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These Minutes were confirmed by City Council on September 22, 2003

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MINUTES OF THE COUNCIL OF THE CITY OF TORONTO

**TUESDAY, JULY 22, 2003,
WEDNESDAY, JULY 23, 2003, AND
THURSDAY, JULY 24, 2003**

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

10.1 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.

10.2 CONFIRMATION OF MINUTES

Councillor Altobello, seconded by Councillor Korwin-Kuczynski, moved that the Minutes of the Council meeting held on the 24th, 25th and 26th days of June, 2003, be confirmed in the form supplied to the Members, which carried.

10.3 PETITIONS

- (a) Councillor Cho filed a petition containing the signatures of approximately 12,000 individuals, respecting the proposed Muslim Welfare Centre of Toronto.

Council considered this petition with Deferred Clause No. 24a of Report No. 5 of The Scarborough Community Council, headed "Final Report - Combined Application TF CMB 2001 0009, The Muslim Welfare Centre of Toronto, 24, 26 and 28 Rural Avenue, Agincourt Community (Ward 41 – Scarborough Rouge River)".

- (b) Councillor Korwin-Kuczynski filed a petition containing the signatures of approximately 12 individuals requesting that Ward 14 be in the Downtown Community Council area.

Council considered this petition with Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed "Establishment of Four Community Councils".

10.4 ENQUIRIES AND ANSWERS

- (a) Council had before it the following regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto:

- (1) Enquiry dated May 21, 2003, from Councillor Walker, addressed to the City Clerk (See Attachment No. 1, Page 235);
- (2) Answer to the foregoing Enquiry dated June 19, 2003, from the City Clerk (See Attachment No. 2, Page 236);
- (3) Enquiry dated May 21, 2003, from Councillor Walker, addressed to the Mayor (See Attachment No. 3, Page 238); and
- (4) Answer to the foregoing Enquiry dated June 24, 2003, from the Mayor (See Attachment No. 4, Page 239).

Disposition:

The foregoing Enquiries, together with the Answers thereto, were received.

- (b) Council had before it the following regarding the Union Station Project:

- (1) Enquiry dated June 12, 2003, from Councillor Walker, addressed to the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor (See Attachment No. 5, Page 240); and
- (2) Answer to the foregoing Enquiry dated June 23, 2003, from the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor (See Attachment No. 6, Page 244).

Disposition:

The foregoing Enquiry, together with the Answer thereto, was received.

PRESENTATION OF REPORTS

10.5 Councillor Nunziata presented the following Reports for consideration by Council:

Deferred Clauses:

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

New Reports:

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

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

- 10.6 Councillor Nunziata, with the permission of Council, presented the following Reports for the consideration of Council:

Report No. 8 of The Administration Committee, and
Report No. 3 of The Audit Committee,

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

10.7 **DECLARATIONS OF INTEREST**

Councillor Augimeri declared her interest in Notice of Motion J(21), moved by Councillor Di Giorgio, seconded by Councillor Dominelli, respecting a report from the City Solicitor on 1465 Lawrence Avenue West, in that her mother owns property in the vicinity.

Councillor Dominelli declared his interest in the following matters:

- (a) Item (k), entitled “9 Hanna Street – Purchase of a Building for the Toronto Police Service Central Traffic and Garage and Court Services (Ward 19 – Trinity-Spadina)”, as embodied in Clause No. 27 of Report No. 7 of The Administration Committee, headed “Other Items Considered by the Committee”, in that he owns land in the immediate vicinity;
- (b) Clause No. 1 of Report No. 8 of The Planning and Transportation Committee, headed “Taximeter Rates for Waiting Time, Extra Passengers, Parcels, Grocery Bags and Hand Baggage”, in that he rents out a garage to a taxi company;
- (c) Clause No. 20 of Report No. 8 of The Policy and Finance Committee, headed “9 Hanna Street - Purchase of Building for Toronto Police Service Central Traffic and Garage and Court Services”, in that he owns land in the immediate vicinity;
- (d) Clause No. 32 of Report No. 8 of The Policy and Finance Committee, headed “Report on the Greening of Taxis”, in that he rents out a garage to a taxi company;
- (e) Clause No. 5 of Report No. 6 of The Humber York Community Council, headed “Final Report - 155 Springhurst Avenue (west side of Springhurst Avenue, south of King Street West); Application to amend the (former) City of Toronto Zoning By-law No. 438-86;

Mohammad Akram (Ward 14 – Parkdale-High Park)”, in that he owns land in the immediate vicinity;

- (f) Clause No. 22 of Report No. 6 of The Humber York Community Council, headed “Refusal Report - 1100 King Street West; Applications to Amend the Official Plan and Zoning By-law and for Site Plan Approval - Canadian Pacific Company; (Kirkor Architect and Planners) (Ward 14 – Parkdale-High Park)”, in that he owns land in the immediate vicinity;
- (g) Clause No. 53 of Report No. 6 of The Humber York Community Council, headed “1104 and 1106 Dovercourt Road - Appeal of Committee of Adjustment Decision (Ward 17 - Davenport)”, in that he has business dealings with the Architect for the project;
- (h) Clause No. 4 of Report No. 7 of The Toronto East York Community Council, headed “Draft By-laws - Amendments to Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan (Fort York Neighbourhood) (Trinity-Spadina, Wards 19 and 20)”, in that he owns land in the immediate vicinity;
- (i) Clause No. 7 of Report No. 7 of The Toronto East York Community Council, headed “Draft Zoning By-law - 14 Strachan Avenue (tentatively known as 37, 41, 45, 49 and 53 East Liberty Street) (Trinity-Spadina, Ward 19)”, in that he owns land in the immediate vicinity;
- (j) Item (j), entitled “Decorative Street Signs – ‘Art and Design’ - Queen Street West between Bathurst Street and Dovercourt Road (Trinity-Spadina, Ward 19)”, as embodied in Clause No. 71 of Report No. 7 of The Toronto East York Community Council, headed “Other Items Considered by the Community Council”, in that he owns land in the immediate vicinity; and
- (k) Item (e), entitled “Exhibition Place Parking Revenues”, as embodied in Clause No. 8 of Report No. 3 of The Audit Committee, headed “Other Items Considered by the Audit Committee”, in that he owns property in the immediate vicinity.

Councillor Feldman declared his interest in Clause No. 14 of Report No. 7 of The Administration Committee, headed “3885 Yonge Street - Lease of the Jolly Miller (Ward 25 - Don Valley West)”, in that he lives in the immediate vicinity.

Councillor Ford declared his interest in Clause No. 7 of Report No. 7 of The Administration Committee, headed “Delay in Award of Request for Quotation for Supply, Printing and Mailing of Tax and Water Bills and Parking Tag Notices”, in that he owns a printing company.

Mayor Lastman declared his interest in the following matters:

- (a) Item (a), entitled “Union Station Request for Proposals - Status Report, Negotiations with Union Pearson Group (Ward 28 – Toronto Centre-Rosedale)”, as embodied in Deferred Clause No. 2a of Report No. 6 of The Administration Committee, headed “Other Item Considered by the Committee”, in that his son is a member of the Board of Directors of the Borealis Capital Corporation;
- (b) Clause No. 1 of Report No. 8 of The Administration Committee, headed “Union Station Request for Proposals - Status Report - Negotiations with Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)”, in that his son is a member of the Board of Directors of the Borealis Capital Corporation;
- (c) Clause No. 1 of Report No. 8 of The Policy and Finance Committee, headed “Hummingbird Centre for the Performing Arts - City Centre Proposal (Ward 28 - Toronto Centre-Rosedale)”, in that his wife owns a condominium in the immediate vicinity;
- (d) Clause No. 7 of Report No. 3 of The Audit Committee, headed “2002 Expenditures for Consulting Services - Departments and Boards”, in that his son is a partner in a law firm;
- (e) Notice of Motion J(7), moved by Councillor Moscoe, seconded by Councillor Ashton, respecting proposed reconsideration of Clause No. 1 of Report No. 6 of The Administration Committee, headed “Potential Litigation – The Honourable Coulter A. Osborne”, in that his son is a member of the Board of Directors of the Borealis Capital Corporation; and
- (f) the Enquiry dated June 12, 2003, from Councillor Walker, together with the Answer thereto dated June 23, 2003, from the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor, regarding the Union Station Project, in that his son is a member of the Board of Directors of the Borealis Capital Corporation.

Councillor Miller declared his interest in Clause No. 21 of Report No. 6 of The Humber York Community Council, headed “Status Reports - 20 Gothic Avenue - Application to amend the (former) City of Toronto Official Plan and Zoning By-law No. 438-86 and Site Plan Approval; Quebec Development Corporation on behalf of the City of Toronto (Dermot J. Sweeny, Architects) (Ward 13 – Parkdale-High Park)”, in that he lives adjacent to the proposed development.

Councillor Moscoe declared his interest in Notice of Motion J(29), moved by Councillor Bussin, seconded by Councillor Pantalone, respecting approval to erect Election signs on Mayoral and City Councillor candidates campaign offices prior to September 11, 2003 (60 days prior to voting day), in that he owns a company that makes and sells election signs.

Councillor Shaw declared her interest in Clause No. 16 of Report No. 6 of The Scarborough

Community Council, headed “Final Report - Zoning By-law Amendment Application TF ZBL 2003 0007 - Governing Council of the University of Toronto, North-East Corner of Ellesmere Road & Military Trail, Highland Creek Community (Ward 44 - Scarborough East)”, in that she teaches part-time at Centennial College.

Councillor Walker declared his interest in the following matters, in that he is one of the parties named in a litigation matter related to the Toronto Port Authority:

- (a) Clause No. 20 of Report No. 6 of The Economic Development and Parks Committee, headed “Settlement of Litigation - City of Toronto Economic Development Corporation (TEDCO) (Ward 30 Toronto-Danforth)”; and
- (b) Clause No. 23 of Report No. 7 of The Toronto East York Community Council, headed “Refusal of Application for Site Plan Approval - 190 - 242 Cherry Street (Toronto-Danforth, Ward 30)”.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1b and 27b.

Report No. 5 of The Policy and Finance Committee, Clause No. 8a.

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

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

Report No. 5 of The Administration Committee, Clause No. 8a.

Report No. 6 of The Administration Committee, Clause No. 2a.

Report No. 3 of The Community Services Committee, Clause No. 8c.

Report No. 4 of The Community Services Committee, Clauses Nos. 4b and 9b.

Report No. 5 of The Community Services Committee, Clause No. 2a.

Report No. 5 of The Economic Development and Parks Committee, Clause No. 10a.

Report No. 6 of The Planning and Transportation Committee, Clause No. 6b.

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

Report No. 4 of The Works Committee, Clause No. 1b.

Report No. 5 of The Works Committee, Clause No. 12a.

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

Report No. 3 of The Striking Committee, Clause No. 4a.

Report No. 5 of The Midtown Community Council, Clause No. 4a.

Report No. 5 of The Scarborough Community Council, Clause No. 24a.

Report No. 2 of The Audit Committee, Clause No. 5a.

Report No. 4 of The Board of Health, Clause No. 5a.

Report No. 7 of The Policy and Finance Committee, Clause No. 1.

Report No. 8 of The Policy and Finance Committee, Clauses Nos. 2, 5, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 28 and 35.

Report No. 8 of The Planning and Transportation Committee, Clauses Nos. 2, 4, 5 and 6.

Report No. 6 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 8, 9, 18, 20, 22 and 27.

Report No. 7 of The Administration Committee, Clauses Nos. 1, 2, 6, 7, 8, 12, 13, 14, 25 and 26.

Report No. 8 of The Administration Committee, Clause No. 1.

Report No. 6 of The Community Services Committee, Clauses Nos. 6, 16, 17, 18 and 19.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 3, 4, 5, 7, 10, 20 and 21.

Report No. 6 of The Scarborough Community Council, Clauses Nos. 17 and 18.

Report No. 7 of The Toronto East York Community Council, Clauses Nos. 3, 4, 5, 6, 10, 11, 23, 27, 56, 63, 67 and 69.

Report No. 6 of The Etobicoke Community Council, Clauses Nos. 14, 15 and 16.

Report No. 6 of The Humber York Community Council, Clauses Nos. 1, 13, 15, 19, 23, 24, 25, 29, 33, 48, 54 and 59.

Report No. 6 of The Midtown Community Council, Clauses Nos. 4 and 17.

Report No. 6 of The North York Community Council, Clauses Nos. 3, 16, 21 and 26.

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

Report No. 3, of The Audit Committee, Clauses Nos. 2, 3, 4 and 7.

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

Report No. 4 of The Administration Committee, Clause No. 22b.

Report No. 6 of The Administration Committee, Clause No. 2a.

Report No. 4 of The Community Services Committee, Clause No. 4b.

Report No. 5 of The Community Services Committee, Clause No. 2a.

Report No. 6 of The Planning and Transportation Committee, Clause No. 6b.

Report No. 3 of The Striking Committee, Clause No. 4a.

Report No. 2 of The Audit Committee, Clause No. 5a.

Report No. 8 of The Policy and Finance Committee, Clauses Nos. 17, 19 and 21.

Report No. 8 of The Planning and Transportation Committee, Clause No. 2.

Report No. 6 of The Works Committee, Clauses Nos. 4 and 27.

Report No. 7 of The Administration Committee, Clauses Nos. 1, 6 and 8.

Report No. 6 of The Community Services Committee, Clauses Nos. 6 and 16.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 3 and 10.

Report No. 6 of The Scarborough Community Council, Clause No. 17.

Report No. 6 of The Etobicoke Community Council, Clause No. 14.

Report No. 6 of The Humber York Community Council, Clauses Nos. 19, 23, 24 and 25.

Report No. 5 of The Board of Health, Clause No. 2.

Report No. 3, of The Audit Committee, Clause No. 3.

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.**

- 10.9 **Deferred Clause No. 9b 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 September 22, 2003.

Vote:

The motion by Councillor Moscoe carried.

- 10.10 **Clause No. 10 of Report No. 8 of The Policy and Finance Committee, headed “Roadway Noise Attenuation Barriers - Overskate Court - Acoustic Fence Abutting Martin Grove Road (Ward 1 - Etobicoke North)”.**

Vote:

The Clause was adopted, without amendment.

