.

7.84 **Proposed Ban on the Use of Diesel Powered Generators on City Property**

Councillor Berardinetti gave Notice of the following Motion J(9) to permit consideration at the next regular meeting of City Council scheduled to be held on June 24, 2003:

Moved by: Councillor Berardinetti

Seconded by: Councillor Chow

“WHEREAS the Government of Ontario, in an attempt to avoid blackouts this summer, issued a Request for Proposals on April 28, 2003, for diesel power generators; and

WHEREAS these power generators are mounted on tanker trucks and are comparable to giant construction machines that run at full throttle, for at least four hours, causing unacceptable levels of noise and air pollution; and

WHEREAS these diesel-fueled generators contributed to a record setting 27 smog advisory days last year in Ontario, which contribute to the death of 1,900 Ontarians annually; and

WHEREAS the Provincial Government is planning on installing some of these units close to residential areas;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto ban the use of diesel powered generators on all City of Toronto property;

AND BE IT FURTHER RESOLVED THAT this proposal by the Government of Ontario be examined by Toronto Board of Health for any potential environmental ramifications;

AND BE IT FURTHER RESOLVED THAT the City of Toronto, via letter to the Government of Ontario and all 22 Toronto area MPPs, request the Government of Ontario to look at safe and environmentally friendly alternatives for power generation.”

Fiscal Impact Statement:

City Council also had before it, for consideration with Notice of Motion J(9), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

7.85 Encroachment Agreements - 84 Highland Crescent, 100 Munro Boulevard, 111 Gordon Road and 96 Beechwood Avenue

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

Moved by: Councillor Flint

Seconded by: Councillor Johnston

“WHEREAS during the recent road construction on Birchwood Avenue, a hedge on the flankage of 84 Highland Crescent, a hedge on the flankage of 100 Munro Boulevard and 111 Gordon Road and various bushes on the flankage of 96 Beechwood Avenue, were removed to facilitate the new sidewalk; and

WHEREAS residents are looking forward to the replacement of the hedges and plantings as agreed, and in the case of 100 Munro Boulevard and 111 Gordon Road, as per Council’s direction; and

WHEREAS to replace the hedges and plantings near to their original location would entail planting on the City boulevard; and

WHEREAS at 84 Highland Crescent, it would be advisable for the new hedge to be located near the new retaining wall for safety reasons; and

WHEREAS at 100 Munro Boulevard, 111 Gordon Road and 96 Beechwood Avenue, the streetscape and adjoining properties would benefit by having the landscaping replaced as near as possible to the original location; and

WHEREAS this would necessitate encroachment agreements;

NOW THEREFORE BE IT RESOLVED THAT the City enter into encroachment agreements with the owners of the above properties to allow the aforementioned landscaping to be located as near as possible to that which was removed;

AND BE IT FURTHER RESOLVED THAT the planting be done by the contractor, as soon as possible, to the satisfaction of the supervising Engineer;

AND BE IT FURTHER RESOLVED THAT the encroachment agreements be registered on title;

AND BE IT FURTHER RESOLVED THAT the costs of the encroachment agreements to the residents be waived.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(10), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion was yet to be determined. (See Fiscal Impact Statement No. 8, Page 267)

Procedural Vote:

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

Vote:

Motion J(10) was adopted, without amendment.

7.86 **Annual Roncesvalles Village Octoberfest and Harvest Festival**

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

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Silva

“**WHEREAS** the Annual Roncesvalles Village Octoberfest and Harvest Festival is an

important festival activity within the City of Toronto and will be held on Saturday, September 20, 2003, from 12:00 noon to 12:00 midnight and Sunday, September 21, 2003, from 12:00 noon to 5:00 p.m.; and

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

WHEREAS the Annual Roncesvalles Village Oktoberfest and Harvest Festival is seeking to have patio liquor license extensions for all participating restaurants, which currently have a liquor licence, during the Roncesvalles Village Oktoberfest and Harvest Festival, to operate from 12:00 noon to 12:00 midnight on September 20, 2003 and from 12:00 noon to 5:00 p.m. on September 21, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the Annual Roncesvalles Village Oktoberfest and Harvest Festival to be a community festival.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(11), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(11) to the Humber York Community Council carried,

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

Vote:

Motion J(11) was adopted, without amendment.

7.87 FoodShare - Field to Table Day June 9, 2003

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

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor McConnell

“WHEREAS the City of Toronto is a leader in working towards food security, having adopted Canada’s first Food Charter and established Canada’s first Food Policy Council, and is dedicated to ensuring that all residents have access to affordable and healthy food; and

WHEREAS the City of Toronto supports many innovative and important initiatives, from farmers markets to community gardens in Toronto’s Parks and Housing buildings, to over 250 school and community-based student nutrition programs; and

WHEREAS food brings people together in celebration of community and diversity and is an important part of Toronto’s dynamic culture; and

WHEREAS FoodShare’s successful ‘Field to Table Program’, which was launched at Nathan Phillips Square on June 5, 1992, by then Mayor June Rowlands, now embarks on its second decade, and FoodShare will launch its new ‘Field to Table Campaign’ in June 2003;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto declare June 9, 2003, ‘Field to Table Day’, continuing its commitment to diverse and healthy food and communities.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(12), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary,

Page 255)

Procedural Vote:

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

Vote:

Motion J(12) was adopted, without amendment.

7.88 Rescheduling of Community Services Committee Meeting from June 5, 2003 to June 9, 2003

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

Moved by: Councillor Chow

Seconded by: Councillor Walker

“WHEREAS the Community Services Committee is scheduled to meet on June 5, 2003; and

WHEREAS the Toronto City Summit Alliance has announced that it plans to convene a second Toronto City Summit on June 5, 2003, to discuss implementation of its report, entitled ‘Enough Talk: An Action Plan for the Toronto Region’; and

WHEREAS City Council in August 2000, in its adoption of the Toronto Economic Development Strategy, identified as one of its priorities the convening of an annual City Summit and the establishment of a partnership to bring together representatives from business, labour, academia, arts and culture, not-for-profit, government and community organizations to promote Toronto, to advocate on behalf of Canada’s largest City, and to strengthen relationships between Toronto’s diverse communities; and

WHEREAS Toronto is now suffering extreme economic hardship, as a result of the recent SARS outbreak and participation at the Summit is of critical importance to the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Community Services Committee meeting be re-scheduled from Friday, June 5, 2003 to Monday, June 9,

2003.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(13), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Vote:

Motion J(13) was adopted, without amendment.

7.89 Request to Continue Funding for Senior and Adult Community-Based Educational Activities

Councillor I. Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Johnston

“**WHEREAS** the provincially-appointed Supervisor of the Toronto District School Board, Paul Christie, and the Director of the Toronto District School Board, David Reid, announced that the TDSB will no longer offer General Interest and Seniors’ Programs after the 2003 spring session; and

WHEREAS Citizens for Lifelong Learning has been formed to fight this decision and is asking Council to help in its efforts to persuade the provincial government to reverse the decision to cut programs for seniors; and

WHEREAS this action by the provincial government ends a proud tradition of over 100 years of delivery of important senior and adult programs across the City of Toronto; and

WHEREAS lifelong learning programs contribute to the health and well being of our citizens;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the Province of Ontario to amend the funding formula to authorize funds to continue the senior and adult community-based educational activities by Ontario School Boards;

AND IT BE FURTHER RESOLVED THAT Council request the Ministry of Education and the Toronto District School Board to reaffirm, by policy, declaration and

action, the social importance of ‘local and affordable’ educational activities for seniors and working adults.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(14) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(14), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(14) to the Community Services Committee, carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(14) was adopted, without amendment.

7.90 Implementation of Overnight On-Street Permit Parking - Crewe Avenue Between Westlake Avenue and Chisholm Avenue (Beaches-East York, Ward 31)

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

Moved by: Councillor Tziretas

Seconded by: Councillor Soknacki

“**WHEREAS** City Council, at its meeting held on April 14, 15 and 16, 2003, adopted, without amendment, Clause No. 33 of Report No. 4 of The Toronto East York Community Council, headed ‘Implementation of Overnight On-Street Permit Parking – Crewe Avenue between Westlake Avenue and Chisholm Avenue (Beaches-East York, Ward 31)’; and

WHEREAS, since that time, communications have been received by the Ward Councillor from concerned citizens respecting the implementation of overnight on-street permit parking on Crewe Avenue; and

WHEREAS the Ward Councillor desires, in view of the communications received, to conduct further community consultation on this matter;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 33 of Report No. 4 of The Toronto East York Community Council, headed 'Implementation of Overnight On-Street Permit Parking - Crewe Avenue between Westlake Avenue and Chisholm Avenue (Beaches-East York, Ward 31)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Clause be struck out and referred to the Manager, Right-of-Way Management, Transportation Services, District 1, and the Ward Councillor, with a request that they conduct further community consultation on this matter, and submit a report to the Toronto East York Community Council upon completion of the community consultation process.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(15), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion was yet to be determined. (See Fiscal Impact Statement No. 9, Page 268)

Vote:

The first Operative Paragraph embodied in Motion J(15) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(15) was adopted, without amendment.

Summary:

In adopting Motion J(15), without amendment, Council struck out and referred Clause No. 33 of Report No. 4 of The Toronto East York Community Council, headed “Implementation of Overnight On-Street Permit Parking - Crewe Avenue between Westlake Avenue and Chisholm Avenue (Beaches-East York, Ward 31)”, to the Manager, Right-of-Way Management, Transportation Services, District 1, and the Ward Councillor, with a request that they conduct further community consultation on this matter, and submit a report to the Toronto East York Community Council upon completion of the community consultation process.

7.91 Application for Demolition Approval - 1120 Weston Road

Councillor Nunziata moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Councillor Di Giorgio

“WHEREAS an application for a demolition permit has been submitted to the City by Ronald D. Gagliardi, Venchiarutt, Gagliardi Architect, on behalf of Mr. Martin Caplan, owner of the subject property; and

WHEREAS the subject property has been an eyesore to the community for a long period of time; and

WHEREAS the subject property will provide parking for a proposed new development by the owner adjacent to 1120 Weston Road; and

WHEREAS the proposed development is important to the revitalization of the Mount Denis Business Improvement Area; and

WHEREAS delay in issuing the demolition permit will compromise the proposed development at 1120 Weston Road, and thus jeopardise the efforts of the business owners to revitalise the Mount Dennis BIA; and

WHEREAS the subject property will also provide much needed parking to the existing business operated by the owner across from the subject lands;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached report dated May 12, 2003, from the Commissioner of Urban Development Services and that such report be adopted.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(16), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(16) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(16), a report dated May 12, 2003, from the Commissioner of Urban Development Services, entitled "Application for Demolition Approval – 1120 Weston Road; Applicant: Ronald D. Gagliardi (Verchiarutt, Gagliardi Architect); Owner: Martin Caplan; File Number: 10/14/1-1; (Ward 11 –York South-Weston)". (See Attachment No. 3, Page 223)

Vote:

Motion J(16) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated May 12, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

"It is recommended that:

- (1) the application to demolish the building at 1120 Weston Road be approved pursuant to By-law No. 3102-95 of the former City of York subject to a beautification agreement containing a beautification plan to be entered into with the City and registered on title to the lands prior to a demolition permit being issued;
- (2) staff be authorized to prepare the agreement in consultation with the Ward Councillor and the owner;
- (3) the owner be advised of the following:
 - (a) the requirement to receive the approval of the Commissioner of Works and Emergency Services and to obtain any construction and/or streetscape permits for all proposed work within the abutting public rights-of way prior to commencement of the work;
 - (b) the requirement to receive the approval of the Commissioner of Works and Emergency Services for any new access to the lot and for grading and drainage plans and any associated storm water management and sewer connection works prior to commencement of the work;
 - (c) a Building (Plumbing) permit will be required for any water or sewer system work that is to be undertaken on the site in relation to grading

and drainage and/or storm water management; and

- (d) that the conditions and requirements outlined in the Works and Emergency Services comments dated May 13, 2003, will be applied as part of the condition of approval for any development proposal for 1120 Weston property; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

7.92 Renewal of the City’s 2002-2003 Insurance Program

Councillor Holyday moved that in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to permit introduction of the following Notice of Motion J(17), which carried:

Moved by: Councillor Holyday

Seconded by: Councillor Ashton

“**WHEREAS** City Council approval is required for renewal of the City’s insurance policies at the May 1st and June 1st expiry dates; and

WHEREAS turbulence within the insurance industry prevented negotiations of the insurance policy details for the May 1st and June 1st, 2003 renewal to be finalized in sufficient time to meet City Council’s reporting requirements before the May 1st expiry date; and

WHEREAS at its meeting held on April 14, 15 and 16, 2003, City Council, by its adoption, as amended, of Clause No. 37 of Report No. 3 of The Administration Committee, headed ‘2002 – 2003 Insurance Program Renewal’, delegated authority to the Chief Financial Officer and Treasurer to negotiate the renewal of the City’s insurance policies at the May 1, 2003 and June 1, 2003 expiry dates, and on an interim basis to execute contracts of insurance and to report directly to the May 21, 2003 meeting of City Council on matters relating to the 2002-2003 Insurance Program;

NOW THEREFORE BE IT RESOLVED THAT the recommendations contained within the attached report dated May 15, 2003, from the Chief Financial Officer and Treasurer, entitled ‘2002 - 2003 Insurance Program Renewal’, be adopted in order to finalize the City’s insurance program for the term May 1, 2003 to June 1, 2004, and to complete the requirements of Council’s delegated authority.”

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(17), a Fiscal Impact

Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Council also had before it, during consideration of Motion J(17), a report dated May 15, 2003, from the Chief Financial officer and Treasurer, entitled "2002-2003 Insurance Program Renewal" (See Attachment No. 4, Page 227)

Vote:

Motion J(17) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated May 15, 2003, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

"It is recommended that:

- (1) the City renew the following insurance policies effective May 1, 2003, for a term of thirteen months and the June 1, 2003 policies, as outlined below in Table 1 (and as detailed in Attachment 1), plus applicable provincial taxes;

Table 1

Expiring vs. Renewal

Insurance Policy	Policy Term	P r e m i u m		
		Expiring	12 Month	For Common June 1, 2004 Expiry Date
Liability – Umbrella Excess	May 1, 2003 to June 1, 2004	520,000	1,173,198	1,272,920
Crime	May 1, 2003 to June 1, 2004	103,290	152,857	165,595
Property	June 1, 2003 to June 1, 2004	2,295,953	2,358,567	2,358,567
Boiler & Machinery	June 1, 2003 to June 1, 2004	126,256	165,195	165,195
Total		3,045,499	3,849,817	3,962,277

- (2) authority be granted to the Chief Financial Officer and Treasurer to enter into a Financial Security Agreement with ACE INA Insurance as required for the provision of automobile insurance with such agreement in a form and content satisfactory to the City Solicitor and to require from the City up to the maximum amount of \$5,000,000.00 in Government of Canada Bonds to be held in trust by ACE INA until such time as they are no longer required;
- (3) a premium expense of \$291,505.00 in addition to the \$6,724,461.00 amount previously authorized by Council be authorized for liability policies to provide the same insurance limits as the expiring program for the term May 23, 2003

to June 1, 2004, as outlined below in Table 2 (and as detailed in Attachment 1), plus applicable provincial taxes; and

Table 2
 Additional Liability Premium for Excess Policies

Insurance Company	Insurance Limit \$	13 Month Premium \$
AIG (London)	\$5M XS of \$53M underlying liability policies XS of \$3M SIR	61,630
Gerling	\$15M XS of \$58M underlying liability policies XS of \$3M SIR	162,750
St. Paul	\$25M XS of \$73M underlying liability policies XS of \$3M SIR	67,125
Total	\$45M XS of \$53M underlying liability policies XS of \$3M SIR for a total insured limit of \$101M	291,505

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

7.93 **Request for Removal of Tree – 2 Edilou Drive**

Councillor I. Jones moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(18), moved by Councillor I. Jones, seconded by Councillor Lindsay Luby, and, in the absence of Councillor Lindsay Luby, moved by Councillor I. Jones, seconded by Councillor Nunziata, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Nunziata

“**WHEREAS** the Norway Maple tree on the lawn at 2 Edilou Drive is in decline, although by no means does it pose any danger to persons or property; and

WHEREAS the owner of the property has repeatedly requested that the tree be removed; and

WHEREAS the owner of the property has requested that a Japanese Lilac tree be planted in place of the Norway Maple tree; and

WHEREAS the owner of the property, Ms. Helen Wursta, has agreed to bear the expense of the Japanese Lilac tree;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the Forestry

Division to remove the Norway Maple tree from 2 Edilou Drive and replace it with a Japanese Lilac tree, the expense of this to be borne by Ms. Helen Wursta.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(18), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

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

Vote:

Motion J(18) was adopted, without amendment.

7.94 First Parliament Site – 265-271 Front Street East

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

Moved by: Councillor McConell

Seconded by: Councillor Ootes

“WHEREAS on February 24, 1997, the former City of Toronto Council designated the site of the First Parliament of Upper Canada at 265 – 271 Front Street East and 25 Berkeley Street under the Ontario Heritage Act; and

WHEREAS the King-Parliament Community Improvement Plan, adopted by the former City of Toronto Council on September 23, 1997, identified the First Parliament site as a community improvement project; and

WHEREAS archaeological studies conducted at the direction of City Council and undertaken in October and November 2000, have proven the existence of the remains of First Parliament buildings at this site; and

WHEREAS these remains include limestone foundations, burnt floorboards from the War of 1812 and various artifacts; and

WHEREAS in September 2002, the Ontario Municipal Board approved a site plan application made by the current owners of 265 Front Street East to facilitate the construction of a Porsche dealership; and

WHEREAS archaeology is primarily a provincial responsibility; and

WHEREAS widespread community support exists both within the City of Toronto and throughout the Province of Ontario to bring the site into public ownership and to preserve and recognize the site;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council call on the Ontario Government to immediately declare a provincial interest in the lands containing the remains of Upper Canada's First Parliament Site and acquire the site for public use;
- (2) the Province be requested to explore locating the Provincial Archives to this site;
- (3) City Council instruct our staff negotiations team, working under the direction of the Commissioner of Economic Development, Culture and Tourism, to work in tandem with the Province and its agencies to find a rapid resolution to this issue;
- (4) the staff team involve the Toronto Parking Authority, the Toronto Public Library Board and/or any other appropriate City agencies to help find a creative and affordable solution;
- (5) the staff team, in concert with the Province, develop a comprehensive package of options to be forwarded to the owners, and that these options include, but not be limited to, the following:
 - (a) the ORC-owned site on Eastern Avenue, formerly known as the Elte Carpet site;
 - (b) the partial severing of the current Toronto Library Board site on Parliament Street and the reconfiguration of the existing buildings;
 - (c) the provincial purchase of other lands currently in private hands with the intention of facilitating a land swap; and
 - (d) the provincial purchase of the site; and
- (6) the staff team report back directly to the June 2003, meeting of City Council on

the progress of negotiations and/or a resolution.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(19) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(19), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(19) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor McConnell moved that Motion J(19) be adopted subject to amending Part (5) of the Operative Paragraph by:

- (1) adding the following new Part (5)(a) and renumbering the remaining Parts accordingly:

“(a) any available City-owned lands;” and

- (2) adding to the new Part (5)(b), the words “or any other Provincially-owned lands”;

so that Part (5) of the Operative Paragraph, as amended, shall now read as follows:

“(5) the staff team, in concert with the Province, develop a comprehensive package of options to be forwarded to the owners, and that these options include, but not be limited to, the following:

- (a) any available City-owned lands;
- (b) the ORC-owned site on Eastern Avenue, formerly known as the Elte Carpet site, or any other Provincially-owned lands;
- (c) the partial severing of the current Toronto Library Board site on

Parliament Street and the reconfiguration of the existing buildings;

- (d) the provincial purchase of other lands currently in private hands with the intention of facilitating a land swap; and
- (e) the provincial purchase of the site; and”.

Votes:

The motion by Councillor McConnell carried.

Adoption of Motion J(19), as amended:

Yes – 38	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No – 1	
Councillor:	Ford

Carried by a majority of 37.

7.95 **City of Toronto’s Economic Recovery from the SARS Outbreak**

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

Moved by: Councillor Shiner

Seconded by: Councillor Ootes

“**WHEREAS** Council at its special meeting held on April 24, 2003, was advised by Mayor Lastman that he had established the SARS Advisory Task Force to the Mayor (now known as the Mayor’s ‘Toronto You Belong Here’ Task Force), with a mandate

to address the City's social and economic recovery following the SARS outbreak by addressing the public health needs of the City, combating fears, promoting Toronto to Torontonians, business and leisure travellers, and ensuring economic relief for individuals and businesses; and

WHEREAS the Task Force has been working actively since April 24th to develop and implement a comprehensive campaign along with detailed workplans to address these objectives; and

WHEREAS Council at its special meeting held on April 24, 2003, requested the Chief Financial Officer and Treasurer to report on a financing source for the City's share of funding for economic relief to businesses for the year 2003 due to Severe Acute Respiratory Syndrome (SARS) related costs incurred up to May 2, 2003; and

WHEREAS the City has committed to co-finance with the other levels of government, a program to assist with economic recovery of business, the City's share being \$5 million of the initial \$25 million and a further \$500,000.00 as seed funding to develop a comprehensive action plan to address economic and tourism impacts of SARS; and

WHEREAS the 2003 Operating Budget contains no provision for unanticipated expenditures nor is there a contingency account set up for such purposes, and any incremental SARS related expenditures will result in a pressure on the 2003 Operating Budget; and

WHEREAS a recommended interim financing source for the \$5 million economic recovery commitment is the Land Acquisition Reserve Fund; the purpose of this reserve fund is to provide funding for various capital projects from the net sale proceeds generated from the disposal of surplus properties; and

WHEREAS authorization is required to close the Marketing Campaign Reserve Fund (\$4,257.00), the Special Events Reserve Fund (\$216,166.00), the Special Festival Events Reserve Fund (\$48,479.00), the Bi-Centennial Celebrations Reserve Fund (\$108,563.00) and the 200th Birthday Reserve Fund (\$2,468.00) with a total balance of \$379,933.00; and

WHEREAS the \$500,000.00 seed funding could be partially financed from balances in a number of inactive reserve funds totalling \$379,933.00 and the net shortfall of \$120,067.00 would be temporarily financed from the Land Acquisition Reserve Fund;

NOW THEREFORE BE IT RESOLVED THAT Council consider the following reports and that such reports be adopted:

- (1) (May 15, 2003) from the Chief Financial Officer and Treasurer, entitled

‘Funding the City’s Contribution to Economic Recovery from SARS’; and

- (2) (May 21, 2003) from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, entitled ‘Mayor’s SARS Recovery Task Force – Status Report’.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(20), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 10, Page 269)

Procedural Vote:

The vote to waive referral of Motion J(20) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(20), the following reports:

- (a) (May 15, 2003) from the Chief Financial Officer and Treasurer, entitled “Funding the City’s Contribution to Economic Recovery from SARS” (See Attachment No. 5, Page 236); and
- (b) (May 21, 2003) from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, entitled “Mayor’s SARS Recovery Task Force – Status Report” (See Attachment No. 6, Page 242).

Motions:

- (a) Councillor Mammoliti moved that Motion J(20) be amended by adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT, in an effort to showcase the Toronto Zoo and the City of Toronto, the first day of the regular meeting of City Council scheduled to be held on July 22, 23 and 24, 2003, be held at the Toronto Zoo;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to join with officials from the Toronto Zoo to establish a strategic plan to assist with promotion of the Toronto Zoo, including advertising and other related activities.”