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

10.11 Clause No. 11 of Report No. 8 of The Policy and Finance Committee, headed “Tender Call No. 26-2003, Contract No. 03D2-100PM, Pavement Markings within the City of Toronto, District 2 - Tied Low Bids for Schedule ‘A’ ”.

Vote:

The Clause was adopted, without amendment.

Mayor Lastman requested that his opposition to this Clause be noted in the minutes of this meeting.

10.12 Clause No. 24 of Report No. 8 of The Policy and Finance Committee, headed “Victoria Memorial Square Park – Funding Activities (Ward 20 - Trinity-Spadina)”.

Motion:

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

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

‘The Toronto East York Community Council recommends that:

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.13 Clause No. 4 of Report No. 8 of The Planning and Transportation Committee, headed “Toronto Licensing Tribunal Biannual Report”.

July 22, 2003:

Motion:

Councillor Altobello moved that the Clause be amended by deleting Recommendation No. (3) embodied in the report dated June 12, 2003, from the Chair, Toronto Licensing Tribunal, and inserting in lieu thereof the following:

“Sub-section (3) H of the Toronto Municipal Code, Chapter 545, Licensing, be amended to read as follows:

‘545 (3) H the Toronto Licensing Tribunal shall report annually to the appropriate Committee of City Council on its activities and include in such report any policy or administrative issues which the Toronto Licensing Tribunal wishes the Committee to review and consider.’,

and authority be granted for the introduction of the necessary bill in Council to give effect thereto.”

Votes:

The motion by Councillor Altobello carried.

The Clause, as amended, carried.

July 24, 2003:

Motion to Re-Open:

Councillor Minnan-Wong, 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 - 30	
Mayor:	Lastman

Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Tziretas, Walker
No - 1 Councillor:	L. Jones

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

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 September 22, 2003.

10.14 Clause No. 2 of Report No. 6 of The Works Committee, headed “Solid Waste Disposal - Contingency Planning for Border Closure”.

Motion:

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

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

‘It is recommended that:

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

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

- 10.15 **Clause No. 12 of Report No. 7 of The Administration Committee, headed “Lease Negotiations for City Owned Property Located at 973 Lansdowne Avenue (Ward 18 - Davenport)”.**

Vote:

The Clause was adopted, without amendment.

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

- 10.16 **Clause No. 13 of Report No. 7 of The Administration Committee, headed “Lease of City-Owned Surplus Property Located at 20 Sewells Road (Ward 42 - Scarborough-Rouge River)”.**

Vote:

The Clause was adopted, without amendment.

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

- 10.17 **Clause No. 56 of Report No. 7 of The Toronto East York Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

July 22, 2003

Motion:

Councillor Bussin moved that the Clause be amended by amending the recommendations of the Toronto East York Community Council, as follows:

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

- (ii) Campus Groups Day, to be held on Gould Street from Church Street to Victoria Street on September 3, 2003, from 10:00 a.m. to 1:00 a.m.;
 - (l) Art Vernissage to be held at Gallery 888, 888 Queen Street East, on Wednesday, August 6, 2003, from 6:00 p.m. to 9:30 p.m.; and
 - (m) Annual Beaches Blues Fest to be held at Stan Wadlow Park, located at Cosburn Avenue and Cedarvale Avednue, on Saturday, August 30, 2003, and Sunday, August 31, 2003, from 12:00 noon to 9:00 p.m., and Monday, September 1, 2003, from 12:00 noon to 6:00 p.m.;”; and
- (2) adding the following new Recommendation No. (9):
- “(9) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Hard Rock Café Toronto, 279 Yonge Street, to extend the patio on to Dundas Square on July 29, 2003, in order to host a SARS Relief pre-concert and has no objection to the granting of such extension;”.

Votes:

The motion by Councillor Bussin 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 amending the recommendations of the Toronto East York Community Council by adding the following new Part (n) to Recommendation No. (7):

- “(n) Ontario Gay and Lesbian Chamber of Commerce Annual Barbecue, to be held at the YCC 427, Party Room and Patio, located at 86 Gloucester Street, on Wednesday, August 20, 2003, from 5:00 p.m. to 10:00 p.m.;”.

Votes:

The motion by Councillor Rae carried.

The Clause, as further amended, carried.

July 24, 2003:*Motion to Re-Open:*

Councillor Chow, 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 Chow moved that the Clause be further amended by amending the recommendations of the Toronto East York Community Council by adding the following new Recommendation No. (10):

- “(10) advise the Alcohol and Gaming Commission of Ontario that it is aware of the requests for extensions of patio licenses for the establishments, submitted to Council under separate cover, to permit the sale and service of alcohol on August 8, 2003, until 2:00 a.m., on August 9, 2003, until 2:00 a.m., and on August 10, 2003, until 10:00 p.m., in conjunction with the Taste of the Danforth Festival, and has no objection to the granting of such requests.”

Votes:

The motion by Councillor Chow carried.

The Clause, as further amended, carried.

In summary, Council amended this Clause by amending the recommendations of the Toronto East York Community Council, as follows:

- (1) by adding the following new Parts (i), (j), (k), (l), (m) and (n) to Recommendation No. (7):
- “(i) Wedding reception to be held at the Algonquin Island Association Hall on Ward’s Island on August 10, 2003, from 4:00 p.m. to 3:00 a.m.;
 - (j) MTCC 876 Barbeque to be held in the rear of the building at 1001 Bay Street on

August 21, 2003, from 6:00 p.m. to 12:30 a.m.;

- (k) Ryerson Students' Administrative Council Week of Welcome (Orientation Week) Events:
 - (i) WOW Launch Party, to be held on Gould Street from Church Street to Victoria Street on September 2, 2003, from 10:00 a.m. to 1:00 a.m.;
 - (ii) Campus Groups Day, to be held on Gould Street from Church Street to Victoria Street on September 3, 2003, from 10:00 a.m. to 1:00 a.m.;
- (l) Art Vernissage to be held at Gallery 888, 888 Queen Street East, on Wednesday, August 6, 2003, from 6:00 p.m. to 9:30 p.m.;
- (m) Annual Beaches Blues Fest to be held at Stan Wadlow Park, located at Cosburn Avenue and Cedarvale Avednue, on Saturday, August 30, 2003, and Sunday, August 31, 2003, from 12:00 noon to 9:00 p.m., and Monday, September 1, 2003, from 12:00 noon to 6:00 p.m.;"; and
- (n) Ontario Gay and Lesbian Chamber of Commerce Annual Barbecue, to be held at the YCC 427, Party Room and Patio, located at 86 Gloucester Street, on Wednesday, August 20, 2003, from 5:00 p.m. to 10:00 p.m.;"; and

(2) by adding the following new Recommendations Nos. (9) and (10):

- “(9) advise the Alcohol and Gaming Commission of Ontario that it is aware of the request for temporary extension of the liquor licence of the Hard Rock Café Toronto, 279 Yonge Street, to extend the patio on to Dundas Square on July 29, 2003, in order to host a SARS Relief pre-concert and has no objection to the granting of such extension; and
- (10) advise the Alcohol and Gaming Commission of Ontario that it is aware of the requests for extensions of patio licenses for the establishments, submitted to Council under separate cover, to permit the sale and service of alcohol on August 8, 2003, until 2:00 a.m., on August 9, 2003, until 2:00 a.m., and on August 10, 2003, until 10:00 p.m., in conjunction with the Taste of the Danforth Festival, and has no objection to the granting of such requests.”

10.18 Clause No. 16 of Report No. 6 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Zoning Code, Tilak Corporation, John Beresford, Architect, 120 Eringate Drive File No. TA CMB 2003 0001 (Ward 3 - Etobicoke Centre)”.

Motion:

Councillor Holyday moved that the Clause be amended by amending Recommendation No. (2) of the Etobicoke Community Council to now read as follows:

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

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

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

10.19 **Clause No. 15 of Report No. 6 of The Etobicoke Community Council, headed “Final Report - Application to Amend the Etobicoke Zoning Code, K & K Car Wash, Michael Faric, Architect, 110 Rexdale Boulevard; File No. TA CMB 2002 0023 (Ward 2 – Etobicoke North)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Ford moved that Council adopt the following recommendation:

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

Votes:

The motion by Councillor Ford carried.

The Clause, as amended, carried.

10.20 **Clause No. 48 of Report No. 6 of The Humber York Community Council, headed “Northcliffe Boulevard and Westmount Avenue - Poll Results on Reversing Direction of Travel to Accommodate School Bus Loading Zone (Ward 17 - Davenport)”.**

Motion:

Councillor Di Giorgio moved that the Clause be amended by deleting Recommendation No. (2) of the Humber York Community Council and inserting in lieu thereof the following new Recommendations Nos. (2) and (3):

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

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

10.21 Clause No. 54 of Report No. 6 of The Humber York Community Council, headed “Poll Results - Request for Overnight On-Street Permit Parking; and One-Hour Parking on Onslow Crescent Between Vaughan Road and Glenholme Avenue (Ward 15 - Eglinton Lawrence)”.

Motion:

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

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

10.22 Clause No. 23 of Report No. 6 of The Humber York Community Council, headed “1147 Lawrence Avenue West - Request for Variance(s) from the Former City of North York Sign By-law No. 30788, as Amended, for the Erection of a Third Party Advertising Roof Sign (Ward 15 – Eglinton-Lawrence)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

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

Vote:

The Clause was adopted, without amendment.

10.23 Clause No. 4 of Report No. 6 of The Midtown Community Council, headed “Request for an Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Angled Driveway Widening for Two Vehicles at 38 Belsize Drive (St. Paul’s - Ward 22)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Walker moved that Council adopt the following recommendation:

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

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

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

Commissioner of Works and Emergency Services;

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

Votes:

The motion by Councillor Walker carried.

The Clause, as amended, carried.

10.24 Clause No. 17 of Report No. 6 of The Midtown Community Council, headed “Naming of Proposed Public Street at 1929 Bayview Avenue (Don Valley West - Ward 26)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Pitfield, seconded by Councillor Walker, moved that Council adopt the following recommendation:

“It is recommended that Council adopt the following motion:

Moved by: Councillor Pitfield

Seconded by: Councillor Walker

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

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

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

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

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

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

Votes:

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

The Clause, as amended, carried.

- 10.25 **Clause No. 3 of Report No. 6 of The North York Community Council, headed “All Way Stop Control - Radine Road at Johnston Avenue and Franklin Avenue (Ward 23 - Willowdale)”.**

Motion:

Councillor Filion moved that the Clause be amended by deleting the street name “Radine Avenue”, wherever it appears in the Clause, and inserting in lieu thereof the street name “Radine Road”.

Votes:

The motion by Councillor Filion carried.

The Clause, as amended, carried.

- 10.26 **Clause No. 26 of Report No. 7 of The Administration Committee, headed “Appeals Reserve - 2003 Access and Equity Grant Program”.**

Vote:

The Clause was adopted, without amendment.

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

10.27 **Clause No. 1 of Report No. 7 of The Policy and Finance Committee, headed “Establishment of Four Community Councils”.**

Motion:

(a) Councillor Johnston moved that the Clause be amended:

(1) by deleting Recommendation No. (2) of the Policy and Finance Committee and inserting in lieu thereof the following:

“(2) that Map Option No. 16 be approved.”; or

(2) if Part (1) fails, by adding to Recommendation No. (2) of the Policy and Finance Committee, the words “subject to including Ward 16 in District ‘C’”, so that such recommendation shall now read as follows:

“(2) that Map Option No. 2 contained in the aforementioned report, be approved as the preferred boundary option for a Four-Community-Council model, subject to including Ward 16 in District ‘C’.”

Vote Be Now Taken:

Councillor Moscoe moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 17	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Dominelli, Duguid, Hall, I. Jones, L. Jones, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moscoe, Nunziata, Rae, Soknacki, Sutherland
No - 14	
Councillors:	Cho, Filion, Ford, Holyday, Johnston, Kelly, Korwin-Kuczynski, Mammoliti, Ootes, Pitfield, Shaw, Shiner, Tziretas, Walker

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

Motions:

(b) Councillor Irene Jones moved that the Clause be amended by deleting Recommendation No. (2) of the Policy and Finance Committee and inserting in lieu thereof the following new Recommendation No. (2):

“(2) that Map Option 12 contained in the aforementioned report be approved as the preferred boundary option for a Four-Community-Council model.”

- (c) Councillor Korwin-Kuczynski moved that the Clause be amended by deleting Recommendation No. (2) of the Policy and Finance Committee and inserting in lieu thereof the following new Recommendation No. (2):

“(2) that Map Option No. 2(a), revised to include Ward 14 in District ‘C’, be approved as the preferred boundary option for a Four-Community-Council model.”

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

“It is further recommended that:

- (1) the interim names of the four Community Councils be established as follows:

Area A - Toronto West Community Council;

Area B - Toronto North Community Council;

Area C - Toronto South Community Council; and

Area D - Toronto East Community Council;

- (2) the interim meeting locations for the Community Councils be established as follows:

Area A - Etobicoke Civic Centre;

Area B - North York Civic Centre;

Area C - Toronto City Hall; and

Area D - Scarborough Civic Centre.”

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

“It is further recommended that the service district boundaries be amended to match the new Community Council boundaries, once they are approved by City Council.”

- (f) Councillor Holyday moved that Part (1) of motion (d) by Councillor Lindsay Luby be amended to provide that Area A be named “Etobicoke Humber Community Council”.

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

“It is further recommended that the permanent names of the Community Councils be determined through a public consultation process, followed by approval by the new Community Councils and City Council.”

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

“It is further recommended that the Province be requested to enact legislation to permit the City of Toronto to re-name the Wards.”

- (i) Councillor Miller moved that motion (c) by Councillor Korwin-Kuczynski be amended by inserting, after the word “include”, the words “Ward 13 and”, so that new Recommendation No. (2) shall now read as follows:

“(2) that Map Option No. 2(a), revised to include Ward 13 and Ward 14 in District ‘C’, be approved as the preferred boundary option for a Four-Community-Council model.”

Permission to Withdraw Motion:

Councillor Li Preti, with the permission of Council, withdrew his motion (h).

Votes:

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

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

Lost by a majority of 30.

Adoption of motion (b) by Councillor Irene Jones:

Yes - 4

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

Lost by a majority of 34.

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

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

Lost by a majority of 30.

Adoption of motion (i) by Councillor Miller:

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

Lost by a majority of 20.

Adoption of motion (c) by Councillor Korwin-Kuczynski, without amendment:

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

Lost by a majority of 6.

Adoption of motion (f) by Councillor Holyday:

Yes - 14	
Councillors:	Ashton, Augimeri, Balkissoon, Cho, Flint, Ford, Holyday, I. Jones, Korwin-Kuczynski, Milczyn, Nunziata, Shaw, Tziretas, Walker
No - 27	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Hall, L. Jones, Kelly, Li Preti, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki

Lost by a majority of 13.

Adoption of Part (1) of motion (d) by Councillor Lindsay Luby, without amendment:

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

Carried by a majority of 6.

Adoption of Part (2) of motion (d) by Councillor Lindsay Luby:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 2	
Councillors:	Miller, Nunziata

Carried by a majority of 38.

Adoption of motion (e) by Councillor Hall:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 2	
Councillors:	Ford, Kelly

Carried by a majority of 38.

Adoption of motion (g) by Councillor Filion:

Yes - 33	
Mayor:	Lastman

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

Carried by a majority of 24.

Adoption of Clause, as amended:

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

Carried by a majority of 32.

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

“It is further recommended that:

(1) the interim names of the four Community Councils be established as follows:

Area A - Toronto West Community Council;

Area B - Toronto North Community Council;

Area C - Toronto South Community Council; and

Area D - Toronto East Community Council;

(2) the interim meeting locations for the Community Councils be established as follows:

Area A - Etobicoke Civic Centre;

Area B - North York Civic Centre;

Area C - Toronto City Hall; and

Area D - Scarborough Civic Centre;

- (3) the permanent names of the Community Councils be determined through a public consultation process, followed by approval by the new Community Councils and City Council; and
- (4) the service district boundaries be amended to match the new Community Council boundaries, once they are approved by City Council.”

10.28 Clause No. 5 of Report No. 6 of The Economic Development and Parks Committee, headed “Concession Services in High Park and Western Beaches - Additional Capital Improvements and Amendments to Contracts Between the City and 505707 Ontario Ltd. Operating as The Grenadier Group (Ward 13 and 14 Parkdale-High Park)”.

Motion:

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

Votes:

The motion by Councillor Feldman carried.

The Clause, as amended, carried.

10.29 Clause No. 27 of Report No. 7 of The Toronto East York Community Council, headed “Amendments to Parking Regulations to Provide Additional Parking Spaces - College Street, Between Beatrice Street and Manning Avenue (Trinity-Spadina, Ward 19)”.

Motion:

Councillor Pantalone moved that the Clause be amended by amending the Recommendations of the Toronto East York Community Council, as follows:

- (1) by deleting from Recommendation No. (2) the word, “north” and inserting in lieu thereof the word, “south”, so that such recommendation shall now read as follows:

“(2) two additional parking spaces be installed on the south side of College Street, east of Grace Street;”; and

(2) by deleting from Recommendation No. (3) the word, “south” and inserting in lieu thereof the word, “north”, so that such recommendation shall now read as follows:

“(3) two additional parking spaces be installed on the north side of College Street, west of Grace Street.”

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

10.30 Clause No. 2 of Report No. 8 of The Policy and Finance Committee, headed “Regent Park Revitalization - City Actions (Ward 28 - Toronto Centre-Rosedale)”.

Motion:

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

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

Votes:

The motion by Councillor Ashton carried.

Adoption of Clause, as amended:

Yes - 35	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Fillion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 1	

Councillor: Ford

Carried by a majority of 34.

10.31 Clause No. 23 of Report No. 8 of The Policy and Finance Committee, headed “Toronto Community Housing Corporation Loans”.

Motion:

Councillor Soknacki 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 work with the Toronto Community Housing Corporation to mitigate the estimated \$716,000.00 reduction in non-program revenues.”

Votes:

Adoption of motion by Councillor Soknacki:

Yes - 7	
Councillors:	Ford, Holyday, Milczyn, Minnan-Wong, Ootes, Pantalone, Soknacki
No - 24	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Johnston, I. Jones, L. Jones, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Rae, Shiner, Walker

Lost by a majority of 17.

The Clause was adopted, without amendment.

10.32 Clause No. 1 of Report No. 5 of The Board of Health, headed “Physical Activity and Public Health: A Call to Action”.

Motions:

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to investigate and compare employee fitness incentive programs in the private sector and other levels of government and submit a report to City Council, through

Policy and Finance Committee, on the most suitable models for the City of Toronto and the benefits that can be expected.”

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

“It is further recommended that Council adopt the following recommendations of the Community Services Committee embodied in the communication dated July 3, 2003, from the City Clerk:

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

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

Votes:

Motion (a) by Councillor Flint carried.

Motion (b) by Councillor Chow carried.

The Clause, as amended, carried.

10.33 Clause No. 5 of Report No. 8 of The Planning and Transportation Committee, headed “39 Greenbelt Drive, Fees Appeal by English Lane Homes to the Ontario Municipal Board, Pursuant to Section 69(3) of the Planning Act, Ward 34”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Altobello moved that Council adopt the following recommendation:

“It is recommended that Council adopt the confidential report dated July 18, 2003, from the Commissioner of Urban Development Services, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) part-lot control fees, in the amount of \$14,250.00, be reimbursed to the owner of 39 Greenbelt Drive; and
- (2) the Commissioner of Urban Development Services review the practice of concurrent part lot control and plan of subdivision application fees and report back on appropriate amendments, if required.’ ”

Votes:

The motion by Councillor Altobello carried.

The Clause, as amended, carried.

- 10.34 **Clause No. 33 of Report No. 6 of The Humber York Community Council, headed “Results of a Six-Month Trial on One-Way Traffic Management Plan; Aileen Avenue and Dunraven Drive (Ward 12 - York South-Weston)”.**

Motion:

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

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

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

- 10.35 **Clause No. 59 of Report No. 6 of The Humber York Community Council, headed “Other Items Considered by the Community Council”.**

Motion:

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

Votes:

The motion by Councillor Di Giorgio carried.

The balance of the Clause was received as information.

- 10.36 **Clause No. 1 of Report No. 6 of The Humber York Community Council, headed “Final Report - 61 Harvard Avenue (South Side of Harvard Avenue Mid-block Between Roncesvalles and Triller Avenues) Application to Amend the Official Plan and the (former) City of Toronto Zoning By-law No. 438-86; Bhushan Taneja (Ward 14 - Parkdale-High Park)”.**

Motion:

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

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

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

- 10.37 **Clause No. 28 of Report No. 8 of The Policy and Finance Committee, headed “Funding for Stay Alert, Stay Safe Campaign”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Mihevc moved that Council adopt the following recommendation:

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

“The Task Force on Community Safety at its meeting held on July 15, 2003, recommended to Council that funds in the amount of \$10,000.00 be allocated to

the Stay Alert, Stay Safe Campaign from the 2003 Budget of the Task Force on Community Safety by reallocating \$5,000.00 from the City Watch Program and \$5,000.00 from the Community Crisis Response Program, and that this be subject to City staff reviewing the contents of the document to be distributed by the Stay Alert, Stay Safe Organization.’ ”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

10.38 Clause No. 2c of Report No. 2 of The Striking Committee, headed “Appointment of a Member of Council to the Toronto Transit Commission”.

Motions:

- (a) Councillor Moscoe moved that Councillor Mihevc be nominated for appointment to the Toronto Transit Commission to replace former Councillor Betty Disero.
- (b) Councillor Irene Jones moved that Councillor Irene Jones be nominated for appointment to the Toronto Transit Commission to replace former Councillor Betty Disero.
- (c) Councillor Shiner moved that Councillor Feldman be nominated for appointment to the Toronto Transit Commission to replace former Councillor Betty Disero.

Permission to Withdraw Motion:

Councillor Shiner, with the permission of Council, withdrew his motion (c), having regard that Councillor Feldman had indicated that he did not wish to stand for appointment to the Toronto Transit Commission.

Advice by Deputy Mayor:

Deputy Mayor Ootes, having regard to the foregoing motions, advised the Council that the following Members of Council, including the Member recommended by the Striking Committee, are nominated for appointment to the Toronto Transit Commission:

Councillor Irene Jones;
Councillor Mihevc; and
Councillor Minnan-Wong.

The Deputy Mayor proposed that Council now proceed with a ballot to select one Member of Council to be appointed to the Toronto Transit Commission to replace Councillor Betty Disero.

Request to Withdraw Name from Ballot:

Councillor Irene Jones requested the permission of Council to withdraw her name from the ballot.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that the ballots had already been distributed to Members of Council, ruled that Councillor Irene Jones would not be permitted to withdraw her name from the ballot.

Councillor Mihevc challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 22	
Mayor:	Lastman
Councillors:	Balkissoon, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Minnan-Wong, Nunziata, Ootes, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas
No - 10	
Councillors:	Ashton, Augimeri, Chow, I. Jones, L. Jones, Mihevc, Milczyn, Miller, Moscoe, Pantalone

Carried by a majority of 12.

Results of Ballot:

The City Clerk tallied the results of the ballot, as follows:

For Councillor Irene Jones:

Councillors: Augimeri, Flint, Johnston, Irene Jones, Miller – 5.

For Councillor Mihevc:

Councillors: Ashton, Chow, Dominelli, Laura Jones, Mammoliti, Mihevc, Milczyn, Moscoe, Pantalone, Rae – 10.

For Councillor Minnan-Wong:

Mayor: Lastman

Councillors: Balkissoon, Di Giorgio, Duguid, Feldman, Ford, Hall, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Minnan-Wong, Nunziata, Pitfield, Shiner, Sutherland, Tziretas – 17.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that Councillor Minnan-Wong, having received a majority of votes of those Members of Council present, will be the appointee to the Toronto Transit Commission to replace former Councillor Betty Disero, for the remainder of the term of office expiring on November 30, 2003, and until his successor is appointed.

Disposition of Clause:

Having regard to the foregoing decision of Council, the Clause was adopted, without amendment.

- 10.39 **Clause No. 25 of Report No. 6 of The Humber York Community Council, headed “1978 Lake Shore Boulevard West (Joy Oil Service Station) - Alterations to a Property Designated Under Part IV of the Ontario Heritage Act (Ward 13 – Parkdale-High Park)”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Miller, 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.

Vote:

The Clause was adopted, without amendment.

- 10.40 **Clause No. 17 of Report No. 6 of The Community Services Committee, headed “Funding for Community Agencies Experiencing Unusual One-Time Operating Expenses”.**

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Ford, 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 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 an annual report to the Community Services Committee on the disbursement of the 2003 Homeless Initiatives Funds.”

Votes:

The motion by Councillor Ashton carried.

Adoption of Clause, as amended:

Yes - 26	
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Chow, Dominelli, Feldman, Filion, Flint, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 25.

10.41 Clause No. 2 of Report No. 3 of The Audit Committee, headed “Ernst and Young Report - Audit Results - Year Ended December 31, 2002”.

Votes:

Adoption of Recommendation No. (3) of the Audit Committee, without amendment:

Yes - 31	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Chow, Dominelli, Duguid, Feldman, Flint, Ford, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas
No - 0	

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

The balance of the Clause was adopted, without amendment.

10.42 Clause No. 1b of Report No. 4 of The Administration Committee, headed “Harmonization of Compensation-Related Policies – Non-Union”.

Motion:

- (a) Councillor Ford moved that the Clause be amended to provide that the compensation for mileage be 40 cents per kilometre.
- (b) Councillor Sutherland moved that the Clause be received.

Votes:

Adoption of motion (b) by Councillor Sutherland:

Yes - 6	
Councillors:	Ford, Holyday, Li Preti, Ootes, Pitfield, Sutherland
No - 21	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Fillion, Flint, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pantalone

Lost by a majority of 15.

Adoption of motion (a) by Councillor Ford:

Yes - 11	
Councillors:	Ashton, Augimeri, Dominelli, Filion, Flint, Ford, Holyday, Li Preti, Ootes, Pitfield, Sutherland
No - 17	
Mayor:	Lastman
Councillors:	Bussin, Cho, Chow, Di Giorgio, Duguid, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pantalone

Lost by a majority of 6.

Adoption of Clause, without amendment:

Yes - 23	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Filion, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone
No - 5	
Councillors:	Flint, Ford, Holyday, Pitfield, Sutherland

Carried by a majority of 18.

10.43 Clause No. 7 of Report No. 8 of The Policy and Finance Committee, headed “Status of the 2003 Levy By-law for Railway Roadways or Rights-of-Way and Power Utility Transmission or Distribution Corridors”.

Motion:

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

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

10.44 **Clause No. 8 of Report No. 8 of The Policy and Finance Committee, headed “2003 Levy on Institutions under Section 323 of the Municipal Act”.**

Motion:

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

“It is further recommended that:

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

10.45 **Clause No. 16 of Report No. 8 of The Policy and Finance Committee, headed “Program Update and Budget Implications for an Enhanced West Nile Virus (WNV) Prevention and Control in 2003”.**

Councillor Nunziata in the Chair.

Motions:

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

“It is further recommended that:

- (a) City Council reiterate its expectation that new provincial requirements be funded 100 percent by the Province of Ontario;
- (b) the Mayor and the Chair of the Board of Health be requested to seek a meeting with the Minister of Health and Long-Term Care to resolve the funding arrangement;
- (c) City Council support the Medical Officer of Health in implementing the statutory requirements of the expanded West Nile Virus Prevention and Control Program; and
- (d) if 100 percent funding is not forthcoming from the Province of Ontario, the Medical Officer of Health be requested to submit a report to Council for its meeting scheduled to be held on September 22, 2003, on offsetting expenditure reductions and/or revenue increases in the Public Health Unit and/or Community and Neighbourhood Services Department, through the 2003 second quarter variance report.”

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

“It is further recommended that the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism be requested to identify, to the Medical Officer of Health, capital and maintenance projects and the costs thereof that are necessary to reduce the incidence of West Nile virus, for possible inclusion in the enhanced West Nile Virus prevention and control proposal.”