- (b) Councillor Shiner, seconded by Councillor Rae, moved that Motion J(20) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council adopt the following motion:

‘Moved by: Councillor Shiner

Seconded by: Councillor Rae

WHEREAS the Sudden Acute Respiratory Syndrome (SARS) outbreak in Toronto has resulted in financial hardship to hospitality-related businesses; and

WHEREAS hospitality-related businesses contribute significantly to the City’s employment, economic and property tax base; and

WHEREAS Toronto City Council, at its meeting of April 24, 2003, recognized the need to provide hardship relief to businesses affected by SARS, in conjunction with other recovery initiatives; and

WHEREAS the requirement to pay the final instalment of 2003 property taxes in full, over three instalments with due dates of July 2, August 1, and September 2, 2003, may result in financial hardship for SARS-affected businesses; and

WHEREAS the City currently offers the option to spread the final tax bill over six instalments, from July through December, through its pre-authorized property tax payment program provided the tax account is in good standing and an application is received prior to March 14th, 2003; and

WHEREAS spreading the final property tax bill over 6 instalments from July through December will ameliorate some of the financial hardship being experienced by these businesses;

NOW THEREFORE BE IT RESOLVED THAT businesses who have not previously enrolled in the City’s 2003 pre-authorized property tax payment program (PTP) and whose tax account is in good standing, be permitted to make application up to June 16, 2003, to enrol in this program to allow the

2003 final tax bill to be paid over six instalments by way of pre-authorized payment, subject to the other terms and conditions of the PTP program;

AND BE IT FURTHER RESOLVED THAT, where assessed owners of commercial properties who have not enrolled in the City's 2003 pre-authorized property tax payment program (PTP) and whose tax account is in good standing, be permitted to apply to the Chief Financial Officer and Treasurer up to June 16, 2003, to enrol in a new program to allow the 2003 final tax bill to be paid over six instalments by way of post-dated cheque delivered to the Treasurer by June 16, 2003, which cheques shall be dated as follows:

- July 2, 2003;
- August 1, 2003;
- September 2, 2003;
- October 1, 2003;
- November 3, 2003; and
- December 1, 2003;

AND BE IT FURTHER RESOLVED THAT authority be granted for the introduction of the necessary bill in Council to give effect hereto.' ”

Councillor Nunziata in the Chair.

- (c) Councillor Ashton, seconded by Councillor Johnston, moved that Motion J(20) be amended by adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the Mayor, in consultation with the Chief Administrative Officer, be requested to convene a ‘SARS Review Panel’ to review and evaluate the response by the City of Toronto and its Agencies, Boards and Commissions, to the SARS outbreak;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, be requested to:

- (1) prepare a position paper respecting the City of Toronto and the provincial and federal government roles, mandates and programs relative to the economic and social impact of public health issues like SARS, and that this position paper be presented to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario at the earliest possible time; and
- (2) prepare a strategic advocacy program designed to promote funding policies and practices that include, but are not limited to, defined funding models and designated, reserved funding sources (e.g. National Health Disaster Relief

Fund), necessary to enshrine high level public health response capabilities and economic and social recovery mechanisms;

AND BE IT FURTHER RESOLVED THAT Council:

- (1) affirm the necessity of developing federal policies, programs and funding models sufficient to ensure a comprehensive, co-ordinated, tri-level response to public health issues like SARS; and
- (2) request the Federation of Canadian Municipalities, in co-operation with the City of Toronto and other appropriate City partners, to request the Prime Minister to convene a panel composed of City and federal officials to address this nationally important issue,

and that these initiatives be conveyed to the Federation of Canadian Municipalities at its annual meeting to be held in Winnipeg from May 30 - June 2, 2003;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, be requested to report on opportunities to engage the U.S. National League of Cities in promoting Toronto's message and sharing Toronto's experiences in combating the SARS outbreak."

- (d) Councillor Mihevc moved that Motion J(20) be amended by adding thereto the following new Operative Paragraphs:

"AND BE IT FURTHER RESOLVED THAT Council adopt the following motion:

'WHEREAS Toronto Public Health has absolutely no "surge capacity" to address urgent health issues, such as the SARS outbreak; and

WHEREAS Toronto Public Health has a 2003 gapping target of 4 percent, keeping in mind that the City departmental average is 2 percent;

NOW THEREFORE BE IT RESOLVED THAT Toronto Public Health be given authority to reduce their gapping by 1 percent in 2003 (costing 50 percent of \$1.03 million), and that staff include, as part of the 2004 budget process, plans for a further 1 percent reduction in gapping;

AND BE IT FURTHER RESOLVED THAT the Public Health Unit be authorized to immediately begin the process of staged hiring of staff (approximately 46 new hires) to manage SARS on a more adequate basis, and that this be funded 100 percent by the Province, and further, that the Chief Administrative Officer and the Medical Officer of Health be requested to submit a joint report to the Policy and Finance Committee and the Board of Health should this funding not be forthcoming;

AND BE IT FURTHER RESOLVED THAT the Mayor and the Chair of the Board of Health, supported by appropriate City officials, be requested to meet with the Provincial Minister of Health, on an urgent basis, to urge the Province to reimburse the City's costs related to SARS and to support on-going SARS work;

AND BE IT FURTHER RESOLVED THAT the City of Toronto recognize the hardship suffered by laid-off hotel, restaurant and hospitality workers by supporting the Hotel Employees, Restaurant Employees Union Local 75 (HERE), in a joint labour-management adjustment retention project, and specifically by providing 3000-4000 square feet of space in a City-owned facility for one year, or by paying for leased space for one year, such funding and support to be contingent on the Federal and Provincial Governments providing the necessary training and education funding.”

- (e) Councillor Chow moved that Motion J(20) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, be requested to:

- (1) prepare a summary of actions needed from the Province of Ontario, with issues including public health funding, release of the \$10 million, tourism promotion, hardship relief through Ontario Works and the creation of an emergency fund, and that the summary be sent to the Association of Municipalities of Ontario (AMO) for support, and further, that the Mayor and the Task Force members seek an urgent meeting with the Premier of Ontario to press for an immediate response to the City's request; and
- (2) prepare a summary of actions needed from the Federal Government, with issues such as Employment Insurance criteria, tourism promotion outside Toronto and Canada and emergency funding for hardship relief, and that the summary be sent to the Federation of Canadian Municipalities (FCM) for its annual meeting in Winnipeg for support, and further, that the Mayor and the Task Force members seek an urgent meeting with the Prime Minister of Canada and/or his designate (HRDC, Industry Canada, Health Canada, Chair of Toronto Caucus and federal leadership candidates) to press for an immediate response to the City's request.”

- (f) Councillor Flint moved that Motion J(20) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the hours of the SARS hotline be extended to operate between the hours of 7:30 a.m. and 8:30 p.m., as needed.”

- (g) Councillor Milczyn moved that the second new Operative Paragraph embodied in motion (d) by Councillor Mihevc be amended by inserting, after the words “staged hiring of staff”, the words “on a temporary basis”.
- (h) Councillor Walker moved that Motion J(20) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Medical Officer of Health, in consultation with the Chief Financial Officer and Treasurer, be requested to submit a report to the Board of Health on the feasibility of isolating individuals entering the City of Toronto through the airport on flights which have arrived from areas identified by the World Health Organization (WHO) as being ‘SARS-affected’ .”

Permission to Withdraw Motion:

Councillor Mihevc, with the permission of Council, withdrew the first new Operative Paragraph embodied in his motion (d).

Votes:

Adoption of the first new Operative Paragraph embodied in motion (a) by Councillor Mammoliti, moved by Councillor Korwin-Kuczynski in the absence of Councillor Mammoliti:

Yes - 11	
Councillors:	Augimeri, Balkissoon, Bussin, I. Jones, Korwin-Kuczynski, McConnell, Mihevc, Moscoe, Shaw, Tziretas, Walker
No - 20	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Chow, Di Giorgio, Duguid, Flint, Ford, Hall, Holyday, Johnston, L. Jones, Lindsay Luby, Milczyn, Miller, Nunziata, Pantalone, Rae, Shiner, Sutherland

Lost by a majority of 9.

The second new Operative Paragraph embodied in motion (a) by Councillor Mammoliti, moved by Councillor Korwin-Kuczynski in the absence of Councillor Mammoliti, carried.

Councillor Shiner requested that his opposition to the second new Operative Paragraph embodied in motion (a) by Councillor Mammoliti, moved by Councillor Korwin-Kuczynski in the absence of Councillor Mammoliti, be noted in the minutes of this meeting.

Adoption of motion (b) by Councillor Shiner, seconded by Councillor Rae:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Pantalone, Rae, Shaw, Shiner, Sutherland, Tziretas, Walker
No - 4	
Councillors:	Ford, Holyday, Moscoe, Nunziata

Carried by a majority of 25.

Motion (c) by Councillor Ashton, seconded by Councillor Johnston, carried.

Adoption of motion (g) by Councillor Milczyn:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Bussin, Chow, Dominelli, Duguid, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Rae, Shaw, Shiner, Sutherland, Tziretas
No - 8	
Councillors:	Ashton, Di Giorgio, Flint, Johnston, I. Jones, McConnell, Nunziata, Walker

Carried by a majority of 17.

Adoption of the second new Operative Paragraph, as amended, and the third new Operative Paragraph, as embodied in motion (d) by Councillor Mihevc:

Yes - 29	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Rae, Shaw, Shiner, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Nunziata

Carried by a majority of 26.

Adoption of the balance of motion (d) by Councillor Mihevc:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Flint, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Tziretas, Walker
No - 5	
Councillors:	Ford, Hall, Holyday, Lindsay Luby, Shiner

Carried by a majority of 23.

Motion (e) by Councillor Chow carried.

Adoption of motion (f) by Councillor Flint:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Shaw, Shiner, Silva, Tziretas, Walker
No - 2	
Councillors:	Holyday, Rae

Carried by a majority of 28.

Motion (h) by Councillor Walker carried.

Adoption of Motion J(20), as amended:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 30.

Motion to Re-Open:

Councillor Shiner, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(20) be re-opened for further consideration, in order to permit a recorded vote on motion (h) by Councillor Walker, which carried, more than two-thirds of Members present having voted in the affirmative.

Votes:

Adoption of motion (h) by Councillor Walker:

Yes - 13	
Councillors:	Altobello, Ashton, Balkissoon, Flint, Ford, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Milczyn, Silva, Tziretas, Walker
No - 20	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Di Giorgio, Dominelli, Duguid, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner

Lost by a majority of 7.

Adoption of Motion J(20), as amended:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Hall, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Shiner, Silva, Tziretas, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 31.

In summary, Council adopted Motion J(20), subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT Council:

- (1) affirm the necessity of developing federal policies, programs and funding models sufficient to ensure a comprehensive, co-ordinated, tri-level response to public health issues like SARS; and
- (2) request the Federation of Canadian Municipalities, in co-operation with the City of Toronto and other appropriate City partners, to request the Prime Minister to convene a panel composed of City and federal officials to address this nationally important issue,

and that these initiatives be conveyed to the Federation of Canadian Municipalities at its annual meeting to be held in Winnipeg from May 30 - June 2, 2003;

AND BE IT FURTHER RESOLVED THAT the Mayor, in consultation with the Chief Administrative Officer, be requested to convene a ‘SARS Review Panel’ to review and evaluate the response by the City of Toronto and its Agencies, Boards and Commissions, to the SARS outbreak;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, be requested to:

- (1) prepare a summary of actions needed from the Province of Ontario, with issues including public health funding, release of the \$10 million, tourism promotion, hardship relief through Ontario Works and the creation of an emergency fund, and that the summary be sent to the Association of Municipalities of Ontario (AMO) for support, and further, that the Mayor and the Task Force members seek an urgent meeting with the Premier of Ontario to press for an immediate response to the City’s request;
- (2) prepare a summary of actions needed from the Federal Government, with issues such as Employment Insurance criteria, tourism promotion outside Toronto and Canada and emergency funding for hardship relief, and that the summary be sent to the Federation of Canadian Municipalities (FCM) for its annual meeting in Winnipeg for support, and further, that the Mayor and the Task Force members seek an urgent meeting with the Prime Minister of Canada and/or his designate (HRDC, Industry Canada, Health Canada, Chair of Toronto Caucus and federal leadership candidates) to press for an immediate response to the City’s request;

- (3) prepare a strategic advocacy program designed to promote funding policies and practices that include, but are not limited to, defined funding models and designated, reserved funding sources (e.g. National Health Disaster Relief Fund), necessary to enshrine high level public health response capabilities and economic and social recovery mechanisms;
- (4) prepare a position paper respecting the City of Toronto and the provincial and federal government roles, mandates and programs relative to the economic and social impact of public health issues like SARS, and that this position paper be presented to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario at the earliest possible time; and
- (5) report on opportunities to engage the U.S. National League of Cities in promoting Toronto's message and sharing Toronto's experiences in combating the SARS outbreak;

AND BE IT FURTHER RESOLVED THAT the Public Health Unit be authorized to immediately begin the process of staged hiring of staff on a temporary basis (approximately 46 new hires) to manage SARS on a more adequate basis, and that this be funded 100 percent by the Province, and further, that the Chief Administrative Officer and the Medical Officer of Health be requested to submit a joint report to the Policy and Finance Committee and the Board of Health should this funding not be forthcoming;

AND BE IT FURTHER RESOLVED THAT the Mayor and the Chair of the Board of Health, supported by appropriate City officials, be requested to meet with the Provincial Minister of Health, on an urgent basis, to urge the Province to reimburse the City's costs related to SARS and to support on-going SARS work;

AND BE IT FURTHER RESOLVED THAT the City of Toronto recognize the hardship suffered by laid-off hotel, restaurant and hospitality workers by supporting the Hotel Employees, Restaurant Employees Union Local 75 (HERE), in a joint labour-management adjustment retention project, and specifically by providing 3000-4000 square feet of space in a City-owned facility for one year, or by paying for leased space for one year, such funding and support to be contingent on the Federal and Provincial Governments providing the necessary training and education funding;

AND BE IT FURTHER RESOLVED THAT Council adopt the following motion:

'Moved by: Councillor Shiner
Seconded by: Councillor Rae

"WHEREAS the Sudden Acute Respiratory Syndrome (SARS) outbreak in

Toronto has resulted in financial hardship to hospitality-related businesses; and

WHEREAS hospitality-related businesses contribute significantly to the City's employment, economic and property tax base; and

WHEREAS Toronto City Council, at its meeting of April 24, 2003, recognized the need to provide hardship relief to businesses affected by SARS, in conjunction with other recovery initiatives; and

WHEREAS the requirement to pay the final instalment of 2003 property taxes in full, over three instalments with due dates of July 2, August 1, and September 2, 2003, may result in financial hardship for SARS-affected businesses; and

WHEREAS the City currently offers the option to spread the final tax bill over six instalments, from July through December, through its pre-authorized property tax payment program provided the tax account is in good standing and an application is received prior to March 14th, 2003; and

WHEREAS spreading the final property tax bill over 6 instalments from July through December will ameliorate some of the financial hardship being experienced by these businesses;

NOW THEREFORE BE IT RESOLVED THAT businesses who have not previously enrolled in the City's 2003 pre-authorized property tax payment program (PTP) and whose tax account is in good standing, be permitted to make application up to June 16, 2003, to enrol in this program to allow the 2003 final tax bill to be paid over six instalments by way of pre-authorized payment, subject to the other terms and conditions of the PTP program;

AND BE IT FURTHER RESOLVED THAT, where assessed owners of commercial properties who have not enrolled in the City's 2003 pre-authorized property tax payment program (PTP) and whose tax account is in good standing, be permitted to apply to the Chief Financial Officer and Treasurer up to June 16, 2003, to enrol in a new program to allow the 2003 final tax bill to be paid over six instalments by way of post-dated cheque delivered to the Treasurer by June 16, 2003, which cheques shall be dated as follows:

- July 2, 2003;
- August 1, 2003;
- September 2, 2003;
- October 1, 2003;
- November 3, 2003; and

- December 1, 2003;

AND BE IT FURTHER RESOLVED THAT authority be granted for the introduction of the necessary bill in Council to give effect hereto.’;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to join with officials from the Toronto Zoo to establish a strategic plan to assist with promotion of the Toronto Zoo, including advertising and other related activities;

AND BE IT FURTHER RESOLVED THAT the hours of the SARS hotline be extended to operate between the hours of 7:30 a.m. and 8:30 p.m., as needed.”

Council, by its adoption of Motion J(20), as amended, adopted, without amendment, the following reports:

- (I) (May 15, 2003) from the Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) the Chief Financial Officer and Treasurer be authorized to recover all SARS related operating expenditures from the Province;
- (2) the \$5 million committed by City Council to assist with the economic recovery of businesses in the City of Toronto be financed temporarily from the Land Acquisition Reserve Fund;
- (3) Council authorize closure of the Marketing Campaign (\$4,257.00), Special Events (\$216,166.00), Special Festival Events (\$48,479.00), Bi-centennial Celebrations (\$108,563.00) and 200th Birthday (\$2,468.00) Reserve Funds with a total balance of \$379,933.00;
- (4) the balances of the reserve funds identified for closure in Recommendation No. (3) above, totalling \$379,933.00 be transferred to a non-program account for the purpose of partially financing the City’s \$500,000.00 seed funding commitment to develop a comprehensive action plan to address the economic and tourism impacts of SARS, and further, that the difference of \$120,067.00 be financed temporarily from the Land Acquisition Reserve Fund;
- (5) staff from all City Agencies, Boards, Commissions and Departments be directed to make every effort to minimize reallocation of under-expenditures during the 2003 fiscal year and that any available surplus

at year end be first used to reimburse the Land Acquisition Reserve Fund for the \$5,120,067.00 borrowed to temporarily finance Council's SARS initiatives;

- (6) the 2003 Operating Budget be adjusted by \$5.5 million gross and zero net, to be financed first from the balances in special events reserve funds identified for closure and then through contributions from the Land Acquisition Reserve Fund, be approved and that the budget for SARS economic recovery be placed in a non-program account;
 - (7) the Chief Financial Officer and Treasurer be authorized to draw up to \$5,120,067.00 from the Land Acquisition Reserve Fund on an as needed basis;
 - (8) the Chief Financial Officer and Treasurer monitor City spending and report back on the status of SARS related costs and spending, as part of the quarterly variance reports; and
 - (9) the appropriate City officials be authorized to the necessary action to give effect thereto.”; and
- (II) (May 21, 2003) from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, embodying the following recommendations:

“It is recommended that:

- (1) Council endorse and provide concurrence with the actions taken to-date by the SARS Advisory Task Force to the Mayor;
- (2) the City's SARS economic recovery and hardship relief initiatives be deemed to be municipal purposes and that the Chief Financial Officer and Treasurer be directed to issue income tax receipts for eligible donations;
- (3) the 2003 operating budgets for the donation programs be increased commensurate with the value of donations received and that the Task Force and appropriate City staff be authorized to approve expenditures equivalent to the value of donations received for each of the two purposes;
- (4) staff report back in September on the actions of Task Force to that date, the impact of the ‘Toronto: You Belong Here’ campaign, and the value

of donations received; and

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

7.96 Installation of Street Lighting – Mathersfield Drive (Ward 27 – Toronto Centre-Rosedale)

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

Moved by: Councillor Rae

Seconded by: Councillor Pitfield

“**WHEREAS** residents of Mathersfield Drive have requested permission from the City of Toronto to replace, at the residents’ own expense, the existing street lights on Mathersfield Drive with more attractive street lights; and

WHEREAS the residents wish to have the new street lights installed as soon as possible; and

WHEREAS by a report dated May 21, 2003 to City Council, the Commissioner of Works and Emergency Services recommends that permission be granted, subject to certain conditions;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the report dated May 21, 2003, from the Commissioner of Works and Emergency Services.”

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(21), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

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

Council also had before it, during consideration of Motion J(21), a report dated May 21, 2003, from the Commissioner of Works and Emergency Services, entitled "Amendment to South Rosedale Subdivision Agreement; Installation of Street Lighting - Mathersfield Drive (Ward 27-Toronto Centre-Rosedale)" (See Attachment No. 7, Page 253).

Vote:

Motion J(21) was adopted, without amendment, and in so doing, Council adopted, without amendment, the report dated May 21, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

"It is recommended that:

- (1) the South Rosedale Subdivision Agreement be amended in accordance with the contents of this report to release the developer and the builder from responsibilities regarding street lighting on Mathersfield Drive, such amending agreement to be to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor;
- (2) the amendment of the South Rosedale Subdivision Agreement in Recommendation No. (1) be approved on condition that:
 - (a) the residents of Mathersfield Drive enter into a contract with a contractor acceptable to the Commissioner of Works and Emergency Services for the installation of seventeen (17) street lights on Mathersfield Drive, such installation to be in accordance with plans and specifications approved by the Street and Expressway Lighting Unit of the Works and Emergency Services Department;
 - (b) the contract for the installation of the street lighting provide for a minimum maintenance/warranty period of one year from the date of substantial completion;
 - (c) the residents provide evidence to the satisfaction of the Commissioner of Works and Emergency Services that adequate funds have been raised by the residents to cover the entire cost of the contract for the installation of the street lights and that the contract will be administered to comply with the provisions of the Construction Lien Act and all other applicable legislation; and
 - (d) the resident's contractor obtain a right-of-way management permit from

the Works and Emergency Services Department with respect to the proposed street lighting installation; and

- (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect to the above.”

7.97 **Funding for Additional TTC Services for Scadding Court Community Centre Events**

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

Moved by: Councillor Miller

Seconded by: Councillor Moscoe

“**WHEREAS** the City of Toronto has implemented a SARS Economic Recovery initiative, known as ‘Toronto: You Belong Here’, the objective of which is to help reverse the negative economic effects of the SARS episode; and

WHEREAS as part of this initiative, the City of Toronto is encouraging citizens, community groups, and business associations to help re-energize and revitalize the spirit, liveliness, and economic strength of our City; and

WHEREAS consistent with this concerted effort, the Scadding Court Community Centre is co-ordinating two major events known as Dragon Fest and the Downtown Chinatown Festival which are targeted at attracting tourists and residents to visit and patronize Toronto’s local Chinese business communities; and

WHEREAS the occurrence of these two events will require the Toronto Transit Commission to alter and augment its services which operate through these communities, at a cost to the TTC of approximately \$20,000.00; and

WHEREAS in its ongoing efforts to balance its budget, the TTC has a policy of recovering such additional costs from the groups which sponsor the events or festivals; and

WHEREAS the Scadding Court Community Centre is a non-profit organization which does not have the financial resources to pay the TTC for these additional costs; and

WHEREAS these events should take place because they are an important part of the City’s efforts to revive its economy;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto agrees to fully compensate the TTC for the \$20,000.00 cost which it will incur as a result of the

service changes necessary to accommodate the Dragon Fest and Downtown Chinatown Festival events;

AND BE IT FURTHER RESOLVED THAT Council refer this matter to the Mayor's 'Toronto: You Belong Here' Task Force to ensure that this payment to the TTC is transacted in a timely way."

Advice by Deputy Mayor:

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(22), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 11, Page 270)

Procedural Vote:

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

Vote:

Motion J(22) was adopted, without amendment.

7.98 Indemnification of Police Officers

Councillor Walker moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Sutherland

“WHEREAS Police Officers of the Toronto Police Service are requesting the continuance of a condition of their employment that indemnifies Police Officers against costs if named in a civil lawsuit stemming from the performance of their duties; and

WHEREAS Police Officers were indemnified by the former Metropolitan Toronto against all civil actions until the amalgamation of Toronto in 1997; and

WHEREAS the appointment of the present Members of the Toronto Police Services Board expires with the upcoming provincial and municipal elections; and

WHEREAS civil charges can be made against Police Officers for many reasons including frivolous and vexatious reasons; and

WHEREAS it should not be a discretionary power of the Toronto Police Services Board to grant insurance coverage to a Police Officer for legal representation in a civil law suit based upon their interpretation of whether that Officer was 'acting in good faith'; and

WHEREAS the policy of the Toronto Police Services Board of providing indemnification of Police Officers subjected to civil law suits while acting in the line of duty in an arbitrary, case-by-case basis, puts Officers under the threat of significant personal financial loss; and

WHEREAS such a policy is open to subjective interpretation, favouritism and other forms of abuse that can lead to declining morale among individual Police Officers and their families and the Force as a whole; and

WHEREAS it is simply wrong in principle that a Police Officer could be 'left out to dry' by his/her employer without legal representation;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council state to the Toronto Police Services Board its desire that all Members of the Toronto Police Service must receive legal representation for any civil action that results from the performance of their duties and instruct its representatives to vote for this insurance coverage;

AND BE IT FURTHER RESOLVED THAT Toronto City Council re-iterate its' continued confidence in the Police Officers of the Toronto Police Service."

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion J(23), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion was yet to be determined. (See Fiscal Impact Statement No. 12, Page 271)

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Motion J(23), ruled such Motion ultra vires.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 22	
Councillors:	Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Filion, Ford, Hall, Holyday, L. Jones, Korwin-Kuczynski, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Rae, Shiner, Soknacki, Tziretas
No - 15	
Councillors:	Altobello, Ashton, Berardinetti, Johnston, I. Jones, Kelly, Li Preti, Mammoliti, McConnell, Miller, Pitfield, Shaw, Silva, Sutherland, Walker

Carried by a majority of 7.