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

“It is further recommended that the Medical Officer of Health be requested to submit a report to the Board of Health that enumerates and costs the West Nile virus program requirements that respond to the extraordinary demands of the West Nile virus and submit these requirements to the Province of Ontario for their approval and funding.”

Deputy Mayor Ootes in the Chair.

Permission to Withdraw Motion:

Councillor Ashton, with the permission of Council, withdrew his motion (c).

Votes:

Adoption of motion (a) by Councillor Mihevc:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Walker
No - 0	

Carried, without dissent.

Motion (b) by Councillor Flint carried.

Adoption of Clause, as amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Walker
No - 0	

Carried, without dissent.

In summary, Council amended this Clause:

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

- (2) by adding thereto the following:

“It is further recommended that:

- (a) City Council reiterate its expectation that new provincial requirements be funded 100 percent by the Province of Ontario;
- (b) the Mayor and the Chair of the Board of Health be requested to seek a meeting with the Minister of Health and Long-Term Care to resolve the funding arrangement;
- (c) City Council support the Medical Officer of Health in implementing the statutory requirements of the expanded West Nile Virus Prevention and Control Program;
- (d) if 100 percent funding is not forthcoming from the Province of Ontario, the Medical Officer of Health be requested to submit a report to Council for its meeting scheduled to be held on September 22, 2003, on offsetting expenditure reductions and/or revenue increases in the Public Health Unit and/or Community and Neighbourhood Services Department, through the 2003 second quarter variance report; and
- (e) the Commissioner of Works and Emergency Services and the Commissioner of Economic Development, Culture and Tourism be requested to identify, to the Medical Officer of Health, capital and maintenance projects and the costs thereof that are necessary to reduce the incidence of West Nile virus, for possible inclusion in the enhanced West Nile Virus prevention and control proposal.”

10.46 Clause No. 9 of Report No. 6 of The Works Committee, headed “Agreements with Minglehaze Investors Inc. and with the Regional Municipality of York and City of Vaughan for Extension of Water and Wastewater Services to Long-Term Care Facility, Steeles Avenue West and Gihon Springs Drive (Ward 1 - Etobicoke-North)”.

Motions:

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to advise the Councillor for Ward 1, Etobicoke North, should any further change of land use be considered for the lands surrounding the proposed development at the northwest corner of Steeles Avenue West and Gihon Springs Drive.”

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

“It is further recommended that the conditions referred to in Recommendation No. (2) of the report dated June 16, 2003, from the Commissioner of Works and Emergency Services,

as embodied in the Clause, be consistent with the provisions of the Steeles Avenue agreement between the City of Toronto and York Region and be subject to the terms of that agreement.”

Votes:

Motion (a) by Councillor Hall carried.

Motion (b) by Councillor Moscoe carried.

The Clause, as amended, carried.

10.47 **Clause No. 6 of Report No. 8 of The Planning and Transportation Committee, headed “Enhanced Mosquito Control Activities to Prevent and Control West Nile Virus”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Flint moved that Council adopt the following recommendation:

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

‘It is recommended that:

- (1) eight (8) Municipal Standards Officers be hired from August 1, 2003, to October 31, 2003, to deal with complaints concerning the West Nile Virus, and that the necessary funding be accommodated through gapping in 2003;
- (2) if the Provincial policy and standards with respect to the West Nile Virus continue in future years, eight (8) Municipal Standards Officers be hired from April 1st to October 31st of each calendar year to deal with complaints concerning the West Nile Virus, and the funding necessary to cover the costs related to the hiring of seasonal staff be included in the City’s request to the Province for funding of the West Nile Virus Program and allocated to the Urban Development Services Department accordingly; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

- 10.48 **Clause No. 69 of Report No. 7 of The Toronto East York Community Council, headed “Variances from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 100 Front Street West (Toronto Centre-Rosedale, Ward 28)”.**

Motions:

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

(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, be requested to submit a report to Council, for its meeting scheduled to be held on September 22, 2003, through the Toronto Preservation Board and the Toronto East York Community Council, on whether the fascia sign on the building at 100 Front Street West can be designated under Part IV of the Ontario Heritage Act.”

Permission to Withdraw Motion:

Councillor Walker, with the permission of Council, withdrew his motion (b).

Votes:

Adoption of motion (a) by Councillor Pitfield:

Yes - 27
Mayor: Lastman

Councillors:	Augimeri, Bussin, Cho, Chow, Dominelli, Duguid, Feldman, Fillion, Hall, Holyday, I. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shiner, Sutherland, Walker
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No - 0

Carried, without dissent.

The Clause, as amended, carried.

10.49 **Clause No. 7 of Report No. 6 of The Economic Development and Parks Committee, headed “Proposed Lease Agreement Between the City of Toronto and 1440110 Ontario Limited (Ward 11 York South-Weston)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Nunziata moved that Council adopt the following recommendation:

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

‘It is recommended that:

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

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

Motion to Re-Open:

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

Motion:

Councillor Nunziata moved that Council adopt the following recommendation:

“It is recommended that the City Clerk be authorized to conduct a poll of the residents of Little Avenue to determine support for designating Little Avenue, between Lawrence Avenue East and Weston Road, a one-way street running in a north-easterly direction and be requested to submit a report thereon to the Humber York Community Council for its meeting scheduled to be held on September 9, 2003.”

Votes:

The motion by Councillor Nunziata carried.

The Clause, as further amended, carried.

10.50 Clause No. 21 of Report No. 6 of The Economic Development and Parks Committee, headed “Film Industry - A Proposal to the City of Toronto”.

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that Council adopt the joint report dated July 21, 2003, from the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer and the City Solicitor.”

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

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

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

Votes:

Motion (b) by Councillor Minnan-Wong carried.

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

The Clause, as amended, carried.

In summary, Council adopted the following recommendation:

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

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

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

“It is recommended that:

- (1) Council agree to sponsor Community Small Business Investment Fund Corporations, in accordance with the Community Small Business Investment Funds Act, S.O. 1992, c. 18 and the proposal described in this report;
- (2) Council appoint the Commissioner of Economic Development, Culture and

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

10.51 Clause No. 3 of Report No. 7 of The Toronto East York Community Council, headed “Settlement Report - Official Plan Amendment and Rezoning - 28 Rees Street and Sign By-law Exemption - 1 Blue Jays Way (SkyDome) (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 confidential report dated July 21, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.52 **Clause No. 10 of Report No. 7 of The Toronto East York Community Council, headed “Site Plan Control - 150 College Street (The Pharmacy Building, University of Toronto) (Trinity-Spadina, Ward 20)”.**

Motion:

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

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

‘It is recommended that City Council:

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.53 Clause No. 11 of Report No. 7 of The Toronto East York Community Council, headed “Site Plan Control - 150 College Street (Centre for Cellular and Biomolecular Research, University of Toronto) (Trinity-Spadina, Ward 20)”.

Motion:

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

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.54 Clause No. 5 of Report No. 6 of The Works Committee, headed “Automated Vehicle Location (AVL) and Management Control System Pilot Project in Solid Waste Management Services”.

Motions:

(a) Councillor Moscoe moved that the Clause be struck out and referred to the Chief Administrative Officer, with a request that the Chief Administrative Officer review the concept of an Automated Vehicle Location (AVL) system on a comprehensive basis and report thereon to City Council, through the Budget Advisory Committee.

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

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

Withdrawal of Motion:

Councillor Moscoe, with the permission of Council, withdrew his motion (a).

Votes:

Motion (b) by Councillor Ashton carried.

The Clause, as amended, carried.

10.55 Clause No. 6 of Report No. 6 of The Works Committee, headed “Human Factors Evaluation of Video Advertising Signs”.

Motion:

Councillor Chow moved that the Clause be amended by amending the recommendations of the Works Committee, as follows:

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

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

“The Works Committee recommends:

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

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

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.56 Clause No. 18 of Report No. 6 of The Works Committee, headed “Speed Control on W.R. Allen Road During Structural Rehabilitation of Overpass at Wilson Avenue - Contract No. 03FS-21S, Tender Call No. 148-2003 (Wards 9 and 10 – York Centre)”.

Motion:

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

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

10.57 Clause No. 2 of Report No. 7 of The Administration Committee, headed “Establishment of a Compliance Audit Committee”.

Motions:

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

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

Councillor Lindsay Luby in the Chair.

(b) Councillor Kelly moved that the Clause be amended by striking out Recommendation No. (1) of the Administration Committee and inserting in lieu thereof the following:

“(1) Option 2(a) (excluding Members of Council and those Members who have conflicts) embodied in the report dated June 26, 2003, from the City Clerk, be adopted;”.

Deputy Mayor Ootes in the Chair.

Withdrawal of Motion:

Councillor Kelly, with the permission of Council, withdrew his motion (b).

Votes:

Motion (a) by Councillor Moscoe carried.

The Clause, as amended, carried.

10.58 Clause No. 22 of Report No. 8 of The Policy and Finance Committee, headed “Child Care Capital Reserve Fund Approvals”.

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of motion by Councillor Ford:

Yes - 2	
Councillors:	Ford, Holyday
No - 25	
Mayor:	Lastman
Councillors:	Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Filion, Flint, Hall, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Walker

Lost by a majority of 23.

Adoption of Clause, without amendment:

Yes - 26	
Mayor:	Lastman
Councillors:	Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Filion, Flint, Hall, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
No - 3	

Councillors: Balkissoon, Ford, Holyday
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Carried by a majority of 23.

10.59 Clause No. 3 of Report No. 6 of The Works Committee, headed “Engagement of Professional Services to Assess Old Landfills in the City of Toronto - RFP No. 9117-03-7239”.

Vote:

Adoption of Clause, without amendment:

Yes - 25
Mayor: Lastman
Councillors: Altobello, Ashton, Balkissoon, Chow, Di Giorgio, Duguid, Fillion, Flint, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Walker
No - 2
Councillors: Dominelli, Ford

Carried by a majority of 23.

10.60 Clause No. 14 of Report No. 7 of The Administration Committee, headed “3885 Yonge Street - Lease of the Jolly Miller (Ward 25 - Don Valley West)”.

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of motion by Councillor Ford:

Yes - 2 Councillors: Dominelli, Ford
No - 21 Councillors: Altobello, Ashton, Balkissoon, Bussin, Chow, Filion, Flint, Hall, Holyday, L. Jones, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mihevc, Milczyn, Moscoe, Ootes, Pantalone, Rae, Silva, Walker

Lost by a majority of 19.

Adoption of Clause, without amendment:

Yes - 26 Councillors: Altobello, Ashton, Balkissoon, Bussin, Chow, Dominelli, Filion, Flint, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Walker
No - 1 Councillor: Ford

Carried by a majority of 25.

10.61 Clause No. 20 of Report No. 6 of The Economic Development and Parks Committee, headed “Settlement of Litigation - City of Toronto Economic Development Corporation (TEDCO) (Ward 30 Toronto-Danforth)”.

Motion:

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

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

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

10.62 Clause No. 23 of Report No. 7 of The Toronto East York Community Council, headed “Refusal of Application for Site Plan Approval - 190 - 242 Cherry Street (Toronto-Danforth, Ward 30)”.

Motion:

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

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

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

10.63 Clause No. 18 of Report No. 6 of The Scarborough Community Council, headed “Request for Direction - Combined Application TF CMB 2002 0017 - Bell-Am Apartments (Rayman Architects Inc.), 126 Bellamy Road North – Eglinton Community (Ward 38 - Scarborough Centre)”.

Motion:

Councillor Duguid moved that the Clause be struck out and referred back to the Scarborough Community Council for further consideration.

Vote:

The motion by Councillor Duguid carried.

10.64 Clause No. 19 of Report No. 6 of The Community Services Committee, headed “Raising the Profile of Tenant Issues in the Upcoming Provincial Election: A Public Education Campaign”.

Motion:

Councillor Holyday moved that the Clause be received.

Votes:

Adoption of motion by Councillor Holyday:

Yes - 9	
Councillors:	Dominelli, Flint, Ford, Hall, Holyday, Kelly, Ootes, Shiner, Soknacki
No - 14	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Duguid, Filion, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Rae, Walker

Lost by a majority of 5.

Adoption of Clause, without amendment:

Yes - 18	
Councillors:	Altobello, Balkissoon, Bussin, Cho, Chow, Dominelli, Duguid, Filion, Hall, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Rae, Shiner, Walker
No - 6	
Councillors:	Flint, Ford, Holyday, Kelly, Ootes, Soknacki

Carried by a majority of 12.