7.99 **Settlement Offer - Official Plan and Zoning By-law Amendments – 4691 Bathurst Street, 500 Ellerslie Avenue and 45-51 Farrell Avenue (Ward 23 – Willowdale)**

Councillor Filion moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Mammoliti

“WHEREAS at its meeting held on April 14, 15 and 16, 2003, City Council adopted, as amended, Clause No. 18 of Report N o. 3 of The North York Community Council, headed “Final Report - Application to Amend the Official Plan and Zoning By-law 7625 - TB CMB 2002 0010 - 1379288 Ontario Corporation - 4691 Bathurst Street, 500 Ellerslie Avenue and 45-51 Farrell Avenue - Ward 23 - Willowdale”, and thereby directed the City Solicitor to oppose at the OMB the applications for Official Plan and Zoning By-law Amendments and site plan approval with respect to a proposed 61-unit townhouse project at 4691 Bathurst Street, 500 Ellerslie Avenue and 45-51 Farrell Avenue; and

WHEREAS the OMB has scheduled a Motion on June 13, 2003, to determine the key issue of road width; and

WHEREAS the applicant has made a settlement offer and has revised the site plan with respect the eastern transition of the project and the channelization of the road; and

WHEREAS the City Solicitor wishes to report upon the proposed settlement and obtain further directions in respect of the OMB Motion; and

WHEREAS it is appropriate to consider the confidential report dated May 15, 2003, from the City Solicitor at this meeting, as it is time sensitive having regard to the June 13, 2003 OMB Motion; and

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

NOW THEREFORE BE IT RESOLVED THAT Council adopt the confidential report dated May 15, 2003, from the City Solicitor.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(24) to the North York Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(24), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(24) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(24), a confidential report dated May 15, 2003, from the City Solicitor, entitled “4691 Bathurst Street, 500 Eglinton Avenue, and 45-51 Farrell Avenue; Ontario Municipal Board Appeals; Request For Instructions to Settle Appeals (Ward 23-Willowdale)”.

Vote:

Motion J(24) was adopted, without amendment, and in so doing, Council adopted, without amendment, the confidential report dated May 15, 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 pertaining to litigation or potential litigation and is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) the City Solicitor be instructed to settle the appeals substantially in accordance with the provisions set out in the ‘Comments’ section of this report; and

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

7.100 Proposal for City Council Meeting to be Held at the Toronto Zoo

Councillor Mammoliti moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25):

Moved by: Councillor Mammoliti

Seconded by: Councillor Mihevc

“**WHEREAS** Severe Acute Respiratory Syndrome (SARS) reached Toronto in late March 2003, with a returning Hong Kong traveller; and

WHEREAS the impact was swift and devastating in Toronto, with the first individuals succumbing to the disease and several other people becoming sick and/or exhibiting symptoms; and

WHEREAS while Toronto Public Health and the local medical community were fast to take action in the containment of the disease, the World Health Organization (WHO) issued a worldwide travel advisory for Toronto on April 22, 2003; and

WHEREAS business and tourism in the City had already experienced significant losses, with visitors and local residents alike staying home and avoiding public spaces; and

WHEREAS the decision by the WHO, broadcast around the world, intensified the fear of travelling to Toronto resulting in a huge loss of business and tourism for the City; and

WHEREAS on April 29, 2003, through the collective efforts of Federal, Provincial and Municipal officials, the WHO lifted the travel advisory placed on Toronto; and

WHEREAS a co-operative effort between the three levels of government is underway to help reverse public perception about health safety in Toronto, restore public confidence and regain business and the tourism lost; and

WHEREAS the Toronto Zoo revenues ending April 2003, were below budget by \$648,145.00 and below last year to date by \$198,726.00; and

WHEREAS the Regular Visitor and Group Admission revenue accounts for 92

percent of the shortfall and it is projected that Zoo revenues for the year could potentially be under-budget by \$2,000,000.00; and

WHEREAS in the month of April 2003, the Zoo's attendance was 24 percent below budget and 23 percent behind last year; and

WHEREAS more damaging has been the impact to the Zoo's school groups and general groups business to June; and

WHEREAS April groups were 48 percent below 2002, May groups are 43 percent below, and June is currently lagging last year by 65 percent; and

WHEREAS by the end of June 2003, it is projected that Zoo attendance may be close to 100,000 below budget, which represents about \$2,000,000 in lost revenue by year end;

NOW THEREFORE BE IT RESOLVED THAT the first day of the meeting of Toronto City Council scheduled to be held on July 22, 23 and 24, 2003, be held at the Toronto Zoo to showcase the Zoo as the place for Torontonians and the rest of the world to visit and for Council to show support for tourism in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the City of Toronto take a public relations initiative to inform the global media about this event and how it relates to the City of Toronto's SARS recovery;

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

the vote on which was taken as follows:

Vote:

Yes - 15	
Councillors:	Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Johnston, Korwin-Kuczynski, Mammoliti, McConnell, Milczyn, Ootes, Rae, Shaw, Tziretas, Walker
No - 21	
Councillors:	Altobello, Bussin, Chow, Di Giorgio, Filion, Ford, Hall, Holyday, I. Jones, L. Jones, Li Preti, Mihevc, Miller, Minnan-Wong, Nunziata, Pantalone, Pitfield, Shiner, Silva, Soknacki, Sutherland

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

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion J(25), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 13, Page 272)

Disposition:

The operative part of Motion J(25) was subsequently considered with Motion J(20), moved by Councillor Shiner, seconded by Councillor Ootes, headed "City of Toronto's Economic Recovery from the SARS Outbreak".

7.101 **Implementation of Municipal Act, 2001 - Revision to Notice Provisions**

Councillor Shiner moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(26), moved by Councillor Moscoe, seconded by Councillor Soknacki, and, in the absence of Councillor Moscoe, moved by Councillor Shiner, seconded by Councillor Soknacki, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Shiner**

Seconded by: **Councillor Soknacki**

“WHEREAS City Council, at its meeting held on November 26, 27 and 28, 2002, adopted By-law No. 1096-2002 to adopt a new City of Toronto Municipal Code Chapter 162, Notice, Public; and

WHEREAS the By-law sets out requirements for giving notice on a variety of matters as prescribed by the Municipal Act, 2001; and

WHEREAS section 251 of the Municipal Act, 2001 allows City Council to determine the form, manner and time that it considers adequate to give reasonable notice; and

WHEREAS Chapter 162 of the Toronto Municipal Code sets out requirements that exceed reasonable notice by requiring paid advertisements to be placed in a newspaper of general circulation two weeks in advance of the Committee meeting at which a matter is first discussed; and

WHEREAS this imposes considerable financial costs in light of the effectiveness of a notice in a single newspaper as a method of reaching the public; and

WHEREAS in 2003 the costs of placing newspaper advertisements will exceed \$125,000.00; and

WHEREAS the City Clerk routinely publishes the agendas of Council and Committees and the schedule of Council and Committee meetings in advance of scheduled meetings; and

WHEREAS the City has established a central Web page for statutory notices under the Municipal Act, 2001; and

WHEREAS Council's definition of adequate notice represents a minimum standard for notice that does not prevent Council or a Committee from requiring more extensive notice or consultation on any individual matter as it may deem appropriate;

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. 15, Clause No. 2, headed 'Municipal Act, 2001 Implementation' be re-opened for further consideration, only insofar as it pertains to the notice provisions of Chapter 162, Notice, Public;

AND BE IT FURTHER RESOLVED THAT Chapter 162 of the Toronto Municipal Code be amended to delete the requirement for a paid advertisement in a general circulation newspaper, so that notice will be given through the City's web site and through the normal advance publication of agendas of Committees and Council."

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(26), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that the financial impact resulting from the adoption of this Motion was yet to be determined. (See Fiscal Impact Statement No. 14, Page 273)

Vote:

The first Operative Paragraph embodied in Motion J(26) carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Moscoe moved that the balance of Motion J(26) be adopted, subject to adding the

following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT when the By-law has been passed, this policy be applied to the supplementary Taxi Rate increase so that it can be referred to the Planning and Transportation Committee for its next meeting scheduled to be held on June 3, 2003, and not delayed for an extra two months.”

Votes:

The motion by Councillor Moscoe carried.

The balance of Motion J(26) carried, as amended.

7.102 **Automobile Damage Claim Against the City of Toronto**

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

Moved by: Councillor Mammoliti

Seconded by: Councillor Milczyn

“WHEREAS on March 2, 2003, Ms. Mary Bianchini was travelling west bound on Wilson Avenue, just before Weston Road where Ms. Bianchini went over a very large pothole in the road; and

WHEREAS the pothole was approximately 4 feet long, 2.5 feet wide and 8 inches deep; and

WHEREAS resulting from the pothole both tires and rims on the passenger side were damaged; and

WHEREAS two sets of tires and rims had to be changed at a cost of \$1,153.90 at a registered Honda Dealership; and

WHEREAS Ms. Bianchini reported the incident to the City of Toronto’s dispatch centre where Ms. Bianchini was told that numerous calls had been received concerning the same pothole; and

WHEREAS consequently, City of Toronto staff placed a pylon the next day to caution drivers; and

WHEREAS Ms. Bianchini forwarded a letter to the Office of the City Clerk on March 4, 2003, outlining the events and requesting that the City reimburse her for the incurred expenses; and

WHEREAS the City of Toronto forwarded Ms. Bianchini's letter to Ponton Coleshill Edwards & Associates who are the Independent Insurance Adjusters acting on behalf of the City of Toronto; and

WHEREAS on April 30, 2003, the City of Toronto's Independent Insurance Adjusters, Ponton Coleshill Edwards & Associates advised Ms. Bianchini that under the Municipal Act, Section 44, a municipality shall keep the road in a reasonable state of repair and that a municipality can not be held negligent if they did not know and could not reasonably have been expected to know about the state of repair; and

WHEREAS the City's Independent Insurance Adjusters investigation indicated that the City inspected and acted in a reasonable time to repair the road and accordingly did not find any negligence against the City and Ms. Bianchini's claim was denied; and

WHEREAS on reporting the incident to the City of Toronto's dispatch centre, Ms. Bianchini was told that numerous calls had been received concerning the same pothole; and

WHEREAS since the City of Toronto in accordance with the Municipal Act, Section 44, shall keep the road in a reasonable state of repair; and

WHEREAS the City of Toronto was indeed aware of the state of repair due to the high number of calls to the dispatch office;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto accept full responsibility for the lack of a reasonable state of repair and that the City of Toronto reimburse Ms. Bianchini in the amount of \$1,153.90;

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

the vote upon which was taken as follows:

Yes – 13
Councillors: Altobello, Balkissoon, Cho, Flint, I. Jones, Korwin-Kuczynski, Mammoliti, McConnell, Milczyn, Nunziata, Silva, Tziretas, Walker
No – 21

Councillors:	Ashton, Berardinetti, Bussin, Chow, Di Giorgio, Duguid, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Li Preti, Mihevc, Miller, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland
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Lost, less than two-thirds of Members present having voted in the affirmative.

Fiscal Impact Statement:

City Council also had before it, for consideration with Motion J(27), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Disposition:

Having regard that the motion to waive Notice did not carry, Councillor Mammoliti gave Notice of the foregoing Motion to permit consideration at the next regular meeting of City Council scheduled to be held on June 24, 2003.

7.103 Ontario Municipal Board Hearing – 5318 Finch Avenue East

Councillor Balkinsoon moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Balkissoon

Seconded by: Councillor Altobello

“WHEREAS the Committee of Adjustment (East District) at its meeting held on February 12, 2003, denied application No. A169/02SC, to vary the existing Zoning By-law for the property at 5318 Finch Avenue East, Units 1 – 4; and

WHEREAS the applicant has recently appealed the Committee’s decision to the Ontario Municipal Board; and

WHEREAS the City has recently been advised that the Ontario Municipal Board will be hearing this matter on June 23, 2003;

NOW THEREFORE BE IT RESOLVED THAT City Council direct the appropriate staff from the Legal Division and Urban Development Services to defend the decision

of the Committee of Adjustment at any future Ontario Municipal Board hearings with respect to this application.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Scarborough Community Council would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(28), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(28) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(28) was adopted, without amendment.

7.104 Support for National and Provincial Sex Offender Registries

Councillor Korwin-Kuczynski moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Korwin-Kuczynski**

Seconded by: **Councillor Silva**

“**WHEREAS** the Chief of Police has expressed his frustration over the lack of a national sex offender registry; and

WHEREAS a high concentration of sex offenders reside in the City of Toronto and is a public safety concern; and

WHEREAS the Province of Ontario launched its sex offender registry on April 23, 2001; and

WHEREAS the Federal Government has been working on a national sex offender registry over the last two years; and

WHEREAS Bill C-23, to establish a National Sex Offender Registry, was introduced by the Federal Government in December 2002, and received second reading on April 8, 2003; and

WHEREAS there is a need for compatibility between the National and Provincial Registries; and

WHEREAS there is a need for more stringent legislation to deal with sex offenders upon their release;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council urge the Federal Government to ensure the expeditious passage of Bill C-23;

AND BE IT FURTHER RESOLVED THAT the Federal Government ensure the compatibility of the National and Provincial Sex Offender Registries;

AND BE IT FURTHER RESOLVED THAT Toronto City Council urge the Federal Government to enact legislation requiring all convicted sex offenders to submit to mandatory DNA testing;

AND BE IT FURTHER RESOLVED THAT Toronto City Council urge the Federal Government to review legislation to ensure that there is mandatory surveillance of convicted sex offenders and mandatory participation in rehabilitation programs and to ensure that there are mechanisms in place to avoid the high concentration of convicted sex offenders within the City.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(29) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(29), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary,

Page 255)

Procedural Vote:

The vote to waive referral of Motion J(29) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(29) was adopted, without amendment.

7.105 Request for Report Regarding Properties in Ward 16 - Harmonized Tree Protection By-law

Councillor Johnston moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(30), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Miller

“WHEREAS the Planning and Transportation Committee will consider a further review report respecting the new Toronto Ravine By-law, defining Toronto Ravine Protection, at its meeting to be held on June 3, 2003; and

WHEREAS portions of Ward 16 lack private tree protection due to the lack of a Toronto-wide harmonized tree protection on property;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for consideration at its meeting to be held on July 2, 2003, on temporary measures to protect the Ward 16 properties without a harmonized tree protection by-law.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(30) to the Planning and Transportation Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(30), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(30) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(30) was adopted, without amendment.

7.106 Promotion of Peacock Circus International Inc.

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(31), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Korwin-Kuczynski

“WHEREAS Toronto is in much need of the enthusiasm and positive media coverage to encourage a large number of visitors and tourists to revitalize our local economy; and

WHEREAS the principals of Peacock Circus International Inc. have entered into a lease agreement with Exhibition Place to run shows and events in our Queen Elizabeth Theatre; and

WHEREAS Peacock Circus has arranged and scheduled the Great Moscow State Circus to come to Toronto this July and August 2003, for a series of shows; and

WHEREAS this event will provide an excellent opportunity for children of all ages to participate in a unique celebration and festival of excitement, adventure and fun; and

WHEREAS Peacock Circus has generously offered to provide, as part of their efforts to encourage visitors and tourists to Toronto and Exhibition Place, to deduct 25 percent off their regular ticket prices for all weekend matinee shows; and

WHEREAS Peacock Circus has further offered to provide regular show tickets with a 20 percent discount as part of any tourist packages being co-ordinated as part of the

‘Toronto: You Belong Here’ campaign;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize City staff to support, in every manner possible, through advertising, promotion and co-ordination in the ‘Toronto: You Belong Here’ campaign, this great opportunity being presented to the City of Toronto by Peacock Circus International Inc.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(31) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(31), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(31) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(31) was adopted, without amendment.

7.107 **“Portugal Day” in the City of Toronto**

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(32), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Pantalone

“WHEREAS Saturday, June 7, 2003, marks the annual Portugal Day Parade in Toronto; and

WHEREAS this year marks the 50th anniversary of the Portuguese Canadian

community in Canada; and

WHEREAS on May 13, 1953, the first group of Portuguese immigrants, officially recognized as such by the Government of Canada, arrived at Pier 21 in Halifax; and

WHEREAS the June 10th celebrations commemorate Portugal's National Day; and

WHEREAS upwards of 200,000 people each year gather for this very special day of music, culture and enjoyment; and

WHEREAS this year the Prime Minister of Portugal will be in attendance; and

WHEREAS this event offers free concerts in Trinity Bellwoods Park and other special events; and

WHEREAS Portugal Day Parade events are broadcast, both locally and internationally; and

WHEREAS Toronto is in much need of the enthusiasm, positive media coverage and also the large number of visitors for the Portugal Day Parade;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the appropriate staff to fully support, in every manner possible, through advertising, promotion (including the 'Toronto: You Belong Here' campaign) and logistical support for the Portugal Day Parade;

AND BE IT FURTHER RESOLVED THAT City Council deem this event one of Municipal significance and request Mayor Mel Lastman to declare June 10th as Portugal Day in the City of Toronto."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(32) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(32), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 255)

Procedural Vote:

The vote to waive referral of Motion J(32) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(32) was adopted, without amendment.

7.108 Grant to Dovercourt Boys & Girls Club

Councillor Silva moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(33), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Silva

Seconded by: Councillor Korwin-Kuczynski

“WHEREAS the people of the City of Toronto are deeply saddened by the tragic death of Holly Jones; and

WHEREAS the people of this City are committed to protecting the safety and security of our children; and

WHEREAS there is a need for enhanced programs to ‘street-proof’ our children; and

WHEREAS the Perth Randolph Community Centre (operated by the Dovercourt Boys & Girls Club) is located in the neighbourhood where the Jones Family lives; and

WHEREAS the Centre has been providing community meeting space and supervised recreational space for the students of St. Luigi’s Catholic School during the current school closure; and

WHEREAS the Centre’s request for funding from the City for a \$16,000.00 drug prevention program has been denied; and

WHEREAS without this operating grant, the Centres’ youth outreach worker position will be eliminated, causing the curtailment of operating hours of the Centre to half days only; and

WHEREAS the community has also requested a community safety awareness campaign; and

WHEREAS a community safety awareness date has been set for Saturday, May 31, 2003, at Exhibition Place to provide street-proofing education for children in the west-end of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the appeal fund for the Drug Prevention Grants be increased by an amount of \$16,000.00, to be allocated to Dovercourt Boys & Girls Club on a one-time basis for the Youth Program, to be funded from unexpended allocations within the Consolidated Grants Budget;

AND BE IT FURTHER RESOLVED THAT City Council hereby provide \$6,000.00 on a one-time basis to undertake the community safety awareness program to be held at Exhibition Place.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(33) to the Community Services Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(33), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer advising that there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 15, Page 274)

Procedural Vote:

The vote to waive referral of Motion J(33) to the Community Services Committee carried, more than two-thirds of Members present having voted in the affirmative.

Votes:

Adoption of first Operative Paragraph embodied in Motion J(33):

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Nunziata, Pantalone, Silva, Soknacki, Sutherland, Walker
No - 5	
Councillors:	Ashton, Holyday, Milczyn, Minnan-Wong, Ootes

Carried by a majority of 17.

Adoption of second Operative Paragraph embodied in Motion J(33):

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Miller, Nunziata, Pantalone, Silva, Sutherland, Walker
No - 5	
Councillors:	Ashton, Milczyn, Minnan-Wong, Ootes, Soknacki

Carried by a majority of 18.

7.109 Proposal Regarding 1415 Lawrence Avenue

Councillor Di Giorgio moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(34), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

“WHEREAS the City of Toronto is involved in the resolution of an environmental issue respecting 1415 Lawrence Avenue; and

WHEREAS it is in the best interest of all parties to continue the process in a spirit of co-operation;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the attached proposal respecting this matter, in camera, having regard that it pertains to potential litigation.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(34) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(34), a confidential Fiscal Impact Statement from the Chief Financial Officer and Treasurer, such Statement to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to potential litigation.

Procedural Vote:

The vote to waive referral of Motion J(34) to the Policy and Finance Committee lost, less than two-thirds of Members present having voted in the affirmative.

Council also had before it, for consideration with Motion J(34), a confidential proposal dated May 23, 2003, from Councillors Di Giorgio and Li Preti, such proposal to remain confidential

in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to potential litigation.

Disposition:

Having regard to the foregoing decision of Council, Motion J(34) was referred to the Policy and Finance Committee and the City Solicitor was requested to submit a report to the Committee for consideration with this matter.

7.110 Appointment of Councillor Fred Dominelli to Various Committees

Mayor Lastman moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(35), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS the resignation of Betty Disero as Councillor for Ward 17 - Davenport was accepted and the office declared vacant by Council at its meeting held on March 26, 2003; and

WHEREAS it is necessary to make appointments to fill those positions held by the former Councillor Betty Disero; and

WHEREAS Council, at its special meeting held on May 22, 2003, has appointed Fred Dominelli to replace Betty Disero as Councillor for Ward 17 - Davenport;

NOW THEREFORE BE IT RESOLVED THAT the relevant portions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, be waived to permit the appointment of Councillor Fred Dominelli to the following Boards and Committees without advising all Members of the vacancy and permitting them to submit names for consideration, and without referral to the Striking Committee;

AND BE IT FURTHER RESOLVED THAT Councillor Fred Dominelli be appointed to the following Boards and Committees for a term of office expiring November 30, 2003, and until his successor is appointed:

- (1) Corso Italia Business Improvement Area;
- (2) Planning and Transportation Committee;
- (3) St. Clair Avenue West Business Improvement Area;

- (4) St. Clair Gardens Business Improvement Area; and
- (5) York Eglinton Business Improvement Area;

AND BE IT FURTHER RESOLVED THAT, in accordance with the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, the following positions held by the former Councillor Betty Disero be referred to the Striking Committee for recommendation to City Council, and that the City Clerk be requested to canvass Members of Council for their interest in these appointments, and submit a list of interested Members to the Striking Committee for its consideration:

- (i) Association of Municipalities of Ontario Board of Directors;
- (ii) Clean Streets Working Group;
- (iii) Culture Plan Steering Committee;
- (iv) Development Approvals Task Force;
- (v) Hockey Hall of Fame Board of Directors;
- (vi) Resource Diversion Implementation Working Group;
- (vii) Service Delivery Survey Working Group;
- (viii) Transit Funding Committee; and
- (ix) Waterfront Reference Group.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(35) to the Striking Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(35) to the Striking Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(35) was adopted, without amendment.

7.111 Taxi Drivers' Appreciation Day

Councillor Minnan-Wong moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(36), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Moscoe

“WHEREAS the City’s taxi drivers work numerous hours a week to provide safe and reliable transportation for our businesses, tourists and employees; and

WHEREAS the City did not declare a ‘Taxi Appreciation Day’ for 2002; and

WHEREAS taxi cab-drivers have often not received sufficient public recognition in the past for their added value in keeping Toronto running smoothly; and

WHEREAS the City has been supportive in the past in recognizing the role of our cabbies through such programs as annual awards, the Ambassador program and the uniform cab-colour program, all to improve the value and performance of our cab companies; and

WHEREAS Canyon Creek Chophouse has successfully set aside a special day to serve free lunches to taxi cab drivers for the last two years at its locations in Etobicoke and Mississauga; and

WHEREAS employees at Canyon Creek’s Front Street restaurant would like to hold the same event in appreciation of all taxi cab drivers for downtown Toronto;

NOW THEREFORE BE IT RESOLVED THAT City of Toronto declare Monday, June 9, 2003, an official ‘Taxi Cab Driver Appreciation Day’ and support the efforts of Canyon Creek’s Front Street restaurant in their taxi cab initiative that day.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(36) to the Economic Development and Parks Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(36) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(36) was adopted, without amendment.

7.112 Ontario Municipal Board Hearing – 946 Lawrence Avenue East

Councillor moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(37), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Walker

“WHEREAS the Committee of Adjustment has granted variance Application No. A104/02M with respect to 946 Lawrence Avenue East to permit site specific Zoning By-law No. 31617 to be applied to the entire site notwithstanding any subsequent land division of the site, subject to conditions; and

WHEREAS the Don Mills Residents Incorporated have appealed the Committee of Adjustment Decision to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board hearing is scheduled for June 16, 2003;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to attend at the Ontario Municipal Board hearing in opposition to the Committee of Adjustment decision as it pertains to the landscaping requirements being permitted to include landscaping on the roof and within the building and further that the City Solicitor be authorized to retain any consultants, as may be necessary.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(37) to the Midtown Community Council would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(37) to the Midtown Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(37) was adopted, without amendment.

- 7.113 Consideration of the following matters was deferred to the next regular meeting of City Council scheduled to be held on June 24, 2003, having regard that they remained on the Order Paper at the conclusion of this meeting of Council:

DEFERRED CLAUSE FROM REPORT NO. 2 OF THE COMMUNITY SERVICES COMMITTEE

- Clause No. 7b - "Child Care Occupancy Cost Agreements with the Boards of Education".

DEFERRED CLAUSES FROM REPORT NO. 3 OF THE COMMUNITY SERVICES COMMITTEE

- Clause No. 8a - "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".

DEFERRED CLAUSES FROM REPORT NO. 3 OF THE WORKS COMMITTEE

- Clause No. 3a - "Pay-As-You Throw Program for the Residential Sector".
- Clause No. 17a - "Introduction of Photo Radar on City of Toronto Streets and Expressways".

DEFERRED CLAUSE FROM REPORT NO. 2 OF THE STRIKING COMMITTEE

- Clause No. 2a - "Appointment of a Member of Council to the Toronto Transit Commission".

REPORT NO. 4 OF THE ADMINISTRATION COMMITTEE

- Clause No. 1 - "Harmonization of Compensation Related Policies – Non-Union".
- Clause No. 12 - "Alexandra Park Co-operative - Ground Lease Amendments (Ward 20 - Trinity-Spadina)".
- Clause No. 22 - "Other Items Considered by the Committee".
Item (j), entitled "Amendment to 'Appendix B – Status of Allocated Sites', Review of the Housing First Policy (Ward 9 - York Centre)".

REPORT NO. 6 OF THE PLANNING AND TRANSPORTATION COMMITTEE

- Clause No. 6 - "Approval of City of Toronto Official Plan File No. 002050".
- Clause No. 9 - "Other Items Considered by the Committee".
Item (f), headed "Toronto Police Service Board's Request to Enact City of Toronto By-law with Respect to Demonstrations".

REPORT NO. 4 OF THE POLICY AND FINANCE COMMITTEE

- Clause No. 1 - "City of Toronto Council Governance Review". (See also Motion F(4), Minute No. 7.69, Page 95.)
- Clause No. 19 - "Youth Criminal Justice Act Referral Model".
- Clause No. 27 - "Other Items Considered by the Committee".
Item (a), headed "Status of Alternative Service Delivery (ASD) Consultation Protocol".

REPORT NO. 4 OF THE WORKS COMMITTEE

- Clause No. 16 - "Amendment to Engineering Consulting Agreement for Additional Contract Administration Fees Related to the Prince Edward Viaduct Safety Barriers, Contract No. T-71-99 (Wards 28, 29, 30 and 31)".

NOTICES OF MOTION

- F(1) Moved by Councillor Di Giorgio, seconded by Councillor Li Preti, regarding the proposed 'Super Hospital' at Keele Street and Sheppard Avenue West.
- F(2) Moved by Councillor Chow, seconded by Councillor Miller, regarding support to defend against the appeal with respect to the Sale of Hydro One.
- F(3) Moved by Councillor Bussin, seconded by Councillor I. Jones, regarding the City Employees Strike - Summer of 2002.
- F(8) Moved by Councillor Walker, seconded by Councillor Moscoe, regarding a request to the Provincial Government to abandon electricity deregulation and privatization.
- F(9) Moved by Councillor Cho, seconded by Councillor Miller, regarding increasing fines for illegal dumping and littering.

BILLS AND BY-LAWS

- 7.114 On May 21, 2003, at 6:46 p.m., Councillor Lindsay Luby, seconded by Councillor Mammoliti, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 453	By-law No. 359-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st day of May, 2003,
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the vote upon which was taken as follows:

Yes - 29	
Mayor:	Lastman
Councillors:	Balkissoon, Bussin, Cho, Chow, Di Giorgio, Filion, Flint, Ford, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Soknacki, Walker
No - 0	

Carried, without dissent.

- 7.115 On May 22, 2003, at 5:51 p.m., Councillor Duguid, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 454	By-law No. 360-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st and 22nd of days of May, 2003,
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the vote upon which was taken as follows:

Yes - 25	
Councillors:	Augimeri, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Li Preti, McConnell, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Tziretas, Walker
No - 16	

Councillors:	Altobello, Ashton, Balkissoon, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Shaw, Shiner, Soknacki, Sutherland
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Carried by a majority of 9.

7.116 On May 23, 2003, at 12:27 p.m., Councillor Nunziata, seconded by Councillor Ford, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 456	By-law No. 362-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st, 22nd and 23rd of days of May, 2003,
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the vote upon which was taken as follows:

Yes - 29
Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Duguid, Flint, Ford, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Silva, Walker
No - 0

Carried, without dissent.

7.117 On May 23, 2003, at 5:19 p.m., Councillor Duguid, seconded by Councillor Holyday, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 457	By-law No. 363-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st, 22nd and 23rd of days of May, 2003,
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the vote upon which was taken as follows:

Yes - 24

Councillors:	Altobello, Augimeri, Chow, Di Giorgio, Dominelli, Duguid, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shiner, Silva, Walker
No - 0	

Carried, without dissent.

7.118 On May 23, 2003, at 5:21 p.m., Councillor Shiner, seconded by Councillor Rae, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 350	By-law No. 364-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 351	By-law No. 365-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 354	By-law No. 366-2003	To amend City of Toronto Municipal Code Chapter 447, Fences, to exempt the fence on the property line between the properties municipally known as 4 Karnwood Drive and 6 Karnwood Drive from the maximum height requirements.
Bill No. 355	By-law No. 367-2003	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 356	By-law No. 368-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting the use of cellular telephones while operating a taxicab.
Bill No. 357	By-law No. 369-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting pecuniary interests of spouses and same-sex partners of

		applicants on the Drivers' List and minimum hours of operation of Ambassador Taxicabs.
Bill No. 358	By-law No. 370-2003	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to make changes to the size of various Business Improvement Area Boards of Management.
Bill No. 359	By-law No. 371-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 360	By-law No. 372-2003	To amend By-law No. 31001 of the former City of North York, as amended. <i>*amended*</i>
Bill No. 361	By-law No. 373-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 362	By-law No. 374-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 363	By-law No. 375-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 364	By-law No. 376-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 365	By-law No. 377-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 366	By-law No. 378-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 367	By-law No. 379-2003	To amend By-law No. 31001 of the

former City of North York, as amended.

Bill No. 368

By-law No. 380-2003

To designate the property at 100 Queen's Park (Royal Ontario Museum) as being of cultural heritage value or interest.

Bill No. 369	By-law No. 381-2003	To amend By-law No. 303-2003 to extend the expiration of Part Lot Control exemption for the lands known municipally as 21 Lower Shaw Street, 22 Western Battery Road, 90 to 120 Lynn Williams Street and 61 Hanna Avenue.
Bill No. 370	By-law No. 382-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 371	By-law No. 383-2003	To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
Bill No. 372	By-law No. 384-2003	To amend further By-law No. 196, entitled “To restrict the speed of motor vehicles”, being a By-law of the former Borough of East York.
Bill No. 373	By-law No. 385-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 374	By-law No. 386-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting transfers of standard taxicab owner’s licences to corporations.
Bill No. 375	By-law No. 387-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, with respect to speed control zones.
Bill No. 377	By-law No. 388-2003	To designate the property at 207 McCaul Street (Richard Purdom House) as being of cultural heritage value or interest.

Bill No. 378	By-law No. 389-2003	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas, to reflect the name change of Church-Wellesley Business Improvement Area to Church-Wellesley Village Business Improvement Area.
Bill No. 379	By-law No. 390-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Rathnelly Avenue.
Bill No. 380	By-law No. 391-2003	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code regarding parking machines on certain streets within the City of Toronto.
Bill No. 381	By-law No. 392-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting McCaul Street.
Bill No. 382	By-law No. 393-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Dalhousie Street.
Bill No. 383	By-law No. 394-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Auburn Avenue, Beaconsfield Avenue, Brad Street, Earls court Avenue, Grenadier Road, McRoberts Avenue, Morningside Avenue, Mulock Avenue and Pauline Avenue.
Bill No. 384	By-law No. 395-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 385	By-law No. 396-2003	To expropriate a private lane bounded by Brunswick Avenue, Ulster Street and Major Street for public lane

		purposes.
Bill No. 387	By-law No. 397-2003	To establish a Social Housing Federal Reserve Fund and to amend Municipal Code Chapter 227, Reserve and Reserve Funds, to add this reserve fund.
Bill No. 388	By-law No. 398-2003	To amend By-law No. 178-2003 so as to correct one Tax Installment Due Date for the Year 2003.
Bill No. 389	By-law No. 399-2003	To establish a Museum Donation Reserve Fund, to establish a Museum and Heritage Services Discretionary Reserve Fund, and to amend Municipal Code Chapter 227, Reserve and Reserve Funds, to add these reserve funds.
Bill No. 390	By-law No. 400-2003	To amend Municipal Code Chapter 841, Waste Collection, Commercial Properties, to provide for an earlier set out time for certain Commercial Properties and to repeal By-law No. 260-2003.
Bill No. 391	By-law No. 401-2003	To exempt certain lands on Beaverdale Road and Leaves Terrace from Part Lot Control.
Bill No. 392	By-law No. 402-2003	To exempt lands known municipally as 1 and 2 Point Rouge Trail, 17 Knowles Drive, and 26 to 174 Gristone Crescent from Part Lot Control.
Bill No. 393	By-law No. 403-2003	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code regarding parking machines on certain streets within the City of Toronto.

Bill No. 394	By-law No. 404-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Aberdeen Avenue, Duart Park Road, Hannaford Street, Jones Avenue, Page Street, Woodfield Road and Woodmount Avenue.
Bill No. 395	By-law No. 405-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Elizabeth Street.
Bill No. 396	By-law No. 406-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Charles Street West, Dupont Street, Mill Street and Portugal Square.
Bill No. 397	By-law No. 407-2003	To layout and dedicate certain land for public lane purposes to form part of the public lane north of Richmond Street East extending westerly from Bright Street, then northerly.
Bill No. 398	By-law No. 408-2003	To layout and dedicate certain land on the west side of Estelle Avenue and the south side of Finch Avenue East for public highway purposes to form part of the public highway Estelle Avenue.
Bill No. 399	By-law No. 409-2003	To layout and dedicate certain land on the west side of Wilson Heights Boulevard for public highway purposes to form part of the public highway Searle Avenue.
Bill No. 400	By-law No. 410-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway Keele Street north of Nashville Avenue.

Bill No. 401	By-law No. 411-2003	To layout and dedicate certain land on the north side of Finch Avenue East, west of Dudley Avenue for public highway purposes to form part of the public highways Finch Avenue East and Dudley Avenue.
Bill No. 402	By-law No. 412-2003	To layout and dedicate certain land on the north side of Finch Avenue West, west of Talbot Road for public highway purposes to form part of the public highway Finch Avenue West.
Bill No. 403	By-law No. 413-2003	To layout and dedicate certain land on the north side of Finch Avenue East west of Winlock Park for public highway purposes to form part of the public highway Finch Avenue East.
Bill No. 404	By-law No. 414-2003	To designate a Community Improvement Project Area and to adopt a Community Improvement Plan for the New Toronto industrial lands generally bound to the north by the CN Mimico rail yard, to the south by Birmingham Street, to the west by Kipling Avenue, and to the east by Dwight Avenue.
Bill No. 405	By-law No. 415-2003	To adopt Amendment No. 537 of the Official Plan for the former City of North York in respect of lands municipally known in the year 2002 as 115 Torbarrie Road.
Bill No. 406	By-law No. 416-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known in the year 2002 as 115 Torbarrie Road.
Bill No. 408	By-law No. 417-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.

Bill No. 409	By-law No. 418-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 410	By-law No. 419-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Parking - Chapter 182, Article II.
Bill No. 411	By-law No. 420-2003	To amend By-law No. 3491-80 of the former Borough of York, being a By-law "To provide for night-time parking of motor vehicles on Borough of York highways".
Bill No. 412	By-law No. 421-2003	To layout and dedicate certain land for public lane purposes to form a new public lane south of Hanson Street extending westerly from Bastedo Avenue.
Bill No. 413	By-law No. 422-2003	To amend City of North York By-law No. 7625 in respect of lands municipally known as Emery Village Secondary Plan.
Bill No. 414	By-law No. 423-2003	To amend the General Zoning By law No. 438-86 of the former City of Toronto with respect to lands known municipally in the year 2002 as 168 Annette Street.
Bill No. 415	By-law No. 424-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Appleton Avenue and Crang Avenue.
Bill No. 416	By-law No. 425-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".

Bill No. 417	By-law No. 426-2003	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 418	By-law No. 427-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 419	By-law No. 428-2003	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 420	By-law No. 429-2003	To amend By-law No. 3491-80 of the former Borough of York, being a By-law “To provide for night-time parking of motor vehicles on Borough of York highways”.
Bill No. 421	By-law No. 430-2003	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 422	By-law No. 431-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 423	By-law No. 432-2003	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 424	By-law No. 433-2003	To amend By-law No. 2958-94 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.

Bill No. 425	By-law No. 434-2003	To amend City of Toronto Municipal Code Chapter 441, Fees, respecting fees charged for the Ambassador Taxicab Training Course.
Bill No. 426	By-law No. 435-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting exemption of event ticket sellers from the requirement to obtain a licence.
Bill No. 427	By-law No. 436-2003	To designate the property at 222 Lansdowne Avenue (National Cash Register Company Building) as being of architectural value or interest.
Bill No. 428	By-law No. 437-2003	To designate the property at 525 Avenue Road (Amsterdam Square Fountain) as being of architectural and historical value or interest.
Bill No. 429	By-law No. 438-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, with respect to speed control zones.
Bill No. 430	By-law No. 439-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, with respect to speed control zones.
Bill No. 431	By-law No. 440-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 432	By-law No. 441-2003	To further amend By-law No. 211-79 of the former Municipality of Metropolitan Toronto, being "A By-law to prohibit signs on lands adjacent to certain Metropolitan Roads", to permit the erection of five temporary multi-faced signs on Exhibition Place west of Dufferin Street.

Bill No. 433	By-law No. 442-2003	To amend Municipal Code Chapter 950, Traffic and Parking, to require the payment of outstanding parking invoices for the use of off-street municipal parking facilities.
Bill No. 434	By-law No. 443-2003	To amend Municipal Code Chapter 844, Waste Collection, Residential Properties, to provide for the collection of Organic Materials and to make other minor amendments.
Bill No. 435	By-law No. 444-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 436	By-law No. 445-2003	To amend Metropolitan By-law No. 62-91 respecting reserved lanes for bicycles on former Metropolitan Roads.
Bill No. 437	By-law No. 446-2003	To amend Municipal Code Chapter 844, Waste Collection, Residential Properties, to harmonize the conditions of eligibility for municipal collection services.
Bill No. 438	By-law No. 447-2003	To amend Municipal Code Chapter 841, Waste Collection, Commercial Properties, to harmonize the conditions of eligibility for municipal collection services.
Bill No. 439	By-law No. 448-2003	To amend Chapter 441, Fees, of the City of Toronto Municipal Code, to charge Fees for Taxation Documents and Services.
Bill No. 440	By-law No. 449-2003	To amend the new City of Toronto Official Plan in relation to density and height incentives in the Mixed Use Area and Apartment Neighbourhood in the Emery Village Secondary Plan.

Bill No. 441	By-law No. 450-2003	To amend the former City of North York Official Plan in relation to density and height incentives in the Arterial Corridor Area of the Emery Village Secondary Plan.
Bill No. 442	By-law No. 451-2003	To amend the Official Plan of the former City of Toronto with respect to lands municipally known as Nos. 157A, 163, 167 and 177 Church Street.
Bill No. 443	By-law No. 452-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as Nos. 157A, 163, 167 and 177 Church Street.
Bill No. 444	By-law No. 453-2003	To amend the Official Plan of the former City of Toronto with respect to lands known as 22 and 24 Wellesley Street East.
Bill No. 445	By-law No. 454-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as 22 and 24 Wellesley Street East.
Bill No. 446	By-law No. 455-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Elizabeth Street.
Bill No. 447	By-law No. 456-2003	To adopt a new City of Toronto Municipal Code Chapter 612, Pesticides, Use of.
Bill No. 448	By-law No. 457-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 449	By-law No. 458-2003	To correct two technical errors in By-law No. 111-2003 regarding the re-enactment of Chapter 591, Noise, of

the City's Municipal Code.

Bill No. 450	By-law No. 459-2003	To amend City of Toronto Municipal Code Chapter 162, Notice, Public, to delete the requirement to publish a notice to the public in a newspaper.
Bill No. 451	By-law No. 460-2003	To amend By-law No. 178-2003 so as to Create Alternative Installments and Due Dates For Commercial Properties.
Bill No. 452	By-law No. 461-2003	To amend the former City of Toronto Municipal Code Chapter 400, Traffic and Parking, respecting Crawford Street,

the vote upon which was taken as follows:

Yes - 27	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shiner, Silva, Walker
No - 1	
Councillor:	Shaw

Carried by a majority of 26.

- 7.119 On May 23, 2003, at 6:27 p.m., Councillor Silva, seconded by Councillor Augimeri, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 458	By-law No. 462-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st, 22nd and 23rd days of May, 2003 with the exception of Motion F(4), headed "Establishment of Four Community Councils",
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the vote upon which was taken as follows:

Yes - 25
Mayor: Lastman
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Shaw, Silva, Walker
No - 0

Carried, without dissent.

7.120 On May 23, 2003, at 6:28 p.m., Councillor Silva, seconded by Councillor Augimeri, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 459	By-law No. 463-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st, 22nd and 23rd days of May, 2003 with respect to Motion F(4), headed "Establishment of Four Community Councils",
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the vote upon which was taken as follows:

Yes - 21
Mayor: Lastman
Councillors: Ashton, Augimeri, Balkissoon, Di Giorgio, Dominelli, Duguid, Flint, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, McConnell, Milczyn, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva
No - 5
Councillors: Altobello, Chow, Ford, Miller, Walker

Carried by a majority of 16.

- 7.121 On May 23, 2003, at 6:40 p.m., Councillor Pantalone, seconded by Councillor Di Giorgio, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 407	By-law No. 464-2003	To designate the property at 183 Dovercourt Road (Ideal Bread Company Factory) as being of architectural value or interest,
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the vote upon which was taken as follows:

Yes - 23	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Chow, Di Giorgio, Duguid, Flint, Ford, Holyday, I. Jones, Li Preti, McConnell, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Walker
No - 0	

Carried, without dissent.

- 7.122 On May 23, 2003, at 6:44 p.m., Councillor Duguid, seconded by Councillor Holyday, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 460	By-law No. 465-2003	To confirm the proceedings of the Council at its Regular meeting held on the 21st, 22nd and 23rd days of May, 2003,
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the vote upon which was taken as follows:

Yes - 24	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Holyday, I. Jones, L. Jones, Li Preti, McConnell, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Walker
No - 0	

Carried, without dissent.

The following Bill was withdrawn:

Bill No. 352	To amend By-law No. 31001 of the former City of North York, as amended.
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OFFICIAL RECOGNITIONS:

7.123 **Condolence Motions**

May 21, 2003:

Councillor Korwin-Kuczynski, seconded by Mayor Lastman, moved that:

“WHEREAS the Davenport community is deeply saddened by the terrible loss experienced by the family of Holly Jones; and

WHEREAS the entire City of Toronto is in shock and consumed with grief at the loss of one of our innocent and precious young citizens; and

WHEREAS the Council of the City of Toronto shares these feelings of outrage, sadness and grief; and

WHEREAS the citizens of Toronto will forever remember Holly Jones as a bright, lovely and innocent young child who will remain in our hearts always;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be requested to convey on behalf of the Members of City Council, our sincere sympathy to the Jones family on their tragic personal loss.”

Leave to introduce the foregoing Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Holly Jones.

May 22 , 2003:

Councillor Minnan-Wong, seconded by Councillor Moscoe, moved that:

“WHEREAS the Members of City of Toronto Council are deeply saddened to learn of the tragic death of Mohamad Nakib-Arbaji at a Toronto convenience store on Monday, April 21, 2003; and

WHEREAS Mr. Nakib-Arbaji died after coming to the aid of an innocent victim in an attempted robbery by confronting the perpetrator and may well have saved her life by his intervention; and

WHEREAS Mr. Nakib-Arbaji worked in the City of Toronto as an Ambassador taxicab owner since December 1999 and a licenced taxicab driver since June 1982;

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

Leave to introduce the foregoing Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Mohamad Nakib-Arbaji.

May 23, 2003:

Councillor Miller, seconded by Councillor Pantalone, moved that:

“**WHEREAS** the Members of City of Toronto Council are deeply saddened to learn that James ‘Jimmy’ Fuller passed away suddenly on Thursday, May 22, 2003, in his 83rd year; and

WHEREAS Jimmy Fuller was the president of IATSE Local 58 for 36 years and member of IATSE Local 58 for 54 years; and

WHEREAS Jimmy Fuller was a long time stagehand at the Hummingbird Centre and the first electrician from 1960 to 1987; and

WHEREAS Jimmy Fuller loved and supported live theatre and entertainment for many years in the City of Toronto and across Canada, including the Halifax Tattoo and Charlettetown Festival; and

WHEREAS he will be sorely missed by the Toronto entertainment community, colleagues, friends and family;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of the Council of the City of Toronto, our sincere sympathies to his wife Eleanor, their family and his IATSE Local 58 family.”

Leave to introduce the foregoing Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Jimmy Fuller.

7.124 Presentations/Introductions/Announcements:**May 21, 2003:**

Deputy Mayor Ootes, during the morning session of the meeting, extended, on behalf of Council, the best wishes of Council to Councillor Gerry Altobello on the occasion of his birthday.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from Thorncliffe Public School, present at the meeting.

Councillor Moscoe, with the permission of Council, during the afternoon session of the meeting, introduced Ward 2 Councillor Erin Shapero from the Town of Markham, present at the meeting.

May 22, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, invited The Honourable Coulter A. Osborne to the podium to address the Council in regard to his report, entitled "Union Station Review". The Honourable Coulter A. Osborne addressed the Council and responded to questions of Members of Council related to his report.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the Grade 4 students from Annette Street Public School, present at the meeting.

Mayor Lastman, during the afternoon session of the meeting, advised the Council that Prince Edward Island had recently donated 20,000 pounds of mussels to the seafood restaurants in the City of Toronto, in a bid to help the City's hospitality industry to recover from the impact of SARS; extended, on behalf of Council, the appreciation of Council to the citizens of Prince Edward Island; and further advised the Council that, in recognition of the generosity of Prince Edward Island, he would be proclaiming July 28, 2003, as "P.E.I. Day", in the City of Toronto.

Mayor Lastman further acknowledged the following companies for their contributions to the City of Toronto's SARS recovery efforts:

- (1) Jetsgo offered free flights to the City of Toronto, along with car rentals and hotel rooms;
- (2) all five banks offered debt relief to their customers and collectively pledged \$1.0 million to the cause;

- (3) Mirvish Productions and the Toronto Blue Jays put together a consortium of hotels and restaurants to offer deep discounts to tourists; and
- (4) Molson's is donating, to the City of Toronto's hospitality workers, \$1.00 from every beer sold in the City today.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students from Avondale Secondary Alternative School, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, invited Councillor Chow, Children and Youth Advocate, and Councillor Cho to the podium. Councillors Chow advised the Council that the winner of the fifth annual Children's Advocate Award for Innovation was the Kid Builders project, which is operated by Aisling Discoveries Child and Family and Centre. Councillors Chow and Cho presented the award to Betty Kashima, Executive Director of Aisling Discoveries Child and Family Centre, and Judith Coates, Project Co-ordinator of the Kid Builders project.

May 23, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, introduced Councillor Frank Dominelli, who had been appointed by Council at its Special meeting held on May 22, 2003, as the Councillor for Ward 17, Davenport.

Councillor Mammoliti, during the morning session of the meeting, with the permission of Council, advised the Council that he had worked closely with St. Basil's the Great College on a draw to win a seat in the SkyDome Box, and, on behalf of Council, extended the congratulations of Council to the winner of the draw, Jennifer Raviola. Councillor Mammoliti further advised the Council that the draw had raised \$16,000.00 for the College.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from the following schools, present at the meeting:

- Churchill Heights School; and
- Vincent Massey Public School.