10.65 Clause No. 7 of Report No. 7 of The Administration Committee, headed “Delay in Award of Request for Quotation for Supply, Printing and Mailing of Tax and Water Bills and Parking Tag Notices”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Holyday moved that Council adopt the following recommendation:

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

‘It is recommended that:

- (1) authority be granted to enter into a contract with Data Mailing and Machines Inc. for the water component of Request for Quotation No. 3001-03-7319 for a two (2) year period commencing January 1, 2004, and ending December 31, 2005, for an amount not to exceed \$1,717,670.55 (inclusive of all applicable taxes and charges) plus a maximum amount of \$2,098,263.00 for postage, for a total amount of \$3,815,933.55, being the lowest bid received meeting specifications;

- (2) authority be granted to the Chief Financial Officer and Treasurer to exercise the City's option with Data Mailing and Machines Inc. with respect to the water component, for three additional one-year periods:
 - (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$987,038.47 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,071,200.00 for postage, for a total amount of \$2,058,238.47;

 - (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$1,085,742.32 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,112,400.00 for postage, for a total amount of \$2,198,142.32;

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

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

- (3) authority be granted to enter into a contract with Data Mailing and Machines Inc. for the parking tag component of Request for Quotation No. 3001-03-7319 for a two (2) year and one (1) month period commencing December 1, 2003, and ending December 31, 2005, for an

amount not to exceed \$863,195.50 (inclusive of all applicable taxes and charges), plus a maximum amount of \$1,871,366.00 for postage, for a total amount of \$2,734,561.50, being the lowest bid received meeting specifications;

- (4) authority be granted to the Chief Financial Officer and Treasurer to exercise the City's option with Data Mailing and Machines Inc., with respect to the parking tag component, for three additional one-year periods:
 - (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$493,836.75 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$988,000.00 for postage, for a total amount of \$1,481,836.75;
 - (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$543,220.43 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,026,000.00 for postage, for a total amount of \$1,569,220.43;
 - (c) January 1, 2008, to December 31, 2008, in the total estimated amount not to exceed \$597,542.47 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,064,000.00 for postage, for a total amount of \$1,661,542.47,

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

- (5) authority be granted to enter into a contract with The FSA Group for the tax component of the Request for Quotation No. 3001-03-7319 for a two (2) year period commencing January 1, 2004, and ending December 31, 2005, for an amount not to exceed \$1,225,183.40 (inclusive of all applicable taxes and charges) plus a maximum amount of \$2,306,920.00 for postage, for a total amount of \$3,532,103.40, being the lowest bid received meeting specifications;
- (6) authority be granted to the Chief Financial Officer and Treasurer to exercise

the City's option with The FSA Group, with respect to the tax component, for three additional one-year periods:

- (a) January 1, 2006, to December 31, 2006, in the total estimated amount not to exceed \$688,563.37 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,222,000.00 for postage, for a total amount of \$1,910,563.37;
- (b) January 1, 2007, to December 31, 2007, in the total estimated amount not to exceed \$757,419.71 (inclusive all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,269,000.00 for postage, for a total amount of \$2,026,419.71;
- (c) January 1, 2008, to December 31, 2008, in the total estimated amount not to exceed \$833,161.68 (inclusive of all applicable taxes, charges and annual CPI adjustment) plus a maximum amount of \$1,316,000.00 for postage, for a total amount of \$2,149,161.68,

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

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

authority to award the contract for an amount not to exceed \$2,823,928.50 inclusive of all taxes, postage and programming to The FSA Group, being the next lowest acceptable bidder;

- (10) if The FSA Group fails to meet the proof of capability requirement (Phase I-Testing) for the production of Tax notices and related materials, that the Chief Financial Officer and Treasurer be granted authority to award the contract for an amount not to exceed \$3,575,691.00 inclusive of all taxes, postage and programming to Data Mailing and Machines Inc., being the next lowest acceptable bidder; and
- (11) the appropriate City officials be authorized to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

10.66 Clause No. 8 of Report No. 6 of The Works Committee, headed “Alternate Side Parking - Changeover Times and Grace Periods”.

Motion:

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

Vote:

The motion by Councillor Mihevc carried.

10.67 Clause No. 20 of Report No. 6 of The Works Committee, headed “Hearne Avenue and Jane Street - Drainage Problem on Private Laneway (Ward 12 - York South-Weston)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Di Giorgio moved that Council adopt the following recommendations:

“It is recommended that:

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

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

10.68 Clause No. 18 of Report No. 8 of The Policy and Finance Committee, headed “Exemptions to Toronto Municipal Code, Chapter 591, Noise”.

Motion:

Councillor Moscoe 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 notify affected Councillors on objections received from the public resulting from the Notice of Hearing being issued.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

- 10.69 **Clause No. 26 of Report No. 6 of The North York Community Council, headed “Submission of Bills Respecting Lifting of Holding (H) Symbol - Trinity Development Group - TB ZBL 2002 0007 and TB SUB 2002 0001, Southwest Corner of Steeles Avenue West and Dufferin Street (Ward 8 - York West)”.**

Motion:

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

“It is recommended that:

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

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

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

Votes:

The motion by Councillor Li Preti carried.

The Clause, as amended, carried.

- 10.70 **Clause No. 21 of Report No. 6 of The North York Community Council, headed “Special Occasion Beer Garden Permit - Request for Community Event (Ward 23 - Willowdale)”.**

Motion:

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

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

Votes:

The motion by Councillor Li Preti carried.

The Clause, as amended, carried.

10.71 Clause No. 27b of Report No. 4 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.

Motion:

Councillor Ford moved that the Clause, consisting of Item (a), entitled “Status of Alternative Service Delivery (ASD) Consultation Protocol”, be struck out and referred back to the Policy and Finance Committee for further consideration.

Vote:

The motion by Councillor Ford carried.

10.72 Clause No. 8a of Report No. 5 of The Policy and Finance Committee, headed “Property Tax Relief - Centre francophone du Toronto metropolitan, 20 Lower Spadina Avenue (Ward 20 – Trinity-Spadina)”.

Motion:

Councillor Ford moved that the Clause be received.

Votes:

Adoption of motion by Councillor Ford:

Yes - 7

Councillors:	Cho, Ford, Kelly, Korwin-Kuczynski, Li Preti, Ootes, Pitfield
No - 21	
Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, L. Jones, Lindsay Luby, Mihevc, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker

Lost by a majority of 14.

Adoption of Clause, without amendment:

Yes - 23	
Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Moscoe, Pantalone, Rae, Silva, Soknacki, Walker
No - 5	
Councillors:	Cho, Ford, Kelly, Ootes, Pitfield

Carried by a majority of 18.

10.73 Clause No. 12b of Report No. 4 of The Administration Committee, headed “Alexandra Park Co-operative – Ground Lease Amendments (Ward 20 – Trinity-Spadina)”.

Motion:

Councillor Ford moved that the Clause be amended to provide that the Alexandra Park Co-operative pay an annual rent of \$50,000.00 for the five year period, from February 1, 1999.

Votes:

Adoption of motion by Councillor Ford:

Yes - 5	
Councillors:	Cho, Ford, Holyday, Lindsay Luby, Ootes
No - 21	

Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Fillion, Flint, Hall, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Walker
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Lost by a majority of 16.

Adoption of Clause, without amendment:

Yes - 19	
Councillors:	Altobello, Ashton, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Fillion, Hall, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Walker
No - 7	
Councillors:	Cho, Flint, Ford, Holyday, Kelly, Lindsay Luby, Ootes

Carried by a majority of 12.

10.74 **Clause No. 8a of Report No. 5 of The Administration Committee, headed “Accrual of Pension Benefits for Elected Officials Over the Age of 69”.**

Having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Moscoe moved that the Clause be struck out and referred back to the Administration Committee for further consideration, and the Chief Financial Officer and Treasurer be requested to meet with the immediately affected parties and submit a report to the Administration Committee outlining recommendations with respect to this matter.
- (b) Councillor Ashton moved that Council adopt the following recommendations:

“It is recommended that:

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

(c) Councillor Holyday moved that the Clause be received.

Withdrawal of Motion:

Councillor Moscoe, with the permission of Council, withdrew his motion (a).

Votes:

Adoption of motion (c) by Councillor Holyday:

Yes - 8 Councillors: Dominelli, Ford, Hall, Holyday, Lindsay Luby, Ootes, Pitfield, Soknacki
No - 17 Councillors: Altobello, Ashton, Bussin, Cho, Di Giorgio, Duguid, Filion, Flint, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Rae, Walker

Lost by a majority of 9.

Adoption of motion (b) by Councillor Ashton:

Yes - 18 Councillors: Altobello, Ashton, Bussin, Cho, Di Giorgio, Duguid, Filion, Flint, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Pantalone, Rae, Soknacki, Walker
No - 7 Councillors: Dominelli, Ford, Hall, Holyday, Lindsay Luby, Ootes, Pitfield

Carried by a majority of 11.

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the City approach OMERS to request that they allow for the accrual of benefits available to municipal employees and elected officials for service over the age of 69; and

- (2) the Chief Financial Officer and Treasurer, in consultation with the immediately affected parties, be requested to prepare more detailed costing and legal review of Option 3 (salary adjustment) and/or payment of a one-time lump sum payment at the time of retirement.”

10.75 Clause No. 5 of Report No. 8 of The Policy and Finance Committee, headed “Toronto’s Participation in the Federation of Canadian Municipalities’ ‘Bridging the Gap’ Campaign”.

Motion:

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

“It is further recommended that:

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.76 Clause No. 1 of Report No. 8 of The Administration Committee, headed “Union Station Request for Proposals - Status Report - Negotiations with Union Pearson Group (Ward 28 - Toronto Centre-Rosedale)”.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of the questions of staff by Councillor Ford, ruled such questions out of order.

Councillor Ford challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 27	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Milczyn, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Sutherland, Walker
No - 2	
Councillors:	Ford, Mihevc

Carried by a majority of 25.

Additional Questions of Staff:

Councillor Walker, with the permission of Council, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived, in order to provide an additional opportunity for Members of Council to question staff, the vote upon which was taken as follows:

Yes - 22	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Bussin, Chow, Di Giorgio, Flint, Holyday, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Ootes, Rae, Soknacki, Walker
No - 9	
Councillors:	Cho, Dominelli, Duguid, Feldman, Li Preti, Moeser, Nunziata, Shiner, Sutherland

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

Motions:

- (a) Councillor Holyday moved that the Clause be amended:
- (1) by striking out Recommendation (I)(A)(1) of the Administration Committee and inserting in lieu thereof the following:
 - “(1) City Council select Option A embodied in the report dated July 15, 2003, from the Commissioner of Corporate Services;” and

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

Councillor Nunziata in the Chair.

Deputy Mayor Ootes in the Chair.

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

“It is further recommended that:

- (1) the Commissioner of Corporate Services be requested, in preparing for the Lease, to incorporate objective criteria in the build out of the improvements in the upper area and provide for a speedy binding dispute resolution framework in case the parties cannot agree; and
- (2) the Commissioner of Corporate Services be requested to restructure the lease to provide that there would be a second snapshot in 40 years time so as to build a case for appropriate rent.”

- (c) Councillor Walker moved that the Clause be amended by striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the Clause be received, and that the Request for Proposals be cancelled;
- (2) the Commissioner of Corporate Services be directed to take all steps necessary to implement this direction of Council; and
- (3) Council recommend to the new Mayor and the new Council that the City of Toronto enter into an extensive public consultation on the public’s vision for the future of Union Station and its precinct.”

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

“It is further recommended that the terms of the Station Lease include a provision that the Public Advisory Group established by City Council remain in place for the duration of the Station Lease, continue to be fully involved in the revitalization of Union Station and have the authority to report to Council, through the Administration Committee, if concerns arise.”

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

“It is further recommended that the Commissioner of Urban Development Services be directed to review and update the zoning for Union Station to allow the City and its transportation tenants the maximum flexibility to revitalize the existing station through adaptive re-use of all space at the station, maintaining transportation as the primary use and without creating/developing any air rights.”

Councillor Lindsay Luby in the Chair.

Deputy Mayor Ootes in the Chair.

(f) Councillor Lindsay Luby moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to expedite the governance issues so that Council will have ample opportunity to direct the governing board’s priorities, thereby ensuring that decisions are made on the basis of transportation priority and that the public interest is maintained throughout the term of the Lease.”

Ruling by Deputy Mayor:

Councillor Sutherland requested Deputy Mayor Ootes to rule on whether Parts (1) and (2) of motion (b) by Councillor Chow, were in order.

Deputy Mayor, having regard to the nature of Parts (1) and (2) of motion (b) by Councillor Chow, ruled Part (1) in order, and Part (2) out of order.

Votes:

Adoption of motion (c) by Councillor Walker:

Yes - 4	
Councillors:	Filion, Ford, L. Jones, Walker
No - 35	

Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Johnston, I. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas
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Lost by a majority of 31.

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

Yes - 31	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 10	
Councillors:	Bussin, Chow, Filion, Ford, I. Jones, L. Jones, Mihevc, Miller, Moscoe, Walker

Carried by a majority of 21.

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

Yes - 40	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 39.

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

Yes - 40

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

Carried by a majority of 39.

Adoption of motion (d) by Councillor Rae:

Yes - 40	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

No - 1	
Councillor:	Ford

Carried by a majority of 39.

Adoption of motion (e) by Councillor Ashton:

Yes - 38	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker

No - 3	
Councillors:	Filion, Ford, Mammoliti

Carried by a majority of 35.

Adoption of motion (f) by Councillor Lindsay Luby:

Yes - 40 Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1 Councillor:	Ford

Carried by a majority of 39.

Adoption of Clause, as amended:

Yes - 33 Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Silva, Soknacki, Sutherland, Tziretas
No - 8 Councillors:	Augimeri, Chow, Filion, Ford, Mihevc, Miller, Moscoe, Walker

Carried by a majority of 25.

In summary, Council amended this Clause:

- (1) by striking out Recommendation (I)(A)(1) of the Administration Committee and inserting in lieu thereof the following:
 - “(1) City Council select Option A embodied in the report dated July 15, 2003, from the Commissioner of Corporate Services;”;
- (2) to provide that the Master Agreement be revised by replacing the date “October 31,

(3) by adding thereto the following:

“It is further recommended that:

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

10.77 Clause No. 6 of Report No. 7 of The Toronto East York Community Council, headed “Settlement of Outstanding Issues - 22 Bathurst Street, 640R and Part of 640 Fleet Street (St. Mary’s Cement) (Trinity-Spadina, Ward 19)”.

Vote:

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Pantalone, 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 Pantalone moved that the Clause be amended in accordance with the supplementary report dated July 23, 2003, from the Commissioner of Urban Development Services, embodying the following recommendation:

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

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

- 10.78 **Clause No. 63 of Report No. 7 of The Toronto East York Community Council, headed “Modifications to Bicycle Lanes - Gerrard Street East and River Street (Toronto Centre-Rosedale, Wards 27 and 28)”.**

Vote:

The Clause was adopted, without amendment.

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

- 10.79 **Clause No. 15 of Report No. 6 of The Humber York Community Council, headed “103 and 111 Ingram Drive - Information Report (Ward 12 – York South-Weston)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Di Giorgio moved that Council adopt the following recommendations:

“It is recommended that:

- (1) in light of concerns about possible changes in activity since the last permit was issued for the site located at 103 and 111 Ingram Drive, the owner be requested to confirm with the Building Division the main use on the sites and additional current uses;
- (2) once the owner has confirmed the uses, the Commissioner of Urban Development Services, in consultation with the City Solicitor, be requested to submit a report to the Humber York Community Council on any implications with respect to compliance with the Zoning By-laws resulting from the determination of the uses on the site, and that this report replace the reports requested by Humber York Community Council on the zoning by-law requirements for the sites;
- (3) the Chief Building Official be directed to verify whether a one-metre strip of landscaping abutting the street is required at 103 Ingram Drive and Municipal Licensing and Standards by-law enforcement officers be requested to enforce any landscaping requirements or other relevant by-laws that apply to the site;
- (4) the Commissioner of Urban Development Services, the Medical Officer of Health, the Commissioner of Works and Emergency Services, the Minister of the Environment and the Minister of Labour be requested to inspect and investigate whether 103 and 111 Ingram Drive violate their respective by-laws or legislation or regulations with regard to the adverse affects associated with noise, dust and contaminated water/wastewater emanating from these sites;
- (5) Council acknowledge that the activities at these sites constitute a public nuisance and have a detrimental impact on the use and enjoyment of properties and their employees in the vicinity of the premises and that adequate steps have not been taken to eliminate the public nuisance; and
- (6) the local Councillor be requested to meet with the owner and the surrounding community separately, to determine possible ways of relieving the adverse impacts at 103 and 111 Ingram Drive, and to advise the Humber York Community Council at its September 9, 2003 meeting on a potential mediated solution.”

Votes:

The motion by Councillor Di Giorgio carried.

The Clause, as amended, carried.

10.80 **Clause No. 24a of Report No. 5 of The Scarborough Community Council, headed “Final Report - Combined Application TF CMB 2001 0009, The Muslim Welfare Centre of**

Toronto, 24, 26 and 28 Rural Avenue, Agincourt Community (Ward 41 – Scarborough Rouge River)”.

Councillor Hall in the Chair.

Deputy Mayor Ootes in the Chair.

Motions:

- (a) Councillor Cho moved that the Clause be amended by striking out the recommendation of the Scarborough Community Council and inserting in lieu thereof the following:

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

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

“BE IT RESOLVED THAT, in accordance with the recommendation of the Scarborough Community Council, the recommendations contained in the report (March 18, 2003) from the Acting Director of Community Planning, East District, be not adopted and the applications be refused for the following reasons:

Section 3.1.5, Land Use Designations of the former Scarborough Official Plan reads as follows:

‘Within the above residential designations, accommodation for senior citizens may be provided at densities exceeding those of the respective designations, as long as the overall height and massing of the buildings does not exceed the height and massing of other conventional buildings permitted within these designations.’; and

Having regard that this statement may by Council decision provide accommodation for seniors within residential designations in buildings that did not exceed height and massing, i.e., scale of development of other buildings within the designated zone, which is currently Singles and Townhouses; and

Zoning By-law 10076, Pages 25 – 27, Clause VIII – Zone Provisions, Sections 1-4, clarifies Council’s intent of the Official Plan Policy 3.1.5 by providing for Senior Citizens Homes in only Apartment Residential (A) Zone, and its intent is further made clear in the detailed Permitted Uses of other residential zones by not including the Senior Citizen Homes Use; and

This development, given its apartment-like mass and scale, does not match the

character of the residential properties/buildings to the west and south of this site, and threatens the stability of the neighbourhood; and

The entire Agincourt Community Secondary Plan in the proximity of this site only provides for (RL) Residential Low Density and the only (RH) Apartment Zone in this Plan is provided for quite a distance away on McCowan Road; and

Further, in developing the new City of Toronto Official Plan, City Council has clearly stated its intent to protect existing stable residential neighbourhoods with clear, concise policies on Page 72 of the new Plan, which does not allow this development in the Agincourt Secondary Plan Area.”

Votes:

Adoption of motion (a) by Councillor Cho:

Yes - 17	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Duguid, Ford, Hall, Johnston, L. Jones, Li Preti, Mihevc, Miller, Pantalone, Pitfield, Shaw, Silva, Tziretas
No - 14	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Filion, Flint, Holyday, Kelly, Korwin-Kuczynski, Milczyn, Moscoe, Ootes, Soknacki, Walker

Carried by a majority of 3.

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

Adoption of Clause, as amended:

Yes - 19	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Duguid, Ford, Hall, Holyday, Johnston, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Miller, Pantalone, Pitfield, Shaw, Silva, Tziretas
No - 12	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Filion, Flint, Kelly, Milczyn, Moscoe, Ootes, Soknacki, Walker

Carried by a majority of 7.

10.81 **Clause No. 35 of Report No. 8 of The Policy and Finance Committee, headed “Other Items Considered by the Committee”.**

Motions:

- (a) Councillor Pantalone moved that the Clause be received for information, subject to striking out and referring Item (i), entitled “Toronto Hydro – Payment of Dividends”, embodied therein, back to the Policy and Finance Committee for further consideration, and in order to provide an opportunity for Toronto Hydro to make a presentation to the Committee on this issue.

- (b) Councillor Li Preti moved that Council waive the necessary provisions of Chapter 27 of the City of Toronto Municipal Code in order to consider Item (d), entitled “Staff Response to Commission Inquiry: Revised Motion in Support of Funding for Environmental Assessments of Subway Extensions”, embodied in this Clause, and that Council adopt the following recommendation:

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

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

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

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

and

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

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

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

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

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

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

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

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

- (1) the City of Toronto commits to funding the one-third municipal share of the Environmental Assessment study as it relates to the

- extension of the subway from Downsview station to the proposed York University station;
- (2) the City of Toronto and the Regional Municipality of York commit to equally cost-share the municipal portion of the Environmental Assessment study as it relates to the section of the proposed line from the York University station to the Inter-Regional Bus Terminal/Commuter Parking Gateway Facility at Steeles Avenue;
 - (3) the City of Toronto, the Toronto Transit Commission, the Regional Municipality of York, the City of Vaughan and York University continue to work co-operatively to ensure the co-ordination of these studies and present a unified submission to the senior levels of government requesting their participation;
 - (4) the one-third provincial share of the \$5 million cost of the environmental assessments for the extensions of the Spadina and Sheppard Subways be requested from the Province through the submission of a new application to the Province of Ontario's Golden Horseshoe Transit Investment Partnership, which would be jointly prepared and submitted by the City of Toronto, the Regional Municipality of York, the Toronto Transit Commission; and York University; and
 - (5) the one-third federal share of the \$5 million cost of the environmental assessments for the extensions of the Spadina and Sheppard Subways be requested from the federal government through the submission of a new application to the Government of Canada's Canada Strategic Infrastructure Fund, which would be jointly prepared and submitted by the City of Toronto, the Regional Municipality of York, the Toronto Transit Commission and York University.' ”

Votes:

Motion (a) by Councillor Pantalone carried.

Motion (b) by Councillor Li Preti carried, more than two-thirds of Members present having voted in the affirmative.

The balance of the Clause was received as information.

10.82 Clause No. 10a of Report No. 5 of The Economic Development and Parks Committee, headed “Persian New Year – Sunnybrook Park (Ward 25 Don Valley West)”.

Motion:

Councillor Sutherland moved that Council adopt following recommendation:

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

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

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

‘It is recommended that:

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

Votes:

The motion by Councillor Sutherland carried.

The Clause, as amended, carried.

10.83 Clause No. 3c of Report No. 3 of The Works Committee, headed “Pay-As-You-Throw Program for the Residential Sector”.

Vote:

Adoption of Clause, without amendment:

Yes - 14	
Mayor:	Lastman
Councillors:	Chow, Di Giorgio, Dominelli, Duguid, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, Miller, Moscoe, Pantalone, Silva

No - 16

Councillors: Altobello, Balkissoon, Feldman, Flint, Ford,
Korwin-Kuczynski, Li Preti, Mihevc, Minnan-Wong, Nunziata,
Ootes, Rae, Shiner, Sutherland, Tziretas, Walker

Lost by a majority of 2.

Disposition of Clause:

The Clause was not adopted.

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

Motion:

Councillor Shiner moved that the Clause be amended by striking out the recommendations of the Works Committee and inserting in lieu thereof the following:

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

‘It is recommended that Council:

- (1) adopt the principle that there are three categories of Water and Wastewater properties as they relate to filming with differing security needs and requirements:
 - (a) Unrestricted Area - open to the public;
 - (b) Limited Access Area - closed to the public but available for filming;
and
 - (c) Restricted Access;
- (2) authorize the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Economic Development, Culture and Tourism on the implications to the film industry, to amend the new procedure for filming at Water and Wastewater facilities as and when required;
- (3) receive for information the amended wording for the protocol for the

“Application for Filming at Water and Wastewater Facilities” (Attachment 1) as per Recommendation No. (1) of the joint supplementary report (April 28, 2003) from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services; and

- (4) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.’,

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

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

and inserting in lieu thereof, the words:

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

Vote:

Adoption of the Clause, as amended by the motion by Councillor Shiner:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Chow, Di Giorgio, Dominelli, Feldman, Flint, Ford, Hall, I. Jones, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Silva, Sutherland, Tziretas
No - 3	
Councillors:	Duguid, Holyday, Walker

Carried by a majority of 27.

Motion to Re-Open:

Councillor Bussin, 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 - 18 Councillors:	Augimeri, Bussin, Cho, Chow, Duguid, Filion, Flint, Holyday, I. Jones, L. Jones, Lindsay Luby, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Tziretas, Walker
No - 14 Mayor: Councillors:	Lastman Di Giorgio, Dominelli, Feldman, Ford, Hall, Kelly, Korwin-Kuczynski, Minnan-Wong, Nunziata, Ootes, Rae, Shiner, Sutherland

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

10.85 Clause No. 4 of Report No. 6 of The Economic Development and Parks Committee, headed “Civic Garden Centre - Toronto Botanical Garden Revitalization Program (Ward 25 Don Valley West)”.

Vote:

The Clause was adopted, without amendment.

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

10.86 Clause No. 4 of Report No. 7 of The Toronto East York Community Council, headed “Draft By-laws - Amendments to Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan (Fort York Neighbourhood) (Trinity-Spadina, Wards 19 and 20)”.

Having regard that the Clause was submitted without recommendation:

Motions:

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

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

‘It is recommended that City Council:

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

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

cost-sharing arrangement as outlined in this report in securing contributions from the landowners in the Railway Lands West and Bathurst-Strachan Secondary Planning Areas towards the cost to undertake the modifications at the intersection of Bathurst Street and Bremner Boulevard/Fort York Boulevard, through subdivision and Section 37 agreements or any other agreements deemed appropriate by the City Solicitor; and

- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect to the above.’ ”

Votes:

Motion (a) by Councillor Chow carried.

Motion (b) by Councillor Pantalone carried.

The Clause, as amended, carried.

- 10.87 **Clause No. 5 of Report No. 7 of The Toronto East York Community Council, headed “Directions Report - Official Plan Amendment and Rezoning Applications - 511 Bremner Boulevard and 2 and 20 Housey Street (Railway Lands West, Blocks 33 and 27) (Trinity-Spadina, Ward 20)”.**

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

‘It is recommended that City Council:

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

Council for further instructions regarding Blocks 8, 9 and 10 in the Bathurst/Strachan Part II Plan and Bathurst/Strachan Secondary Plan if these Blocks are consolidated into the September Ontario Municipal Board Hearing;

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

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

10.88 Clause No. 67 of Report No. 7 of The Toronto East York Community Council, headed “Revisions to Draft Plan of Subdivision - Precincts 1 and 2; Removal of Holding Designation from Blocks 24, 25, 26 and 29 in Railway Lands West (Trinity-Spadina, Ward 20)”.

Motions:

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

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

‘It is recommended that:

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

Moved by: Councillor Chow

“It is recommended that:

- (1) authority be granted to enter into the necessary agreements with Concord Adex Developments Corp. allowing for the release of the 1994 Acknowledgment Agreement from the blocks in Railway Lands Central without posting a letter of credit to secure the community park construction, but providing for an equal sharing of the fees that would have been incurred to post a letter of credit to secure the park construction;
- (2) the funds be held in a Railway Lands environmental reserve to be allocated to the interpretation of the mouth of Garrison Creek in the Railway Lands West; and
- (3) any funding resulting from the overlooked contribution of the H&R development be used as a contribution from the City portion resulting from the City’s housing blocks.”

Votes:

Motion (b) by Councillor Chow carried.

Motion (a) by Councillor Pantalone carried.

The Clause, as amended, carried.

10.89 Clause No. 4a of Report No. 5 of The Midtown Community Council, headed “359 Deloraine Avenue – Tree Removal Request (Eglinton-Lawrence – Ward 16)”.

Motion:

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

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

10.90 Clause No. 20 of Report No. 8 of The Policy and Finance Committee, headed “9 Hanna Street - Purchase of Building for Toronto Police Service Central Traffic and Garage and Court Services”.

Motion:

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

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

‘It is recommended that:

- (1) the Commissioner of Corporate Services report directly to the next meeting of the Administration Committee on September 4, 2003, and/or Council at

its meeting of September 22, 23 and 24, 2003, on the results of the negotiations with the adjacent property owner related to the minimization of the effect of existing easements on the property; and

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

Votes:

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

10.91 Clause No. 1 of Report No. 6 of The Works Committee, headed “Options to Improve Enforcement and Reduce Instances of Illegal Dumping”.

Motion:

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

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

Votes:

The motion by Councillor Holyday carried.

The Clause, as amended, carried.

10.92 Clause No. 22 of Report No. 6 of The Works Committee, headed “Lavender Creek Water Quality Assessment”.

Motion:

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

“It is further recommended Council adopt the following motion:

Moved by: Councillor Nunziata

‘**WHEREAS** the students of Archbishop Romero Catholic Secondary School, with

their teacher Robert Colle, pushed for an inquiry to analyze the visibly polluted Lavender Creek; and

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

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

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

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

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

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

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

Votes:

The motion by Councillor Nunziata carried.

The Clause, as amended, carried.

10.93 **Clause No. 25 of Report No. 7 of The Administration Committee, headed "Professional Facilitation/Mediation Services for Ontario Municipal Board Appeals of the New Toronto Official Plan".**

Motions:

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

“It is further recommended that Members of Council be notified of any mediation activities related to sites within their Wards or involving appeals by resident groups within their Wards, and those Councillors who so wish be consulted during the process.”

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

“It is further recommended that mediators be hired on the basis that they not be permitted to appear before the Ontario Municipal Board on matters that they have mediated.”

Votes:

Motion (a) by Councillor Filion carried.

Motion (b) by Councillor Moscoe carried.

Adoption of Clause, as amended:

Yes - 30	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Feldman, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Tziretas, Walker
No - 2	
Councillors:	Filion, Ford

Carried by a majority of 28.