Councillor Miller, during the morning session of the meeting, was granted the permission of Council to permit a student of Lorretto Abbey sit beside and "shadow" him during the balance of the morning session of this portion of the meeting of Council.

7.125 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

May 21, 2003:

Councillor Hall, at 5:48 p.m., moved that Council vary the order of its proceedings to vote on Clause No. 1 of Report No. 3 of The Board of Health, headed "Proposed Pesticide By-law", at 9:30 a.m. on Thursday, May 22, 2003, the vote upon which was taken as follows:

Yes - 21	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Di Giorgio, Duguid, Fillion, Hall, Johnston, L. Jones, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Nunziata, Ootes, Pitfield, Rae, Shiner, Silva, Tziretas
No - 15	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Chow, Flint, Ford, Holyday, I. Jones, Mammoliti, McConnell, Mihevc, Moscoe, Shaw, Soknacki, Walker

Carried by a majority of 6.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

May 21, 2003:

Councillor Moscoe, at 12:27 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to permit Members of Council to conclude their remarks on Clause No. 3 of Report No. 3 of The Board of Health, headed "West Nile Virus", which carried, more than two-thirds of Members present having voted in the affirmative.

Deputy Mayor Ootes, at 2:20 p.m., advised that, having regard for extenuating circumstances which had hindered the ability of Members of Council to gain access to the Council Chamber, Council would now reconvene.

Councillor Holyday, at 5:50 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 7:30 p.m. recess, and that Council continue in session, in order to permit Members of Council to conclude their remarks on Clause No. 1 of Report No. 3 of The Board of Health, headed "Proposed Pesticide By-law", the vote upon which was taken as follows:

Yes - 14	
Councillors:	Augimeri, Chow, Duguid, Ford, Hall, Holyday, Kelly, Mihevc, Nunziata, Ootes, Shaw, Silva, Soknacki, Walker
No - 22	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Cho, Di Giorgio, Fillion, Flint, Johnston, I. Jones, L. Jones, Li Preti, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Moscoe, Pitfield, Rae, Shiner, Tziretas

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

May 23, 2003:

Councillor Holyday, at 5:44 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:00 p.m. adjournment, and that Council continue in session until 6:30 p.m., in order to complete consideration of all time critical matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 23	
Councillors:	Ashton, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Kelly, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Rae, Silva, Tziretas, Walker
No - 5	
Councillors:	Altobello, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn

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

Councillor Pantalone, at 6:25 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 6:30 p.m. adjournment, and that Council continue in session, in order to complete consideration Clause No. 15 of Report No. 5 of The Toronto East York Community Council, headed “Designation Under Part IV of the Ontario Heritage Act - 183 Dovercourt Road (Ideal Bread Company Factory) (Trinity-Spadina, Ward 19)”, and Motion J(37), moved by Councillor Flint, seconded by Councillor Walker, entitled “Ontario Municipal Board Hearing – 946 Lawrence Avenue East”, the vote upon which was taken as follows:

Yes - 22	
Mayor:	Lastman
Councillors:	Augimeri, Chow, Di Giorgio, Dominelli, Duguid, Flint, Ford, Holyday, I. Jones, L. Jones, Li Preti, McConnell, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Rae, Shaw, Silva, Walker
No - 4	
Councillors:	Altobello, Ashton, Balkissoon, Korwin-Kuczynski

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

7.126 ATTENDANCE

Councillor Holyday, seconded by Councillor Moscoe, moved that the absence of Councillors Feldman and Moeser from this meeting of Council be excused, which carried.

May 21, 2003	9:37 a.m. to 12:35 p.m.*	Roll Call 10:40 a.m.	Roll Call 11:20 a.m.	Roll Call 2:16 p.m.	2:20 p.m. to 7:30 p.m.*	Roll Call 4:05 p.m.	Roll Call 5:47 p.m.	Roll Call 6:23 p.m.	Roll Call 6:40 p.m.
Lastman	x	x	-	-	x	-	x	-	x
Altobello	x	x	x	x	x	x	x	-	-
Ashton	x	x	x	x	x	x	x	x	-
Augimeri	x	-	-	x	x	x	x	-	-
Balkissoon	x	-	-	x	x	x	x	x	x
Berardinetti	x	x	-	x	x	-	-	-	-
Bussin	x	-	x	x	x	-	x	x	x
Cho	x	-	x	-	x	-	x	x	x
Chow	x	x	-	-	x	x	x	x	x
Di Giorgio	x	x	x	x	x	x	x	x	x
Duguid	x	-	-	x	x	-	x	-	-
Feldman	-	-	-	-	-	-	-	-	-
Filion	x	x	x	-	x	-	-	x	x

Minutes of the Council of the City of Toronto
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May 21, 2003	9:37 a.m. to 12:35 p.m.*	Roll Call 10:40 a.m.	Roll Call 11:20 a.m.	Roll Call 2:16 p.m.	2:20 p.m. to 7:30 p.m.*	Roll Call 4:05 p.m.	Roll Call 5:47 p.m.	Roll Call 6:23 p.m.	Roll Call 6:40 p.m.
Flint	x	-	x	x	x	-	x	x	x
Ford	x	x	-	x	x	-	x	x	x
Hall	x	x	x	-	x	x	x	-	-
Holiday	x	x	x	x	x	-	x	x	x
Johnston	x	-	-	-	x	x	-	-	x
I. Jones	x	x	-	x	x	x	x	x	x
L. Jones	x	-	x	x	x	x	x	x	x
Kelly	x	x	x	-	x	x	x	x	x
Korwin-Kuczynski	x	x	x	x	x	-	-	-	x
Li Preti	x	x	x	-	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x	-	x
Mammoliti	x	x	x	x	x	x	x	x	x
McConnell	x	-	-	x	x	-	x	x	x
Mihevc	x	-	-	-	x	x	-	x	x
Milczyn	x	x	x	x	x	-	-	-	-
Miller	x	x	x	-	x	x	-	-	-
Minnan-Wong	x	-	x	-	x	x	x	-	-
Moeser	-	-	-	-	-	-	-	-	-
Moscoe	x	x	x	x	x	-	x	x	x
Nunziata	x	x	x	x	x	-	-	x	x
Ootes	x	x	x	x	x	x	x	x	x
Pantalone	x	x	x	x	x	-	-	-	x
Pitfield	x	x	-	x	x	x	x	x	-
Rae	x	x	-	x	x	-	x	x	x
Shaw	x	-	-	-	x	x	x	x	x
Shiner	x	x	-	-	x	-	-	x	x
Silva	x	x	-	x	x	x	x	-	-
Soknacki	x	x	x	x	x	x	x	-	x
Sutherland	x	-	-	-	x	x	-	-	-
Tziretas	x	x	x	x	x	x	x	-	-
Walker	x	x	-	x	x	x	x	x	x
Total	42	29	24	28	42	25	31	25	29

* Members were present for some or all of the time period indicated.

Minutes of the Council of the City of Toronto
May 21, 22 and 23, 2003

May 22, 2003	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 11:25 a.m.	Roll Call 11:59 a.m.	Roll Call 2:12 p.m.	2:12 p.m. to 5:00 p.m.*	5:01 p.m. to 5:52 p.m.*	Roll Call 3:18 p.m.	Roll Call 3:35 p.m.
Lastman	-	x	-	-	x	x	x	x	x
Altobello	x	x	x	-	x	x	x	x	x
Ashton	x	x	-	-	x	x	x	-	-
Augimeri	x	x	x	x	x	x	x	-	x
Balkissoon	x	x	x	x	-	x	x	-	x
Berardinetti	-	x	-	-	x	x	x	-	-
Bussin	x	x	x	x	x	x	x	-	-
Cho	x	x	x	x	-	x	x	-	-
Chow	-	x	x	x	x	x	x	x	x
Di Giorgio	-	x	x	x	x	x	x	-	x
Duguid	x	x	-	-	-	x	x	x	x
Feldman	-	-	-	-	-	-	-	-	-
Filion	-	x	x	x	-	x	x	x	-
Flint	-	x	-	x	x	x	x	-	-
Ford	-	x	-	x	-	x	x	-	-
Hall	x	x	x	x	-	x	x	x	x
Holyday	x	x	x	-	-	x	x	-	x
Johnston	x	x	-	-	-	x	x	x	-
I. Jones	x	x	x	-	x	x	x	x	x
L. Jones	x	x	x	x	x	x	x	-	x
Kelly	-	x	x	x	-	x	x	x	x
Korwin-Kuczynski	x	x	-	-	x	x	x	x	-
Li Preti	x	x	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	-	x	x	-	-
Mammoliti	x	x	-	-	x	x	x	-	x
McConnell	x	x	-	x	x	x	x	x	-
Mihevci	-	x	-	x	-	x	x	x	x
Milczyn	x	x	-	x	-	x	x	x	x
Miller	-	x	-	-	-	x	x	x	-
Minnan-Wong	x	x	-	-	x	x	x	-	-
Moeser	-	-	-	-	-	-	-	-	-
Moscoe	x	x	x	-	-	x	x	x	x

Minutes of the Council of the City of Toronto
 May 21, 22 and 23, 2003

May 22, 2003	Roll Call 9:40 a.m.	9:40 a.m. to 12:30 p.m.*	Roll Call 11:25 a.m.	Roll Call 11:59 a.m.	Roll Call 2:12 p.m.	2:12 p.m. to 5:00 p.m.*	5:01 p.m. to 5:52 p.m.*	Roll Call 3:18 p.m.	Roll Call 3:35 p.m.
Nunziata	x	x	x	x	x	x	x	x	x
Ootes	x	x	x	-	x	x	x	x	x
Pantalone	x	x	x	-	x	x	x	x	x
Pitfield	x	x	x	-	-	x	x	x	x
Rae	x	x	x	x	x	x	x	x	-
Shaw	-	x	x	x	x	x	x	x	x
Shiner	x	x	-	-	-	x	x	-	-
Silva	x	x	-	x	-	x	x	x	-
Soknacki	-	x	x	-	x	x	x	x	-
Sutherland	x	x	x	x	x	x	x	x	-
Tziretas	x	x	x	x	x	x	x	x	x
Walker	x	x	x	-	x	x	x	-	-
Total	30	42	26	23	25	42	42	26	23

* Members were present for some or all of the time period indicated.

May 23, 2003	Roll Call 9:43 a.m.	9:43 a.m. to 12:30 p.m.*	Roll Call 11:05 a.m.	Roll Call 11:12 a.m.	Roll Call 12:01 p.m.	Roll Call 2:12 p.m.	2:12 p.m. to 6:45 p.m.*	Roll Call 3:27 p.m.
Lastman	x	x	x	-	x	x	x	x
Altobello	x	x	-	-	x	x	x	x
Ashton	x	x	x	x	x	x	x	x
Augimeri	x	x	x	x	x	-	x	x
Balkissoon	x	x	x	x	x	x	x	x
Berardinetti	-	-	-	-	-	-	-	-
Bussin	x	x	x	x	x	-	x	x
Cho	-	-	-	-	x	-	-	-
Chow	x	x	-	-	x	-	x	x
Di Giorgio	x	x	x	x	x	x	x	x
Dominelli	x	x	-	-	-	-	x	x
Duguid	x	x	x	-	x	x	x	x
Feldman	-	-	-	-	-	-	-	-
Filion	-	-	-	-	-	-	-	-
Flint	-	x	-	x	x	x	x	-
Ford	-	x	-	-	x	-	x	x

Minutes of the Council of the City of Toronto
May 21, 22 and 23, 2003

May 23, 2003	Roll Call 9:43 a.m.	9:43 a.m. to 12:30 p.m.*	Roll Call 11:05 a.m.	Roll Call 11:12 a.m.	Roll Call 12:01 p.m.	Roll Call 2:12 p.m.	2:12 p.m. to 6:45 p.m.*	Roll Call 3:27 p.m.
Hall	x	x	-	x	-	x	x	x
Holiday	x	x	x	x	x	x	x	x
Johnston	x	x	x	x	x	x	x	x
I. Jones	-	x	x	x	x	x	x	x
L. Jones	x	x	x	x	x	x	x	-
Kelly	-	x	x	-	x	-	x	x
Korwin-Kuczynski	x	x	x	x	x	x	x	-
Li Preti	x	x	x	x	-	x	x	x
Lindsay Luby	-	x	x	x	x	x	x	x
Mammoliti	x	x	x	x	-	-	-	-
McConnell	x	x	x	x	x	-	x	-
Mihevc	-	x	x	-	x	x	x	x
Milczyn	-	x	-	-	-	x	x	-
Miller	-	x	x	x	x	-	x	-
Minnan-Wong	x	x	-	x	x	x	x	x
Moeser	-	-	-	-	-	-	-	-
Moscoe	x	x	x	x	x	x	x	x
Nunziata	x	x	-	-	x	x	x	x
Ootes	x	x	x	x	-	x	x	-
Pantalone	x	x	x	x	-	x	x	x
Pitfield	-	x	x	x	-	-	-	-
Rae	x	x	-	-	x	x	x	x
Shaw	-	x	x	x	-	-	x	x
Shiner	-	x	x	x	-	x	x	x
Silva	x	x	-	-	-	x	x	-
Soknacki	x	x	x	x	-	x	x	-
Sutherland	-	x	-	-	-	x	x	x
Tziretas	-	x	-	-	-	-	x	-
Walker	x	x	x	x	x	x	x	x
Total	27	40	26	26	27	28	38	28

* Members were present for some or all of the time period indicated.

Adjourned: 6:45 p.m.

**MEL LASTMAN,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT NO. 1 [Notice of Motion F(2)]

Report dated September 27, 2002, from the City Solicitor, entitled “Potential Sale of Hydro One - Status of Legal Proceedings” (See Minute No. 7.67, Page 92 and Minute No. 7.113, Page 186):

Purpose:

This report responds to City Council’s request for a report on the status of the court appeal against the successful union challenge of Ontario’s ability to sell shares in Hydro One to the public.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

City Council, at its meeting held on July 30, 31 and August 1, 2002, had before it Motion J(3), moved by Councillor Layton, that the City support the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees (the “Unions”) in their defence against an appeal to the Ontario Court of Appeal to stop the sale of Hydro One. Council deferred consideration of the motion to the next regular meeting of City Council and requested that the Chief Administrative Officer submit a report directly to City Council, for its consideration, on the status of the legal proceedings. This report responds to that request.

Comments:

The Unions successfully claimed, before the Superior Court of Justice of Ontario, that the Province did not have the legislative authority to offer Hydro One shares for sale to the public under the Electricity Act, 1998. The decision, dated April 19, 2002, was appealed by the Province of Ontario.

The appeal was heard by the Court of Appeal on June 19, 2002. The Province of Ontario had sought and been granted an expedited hearing. The Unions argued that the appeal was or would be moot because of events subsequent to the lower court decision, including the Province of Ontario’s introduction of Bill 58, the Reliable Energy and Consumer Protection Act, 2002 which would substantially amend the Electricity Act (the subject of the original

court decision) to allow the Province of Ontario to sell shares in Hydro One to the public. An appeal is considered moot if a decision will not resolve an issue affecting the rights of the parties. The Province of Ontario argued that the appeal was not moot as of the date of oral argument, but acknowledged that it would be moot if the recently-introduced legislation became law.

The court heard full argument on both the mootness issue and the merits of the appeal and reserved its decision on both issues. It released its decision on July 4, 2002, noting that the Reliable Energy and Consumer Protection Act, 2002 was enacted in the intervening period, on June 27, 2002, and concluded that the appeal was moot. It further determined that the Province of Ontario had not satisfied the Court that the circumstances of the case warranted a departure from the general rule that the court should not hear moot appeals. It dismissed the appeal.

The Unions were awarded their costs on a partial indemnity basis and only in relation to the mootness argument.

Conclusion:

It is recommended that this report be received for information.

Contact:

Grace Patterson
Solicitor
Legal Services Division
Tel: (416) 392-8368
Fax (416) 392-0005
Email: gpatter@city.toronto.on.ca

ATTACHMENT NO. 2 [Notices of Motions J(6) and J(7)]

Report dated November 8, 2002, from the Commissioner of Community and Neighbourhood Services, addressed to the Tenant Defence Sub-Committee, entitled "1305 Wilson – Request for Funding of Appeal to the Court of Appeal". (See Minutes Nos. 7.81 and 7.82, Pages 116 and 119):

Purpose:

To provide a report on the 1305 Wilson Tenants Association's request for funding their appeal to the Court of Appeal on the decision of the Ontario Superior Court of Justice regarding an above-guideline rent increase order issued by the Ontario Rental Housing Tribunal.

Financial Implications and Impact Statement:

There are no financial implications as a result of this report.

Recommendations:

It is recommended that:

- (1) the request for an additional grant of \$10,000.00 for the legal costs for the 1305 Wilson Tenant's Association leave to appeal to the Court of Appeal, and for the appeal process not be approved;
- (2) the request for \$2,500.00 for additional court costs for the 1305 Wilson Tenant's Association not be approved, based on the fact that these costs were included in the approval of their original \$10,000.00 grant for the Divisional Court appeal; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting of September 26, 2002, the Tenant Defence Sub-Committee considered a communication from Councillor Walker requesting that a grant of \$10,000.00 be provided to the 1305 Wilson Avenue Tenants' Association, in order for them to proceed with an appeal to the Court of Appeal of the decision of the Divisional Court of the Ontario Superior Court of Justice. He also requested that an additional payment of \$2,500.00 be granted to the 1305 Wilson Avenue Tenants' Association to pay the court costs that were awarded against them when the Divisional Court dismissed their appeal.

It should be noted that this is a further request for a \$10,000.00 grant from the Tenants' Association of 1305 Wilson. The Tenants' Association's previous request was the subject of two reports before the Tenant Defence Subcommittee (March 22 and September 26, 2002). The Tenants' Association has recently applied for and received \$10,000.00 from the Tenant Support Grants Program for obtaining legal representation for an appeal to the Divisional Court of the Ontario Superior Court of Justice on a decision of the Ontario Rental Housing Tribunal. The Tribunal granted the landlord of the 1305 Wilson building an above-guideline rent increase (AGI) based on the previous year's one-time spike in natural gas heating costs. The tenants' appeal was dismissed by the Divisional Court, but the judges suggested that the Ministry of Municipal Affairs and Housing review the rules in the Tenant Protection Act (the TPA) for above-guideline rent increases due to extraordinary utility costs.

Comments:

1. Request for an additional grant of \$10,000

Councillor Walker's communication suggested that the appeal application by the 1305 Wilson Tenants' Association's should be funded by the City because of the tremendous implications of a successful appeal. In his opinion, a successful appeal would result in reduced rents and precipitate a review of the TPA by the Ontario Government. In the accompanying letter presented by the solicitor of the Tenants' Association, it was indicated that the \$10,000.00 grant request would cover the full legal costs for an application for leave to appeal to the Court of Appeal and going through the appeal process itself.

Staff are recommending that this request for funding not be approved for the following reasons:

- (a) The application does not fall under the mandate of the Tenant Support Grant Program.

According to Chapter 797 of the City of Toronto Municipal Code (i.e., By-law to Establish the Tenant Support Grants Program), the highest level of appeal covered by the by-law is the Divisional Court with respect to appeals of AGI orders. Accordingly, an appeal to the Ontario Court of Appeal is not covered by the Tenant Support Grant Program.

Under the by-law, tenants may apply for an additional grant of up to \$10,000.00, if they wish to appeal to the Divisional Court on an AGI. The 1305 Wilson Tenants Association has already received the \$10,000.00 grant for this purpose. As there is no provision in the by-law for funding an appeal to the Ontario Court of Appeal, a further grant request from the Wilson tenants cannot be processed by staff.

It should be noted, however, that Council retains the authority to make this grant if Council deems it to be in the municipal interest.

- (b) The Wilson tenant's issue is currently being pursued/addressed through other avenues.

There are currently two government agencies looking into the issue of utility cost related AGI applications which may lead to changes to the relevant TPA provisions. They are described below.

First, the Minister of Municipal Affairs and Housing has accepted the Divisional Court's suggestion to review the rules in the Tenant Protection Act (the TPA) regarding above-guideline rent increases due to extraordinary utility costs. Staff have been told that the Ministry has recently conducted separate consultations with tenant and landlord advocacy groups with a view to introduce amendments to the TPA on this issue. The Ministry may make an announcement about the possible amendments by the end of this year.

Secondly, the Advocacy Centre for Tenants Ontario (ACTO) recently made a submission to the Ontario Ombudsman expressing their concerns about the failure of the TPA and the Tribunal to meet the Ombudsman fairness standards. One of the issues ACTO requested the Ombudsman to investigate is the TPA provision on utility cost related AGI applications. The Ombudsman has responded that he will launch his own investigation of the Tribunal's application of the TPA in relation to such rent increases.

- (c) Sufficient funds are not currently available under the Tenant Support Grant Program to respond to the Wilson tenants' request.

There are currently only \$5,200.00 in uncommitted funds remaining in the Program, while there are 22 applications still pending for a basic grant for disputing AGI applications before the Tribunal. In order to respond to competing demands, new and complete applications are being processed as a priority before second time requests or incomplete applications. If there are not sufficient funds in the program by the end of this year, the plan is to move the two latter groups of applications to next year's program. Because of the amount of funding requested by the 1305 Wilson Tenants' Association, there are not sufficient funds to accommodate their request within this year.

Finally, a question arises as to the need to fund the full legal cost at this stage. Consultation with the tenants' organizer indicated that the Court of Appeal might not render a decision on the tenants' application for leave to appeal until later this year. If leave to appeal is not granted, the tenants will have exhausted their appeal options and will not need to pay the full legal cost. Therefore consideration of their request is premature, and it would be more appropriate to consider the request after the decision on their appeal application is known.

2. Request for court costs from previous appeal.

With regard to the request for an additional \$2,500.00 to pay for the Court costs awarded against the 1305 Wilson Tenants Association, the Sub-Committee is advised that when the Tenants' Association applied for the previous \$10,000.00 grant, the quotation given by their solicitor (dated March 1, 2002) indicated that the requested amount would include a reserve fund in the event that the Tenants' Association loses the case and is ordered to pay the landlord's court fees. Therefore, the \$2,500.00 being requested by the Tenants' Association should be covered by the \$10,000.00 grant that the association has already received from the City.

Conclusion:

The 1305 Wilson Tenants' Association's request for a further \$10,000.00 should not be approved at this time based on a number of considerations. This includes the fact that costs for Court of Appeal are not currently covered under the mandate of the Tenant Support Grants program mandate, the current investigation of the issue of utility cost related above-guideline rent increases by two government agencies, and the adequacy of the remaining Tenant Support Grant funds for 2002. The Tenants' Association's request for an additional \$2,500.00 to pay the court costs awarded against them should be covered by the approved grant of \$10,000.00 the tenants' association has already received.

Contact:

Phil Brown, General Manager
Shelter, Housing and Support Division
Phone: 416-392-7885
Fax: 416-338-1144
email: pbrown1@toronto.ca

ATTACHMENT NO. 3 [Notice of Motion J(16)]

Report dated May 12, 2003, from the Commissioner of Urban Development Services, entitled "Application for Demolition Approval - 1120 Weston Road - Applicant: Ronald D. Gagliardi (Venchiarutt, Gagliardi Architect), Owner: Martin Caplan, File Number: 10/14/1-1, York South-Weston (Ward 11)" (See Minute No. 7.91, Page 135):

Purpose:

To report on whether or not beautification measures are to be secured as a condition of the approval of a demolition application, under special demolition control legislation applicable to the former City of York.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the application to demolish the building at 1120 Weston Road be approved pursuant to By-law No. 3102-95 of the former City of York subject to a beautification agreement containing a beautification plan to be entered into with the City and registered on title to the lands prior to a demolition permit being issued.
- (2) staff be authorized to prepare the agreement in consultation with the Ward Councillor and the owner;
- (3) the owner be advised of the following:
 - (a) the requirement to receive the approval of the Commissioner of Works and Emergency Services and to obtain any construction and/or streetscape permits for all proposed work within the abutting public rights-of way prior to commencement of the work;
 - (b) the requirement to receive the approval of the Commissioner of Works and Emergency Services for any new access to the lot and for grading and drainage plans and any associated storm water management and sewer connection works prior to commencement of the work;
 - (c) a Building (Plumbing) permit will be required for any water or sewer system work that is to be undertaken on the site in relation to grading and drainage

- and/or storm water management (contact 416-394-2490); and
- (d) that the conditions and requirements outlined in the Works and Emergency Services comments dated May 13, 2003 will be applied as part of the condition of approval for any development proposal for 1120 Weston property; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

Under the City of York Act 1994 (Bill PR147), By-law No. 3102-95 was passed designating the entire area of the former City of York as an area of demolition control. The City of York Act, 1994 provides the authority for the Council of the former City of York to enact special demolition control legislation for the purpose of securing beautification measures on the lands and abutting municipal boulevards, where appropriate, as a condition of the issuance of demolition permits.