- 10.94 **Clause No. 13 of Report No. 6 of The Humber York Community Council, headed “Final Report – 403 Keele Street; Application to Amend the Official Plan and (former) City of Toronto Zoning By-law No. 438-86; Nexxt Corporation (Ward 14 – Parkdale-High Park)”.**

Motion:

Councillor Korwin-Kuczynski, seconded by Councillor Nunziata, moved that the Clause be amended by amending Recommendation No. (4) contained in the report dated June 24, 2003, from the Director, Community Planning, South District, as embodied in the Clause, to now read as

follows:

- “(4) before introducing the necessary Bills in Council for enactment, require the owner to enter into a Section 37 Agreement that is satisfactory to the Commissioner of Urban Development Services, such agreement to include, among other matters, the following:
- (a) \$150,000.00 to the Junction Gardens BIA for streetscape improvements to Keele Street north of Dundas Street West, as well as underpass upgrading, future beautification initiatives to Heintzman, Indian Grove and Hook Avenue, including the Trellis Improvement Plan to Heintzman and Indian Grove intersections with Dundas Street West and that an application be made to Economic Development Services under their matching Capital Improvement Funds to the local BIA area;
 - (b) \$20,000.00 to the West Toronto Junction Team for Marketing and New Business Development;
 - (c) \$10,000.00 for playground enhancements for a nearby Ward 14 parkette in Ward 14;
 - (d) \$10,000.00 for playground enhancements in a park in the former City of Toronto within Ward 11;
 - (e) \$10,000.00 for playground enhancements for Vine Avenue Parkette in Ward 13; and
 - (f) the Section 37 Agreement be amended to reflect the above changes.”

Votes:

The motion by Councillor Korwin-Kuczynski, seconded by Councillor Nunziata, carried.

The Clause, as amended, carried.

10.95 Clause No. 1b of Report No. 4 of The Policy and Finance Committee, headed “City of Toronto Council Governance Review”.

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that, as directed by Council at its meeting held on June 24, 25 and 26, 2003, the motions placed by Members of Council at that meeting and as embodied in the Clause, were before Council for consideration.

Motions:

- (a) Councillor Duguid moved that Clause be referred to the incoming Council for consideration, together with the motions placed by Members of Council at the meeting of Council held on June 24, 25 and 26, 2003.
- (b) Councillor Sutherland moved that consideration of the Clause be deferred to next regular meeting of City Council scheduled to be held on September 22, 2003.

Votes:

Adoption of motion (b) by Councillor Sutherland:

Yes - 5 Councillors:	Bussin, Ford, Holyday, Minnan-Wong, Sutherland
No - 26 Councillors:	Ashton, Augimeri, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Ootes, Pantalone, Pitfield, Soknacki, Tziretas, Walker

Lost by a majority of 21.

Adoption of motion (a) by Councillor Duguid:

Yes - 22 Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Soknacki, Tziretas, Walker
No - 9 Councillors:	Ashton, Flint, Ford, Holyday, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Sutherland

Carried by a majority of 13.

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

Moved by Councillor Ashton:

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

Moved by Councillor Chow:

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

Moved by Councillor Duguid:

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

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

Moved by Councillor Holyday:

“It is further recommended that:

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

Moved by Councillor Irene Jones:

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

- ‘(1) upon commencement of the new Council term:
 - (a) the following responsibilities be added to the current mandate of the Policy and Finance Committee:
 - (i) recommending and overseeing collective bargaining matters; and
 - (ii) recommending and overseeing matters related to the Council-committee governance structure and system;’ ”

Moved by Councillor Mihevc:

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

Moved by Councillor Minnan-Wong:

“That the Clause be amended to provide that:

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

Moved by Councillor Moscoe:

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

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

Moved by Councillor Walker:

“That:

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

‘It is further recommended that:

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

10.96 Clause No. 1c of Report No. 3 of The Administration Committee, headed “Review of the Housing First Policy (All Wards)”.

Motions:

- (a) Councillor Soknacki moved that the Clause be amended by amending the recommendations of the Administration Committee, by:
 - (1) deleting from Recommendation No. (2), the words “to 80 units per site”, and inserting in lieu thereof the words, “by existing zoning provisions”, so that such recommendation shall now read as follows:

- “(2) that excluding current projects, the maximum number of Housing First units be limited by existing zoning provisions;”;
- (2) inserting in Recommendations Nos. (3) and (4), after the words, “Administration Committee”, the words, “as soon as possible”; and
- (3) adding the following new Recommendation No. (5):
- “(5) a review of the ‘Housing First Policy’ and the ‘Policy Governing Land Transactions among City Agencies, Boards, Commissions and Departments and Entitlement to Proceeds of Sales of Surplus City-owned Property’ be conducted by an Inter-departmental team under the direction of the Chief Administrative Officer to determine what other factors and considerations might be needed to give equal priority to park/open space and economic development uses as housing; and that a report of the findings be submitted to the Administration Committee.”
- (b) Councillor Ford moved that the Clause be received and the Housing First Policy abolished.
- (c) Councillor Moscoe moved that Part (3) of motion (a) by Councillor Soknacki be amended by deleting the words “and economic development uses”.

Votes:

Adoption of motion (b) by Councillor Ford:

Yes - 4 Councillors:	Augimeri, Dominelli, Ford, Holyday
No - 30 Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 26.

Adoption of motion (c) by Councillor Moscoe:

Yes - 17

Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Flint, Hall, Johnston, I. Jones, L. Jones, Li Preti, Mihevc, Miller, Moscoe, Pantalone
No - 17	
Councillors:	Altobello, Ashton, Dominelli, Ford, Holyday, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Milczyn, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas, Walker

Lost, there being an equal division of votes.

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

Yes - 19	
Councillors:	Altobello, Ashton, Augimeri, Chow, Dominelli, Flint, Ford, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Miller, Nunziata, Ootes, Pitfield, Soknacki, Sutherland, Tziretas
No - 15	
Councillors:	Bussin, Cho, Di Giorgio, Duguid, Feldman, Hall, Johnston, I. Jones, L. Jones, Mammoliti, Mihevc, Moscoe, Pantalone, Shiner, Walker

Carried by a majority of 4.

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

Adoption of Part (3) of motion (a) by Councillor Soknacki, without amendment:

Yes - 16	
Councillors:	Altobello, Ashton, Augimeri, Flint, Ford, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Nunziata, Ootes, Shiner, Soknacki, Sutherland, Tziretas
No - 18	
Councillors:	Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Hall, Johnston, I. Jones, L. Jones, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Walker

Lost by a majority of 2.

Adoption of Clause, as amended:

Yes - 30 Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Soknacki, Sutherland, Tziretas, Walker
No - 4 Councillors:	Cho, Feldman, Ford, Shiner

Carried by a majority of 26.

In summary, Council amended this Clause by:

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

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

“The Administration Committee recommends:

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

10.97 Clause No. 16 of Report No. 6 of The North York Community Council, headed “Amendment to the Sign By-law for the Former City of North York, to Restrict Signs on

Office and Industrial Buildings in the Yonge Street City Centre Area (Ward 23 - Willowdale)”.*Motion:*

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

Vote:

The motion by Councillor Shiner carried.

10.98 **Clause No. 8c of Report No. 3 of The Community Services Committee, headed “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”.***Motion:*

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

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

Votes:

Adoption of motion by Councillor Shiner:

Yes - 19	
Councillors:	Altobello, Ashton, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Ford, Hall, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Tziretas
No - 13	

Councillors:	Augimeri, Bussin, Chow, Johnston, I. Jones, L. Jones, Mammoliti, Mihevc, Miller, Moscoe, Pitfield, Rae, Walker
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Carried by a majority of 6.

The Clause, as amended, carried.

10.99 **Clause No. 17c of Report No. 3 of The Works Committee, headed “Introduction of Photo Radar on City of Toronto Streets and Expressways”.**

Motions:

(a) Councillor Lindsay Luby moved that:

- (1) consideration of this Clause be deferred until the first regular meeting of the new term of Council; or
- (2) in the event Part (1) fails, the Clause be amended by adding the following:

“It is further recommended that, should the photo radar program be endorsed by Council:

- (a) the Toronto Police Service be advised to continue to use front line traffic officers to use photo radar to enforce the speed limit; and
 - (b) any revenue generated be allocated to the Toronto Police Service for the purpose of hiring new front line officers.”
- (b) Councillor Mammoliti moved that Part (2)(b) of motion (a) by Councillor Lindsay Luby be amended by adding thereto the words, “and the Transportation Services Capital Budget for traffic calming”.

Vote on Deferral:

Adoption of Part (1) of motion (a) by Councillor Lindsay Luby:

Yes - 12
Councillors: Altobello, Augimeri, Bussin, Dominelli, Hall, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Ootes, Walker
No - 21

Mayor:	Lastman
Councillors:	Ashton, Cho, Chow, Duguid, Flint, Holyday, Johnston, I. Jones, L. Jones, Li Preti, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas

Lost by a majority of 9.

Motion:

- (c) Councillor Duguid moved that the Clause be amended by deleting Recommendation No. (3) of the Works Committee and inserting in lieu thereof the following new Recommendation No. (3):

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

Vote Be Now Taken:

Councillor Johnston moved that, in accordance with §27-45C of Chapter 27 of the City of Toronto Municipal Code, the vote be now taken, the vote upon which was taken as follows:

Yes - 14	
Councillors:	Augimeri, Chow, Duguid, Flint, Johnston, I. Jones, Li Preti, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae
No - 20	
Mayor:	Lastman
Councillors:	Ashton, Bussin, Cho, Di Giorgio, Dominelli, Feldman, Filion, Hall, Holyday, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Soknacki, Tziretas, Walker

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

Votes:

Adoption of motion (b) by Councillor Mammoliti:

Yes - 22	
Mayor:	Lastman

Councillors:	Altobello, Chow, Di Giorgio, Dominelli, Duguid, Flint, Hall, Johnston, I. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Tziretas, Walker
No - 12	
Councillors:	Ashton, Augimeri, Bussin, Cho, Feldman, Filion, Holyday, L. Jones, Milczyn, Ootes, Rae, Soknacki

Carried by a majority of 10.

Adoption of Part (2)(a) of motion (a) by Councillor Lindsay Luby:

Yes - 13	
Councillors:	Altobello, Ashton, Dominelli, Flint, Hall, I. Jones, Korwin-Kuczynski, Lindsay Luby, Milczyn, Nunziata, Ootes, Tziretas, Walker
No - 21	
Mayor:	Lastman
Councillors:	Augimeri, Bussin, Cho, Chow, Di Giorgio, Duguid, Feldman, Filion, Holyday, Johnston, L. Jones, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Soknacki

Lost by a majority of 8.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (2)(b) of motion (a) by Councillor Lindsay Luby, as amended, redundant.

Motion (c) by Councillor Duguid carried.

Adoption of Clause, as amended:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Soknacki, Tziretas
No - 6	
Councillors:	Augimeri, Bussin, Holyday, Lindsay Luby, Ootes, Walker

Carried by a majority of 22.

In summary, Council amended this Clause by deleting Recommendation No. (3) of the Works Committee and inserting in lieu thereof the following new Recommendation No. (3):

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

10.100 Clause No. 9 of Report No. 8 of The Policy and Finance Committee, headed “Resource and Revenue Implications Associated with the Operation of Night Courts”.

Motion:

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

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

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

10.101 Clause No. 12a of Report No. 5 of The Works Committee, headed “Downspout Disconnection Program Update”.

Motion:

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

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

Votes:

The motion by Councillor Chow carried.

The Clause, as amended, carried.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

10.102 City Employees Strike - Summer of 2002

Deputy Mayor Ootes called upon Notice of Motion F(1) 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(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 280)

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 September 22, 2003.

10.103 Request to Provincial Government to Abandon Electricity Deregulation and Privatization

Deputy Mayor Ootes called upon Notice of Motion F(2) 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(2), 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 280)

Motion:

Councillor Moscoe moved that consideration of Motion F(2) be deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003, and that Council deal with the Motion at such meeting, the vote upon which was taken as follows:

Yes - 20

Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Duguid, Ford, Hall, I. Jones, L. Jones, Korwin-Kuczynski, Mammoliti, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Walker
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No - 14	
Councillors:	Cho, Dominelli, Feldman, Flint, Holyday, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Tziretas

Carried by a majority of 6.

Disposition:

Consideration of Motion F(2) was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003. Council further directed that Motion F(2) be dealt with at such meeting.

10.104 Request of Toronto District School Board Supervisor to Withdraw Plans to Charge Parking User Fees to Toronto Residents for Overnight Parking in TDSB Neighbourhood School Parking Lots

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

Moved by: **Councillor Bussin**

Seconded by: **Councillor McConnell**

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

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

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

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

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

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

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

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(3) 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 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 280)

Procedural Vote:

The vote to waive referral of Motion F(3) to the Policy and Finance Committee was taken as follows:

Yes - 22	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Fillion, Flint, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Mihevc, Milczyn, Miller, Moscoe, Pantalone, Rae, Soknacki, Sutherland, Tziretas, Walker
No - 15	
Councillors:	Ashton, Cho, Dominelli, Duguid, Feldman, Hall, Holyday, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner

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

City Council also had before it, for consideration with Motion F(3), a communication dated July 3,

2003, from Councillor Sandra Bussin.

Disposition:

Having regard to the foregoing decision of Council, Motion F(3) was referred to the Policy and Finance Committee.

10.105 Funding to Assist With Ontario Municipal Board Appeal - 151-165 St. Clair Avenue West

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

Moved by: Councillor Walker

Seconded by: Councillor Pitfield

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

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

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

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

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

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

WHEREAS with after-tax dollars, the Committee For the Rational Development of

St. Clair and Avenue Road expects to spend upwards of \$110,000.00 to have professional representation at the Ontario Municipal Board;

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

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

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 there was a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 280)

Vote:

Adoption of Motion F(4), without amendment:

Yes - 7	
Councillors:	Bussin, Di Giorgio, Flint, Li Preti, Sutherland, Tziretas, Walker
No - 22	
Councillors:	Ashton, Augimeri, Cho, Chow, Dominelli, Duguid, Feldman, Ford, Hall, Holyday, I. Jones, L. Jones, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki

Lost by a majority of 15.