A demolition permit application has been received to demolish a legal non conforming two-storey brick building having a total ground floor area of 306.5 square metre (3,330 square feet) on a 529 square metre (5,700 square feet) site. The building was used as commercial/retail store at 1120 Weston Road.

The property is identified in the former City of York Official Plan High Density Residential and zoned R2 in the former City of York Zoning By-law No. 1-83.

The property owner has indicated to staff that he intends to redevelop the subject site together with the abutting lands to the north in the same ownership, with a mixed use commercial building approximately 510 square metre (5,500 square feet) and 6 residential units located on the second floor. The applicant will require a rezoning and site plan control for the proposed mixed use development.

Comments:

Community Planning staff have received no concerns in relation to the proposed demolition from the Works and Emergency Services Department.

The subject property is a prominent site by virtue of its size and location in R2 Residential Zone along the west side of Weston Road. The aesthetic appearance of the site when demolished and in a vacant state can have a large influence on the attractiveness of the area.

Accordingly, some basic landscape beautification on the site and adjoining boulevard will improve its aesthetic appearance and therefore benefit the site and area while the site remains

vacant. The landscape improvement should be secured through a beautification agreement as a condition of demolition approval.

Works and Emergency Services Comments

Works and Emergency Services staff have requested conditions to the demolition permit that would appear to be more appropriately imposed for a development application such as a zoning amendment and/or site plan control. The type of conditions being required by Works and Emergency Service staff pertain to securing a 2.4 metre road widening, record of site condition clearances and the removal of existing curb cuts on Weston Road. Planning staff requested that City Legal staff review the comments provided by the Works and Emergency staff to determine if the conditions could be required for a demolition permit. City Legal staff indicated that these type of conditions would not be appropriate for a demolition permit. As such, Planning staff intend to apply the Works and Emergency Services conditions to the zoning by-law amendment and site plan control applications when the applicant formally submits a development proposal for the site.

The owner should also be advised of the following:

- (1) the requirement to receive the approval of the Commissioner of Works and Emergency Services and to obtain any necessary construction and/or streetscape permits for all proposed work within the abutting public rights-of way prior to commencement of the work;
- (2) the requirement to receive the approval of the Commissioner of Works and Emergency Services for any new access to the lot and for grading and drainage plans and any associated storm water management and sewer connection works prior to commencement of the work;
- (3) a Building (Plumbing) permit will be required for any water or sewer system work that is to be undertaken on the site and such permits are to be issued by the Building Division (contact 416-394-2490); and
- (4) that the conditions and requirements outlined in the Works and Emergency Services comments dated May 13, 2003 will be applied as part of the condition of approval for any development proposal for 1120 Weston Road property.

Staff, therefore, recommend approval of the demolition permit application subject to the owner entering into a beautification agreement with the City which agreement shall contain a beautification plan. The agreement shall be registered on title to the lands prior to a demolition permit being issued.

Conclusions:

The owner of the property has applied to demolish the existing building at 1120 Weston Road. Demolition approval under former City of York By-law No. 3102-95 is recommended subject to the owner entering into a beautification agreement containing a beautification plan and registered on title to the lands, prior to the demolition permit being issued.

Contact:

Lou Moretto, Manager
Community Planning, West District
Tel: (416) 394-2618; Fax: (416) 394-2782
E-mail: lmore@toronto.on

(A copy of the maps referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 4 [Notice of Motion J(17)]

Report dated May 15, 2003, from the Chief Financial Officer and Treasurer, entitled "2002 - 2003 Insurance Program Renewal" (See Minute No. 7.92, Page 137):

Purpose:

The purpose of this report is to inform Council of the results obtained by the Chief Financial Officer and Treasurer pursuant to the authority delegated by Council to negotiate, through the City's insurance broker, the renewal of the City's insurance policies at the May 1, 2003 (Casualty), and June 1, 2003 (Property and Boiler/Machinery), expiring dates and the authority delegated on an interim basis to execute contracts of insurance. It is also to recommend that the City's insurance policies which were bound at their May 1, 2003 and June 1, 2003 expiry dates on an interim basis through Council delegated authority to the Chief Financial Officer and Treasurer be authorized for a term to renew at the common date for all City insurance policies of June 1, 2004.

Financial Implications and Impact Statement:

Indications at March 11, 2003 (Administration Committee Report No. 3, Clause No. 37) from incumbent and prospective insurers were for renewal premium quotes at \$7,318,123.00, compared to \$5,357,910.00 for the expiring policies; a 36.6 percent increase over expiring casualty and property insurance policies.

At its April 14, 15 and 16, 2003 meeting, City Council authorized the recommendations made by the Chief Financial Officer and Treasurer in the March 11, 2003 report to continue negotiations to achieve the lowest premium for the most favourable limits (Administration Committee Report No. 3, Clause No. 37, as amended by Council Communication Items 14(a) and 14(b)). Consequently, on April 11, 2003, with \$2,762,096.00 in premium confirmed and \$4,141,924.00 in premium estimates, renewal premium quotations had been modified to \$6,904,020.00, or an increase of 28.9 percent over expiring, including some thirteen month policies; on an annualized premium basis the increase was 23.5 percent.

The City's expiring liability insurance program provided limits of \$100 million. The authority delegated allowed for a total program limit of \$56 million, consisting of a \$3 million self-insured retention and \$53 million in purchased insurance. An additional \$45 million of excess liability insurance, without medical malpractice coverage, can be purchased for a 13-month premium of \$291,505,00, plus applicable provincial taxes, which would provide the City with a total liability insurance limit of \$98 million above a \$3 million self-insured retention, for a total insured limit of \$101 million. This report recommends the expenditure of \$291,505.00, plus applicable provincial taxes, in addition to the \$6,724,461.00 amount previously authorized by Council or a total premium of \$7,015,966.00, to achieve a total liability limit of \$101 million for the term May 23, 2003 to June 1, 2004.

This report confirms that, on the basis of the authority delegated to the Chief Financial Officer and Treasurer, renewal premiums have been finalized at \$6,724,461.00 or an increase of 25.5 percent over expiring premiums (see Attachment 1) which includes the renewal of the casualty program for thirteen months, in order to accommodate a common renewal date for all City of Toronto policies. This translates into an annualized premium increase of 19.4 percent at \$6,396,097.00, over the expiring total premium of \$5,357,910.00.

Delegation of Council authority to the Chief Financial Officer and Treasurer to continue negotiations to renew the City's insurance policies at the May 1st (Casualty) and June 1st (Property), 2003 expiry dates and delegation on an interim basis to execute contracts of insurance and report back to Council, has resulted in a net premium reduction of \$593,662.00 or 8.1 percent from the earliest renewal premium indications; or an annualized premium savings of \$922,026.00 or 12.6 percent.

Funding is provided from the City's Insurance Reserve Fund based on charges included in the 2003 Operating Budgets of departments and participating agencies, boards and commissions, plus contributions from the Non-program Budget as approved by Council in the 2003 Budget.

Recommendations:

It is recommended that:

- (1) the City renew the following insurance policies effective May 1, 2003 for a term of thirteen months and the June 1, 2003 policies as outlined below in Table 1 (and as detailed in Attachment 1), plus applicable provincial taxes;

Table 1
 Expiring vs. Renewal

Insurance Policy	Policy Term	P r e m i u m \$		
		Expiring	12 Month	For Common June 1, 2004 Expiry Date
Liability – Umbrella Excess	May 1, 2003 to June 1, 2004	520,000	1,173,198	1,272,920
Crime	May 1, 2003 to June 1, 2004	103,290	152,857	165,595
Property	June 1, 2003 to June 1, 2004	2,295,953	2,358,567	2,358,567
Boiler and Machinery	June 1, 2003 to June 1, 2004	126,256	165,195	165,195
Total		3,045,499	3,849,817	3,962,277

- (2) authority be granted to the Chief Financial Officer and Treasurer to enter into a Financial Security Agreement with ACE INA Insurance as required for the provision of automobile insurance with such agreement in a form and content satisfactory to the City Solicitor and to require from the City up to the maximum amount of \$5,000,000.00 in Government of Canada Bonds to be held in trust by ACE INA until such time as they are no longer required;
- (3) a premium expense of \$291,505.00, in addition to the \$6,724,461.00 amount previously authorized by Council, be authorized for liability policies to provide the same insurance limits as the expiring program for the term May 23, 2003 to June 1, 2004 as outlined below in Table 2 (and as detailed in Attachment 1), plus applicable provincial taxes; and

Table 2
Additional Liability Premium for Excess Policies

Insurance Company	Insurance Limit \$	13 Month Premium \$
AIG (London)	\$5M XS of \$53M underlying liability policies XS of \$3M SIR	61,630
Gerling	\$15M XS of \$58M underlying liability policies XS of \$3M SIR	162,750
St. Paul	\$25M XS of \$73M underlying liability policies XS of \$3M SIR	67,125
Total	\$45M XS of \$53M underlying liability policies XS of \$3M SIR for a total insured limit of \$101M	291,505

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

Background:

At its April 14, 15 and 16, 2003 meeting, City Council adopted Administration Committee Report No. 3, Clause 37 as amended by Council Communication Items 14(a) and 14(b). The report provided the status of insurance renewal negotiations as at April 11, 2003, and requested authority to enter into those insurance contracts where negotiations had finalized and to continue negotiations for those policies not finalized.

This report completes the requirements of the authority delegated to the Chief Financial Officer and Treasurer to outline the details of the insurance arrangements which were bound on an interim basis within the premium amount specified. This report also recommends an additional premium expenditure of \$291,505.00, plus applicable provincial taxes, for an amount of excess liability insurance to achieve equivalent limits to the expiring program and authority to enter into the automobile insurer's financial security agreement.

Comments:

At its April, 2003 meeting, City Council authorized the Chief Financial Officer and Treasurer to continue negotiations for the renewal of the City's May 1st and June 1st 2003 insurance policies with prospective insurers, within a range of insurance and retention limits, and up to the maximum foreseeable annual premium or 13 month period for outstanding May 1, 2003 renewals of \$4,141,924.00, plus applicable provincial taxes, as illustrated in Table 3 below:

Table 3
 Expiring vs. Renewal

Insurance Policy	Expiring Premium	Maximum Foreseeable Renewal Premium
Liability – Umbrella Excess	520,000	730,000
Crime	103,290	200,000
Property	2,295,953	3,046,729
Boiler and Machinery	126,256	165,195
Total	\$3,045,499	\$4,141,924

These policies were obtained for a total renewal premium of \$3,962,277.00.

Liability – Umbrella Excess

At the April 14, 15 and 16, 2003 meeting, Council authorized a \$3 million self-insured retention on the liability insurance group of policies. In addition, Council authorized \$8 million of liability insurance coverage for a 13 month period at a premium of \$2,495,500.00 and delegated authority to the Chief Financial Officer and Treasurer to continue negotiations for limits above \$11 million, up to a maximum foreseeable premium expenditure of \$1,272,920.00 for 13 months coverage.

Table 4 below shows the final liability insurance program achieved within the delegated authority. An additional \$45 million in liability insurance, above the previously authorized \$11 million level, was obtained at the authorized premium of \$1,272,920.00 for 13 months coverage totalling \$56 million.

Continuity of medical malpractice insurance is interrupted at limits above \$36 million where the City must self-insure for claims made in excess of that amount. There have been no medical malpractice claims made against the City, ever, that fall within that level.

The City's expiring liability insurance program provided limits of \$100 million. The authority delegated allowed for a total program limit of \$56 million. An additional \$45 million of excess liability insurance, without medical malpractice coverage, can be purchased for a 13 month premium of \$291,505.00, plus applicable provincial taxes, which would provide the City with a total liability limit of \$101 million. This report recommends the expenditure of \$291,505.00, plus applicable provincial taxes, in addition to the \$6,724,461.00 amount

previously authorized by Council or a total premium of \$7,015,966.00, to achieve a total liability limit of \$101 million for the term May 23, 2003 to June 1, 2004.

Table 4
Liability Insurance Policies, May 1, 2003

Coverage Level	ACE INA Expiring Program May 1, 2002 to May 1, 2003	ACE Primary 13 Months	Coverage Level
\$100,000,000	\$15M xs \$85M \$15,000	St. Paul \$25M * SIR on Med Mal	\$101,000,000
	Am Re \$5M \$7,500		\$100,000,000
\$80,000,000	Gerling \$25M \$75,000		\$80,000,000
\$76,000,000			\$76,000,000
\$56,000,000			\$61,000,000
\$55,000,000	Temple \$25M \$165,000		\$56,000,000
\$51,000,000			\$55,000,000
\$46,000,000			\$51,000,000
\$41,000,000			\$46,000,000
\$36,000,000			\$41,000,000
\$31,000,000		ACE INA \$5M \$108,500	\$36,000,000
\$30,000,000	Am RE \$20M \$250,000	Elliot Special Risks (Temple) \$5M \$162,750	\$31,000,000
\$21,000,000		ACE INA \$5M \$244,125	\$30,000,000
		Elliot Special Risks (Temple) \$10M \$493,675	\$21,000,000
\$11,000,000		Am RE \$5M Umbrella \$542,500	\$11,000,000
\$10,000,000	ACE \$5M Umbrella \$300,000	ACE INA \$3 M Limit XS \$2M Retention \$6 M Agg. Excl'd Auto - Agg. applies to CGL, POL, Med.Mal. - separate \$3M limit policy for Auto & Garage Auto \$1,953,000	\$10,000,000
\$6,000,000			\$6,000,000
\$5,000,000			\$5,000,000
\$4,000,000			\$4,000,000
\$3,000,000			\$3,000,000
\$2,000,000			\$2,000,000
\$1,000,000			\$1,000,000
\$500,000			\$500,000
\$250,000			\$250,000
\$100,000			\$100,000
\$50,000			\$50,000
\$0	CGL Med. Mal. E&O Auto	CGL Med. Mal. E&O Auto	\$0
		* excludes Med Mal	
	Total Premium \$2,612,500	Premium through Delegated Authority \$3,768,420	
		Additional Premium Recommended \$291,505	
		Total Premium \$4,059,925	

Auto Insurance Financial Security

The City's Automobile insurer, ACE INA Insurance requires financial security of \$5 million in exchange for providing an automobile insurance policy with a self-insured retention. ACE INA requires collateral of \$5 million as the amount that will actuarially accrue as auto liability reserves during the May 1, 2003 to June 1, 2004 policy year. The collateral is necessary to accommodate the City's request for a \$3 million self-insured retention. The security method

most advantageous to the City is for City Council to direct the Chief Financial Officer and Treasurer to establish a custodial account in the name of ACE INA insurance company and deposit \$5,000,000.00 in Government of Canada bonds, with an interest and term to maturity acceptable to the company. This would be in place of a Letter of Credit. This method is advantageous to the City because:

- a \$5 million LOC would cost the City \$25,000.00 annually; there is no cost to the City in the proposed option;
- the City would be free to substitute the security as desired;
- interest on the bonds would be payable to the City; and
- the City has utilized this method of security in previous transactions, namely on Toronto Atmospheric Foundation dealings.

The City and ACE INA must to enter into a security agreement as required for the provision of automobile insurance with such agreement in a form and content satisfactory to the City Solicitor up to the maximum amount of \$5,000,000.00 in Government of Canada Bonds to be held in trust by ACE INA until such time as they are no longer required.

Crime Insurance

The City's Crime insurance policy protects against loss of money and securities arising from employee dishonesty, forgery, burglary, robbery inside and outside City buildings. Over the last four years no other crime insurer's terms could compete with FM Global insurance company. Unfortunately, FM Global no longer underwrites Crime coverage in Canada and this has forced the City to re-market the program. The most competitive terms for the City after marketing the program to six insurers was provided by Lloyds with a thirteen-month premium of \$165,595.00. Of the renewal quotations received by the City's Insurance Broker for the May 1st renewal, the next most competitive quote was \$53,780.00 higher in premium with a much larger deductible.

Property and Boiler/Machinery Insurance

Since initiating the marketing process in November 2001, Marsh Canada Ltd., the City's insurance broker (approved by Council, December 4, 5 and 6, 2001) has distributed underwriting submissions to all insurers, world wide, that may have an interest in providing insurance to municipalities. Marsh approached 19 different property insurers and re-insurers in North America, Bermuda and the United Kingdom to ensure the broadest possible search to satisfy the City's insurance needs. A thorough and comprehensive review of all eligible insurers that provide municipal property insurance coverage has taken place. Of those insurers approached, eight declined to provide a quotation and the others offered only limited participation based on either the amount of insurance they were willing to provide or through specific minimum deductible amounts they required must apply.

Boiler/Machinery Insurance

Renewal of the Boiler/Machinery portion of the Property and Boiler/Machinery arrangement is available under the same terms as the expiring policy which is a \$100,000,000.00 limit with a \$100,000.00 deductible. The premium increases by \$38,939.00 or 31 percent from \$126,256.00 to \$165,195.00. To achieve this result five potential insurers were approached, two of which either declined or failed to provide a quotation. Of those companies responding, the next most competitive quote received was 26 percent higher than the recommended insurer.

Table 5 below illustrates the change required for the Property portion of the Property and Boiler/Machinery insurance policies. The Boiler/Machinery portion is not represented in Table 5.

The expiring property insurance policy premium was \$2,295,953.00. The renewal premium is \$2,358,567.00; an increase of \$62,614.00 over the expiring premium due to an inflationary increase to the property value of 2.7 percent. After extensive marketing for competitive property insurers, FM Global insurance company has offered a policy which maintains the City's deductible level and premium rate per dollar value insured while providing an increased coverage limit from the expiring \$250 million to a renewal \$500 million. The City's highest valued insured property is the Main Treatment Plant at 9 Leslie St. valued over \$788 million. It is recommended to obtain the higher limit of insurance for greater coverage of the City's largest valued location.

Table 5
Expiring vs. Renewal
Property Insurance Policies

June 1, 2003

Coverage Level	Expiring Program June 1, 2002 to June 1, 2003	Option 1 Renew Expiring Program June 1, 2003 to June 1, 2004	Option 2 Factory Mutual Program June 1, 2003 to June 1, 2004	Coverage Level
\$500,000,000			Factory Mutual 100% \$2,358,567	\$500,000,000
\$250,000,000	American Home 10% \$229,595	American Home 10% \$304,673		\$250,000,000
	Zurich Insurance 21% \$482,150	Zurich Insurance 21% \$639,813		\$150,000,000
\$150,000,000	Royal & Sun Alliance 34% \$780,624	Royal & Sun Alliance 34% \$1,035,888		\$100,000,000
\$100,000,000	Commonwealth 35% \$803,584	Commonwealth 35% \$1,066,355		\$50,000,000
\$50,000,000				\$2,000,000
\$2,000,000				\$1,000,000
\$1,000,000			\$500,000	
\$500,000			\$250,000	
\$250,000			\$100,000	
\$100,000			\$50,000	
\$50,000				
\$0	\$2 Million SIR Total Insured Values \$7,653,177,967 Property	\$2 Million SIR Total Insured Values \$7,861,889,488 (2.7% increase) Property	\$2 Million SIR Total Insured Values \$7,861,889,488 (2.7% increase) Property	\$0
	Total Premium \$2,295,953	Total Premium \$3,046,729	Total Premium \$2,358,567	

Changes to the City's property insurance program as illustrated in Table 5 above, for the June 1st renewal include:

- the amount of insurance available to be purchased by the City increases from a limit of \$250 Million to \$500 Million.;
- the City's deductible will remain unchanged at \$2 Million per occurrence;

Property and Boiler/Machinery insurance costs have been included in the 2003 Operating Budgets of insured departments, agencies, boards and commissions. The 2003 Budget included an additional contribution of \$5 Million to the Insurance Reserve Fund in recognition of underfunding in the annual contributions to the Insurance Reserve Fund as well as rising insurance costs. The additional contribution is projected to be sufficient to cover the increase.

Conclusions:

This report completes the requirements of the authority delegated to the Chief Financial Officer and Treasurer to outline the details of the insurance arrangements for the period of May 1, 2003 to June 1, 2004 which were bound on an interim basis within the premium amount specified.

At its April, 2003 meeting, City Council authorized an expenditure of \$2,762,096.00, plus

applicable provincial taxes, for insurance policies finalized at that time and a maximum foreseeable annual premium or 13 month period expenditure for outstanding May 1, 2003 renewals of \$4,141,924.00 for policies to be negotiated.

Within the authority delegated, all insurance policies have been successfully renewed. Property insurance limits have been increased from \$250 million to \$500 million per occurrence for the same premium rating and deductible as the expiring policy. The increase provides a greater level of coverage to the City's higher valued locations. Liability insurance limits of \$56 million have been obtained compared to liability limits of \$100 million under the expiring program.

An additional expenditure of \$291,505.00, plus applicable provincial taxes, is recommended to achieve liability limits of \$101 million.

This report also recommends that the City enter into a Financial Security Agreement with the City's automobile insurer, at no cost to the City, which is in form and content satisfactory to the City Solicitor. The agreement is necessary to support the City's request to maintain a \$3 million automobile insurance deductible.

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Attachment 1
 May 1, 2003 and June 1, 2003 Insurance Policy Renewals
 All Policies Expire June 1, 2004

Coverage	Insurer	Limit	Attachment	Renewal Premium
May 1st, Insurance Policy Renewals for 13 Month Term				
Primary Liability				
Comprehensive General Liability	Ace INA	3,000,000	XS \$3 million SIR	1,953,000
Medical Malpractice Liability	“	3,000,000	XS \$3 million SIR	Included
Automobile (Leased and Owned)	“	3,000,000	XS \$3 million SIR	Included
Garage Auto Liability	“	3,000,000	XS \$3 million SIR	Included
Public Officials E and O Liability	“	3,000,000	XS \$100K SIR	Included
Umbrella and Excess Liability				
Primary Umbrella	Am Re	5,000,000	XS \$6M primary	542,500
1 st Excess Liability	Elliot Special Risk/Temple	10,000,000	XS \$5M xs \$6M primary	493,675
2 nd Excess Liability	ACE INA	5,000,000	XS \$15M xs \$6M primary	244,125
3 rd Excess Liability	Elliot Special Risk/ Temple	5,000,000	XS \$20 M xs \$6M primary	162,750
4 th Excess Liability	ACE INA	5,000,000	XS \$25M xs \$6M primary	108,500
5 ^h Excess Liability	AIG London excls Med Mal	20,000,000	XS \$30 M xs \$6M primary	263,870
6 th Excess Liability	AIG London excls Med Mal	5,000,000	XS \$50M xs \$6M primary	61,630
7 th Excess Liability	Gerling excls Med Mal	15,000,000	XS \$55M xs \$6M primary	162,750
8 th Excess Liability	St. Paul Fire and Marine	25,000,000	XS \$70M xs \$6M primary	67,125
Home Day Care Liability	Wellington ING	2,000,000		56,838
Crime	Lloyds	5,000,000	\$500K SIR	165,595
Owned Aviation	British Aviation Insurance Group (BAIG)	10,000,000 (45,000 Hull)	XS \$1K hull deductible	4,487
Non-Owned Aviation	BAIG	10,000,000	Nil	5,043
Marine Hull and Machinery	Subscription led by ACE INA	21,164,500 (18 vessels)	XS \$5K - \$15K deductibles	127,719
Marine Protection and Indemnity	Shipowners' Mutual	2.25 Billion (\$1B – oil pollution claims)	XS \$1K - \$5K deductibles	72,597
June 1st, Insurance Policy Renewals				
Property	Factory Mutual	500,000,000	XS \$2 M Deductible	2,358,567
Boiler and Machinery	Royal and SunAlliance: 100%	100,000,000	XS \$100K deductible	165,195
Total Premiums				7,015,966

ATTACHMENT NO. 5 [Notice of Motion J(20)]

Report dated May 15, 2003, from the Chief Financial Officer and Treasurer, entitled "Funding the City's Contribution to Economic Recovery from SARS" (See Minute No. 7.95, Page 143):

Purpose:

This report responds to City Council's request at its Special Meeting held on April 24, 2003, that the Chief Financial Officer and Treasurer inform the Budget Advisory Committee and the Policy and Finance Committee of a financing source for the City's share of funding for economic relief to businesses for the year 2003. The report also discloses the amount of Severe Acute Respiratory Syndrome (SARS) related costs incurred up to May 2, 2003 by the City.

Financial Implications and Impact Statement:

Council has committed to co-finance with the other levels of government a program to assist with the economic recovery of businesses in the City. The City's share of the initial \$25 million approved by Council is \$5 million. Council further authorized expenditures in an amount of \$500,000.00 as seed funding to develop a comprehensive action plan to address the economic and tourism impacts of SARS on the City.

A recommended interim financing source for the \$5 million economic recovery commitment is the Land Acquisition Reserve Fund. The purpose of this reserve fund is to provide funding for various capital projects from the net sale proceeds generated from the disposal of surplus properties. The \$500,000.00 seed funding could be partially financed from balances in a number of inactive reserve funds that staff is recommending for closure. These reserves funds (detailed in the Comments section below and in Appendix 1) have remaining balances totalling \$379,933.00. The net shortfall of \$120,067.00 would be temporarily financed from the Land Acquisition Reserve Fund.

Financing the City's contribution from the Land Acquisition Reserve Fund is not consistent with the purpose for which that reserve fund was created. While sufficient funds are available in the fund to temporarily finance the required \$5,120,067.00, Council would have to specifically approve the intended use, along with a strategy to replenish the fund. The Chief Financial Officer and Treasurer will closely monitor spending in 2003 and will report any under-expenditure through the operating variance reports. Any available surplus will be first used to reimburse the Land Acquisition Reserve Fund.

In addition to the above, the City has incurred, and continues to incur costs associated with the SARS outbreak. The 2003 Operating Budget contains no provision for unanticipated expenditures nor is there a contingency account set up for such purposes. Therefore, any

incremental SARS related expenditures will result in a pressure on the 2003 Operating Budget. To alleviate this pressure, the will be requesting full cost recovery from the Province.

Up to May 2, 2003, the City has incurred estimated costs totalling \$10.494 million to manage and contain the SARS outbreak (see Appendix 2). As yet, it has not been determined what the total cost of managing SARS to the City will be. Nevertheless, it is expected that SARS related costs will be recovered in full from the Province. Revenue losses are similarly being tracked including the Toronto Transit Commission, for instance, which has experienced a revenue loss of \$2.2 million to April 30th. Other City programs including the Toronto Zoo, Exhibition Place, Parks and Recreation will suffer revenue losses. A separate report disclosing the full financial impact of SARS on the City of Toronto will be presented to the Budget Advisory Committee in June/July 2003.

Recommendations:

It is recommended that:

- (1) the Chief Financial Officer and Treasurer be authorized to recover all SARS related operating expenditures from the Province;
- (2) the \$5 million committed by City Council to assist with the economic recovery of businesses in the City of Toronto be financed temporarily from the Land Acquisition Reserve Fund;
- (3) Council authorize closure of the Marketing Campaign (\$4,257.00), Special Events (\$216,166.00), Special Festival Events (\$48,479.00), Bi-centennial Celebrations (\$108,563.00) and 200th Birthday (\$2,468.00) Reserve Funds with a total balance of \$379,933.00;
- (4) the balances of the reserve funds identified for closure in recommendation (3) above totaling \$379,933.00 be transferred to a non-program account for the purpose of partially financing the City's \$500,000.00 seed funding commitment to develop a comprehensive action plan to address the economic and tourism impacts of SARS, and further, that the difference of \$120,067.00 be financed temporarily from the Land Acquisition Reserve Fund;
- (5) all City Agencies, Boards, Commissions and Department staff be directed to make every effort to minimize reallocation of under-expenditures during the 2003 fiscal year and that any available surplus at year end be first used to reimburse the Land Acquisition Reserve Fund for the \$5,120,067.00 borrowed to temporarily finance Council's SARS initiatives;

- (6) the 2003 Operating Budget be adjusted by \$5.5 million gross and zero net to be financed first from the balances in special events reserve funds identified for closure and then through contributions from the Land Acquisition Reserve Fund be approved and that the budget for SARS economic recovery be placed in a Non-program account;
- (7) the Chief Financial Officer and Treasurer be authorized to draw up to \$5,120,067.00 from the Land Acquisition Reserve Fund on an as needed basis;
- (8) the Chief Financial Officer and Treasurer monitor City spending and report back on the status of SARS related costs and spending, as part of the quarterly variance reports; and
- (9) the appropriate City officials be authorized to the necessary action to give effect thereto.

Background:

At its Special Meeting on April 24, 2003, Council adopted a number of recommendations addressing the significant impact of SARS on the City's economy and authorized proposals to help alleviate the economic hardship imposed on businesses in the City. The recommendations included the following:

- that the Federal and Provincial Governments be requested to each provide funding in the amount of \$10 million and the City of Toronto provide \$5 million, for a total of \$25 million, to assist with the economic recovery of businesses in the City of Toronto and to provide that advertising be targeted to key cities whose residents are known to visit Toronto, such funds to be spent once the 20-day period of no new SARS cases elapsed, a portion of the funding to be used for a local campaign;
- that the appropriate City staff be authorized to commence the necessary program expenditures, once funding is available, to assist with the economic recovery of businesses in the City of Toronto;
- that the Chief Financial Officer and Treasurer be requested to submit a report to the Budget Advisory Committee (BAC) and the Policy and Finance Committee on a recommended source of financing for the City of Toronto's share of funding for 2003; and
- that City Council authorize expenditures in an amount up to \$500,000.00, as a seed fund to deal with the SARS situation and to develop a comprehensive action plan to address the economic and tourism impacts on the City of Toronto, and the Chief Administrative Officer, in consultation with the SARS Advisory Task Force to the Mayor, determine the allocation of this fund.

The City has been incurring unanticipated expenditures dealing with the SARS outbreak. It is expected that all SARS related expenditures incurred to manage and contain SARS will be recovered from the Province. Based on this premise a system has been developed to track and account for incremental SARS related costs.

Comments:

Financing \$5.5 million Economic Recovery Assistance:

In March 2003, Council approved a balanced Operating Budget for fiscal 2003. The budget contains no provision for dealing with emergency or unanticipated expenditures; therefore, any SARS costs processed through the operating budget would constitute a pressure on the operating budget. Moreover, if a sufficient and compensating funding source were not found then there is a risk that the City would be in a deficit position at year-end.

A review of financing options included examination of existing reserves and reserve funds. This review indicated that the Land Acquisition Reserve Fund has sufficient uncommitted funds to temporarily finance the SARS economic recovery initiatives. This reserve fund was created to provide funding to acquire land for capital projects from the net proceeds generated from disposal of surplus properties.

Financing the specified SARS related initiatives from the Land Acquisition Reserve Fund is inconsistent with the purpose for which it was established. Therefore, it is recommended that the Land Acquisition Reserve Fund be used only as a temporary financing source for the \$5 million committed to assist with the economic recovery of businesses in the City of Toronto. The reserve fund should be replenished by year-end from any available under-expenditure / surplus. It is further recommended that the Chief Financial Officer and Treasurer monitor spending and report through the quarterly operating variance report, and that all City Agencies, Boards, Commissions and Departments be advised to make every effort to minimize reallocation of under-expenditures to other purposes.

Review of existing reserves and reserve funds disclosed several special event related reserve funds that are inactive and should be reallocated and closed. Five such inactive reserve funds having a total balance of \$379,933.00 are listed in the table below and detailed in Appendix 1:

Reserve Funds Recommended for Closure

Reserve Fund	Balances
	\$
Special Events	216,166.00
Bicentennial Celebrations	108,563.00
Special Events and Festival	48,479.00

Marketing Campaign	4,257.00
200th Birthday	<u>2,468.00</u>
 Total	 379,933.00

This report recommends that the above noted reserve funds be closed and that the available and uncommitted balances be utilized to partially finance the \$500,000.00 seed fund set up to develop a comprehensive action plan to address the economic and tourism impacts of SARS. To finance the remaining \$112,450.00 (the difference between the \$500,000.00 seed fund commitment and the \$379,933.00 available from reserve funds recommended for closure) an additional draw from the Land Acquisition Reserve Fund is recommended. This temporary funding arrangement would require reimbursement of the reserve fund by year-end.

Council's economic assistance initiatives above constitute an increase in the 2003 Gross Operating Expenditures with a compensating increase in revenues. Therefore Council is required to approve an in year budget adjustment for \$5.5 million gross expenditures and revenues with no property tax impact. For accounting purposes, the Chief Financial Officer and Treasurer will be required to create a separate Non-program account to record and track SARS expenditures related to Council's economic recovery initiatives.

SARS Operating Cost:

The SARS outbreak has put pressure on the City's public health system and, because considerable resources have been re-directed to attend to SARS, delivery of regular services has been impacted. This has resulted in incremental and unplanned operating cost increases. The City expects to be fully reimbursed for all SARS related operating cost increases from the Province of Ontario. A tracking and accounting system has been instituted to enable accurate reporting of SARS costs. As summarized in the Table below and detailed in Appendix 2, SARS related expenses to May 2, 2003 total \$10,494,246.

SARS Related Estimated Actual Expenditures to May 2, 2003 (in \$000)	
Salaries	5,818
Overtime	754
Benefits	74
Materials and Supplies	2,953
Other	<u>895</u>
Total	10,494

The City will suffer revenue losses given the economic impact of SARS on travel and tourism and the associated decrease use of recreational services provided by the City. Based on estimates by the Conference Board of Canada, the "SARS outbreak is forecast to reduce travel and tourism in Toronto by roughly 22 per cent in the second quarter and by 8.9 percent for 2003 as a whole." Coupled with a decrease in recreational and outdoors activities by residents, downturn in travel and tourism will result in loss of revenues to the City. It has been estimated that the Toronto Transit Commission (TTC) has lost approximately \$2.2 million in fares to April 30th. Other City programs including the Toronto Zoo, Exhibition Place, Parks and Recreation will suffer revenue losses. A separate report disclosing the full financial impact of SARS on the City of Toronto will be presented to the BAC in June/July 2003.

Conclusion:

SARS has negatively impacted the economy of the City of Toronto and has resulted in incremental increases on operating costs on the City. In order to assist with the economic recovery of businesses, the City has committed \$5 million to a cost-shared program with the Provincial and Federal Governments. In addition, the City has committed \$500,000.00 as seed funding to develop a comprehensive action plan to address the economic and tourism impacts of SARS.

In order to finance the City's share of the economic recovery, six inactive special event related reserve funds totalling \$379,933.00 are recommended for closure with their balances being used to partially finance the seed funding commitment. The Land Acquisition Reserve Fund is recommended as an interim financing source for the remaining \$5,120,067.00 required for the economic recovery initiatives approved by Council. The report also recommends that any under-expenditure in 2003 be first used to reimburse the Land Acquisition Reserve Fund. Also, the City has incurred an estimated \$10.494 million (as at May 2nd, 2003) in its efforts to manage and contain the SARS outbreak which must be fully funded by the Provincial government. The Chief Financial Officer and Treasurer will report to Council on SARS costs and financing on a regular basis through the quarterly variance reports.

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(A copy of the appendices to the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 6 [Notice of Motion J(20)]

Joint Report dated May 21, 2003, from the Chief Administrative Officer and the Commissioner of Economic Development, Culture and Tourism, entitled “Mayor’s SARS Recovery Task Force – Status Report (All Wards)” (See Minute No. 7.95, Page 143):

Purpose:

To provide an overview and status report of the mandate, workplan and actions of the Mayor’s SARS Recovery Task Force.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) Council endorse and provide concurrence with the actions taken by the Task Force to date;
- (2) the City’s SARS economic recovery and hardship relief initiatives be deemed to be municipal purposes and that the Chief Financial Officer/Treasurer be directed to issue income tax receipts for eligible donations;
- (3) the 2003 operating budgets for the donation programs be increased commensurate with the value of donations received and that the Task Force and appropriate City staff be authorized to approve expenditures equivalent to the value of donations received for each of the two purposes;
- (4) staff report back in September on the actions of Task Force to that date, the impact of the Toronto: You Belong Here campaign, and the value of donations received; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At a special meeting of Council on April 24, 2003, Council established the Mayor’s SARS Recovery Task Force and adopted a number of motions on specific actions to be taken by staff or to be considered by the Task Force related to ensuring the City’s social and economic recovery following the SARS outbreak and the associated local and international media coverage. At the same meeting, Council approved a budget of \$5.5 million for the Task Force

to launch and implement the recovery campaign. The funding source for this budget is the subject of a separate report from the Chief Financial Officer.

Membership on the Mayor's Task Force is comprised of the Mayor, Deputy Mayor, Chairs of Standing Committees, the Budget Chief, the Diversity Advocate, and the Chair of the Board of Health. The mandate of the Task Force was identified as addressing the public health needs of the City, combating fears, promoting Toronto to Torontonians, business and leisure travellers, and ensuring economic relief for individuals and businesses.

The role of the Task Force is to provide leadership on the mandate issues, manage the related intergovernmental relationships, and oversee planning, priority setting, and resource allocation decisions. The Task Force commenced meeting on Monday April 28, 2003 and has met on an almost daily basis since that time.

Comments:

In order to operationalize the mandate of the Task Force, a structure was established with five key work streams. The five streams were defined as follows: Public Health, Global Positioning (Tourism and Business Investment), Engaging Torontonians, Hardship Relief and Social/Community. The Task Force receives input from City Council, Community/Business Groups, and individual Councillors and is supported by a small Secretariat comprised of seconded city staff. Motions, requests and input are channelled through the appropriate mandate stream which makes recommendations back to the Task Force. Each mandate stream is led by Councillor Champion(s) and is supported by a staff team (see Appendix 1 – Task Force Structure).

A key element in ensuring the success of the recovery is strategic alignment and working partnerships with the Provincial and Federal Governments. To date, the Province of Ontario has committed \$128.0 million towards SARS recovery efforts, and the Federal Government has committed up to \$100.0 million. It is the goal of the Task Force to clarify the specific purpose for these funds and to determine how they will be directed. In so doing, the Task Force will be able to ensure that the City's funding of \$5.5 million is used most effectively within the overall strategy and will achieve optimum benefit for the City. By partnering with the other levels of government, their agencies and the Tourism Industry Coalition, the City will be able to leverage our funding and our campaign to generate a more intense impact reaching a broader audience across the Province, the Country and internationally. To this end, the Task Force and staff have been actively communicating with the Federal and Provincial representatives in an effort to secure more clarity on the purpose and direction of their funding commitments.

However, it is also critical that the City move aggressively and proactively to reassure Torontonians that our City is safe, to promote economic activity, and to communicate positive Toronto images to tourists and businesses within and beyond the GTA. Accordingly, the Task

Force has determined that the City's funding should be directed towards local engagement initiatives. A number of steps have been taken to develop and implement workplans for each mandate stream as well as a local promotional campaign immediately.

LOCAL CAMPAIGN

Among the motions approved at the special meeting of Council on April 24, 2003 Council authorized the CAO, the Chief Financial Officer and the Commissioner of Economic Development, Culture and Tourism to engage the services of an agency to develop a program to counter the negative perception of Toronto as a result of the SARS outbreak, and to preserve the City's tourism revenue.

By its nature, there are severe time constraints around this strategy as it needed to be launched immediately. "Day 20" without new cases was anticipated during the second week of May, and the immediate opportunities for action were focussed around the Mother's Day weekend (May 11th) and the US and Canada long-weekends (May 17 and 24). Council directed the Task Force and staff to act immediately to engage a public relations/marketing/advertising specialist agency to provide external expertise and resources to develop and implement a comprehensive campaign and to help co-ordinate the City's efforts with other agencies retained by public and private sector partners to work on parallel campaigns.

There was insufficient time available to engage the firm under the normal procurement process which includes a formal solicitation of proposals by the Purchasing Agent and the provision of 15 days for all interested firms to submit proposals. Accordingly, the agency selection was accomplished under the emergency provision, Section 195-5D of the Purchasing By-law. Specifically, this section reads as follows:

195-5D. When an event occurs that is determined by the Chief Administrative Officer or a department head to be a threat to public health, the maintenance of essential City services, the welfare of persons or of public property, the security of the City's interest, or financial liability arising from environmental conditions, and the occurrence requires the immediate delivery of goods and services and time does not permit for the department to allow the Purchasing Agent to acquire such goods and services, the Chief Administrative Officer or department head may make such purchases without the involvement of the Purchasing Agent. The Chief Administrative Officer or the department head must advise the Purchasing Agent, and in the case of a department head advise in addition the Chief Administrative Officer, of such purchases and report such purchases to the appropriate standing committee in accordance with the provisions of this chapter. The Chief Administrative Officer or department head, as the case may be, shall report to Council through the appropriate standing committee at the earliest opportunity after making the purchase.

In order to protect the security of the City's interest by ensuring prompt action towards the City's economic, social and financial recovery from the impact of SARS, and given the significant associated time constraints, staff proceeded under section 195-5D of the by-law.

In addition, in accordance with Task Force request, staff consulted with the City Solicitor and the Auditor General related to this issue. The City Solicitor agreed that “our interpretation of Section 195-5D of the Purchasing By-law is correct” and the Auditor General also agreed that we could proceed under the existing purchasing by-law authority.

Notwithstanding the provision to sole source the selection under this section of the by-law, the Task Force approved and utilized an abridged selection process from a short-list of predetermined firms in order to ensure that a reasonable degree of rigour and due diligence was imposed on the process insofar as is possible given the time restrictions. Eight agencies who met key pre-qualifications were provided with briefs describing the objectives for the campaign and were invited to present proposals to the Task Force on Monday and Tuesday, May 5th and 6th, 2003. Five agencies accepted the invitation. Members of the Task Force evaluated the firms giving consideration to the criteria of technical compliance, related experience, creativity, approach and value for money. The Task Force unanimously selected BBDO Canada Inc. as the City’s agency. A communication was issued to all Councillors on May 6th, providing an update on the process, rationale and the decision.

The agency’s mandate included the development of a campaign slogan and graphic image, as well as an integrated promotional strategy to market new events and existing signature and community events and festivals. Components of this promotional strategy include daily and ethnic television, radio and print advertising, public relations and media relations, website, outdoor advertising such as billboards, transit posters and street banners, as well as Point of Sale materials such as posters, banners, and buttons at restaurants and retail outlets.

Promotional plans for Mother’s Day, the Victoria Day weekend celebrations and for other May weekends are either complete or in progress. Plans are underway to develop an overall positioning advertising campaign and an integrated promotional strategy that would provide strong marketing support for existing events and festivals and animate Torontonians to come out and enjoy their City throughout the summer.

Based on staff and Task Force feedback, BBDO fine tuned its slogan proposal and the “Toronto: You Belong Here” campaign was adopted by the Task Force and launched at a media conference on May 9. The Mayor’s SARS Recovery Task Force was also renamed the Mayor’s “Toronto: You Belong Here” Recovery Task Force to focus on the positive aspects of the campaign.

BBDO developed and executed the Mother’s Day campaign that included media relations, as well as print and radio advertising. Media coverage generated 36 stories with a total audience reach of more than 12 million. Pro-bono advertising generated 41 TV, radio and print occasions, reaching 84 percent of Torontonians.

For the Victoria Day weekend, Toronto ambassadors were deployed to Pearson International Airport, Union Station and local malls to welcome visitors and to promote the weekend’s events to Torontonians. The Mayor and Task Force members participated in a “meet and greet” opportunity to welcome travellers at the airport arriving in town as part of the Air

Canada “Canada loves Toronto” promotion. Additional print and radio advertising promoted the four fireworks parties at Mel Lastman Square, Centennial Park, Albert Campbell Square and Ashbridge’s Bay. A total of 128 radio spots and 18 print ads over three days reached 96 percent of Torontonians. All four fireworks and entertainment events were packed with Torontinians of all ages.

Two video satellite feeds, featuring the Mayor, the Medical Officer of Health and the Deputy Mayor, were organized by Corporate Communications on April 25/26 and May 2/3 to promote the message that Toronto is safe. The first feed in North America hit 108 markets, was played on 264 stations and was used in 1201 segments. The second feed was also well-picked up and used primarily by Toronto and Canadian media.

The agency, together with City staff, will continue to work with provincial and federal partners to co-ordinate further promotional efforts and plans.

WORKPLANS

To support the strategic recovery initiatives of the Task Force, work teams have been set up for each of the five main areas of focus as identified in the Task Force mandate: Public Health, Global Positioning, Engaging Torontonians, Hardship Relief and Social/Community. Detailed work plans have been developed for each mandate stream and approved by the Task Force. The work plans are based on key outcomes identified by the Task force and on the direction provided by the motions adopted by Council at its Special Meeting held on April 24, 2003. Each work plan includes strategies to realize these key outcomes and provides the status of each Council motion. (attached – Appendix 2). The following provides a summary of the work plans and status for each stream.

Public Health

The mandate of the Public Health stream is to address the public health needs of the City by assuring Torontonians that their key health needs are met through health communication plans and regular updates, planning for future medical emergencies by establishing surge capacity within Toronto Public Health and a plan for adequate and substantial response to infectious diseases, and ensuring the lifting of bans and travel advisories by providing accurate, timely information and clear messages regarding Toronto’s health status.

To this end, staff has established and communicated regular updated SARS Fact Sheets and continues to respond to the media as required. Planning is underway regarding the model and resources required to respond effectively and efficiently to future medical emergencies and a request will be included in the 2004 budget to fund infectious disease response. City officials are also meeting with the Province to discuss 2003/04 funding requirements. In order to remain vigilant as the City manages SARS recovery, public health must maintain a minimum capacity in order to respond appropriately. If the Province does not fund SARS

recovery as planned, this will create a pressure on the 2003 Public Health operating budget. The City continues to provide up to date and accurate information to the W.H.O. The travel advisory for Toronto has been lifted and Toronto has now been removed from the list of affected areas.

The Council motions concerning public health have been completed, are in progress or are being addressed by the Federal and Provincial governments. The City is sending daily communications to the Province with updated facts on SARS. Community agencies have been sent SARS fact sheets along with guidelines for universal infection precautions of good hygiene practices. The CAO will be meeting with provincial officials to request increased financial resources for Toronto Public Health for local capacity to manage emerging infectious diseases. Measures are being taken by the Federal government to ensure that possible SARS carriers do not enter Canada including health screening at international airports and the issuance of advisory forms to travellers arriving and departing Toronto. Staff has raised the issue of increasing the Province's internal capacity to address emerging infectious diseases with Provincial representatives. The Province is also addressing the backlog of surgeries and medical procedures postponed by the SARS emergency.

Global Positioning - Tourism

The Global Positioning stream addresses both the Tourism and Business Investment/Economic Development components. The mandate of the Tourism component is to promote Toronto to business and leisure travellers and to international economic development and industry sectors by bringing leisure tourists' back, retaining, rebooking and attracting new conventions. The goal is to target marketing efforts to regions in the United States and internationally.

A key staff role is to participate on the Toronto Tourism Industry Community Coalition. This group is comprised of representatives from Tourism Toronto, Greater Toronto Hotel Association, Ontario Restaurant, Hotel and Motel Association, Board of Trade, Province of Ontario, Retail Council of Canada, Air Canada, Metro Convention Centre, and Canadian Tourism Commission. The objective of this group is to work to develop a recovery plan for the tourism industry and to ensure that all activities undertaken by partners are consistent and that there is no duplication of efforts. The Province's financial commitments are closely tied to the coalition recovery plan. The recovery plan will cover an 18 to 24 month period and covers a wide range of initiatives. It will be critical that the tourism and culture initiatives proposed by the global positioning team are considered in the context of the overall recovery plan.

In an effort to bring leisure tourists back, staff are proposing an aggressive series of consumer promotions using Toronto celebrity endorsements, capitalizing on and enhance promotion of existing events, enhancing on-line marketing and media relations activities. Staff are pursuing

celebrity Public Service Announcements with well known Canadians and exploring a celebrity ambassador program on US talk shows.

New tourism products are under consideration including a Toronto Theatre 'Second Night' Program, a visual art promotion strategy and a concierge education program. Staff will be creating a program with the Toronto Theatre Alliance to promote the "off King Street" experience as an addition to traditional theatre experiences.

A program to enhance the cultural tourism experience is being recommended through strengthening of the cultural and promotional linkages between Toronto and international cities, establishment of the Toronto Lifetime Creativity Awards and designating 2006 as the Year of Creativity. Staff will be launching a Creative Youth Envoy professional internship program in partnership with the federal government.

Active efforts are continuing to retain existing conventions by supporting the efforts of Tourism Toronto and the Metro Toronto Convention Centre. Staff will continue to co-ordinate with Toronto Public Health and the Medical Officer of Health to offer reassurance and support letters to event organizers. Staff are also developing a package of incentive offerings such as access to prime street banner positions for convention organizers and providing rent-free space for functions. Tourism Toronto and the Office of the Mayor are communicating directly with organizers of cancelled conventions in order to motivate them to reschedule in Toronto.

Plans are also underway to attract new convention business by supporting the efforts of Tourism Toronto and engaging City of Toronto senior management staff. Staff are preparing a Challenge letter from the Mayor to all senior management to bid to host conferences that staff may be attending in other destinations.

In addition, all Toronto Attractions have been invited by Tourism Toronto to participate in the development of the Tourism Industry Coalition recovery plan. The City of Toronto was represented by Councillor Minnan-Wong at the 3rd Annual Global Travel and Tourism Conference held May 14-18 in Portugal.

Global Positioning - Business Investment/Economic Development

The mandate of the Business Investment/Economic Development component is to project Toronto as a healthy, safe, vibrant location, to revive trade missions and to showcase Toronto to investors.

To address this goal, a magazine advertorial program is under consideration along with a campaign to export Toronto experts. Staff are investigating a Business and Investment themed advertorial in fortune and Enroute magazines. In order to promote Toronto as the best location to visit and a great location to invest, staff will be working with coalition partners to

develop business focused video messaging, investment advertising, marketing partnerships, organizing FAM tours and business and investment special event programming.

In order to seize the opportunity to showcase Toronto's management of the SARS crisis as exemplary of a North American modern metropolis, media and public relations initiatives are being developed and staff are working with Universities and sector leaders to facilitate the presentation of papers at conferences. In an effort to re-establish the objectives of key sectors such as biomedical and Film & TV, staff will be implementing a corporate outreach program and presenting displays in key US markets jointly with federal and provincial partners.

For the Business Investment/Economic Development portion of this mandate stream, the motions have been addressed. The CBC has corrected an internal directive to suspend all non-essential travel to Toronto. Air Canada is encouraging citizens to come to Toronto by offering low fares and has established the "Canada loves Toronto" campaign. Air Canada is also consulting with Health Officials as requested.

Engaging Torontonians

The primary mandate of the Engaging Torontonians stream is to sell Toronto to Torontonians by enhancing civic pride, by promoting shopping, dining, and exploring, and by mobilizing citizens to participate and engendering "pride of place".

There are five major areas of focus within the Engaging Torontonians plan. They are: support and enhance the marketing of exiting signature and community events; mobilize Torontonians by engaging community and business leaders; create new initiatives and events; clean city -- shining the city; and positioning the City by selling Toronto to Toronto. Activities and workplans are being developed for each of these major areas. Discussions are also underway with the Federal Government to secure support for special events and clean city initiatives through existing HRDC programs.

BBDO has been hired to develop a local market campaign to achieve these objectives. They have created a slogan and graphic identifier – 'Toronto: You Belong Here' which will aid in the positioning of the City. The slogan and advertisements have been effectively used in Public Service Announcements for Mother's Day and Victoria Day weekend and a broader infusion strategy is in progress.

Effort to enhance civic pride include convening new events and initiatives aimed at assisting those areas most affected by SARS – health care workers, Chinese community, restaurants, hotels and retail sectors. For the Victoria Day weekend an ambassador welcoming program was launched with volunteers welcoming visitors as they arrived at Pearson International Airport and Union Station. Ambassadors were also promoting city-wide events at major shopping centres. In addition, special events consisting of music and fireworks were held at four City locations – Mel Lastman Square, Centennial Park, Albert Campbell Square and

Ashbridges Bay. Support is being provided to the Chinese community through assistance for five events in a Summer Festival Program – the Downtown-Chinatown Festival, East Chinatown Dragonfest, a Scarborough event (yet to be announced), International Dragon Boat Festival and the Drumming Festival. An appreciation event for the City's Health care workers took place on May 15, 2003.

In partnership with Tourism Toronto, a postcard has been created to encourage City employees and tourists alike to send a note to friends and family members around the world, sharing a positive message about Toronto, and an invitation to come for "a little TO".

Ensuring that local businesses feel confident and informed is being accomplished by engaging the corporate community through a blue-ribbon committee of business leaders to act as recovery champions, ensure communication links among groups and develop media strategies that engage city leaders and celebrities in Toronto and outside of Canada. Staff are linking with the Board of Trade and will investigate a link with the City Summit alliance to involve business leaders. Staff are also working with BBDO to develop celebrity campaigns.

There has been progress on the majority of Council motions related to this mandate stream. A five point plan for engaging Torontonians has been adopted by the Task Force and will be fully implemented over the next few months. Staff are actively working with local community events and festivals to provide marketing and public relations assistance, and to ensure that all events are captured as part of the promotional strategies around Toronto: You Belong Here, to leverage the maximum exposure and benefit for all events and attractions.

Hardship Relief

The mandate of the Hardship Relief stream is to provide relief for individuals and businesses by engaging the private sector, working with the Federal and Provincial governments to establish and/or extend support programs, and by dialoguing with landlords to provide relief for tenants.

A number of initiatives in this area have already been implemented. Promotional support for tourism and business travel has been addressed through the theatre/hotel packages, discount air fares and reduced price gasoline. Recovery and hardship relief is being provided through the five major banks which have collectively committed to a \$1.0 million contribution to SARS recovery efforts and which have implemented direct relief programs including mortgage payment postponement for both businesses and individuals.

Two donation accounts have been established to accept contributions from individuals and corporations towards the City's SARS recovery efforts in the categories of hardship relief and economic recovery. Such donations would be eligible for income tax receipts and the funds would be directed appropriately by the Task Force.

Staff are actively working with the provincial and federal governments to seek financial assistance packages for local, regional and international tourism and business travel

promotion, obtaining targeted PST and GST relief and providing additional relief for affected workers and businesses. The Province and the Federal governments have committed funding of \$128.0 million and \$100.0 million respectively. The Province has passed legislation to forgive PST on accommodations and attractions from May through to September 2003 and the Federal government has agreed to relax the Employment Insurance eligibility requirements. The Task Force has supported the extension of emergency assistance to individuals affected by SARS through the Ontario Works program conditional on such a program extension being fully funded by the Province. Contingent on Provincial funding of this program extension, Community and Neighbourhood Services staff will establish a community hotline that will provide information and referral for financial, medical and other emergency relief to SARS affected residents.

Options for Property Tax relief were considered by the Task Force but are not recommended as the costs, ranging from \$2.5 million to more than \$5.8 million, are prohibitive and the tax relief cannot be targeted at specific affected groups. Furthermore, the majority of establishments are in multi-tenanted properties and there would be no way of ensuring that any such relief would be passed on from the property owner to the tenant.

Progress has been realized on the majority of the Council motions directed at relieving hardship. A donation account has been established. Community and Neighbourhood Services will establish a community hotline based on corresponding Provincial funding. Accounts have been established to accept donations towards the City's recovery efforts. Economic Development staff will handle inquiries from affected businesses and associations. Options have been developed to address financial, medical and other emergency relief requirements. The Federal government, through HRDC, has responded by waiving the 2 week qualifying period for people quarantined or impacted by SARS and EI regulations have been amended to remove the usual 2 week waiting period for EI sickness benefits for SARS-related cases. The Federal government has also indicated in the media that they will consider changes/flexibility for EI eligibility rules for part-time employees and self-employed residents.

Social/Community

The mandate of the Social/Community stream is to combat fears and provide accurate information to the public, to mobilize community agencies, to ensure adequate health promotion for socially disadvantaged groups, and to assure Torontonians that there is government action to combat negativity towards residents and specific communities.

Toronto Public Health and Corporate Communications have confirmed that all media outlets, including the ethnic media, are receiving the regular SARS updates to ensure accurate and timely information is available to the public. In recognition of the critical role that community-based agencies played in ensuring residents received accurate timely information and response to community issues, the Mayor and Diversity Advocate will be sending out a letter to agencies thanking them for their support and response. In addition media events with

the local Chinese community and, more broadly, for the ethnic media across the City are being developed as part of the Engaging Torontonians initiatives. Staff are also developing an outreach strategy to address discrimination and negative backlash of those communities and areas affected by SARS.

For this mandate stream, many of the Council motions have already been addressed and there has been progress made on the remainder of Council's directions. SARS press releases are distributed to all Toronto media including the ethnic media/newspapers. Toronto Public Health is continuing to work with both school boards to ensure increased levels of sanitization and promote increased awareness of personal hygiene. The Commissioner of Community and Neighbourhood Services reported to the May Community Services Committee on the strategies implemented by the Department on responding to SARS, including the adequacy of the Kingston Road quarantine facility for homeless persons affected by SARS. Further, the Commissioner will be reporting to the June Community Services Committee on the specific Council motions related to the shelter and drop-in system, including the development of an infectious diseases strategy.

Conclusions:

The overall objectives of the recovery plan are to rejuvenate and reassure the City, to elicit a strong sense of local pride, to engage Torontonians to participate, to drive sales for businesses, to focus on multicultural diversity, and to establish a long-term positioning platform for the City of Toronto. The strategic plan which has been developed promises to bring together and strengthen the full spectrum of new and existing events and activities across the City. It optimizes City resources to deliver effective local positioning for Toronto and provides leveraging opportunities to partner with federal, provincial, corporate and industry partners for significant national and international impact.

The campaign is off to a strong start and the new slogan is catching on quickly. Media coverage has been significant and positive. It is critical to seize the current momentum and to continue to act with urgency to implement the full scope of the plan in order to realize the maximum potential and benefit for the City of Toronto.

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List of Attachments:

Appendix 1: Task Force Structure

Appendix 2: Detailed Workplans

(A copy of the appendices referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 7 [Notice of Motion J(21)]

Report dated May 21, 2003 from the Commissioner of Works and Emergency Services, entitled “Amendment to South Rosedale Subdivision Agreement - Installation of Street Lighting - Mathersfield Drive, Ward 27 – (Toronto Centre-Rosedale)” (See Minute No. 7.96, Page 159):

Purpose:

To obtain authority to amend the South Rosedale Subdivision Agreement to permit the residents of Mathersfield Drive to have new street lighting installed on Mathersfield Drive at their expense.

Financial Implications and Impact Statement:

There are no financial implications arising from the recommendations in this report.

Recommendations:

It is recommended that:

- (1) the South Rosedale Subdivision Agreement be amended in accordance with the contents of this report to release the developer and the builder from responsibilities regarding street lighting on Mathersfield Drive, such amending agreement to be to the satisfaction of the Commissioner of Works and Emergency Services (WES) and the City Solicitor;
- (2) the amendment of the South Rosedale Subdivision Agreement in Recommendation No. (1) be approved on condition that:
 - (a) the residents of Mathersfield Drive enter into a contract with a contractor acceptable to the Commissioner of WES for the installation of seventeen (17) street lights on Mathersfield Drive, such installation to be in accordance with plans and specifications approved by the Street and Expressway Lighting Unit of the Department of WES;
 - (b) the contract for the installation of the street lighting provide for a minimum maintenance/warranty period of one year from the date of substantial completion;
 - (c) the residents provide evidence to the satisfaction of the Commissioner of WES that adequate funds have been raised by the residents to cover the entire cost of the contract for the installation of the street lights and that the contract will be administered to comply with the provisions of the Construction Lien Act and all other applicable legislation; and

- (d) the resident's contractor obtain a right-of-way management permit from the WES Department with respect to the proposed street lighting installation; and
- (3) the appropriate City officials be authorized and directed to take the necessary actions to give effect to the above.

Background:

The Corporation of the City of Toronto and Marathon Realty Company Limited entered into the South Rosedale Subdivision Agreement on February 12, 1996 (the "South Rosedale Subdivision Agreement") with respect to the subdivision of certain lands in the old City of Toronto. The Plan of Subdivision and the South Rosedale Subdivision Agreement provided for, amongst other matters, the creation of Mathersfield Drive as a City street and the installation of street lights. The street has not yet been assumed by the City, but the street lights have been installed by the developer.

Residents of Mathersfield Drive do not find the installed street lights to be visually pleasing and have raised funds from amongst themselves to install street lights they find more attractive. The residents have requested permission from the City to replace the street lights.

Comments:

The residents are prepared to hire their own contractor to carry out the work at their own expense. The contractor is prepared to provide a minimum one year warranty/maintenance guaranty on the street lights. The South Rosedale Subdivision Agreement currently requires that the developer provide a two-year warranty from the date of City's acceptance of the street lighting, as well as financial security to ensure the completion of the work and a 15 percent holdback on the security during the two-year warranty period to ensure maintenance.

The residents have not raised sufficient funds to both pay their contractor and provide additional financial security and a hold back to the City as the developer has done. The City would be responsible for the maintenance of the new street lighting after the expiration of the warranty period. The provision of a one year maintenance period is sufficient to enable the City to confirm that the lighting is operating satisfactorily.

The amendment to the South Rosedale Subdivision Agreement will release to the City any interest the developer and the builder have in the existing street lights. Those street lights will be removed by the resident's contractor and may be used by the City elsewhere.

The resident's contractor will be required to obtain a Right-of-Way Permit from the City prior to carrying out any work on Mathersfield Drive.

The developer and builder are agreeable to the residents replacing the street lights, provided that the developer and the builder are released from their responsibilities under the South Rosedale Subdivision Agreement for street lighting on Mathersfield Drive and provided they are indemnified with respect to any actions arising out of the installation of the new street lighting. The amendment to the South Rosedale Subdivision Agreement will provide for those releases and indemnifications.

This report has been prepared in consultation with Legal Services.

Conclusions:

The request of residents of Mathersfield Drive to replace the street lighting on their street at their own expense, and the authority to make the necessary amendments to the South Rosedale Subdivision Agreement, should be granted subject to the conditions set out in the recommendation section of this report. Those conditions will ensure that appropriate insurance and indemnification provisions are in place and sufficient funds have been raised to carry out the work.

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FINANCIAL IMPACT STATEMENT SUMMARY

Notices of Motion

Council Meeting – May 21, 2003

Motion		Operating	Capital	
#	Title	\$ (net)	\$ (net)	Comments
F(1)	Proposed ‘Super Hospital’ – Keele St. and Sheppard Ave.	0	0	Previously distributed. Consider.
F(2)	Support to Defend Against the Appeal with Respect to the Sale of Hydro One	\$40,000	0	Previously distributed. Consider.
F(3)	City Employees Strike – Summer of 2002	0	0	Previously distributed. Consider.
F(4)	Establishment of Four Community Councils	Unknown		Previously distributed. Consider.
F(5)	Establishing a Toll Pilot Project	0	0	Previously distributed. Consider.
F(6)	Request for Legislative Authority to Levy Tolls	0	0	Previously distributed. Consider.
F(7)	Grants to the Tenants’ Assoc. of 1305 Wilson Avenue and 34 Riverwood Parkway	\$6,175	0	Previously distributed. Consider.
F(8)	Request to Provincial Government to Abandon Electricity Deregulation and Privatization	0	0	Previously distributed. Consider.
F(9)	Increasing Fines for Illegal Dumping and Littering	0	0	Consider
I(1)	Request to Incoming Council to Impose Tax Increase to Fund the TTC Ridership Growth Strategy and Subway Expansion Plan	0	0	Consider.
J(1)	Proposed Installation of Speed	0	0	Consider

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
	Humps on Schell Ave.			
J(2)	Proposed Ban or Restriction on Rickshaws in the City of Toronto	TBD	0	See FIS. Consider
J(3)	2003 Contribution Rebate Program	\$115-220 k	0	See FIS. Refer to Standing Committee.
J(4)	Proposed Traffic Calming Measures – Old Yonge St., from York Mills Rd. to Campbell Crescent	0	0	Consider
J(5)	Tech Amendment to Clause – Final Report – Application to Amend the Official Plan and Zoning By-law 7625	0	0	Consider.
J(6)	Grant to Tenant’s Association of 1305 Wilson Avenue	\$3,500	0	See FIS. Consider.
J(7)	Grant to the Tenant’s Association of 34 Riverwood Parkway	\$2,675	0	See FIS. Consider.
J(8)	Proposed Support of Falun Dafa (Falun Gong)	0	0	Consider.
J(9)	Proposed Ban on the Use of Diesel Powered Generators on City Property	0	0	Consider.
J(10)	Encroachment Agreements – 84 Highland Cres., 100 Munro Blvd., 111 Gordon Rd. and 96 Beechwood Avenue	TBD	0	See FIS. Refer to Standing Committee.
J(11)	Annual Roncesvalles Village Octoberfest and Harvest Festival	0	0	Consider.
J(12)	FoodShare – Field to Table Day, June 9, 2003	0	0	Consider.
J(13)	Rescheduling of Community Services	0	0	Consider

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
	Committee Meeting from June 5 to June 9, 2003			
J(14)	Request to Continue Funding for Senior and Adult Community- Based Educational Activities	0	0	Consider.
J(15)	Implementation of Overnight On-Street Permit Parking – Crewe Ave. between Westlake Ave. and Chisholm Ave.	TBD	0	See FIS. Consider.
J(16)	Application for Demolition Approval – 1120 Weston Rd.	0	0	Consider.
J(17)	Renewal of the City’s 2002-2003 Insurance Program	0	0	Consider.
J(18)	Request for Removal of Tree – 2 Edilou Drive	0	0	Consider.
J(19)	First Parliament Site – 265-271 Front St. East	0	0	Consider.
J(20)	City of Toronto’s Economic Recovery from the SARS Outbreak	\$500,000	0	See FIS. Consider.
J(21)	Installation of Street Lighting – Mathersfield Drive	0	0	Consider.
J(22)	Funding for Additional TTC Services for Scadding Court Community Centre Events	\$20,000	0	See FIS. Consider.
J(23)	Indemnification of Police Officers	TBD	0	See FIS. Refer to Standing Committee.
J(24)	Settlement Offer – Official Plan and Zoning By-law Amendments – 4691 Bathurst, 500 Ellerslie and 45-51 Farrell Ave.	0	0	Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(25)	Proposal for City Council Meeting to be held at the Toronto Zoo	\$300,000	0	See FIS. Consider
J(26)	Implementation of <u>Municipal Act, 2001</u> – Revision to Notice Provisions	TBD	0	See FIS. Consider.
J(27)	Automobile Damage Claim Against the City of Toronto			
J(28)	Ontario Municipal Board Hearing – 5318 Finch Ave. East	0	0	Consider
J(29)	Support for National and Provincial Sex Offender Registries	0	0	Consider
J(30)	Request for Report Regarding Properties in Ward 16 – Harmonized Tree Protection By-law	0	0	Consider
J(31)	Promotion of Peacock Circus International Inc.	0	0	Consider
J(32)	“Portugal Day” in the City of Toronto	0	0	Consider
J(33)	Grant to Dovercourt Boys and Girls Club	\$22,000	0	See FIS. Consider \$16,000. Refer \$6,000 to Community Safety Task Force.
J(34)	Proposal Regarding 1415 Lawrence Ave.		0	Confidential FIS. Refer to Standing Committee.

Submitted by: Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 1 [NOTICE OF MOTION F(2)]

(See Minute No. 7.67, Page 92 and 7.113, Page 186)

Financial Implications:

X Operating	
<input type="checkbox"/> Current year impacts: \$40,000 (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input checked="" type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(2) – no funding is available in the Legal Department Accounts for outside legal advice. Approval of this motion will result in a pressure of \$40,000.00 to the City.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 2 [NOTICE OF MOTION F(4)]

(See Minute No. 7.69, Page 95)

Financial Implications:

Operating	
<input type="checkbox"/> Current year impacts: \$ <u>unknown</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	X Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(4) – Financial impact to be determined. Potential impact on various programs. This issue should be referred to the Governance Review Committee.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 3 [NOTICE OF MOTION F(7)]

(See Minute No. 7.72, Page 100)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$6,175 (net)	<input type="checkbox"/> Future year impacts: \$ _____ 0(net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ 0 (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – F(7) - The proposed expenditures of \$6,175.00 could be funded from the Tenant Defence Fund within Shelter, Housing and Support Operating Budget. These proposed expenditures meet the spirit and intent of the fund.

Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 5 [NOTICE OF MOTION J(3)]

(See Minute No. 7.78, Page 111)

Financial Implications:

Operating

Current year impacts: \$ 115-220k (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Impact on staffing levels: _____ (positions)

Capital

Current year impacts: \$ _____ (net) Future year impacts: \$ _____ (net)

Following year
 Future years

Funding sources (specify):

<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ _____ (net)

Operating Impact:

Program costs: \$ _____ (net)

Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J (3)

Consider Refer to Standing Committee

Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 7 [NOTICE OF MOTION J(7)]

(See Minute No. 7.82, Page 119)

Financial Implications:

X Operating	
X Current year impacts: \$ <u>2,675</u> (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
X Funding sources (specify):	
X Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Impact on staffing levels: _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(7) - The proposed expenditures of \$2,675 could be funded from the Tenant Defence Fund within Shelter, Housing and Support Operating Budget. These proposed expenditures meet the spirit of the fund.
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X Consider Refer to Standing Committee
 Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 9 [NOTICE OF MOTION J(15)]

(See Minute No. 7.90, Page 133)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$TBD _____ (net)	<input checked="" type="checkbox"/> Future year impacts: \$TBD _____ (net)
	<input type="checkbox"/> Following year
	<input checked="" type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):	
<input checked="" type="checkbox"/> Accommodation within approved operating budget	<input type="checkbox"/> Third party funding
<input checked="" type="checkbox"/> New revenues	<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$N/A _____ (net)	
<input type="checkbox"/> Impact on staffing levels: N/A _____ (positions)	

<input type="checkbox"/> Capital	
<input type="checkbox"/> Current year impacts: \$ _____ (net)	<input type="checkbox"/> Future year impacts: \$ _____ (net)
	<input type="checkbox"/> Following year
	<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):	
<input type="checkbox"/> Accommodation within approved capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)	
<input type="checkbox"/> Operating Impact:	
<input type="checkbox"/> Program costs: \$ _____ (net)	
<input type="checkbox"/> Debt service costs: \$ _____ (net)	

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(15) - Implementation will incur minimal cost to be absorbed within operating budget. New revenue based on polled residents @ one permit each could be maximum of 36 X \$102.00 = \$3,672.00 per year. Note that this could be offset by opposite fluctuations within entire system.

- Consider
- Refer to Standing Committee

Submitted by: _____
 Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 13 [NOTICE OF MOTION J(25)]

(See Minute No. 7.100, Page 166)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$ <u>300,000</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved operating budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input checked="" type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)

Impacts/Other Comments:

- Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(25) - Program estimates cost of \$300,000 related to electrical, phone and IT needs, as well as Notice of Meeting, production costs, etc. Refer for report.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FISCAL IMPACT STATEMENT NO. 15 [NOTICE OF MOTION J(33)]

(See Minute No. 7.108, Page 179)

Financial Implications:

<input checked="" type="checkbox"/> Operating
<input checked="" type="checkbox"/> Current year impacts: \$ <u>22,000</u> (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input checked="" type="checkbox"/> Funding sources (specify):
<input checked="" type="checkbox"/> Accommodation within approved operating budget (\$16,000)
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Tax rate impact
<input type="checkbox"/> Other

<input type="checkbox"/> Capital
<input type="checkbox"/> Current year impacts: \$ _____ (net)
<input type="checkbox"/> Future year impacts: \$ _____ (net)
<input type="checkbox"/> Following year
<input type="checkbox"/> Future years
<input type="checkbox"/> Funding sources (specify):
<input type="checkbox"/> Accommodation within approved capital budget
<input type="checkbox"/> New revenues
<input type="checkbox"/> Reserve/Reserve Fund contributions
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Operating Impact:
<input type="checkbox"/> Program costs: \$ _____ (net)
<input type="checkbox"/> Debt service costs: \$ _____ (net)
<input type="checkbox"/> Third party funding
<input type="checkbox"/> Debt
<input type="checkbox"/> Other

Impacts/Other Comments:

Service Level Impact:(Specify)

Consistent with Council Strategic directions and fiscal priorities (specify):

Notice of Motion – J(33) - The proposed expenditures of \$16,000 for Drug Prevention Grants could be funded from within the Consolidated Grants Program. No funding source has been identified for the \$6,000 request to undertake the community safety awareness program to be held at Exhibition Place. It is recommended that this request be forwarded to the Community Safety Task Force.

X Consider X Refer to Community Safety Task Force

Submitted by: _____
Chief Financial Officer and Treasurer