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

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

Moved by: Councillor Filion

Seconded by: Councillor Moscoe

“**WHEREAS** City Council at its meeting held on April 14, 15 and 16, 2003, adopted,

without amendment, North York Community Council Report No. 3, Clause No. 19, headed 'Final Report - Application to Amend the Official Plan and Zoning By-law 7625 - TB CMB 2002 0005, TB SPC 2002 0034, 1314193 Ontario Limited - 27-49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue - Ward 23 – Willowdale'; and

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

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

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

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

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

WHEREAS in this instance, City Council is the client;

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

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

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 280)

City Council also had before it, during consideration of Motion F(5), a confidential report dated April 7, 2003, from the City Solicitor, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor/client privilege.

Disposition:

Having regard that Council did not conclude its consideration of Motion F(5) prior to the end of this meeting, consideration of Motion F(5) was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

10.107 **Proposed Amendment to the Taxpayer Protection Act**

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

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Johnston**

“**WHEREAS** the Tory Government of Ernie Eves has recently announced, as a plank in their election platform, that they would amend the Taxpayer Protection Act to require municipalities to conduct a referendum, in order to be able to raise property taxes; and **WHEREAS** this is nothing more than a cheap attempt to scapegoat municipal governments; and

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

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

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

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

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

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

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

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

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 280)

City Council also had before it, during consideration of Motion F(6), the following communications which are on file in the Office of the City Clerk:

- (i) (June 3, 2003) from the Association of Municipalities of Ontario, entitled "AMO Will Not Help Write Tax Referendum Legislation";
- (ii) (June 23, 2003) from the Association of Municipalities of Ontario, entitled "AMO Will Not Input Into Tax Referenda Proposal";
- (iii) (July 4, 2003) from the City Clerk, City of Vaughan;
- (iv) (June 9, 2003) addressed to The Honorable Ernie Eves, Premier of Ontario, from the Regional Clerk, Durham Region;
- (v) (June 26, 2003) from the Town Clerk, Town of Halton Hills; and
- (vi) (July 10, 2003) from the Town Clerk, Town of Milton.

Vote:

Adoption of Motion F(6), without amendment:

Yes - 25

Mayor:	Lastman
Councillors:	Altobello, Augimeri, Chow, Dominelli, Duguid, Feldman, Hall, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shiner, Tziretas, Walker
No - 4	
Councillors:	Flint, Ford, Holyday, Sutherland

Carried by a majority of 21.

10.108 Remuneration of the Incoming Council

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

Moved by: Councillor Moscoe

Seconded by: Councillor Rae

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

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

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

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

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

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

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 Administration 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 a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 280)

Procedural Vote:

The vote to waive referral of Motion I(1) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Adoption of Motion I(1), without amendment:

Yes - 18	
Councillors:	Ashton, Augimeri, Balkissoon, Bussin, Cho, Duguid, Filion, Flint, Johnston, I. Jones, L. Jones, Li Preti, Lindsay Luby, Mihevc, Milczyn, Moscoe, Pantalone, Rae
No - 19	
Councillors:	Altobello, Berardinetti, Chow, Dominelli, Feldman, Hall, Holyday, Korwin-Kuczynski, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Shiner, Soknacki, Sutherland, Tziretas, Walker

Lost by a majority of 1.

10.109 Revision to the City's Coat of Arms

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

Moved by: **Councillor Kelly**

Seconded by: **Councillor Sutherland**

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

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

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

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

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

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

WHEREAS it is important to keep the City symbols relevant;

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

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard to the nature of Motion I(2), ruled such Motion out of order.

10.110 Request of the Minister of Labour to Ensure that Local Labour is used for Toronto Community Events

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

Moved by: **Councillor Miller**

Seconded by: **Councillor I. Jones**

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

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

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

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

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

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(3) 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(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 280)

Procedural Vote:

The vote to waive referral of Motion I(3) to the Policy and Finance Committee was taken as follows:

Yes - 27	
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Dominelli, Feldman, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Li Preti, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Walker
No - 10	
Councillors:	Ashton, Duguid, Holyday, Korwin-Kuczynski, Lindsay Luby, Ootes, Shiner, Soknacki, Sutherland, Tziretas

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

Motions:

- (a) Councillor Miller moved that Motion I(3), be amended by:
 - (1) deleting the words “local unionized labour” wherever they occur and inserting in lieu thereof the words, “Ontario labour”; and
 - (2) amending the Operative Paragraph by:
 - (a) inserting the words, “SARS-related” before the word “events”; and
 - (b) deleting the words, “Ministry of Labour” and inserting in lieu thereof the words, “Provincial Government”.
- (b) Councillor Korwin-Kuczynski moved that Motion I(3) be amended by:
 - (1) inserting, after the words “local unionized labour”, wherever they occur, the words, “where possible”; and
 - (2) deleting from the Operative Paragraph the word “direct”, and inserting in lieu thereof the word “encourage”.
- (c) Councillor Jones moved that Motion I(3) be amended by inserting in the Operative Paragraph, after the words “technical support, so that”, the words “wherever possible”.
- (d) Councillor Cho moved that Motion I(3) be amended by adding to the end of the Operative Paragraph the words, “until the City of Toronto has fully recovered from the effect of SARS”.
- (e) Councillor Hall moved that Motion I(3) be amended by inserting in the Operative Paragraph, after the words “all future events and concerts in Toronto”, the words “funded by the different levels of government”.

Votes:

Motion (a) by Councillor Miller carried.

Motion (b) by Councillor Korwin-Kuczynski carried.

Motion (c) by Councillor Jones carried.

Motion (d) by Councillor Cho carried.

Motion (e) by Councillor Hall carried.

Adoption of Motion I(3), as amended:

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

Carried by a majority of 25.

In summary, Council adopted Motion I(3), subject to amending the Operative Paragraph, to now read as follows:

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

10.111 City of Toronto Support of the GO Transit Capital Growth/Enhancement Program

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

Moved by: Councillor Holyday

Seconded by: Councillor I. Jones

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

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

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

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

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 4, Clause No. 6, headed 'City of Toronto Support of the GO Transit Capital Growth/Enhancement Program', be re-opened for further consideration;

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

Vote:

Adoption of the first Operative Paragraph embodied in Motion I(4):

Yes - 28

Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Johnston, I. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Miller, Nunziata, Ootes, Pantalone, Pitfield, Rae, Soknacki, Tziretas, Walker
No - 10	
Councillors:	Chow, Filion, Ford, L. Jones, Mihevc, Minnan-Wong, Moeser, Moscoe, Shiner, Sutherland

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion I(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 280)

City Council also had before it, during consideration of Motion I(4), a communication dated June 18, 2003, from the Chairman, Go Transit addressed to Councillor Holyday. (See Attachment No. 7, Page 250)

Motions:

- (a) Councillor Moscoe moved that Motion I(4) be amended by deleting the second Operative Paragraph embodied therein, and inserting in lieu thereof the following new Operative Paragraphs:

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

AND BE IT FURTHER RESOLVED THAT the matter of the requested commitment to contribute \$162.5 million from 2003 to 2012 be separated from the issue of the immediate contribution requested for the 2002 budget;

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

AND BE IT FURTHER RESOLVED THAT the Chief Financial Officer and Treasurer, in consultation with the Chief General Manager, Toronto Transit

Commission, be requested to submit a report to the next meeting of Council, through the Policy and Finance Committee, on how the commitment to the GO Transit Capital Growth/Enhancement Program will impact on the Toronto Transit Commission Capital Program.”

- (b) Councillor Jones moved that Motion I(4) be amended by adding the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Works and Emergency Services be requested to prepare the specifications and tender documents for the expansion and repaving of the parking lot adjacent to the Royal York GO Station, and report to Council for its meeting scheduled to be held on September 22, 2003, through the Policy and Finance Committee, for the appropriate approvals related to funding and construction.”

Ruling by Deputy Mayor:

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

Motion:

- (c) Councillor Sutherland moved that Motion I(4) be amended by adding to the second Operative Paragraph the words, “subject to deleting Recommendations Nos. (3) and (4)”, so that such Operative Paragraph shall now read as follows:

“**AND BE IT FURTHER RESOLVED THAT** Council adopt the report dated April 30, 2003, from the Chief Financial Officer and Treasurer, as embodied in the Clause, subject to deleting Recommendations Nos. (3) and (4).”

Permission to Withdraw Motion:

Councillor Moscoe, with the permission of Council, withdrew the second Operative Paragraph embodied in his motion (a).

Votes:

Adoption of revised motion (a) by Councillor Moscoe:

Yes - 30

Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Dominelli, Duguid, Filion, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Walker, Sutherland
No - 6	
Councillors:	Di Giorgio, Feldman, Flint, Ford, Holyday, Tziretas

Carried by a majority of 24.

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

Adoption of Motion I(4), as amended:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Lindsay Luby, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Walker
No - 5	
Councillors:	Flint, Ford, Holyday, Sutherland, Tziretas

Carried by a majority of 26.

In summary, Council re-opened 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", for further consideration, and adopted the balance of Motion I(4), subject to deleting the second Operative Paragraph embodied therein, and inserting in lieu thereof the following new Operative Paragraphs:

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

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

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

10.112 West Rouge Family Day – Designation as Community Festival

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

Moved by: Councillor Moeser

Seconded by: Councillor Cho

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

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

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

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

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

WHEREAS the West Rouge Community Association and the West Rouge Sports and Recreation Association are seeking a special occasion permit under the Community Festival section of the Ontario Liquor Licence Act; and

WHEREAS, pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival must be

accompanied by a Resolution approving an event, as a community festival, made by the local Council for the municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto deem the West Rouge Family Day, to be held on Saturday, September 13, 2003, to be a community festival, and that the Alcohol and Gaming Commission be so advised.”

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 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(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 280)

Procedural Vote:

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

Vote:

Motion J(1) was adopted, without amendment.

10.113 **Status Report on Local 416 Collective Agreement 2002 Bargaining - Letters of Intent**

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

Moved by: Deputy Mayor Ootes

Seconded by: Councillor Holyday

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

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

Wastewater Services; and

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

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

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

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 Administration 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 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 pertaining to the security of property of the municipality.

Procedural Vote:

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

City Council also had before it, during consideration of Motion J(2), a confidential joint report dated July 11, 2003, from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services.

Vote:

Motion J(2) was adopted, without amendment.

Summary:

In adopting Motion J(2), without amendment, Council adopted, without amendment, the confidential joint report dated July 11, 2003, from the Commissioner of Corporate Services and the

Commissioner of Works and Emergency Services, such joint report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of the property of the municipality, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) authority be granted to establish new rates of pay of \$26.27 per hour, effective July 3, 2003, for the following trade classifications as represented by Local 416:
Electrician,
Plant Technician,
Industrial Millwright, and
Electronic Technician;
- (2) authority be granted to establish new rates of pay of \$23.64; \$22.33; \$21.02 per hour, effective July 3, 2003, for Plant Technician Trainee 1, 2 and 3, respectively;
- (3) the 2003 Water and Wastewater Operating Budget with a gross expenditure excluding Reserve Contribution of \$335.4 million, be increased by \$0.768 million, as offset by a like decrease to the 2003 Capital Reserve contribution, as an in-year adjustment such that the net 2003 Operating Budget remains at zero;
- (4) the \$50,200.00 expenditures for 22 Electricians and 3 Millwrights not employed in the Water and Wastewater Division be charged directly to the affected employees home program and reported through the respective 2003 Operating Budget Variance Reports;
- (5) authority be granted to pay a total lump sum payment not to exceed \$4,240,900 for retroactivity for the years 2000, 2001 and 2002, to cover approximately 400 employees in the affected trade classifications and employees in apprenticeship and skills development programs in Water and Wastewater Treatment Facilities only as impacted by the Works Best Practices Program;
- (6) the \$4.241 million in retroactive payments for Water and Wastewater staff be charged directly to the respective Water (XR6003) and Wastewater (XR6004) Reserves;
- (7) the Commissioner, Works and Emergency Services, and Commissioner, Corporate Services, report back to the Personnel Sub-Committee on the results of the on-going discussions relating to the fourth Letter of Intent still being negotiated between the interested parties; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

10.114 Dundas Street East Bike Lanes – Dundas Street East, from Broadview Avenue to Kingston Road

Deputy Mayor Ootes moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(3):

Moved by: Councillor Ootes

Seconded by: Councillor Sutherland

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

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

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

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

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

WHEREAS further consideration of this matter is warranted; and

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

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Road Classification System, as embodied in Works Committee Report No. 4, Clause No. 1,

adopted by City Council at its meeting held on February 29, March 1 and 2, 2000, be amended to provide that bicycle facilities on minor arterials also be reported to the Works Committee;

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

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

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

the vote upon which was taken as follows:

Yes - 39	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Sutherland, Tziretas, Walker
No - 0	

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

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. 1, Page 285)

City Council also had before it, for consideration with Motion J(3), the following communications:

- (a) submitted by the Clerk:

- (1) (July 18, 2003) from Ms. Lynne Raskin, Executive Director, South Riverdale Community Health Centre;
- (2) (July 23, 2003) from Ms. Sarah Bonsall, Communications and Planning Co-ordinator, Page and Steele Architects Planners;
- (3) (July 23, 2003) from Pam Davies, Sam Watson and Mardi Watson;
- (4) (July 22, 2003) from Paul Young;
- (5) (July 22, 2003) from Kristin Marshall;
- (6) (July 23, 2003) from Susan Daly;
- (7) (July 23, 2003) from Consulo Castillo;
- (8) (July 23, 2003) from Vincent de Tourdonnet;
- (9) (July 23, 2003) from Dagmar Baur;
- (10) (July 21, 2003) from Michelle Ryan;
- (11) (July 21, 2003) from Risa Levinson;
- (12) (July 22, 2003) from Ronald Kuipers;
- (13) (July 22, 2003) from Scott Bailey;
- (14) (July 18, 2003) from Bill Davison;
- (15) (July 17, 2003) from Peter Duckworth-Pilkington;
- (16) (July 23, 2003) from Paula Fletcher, Trustee, Ward 15 - Toronto-Danforth;
- (17) (July 23, 2003) from Leslie Rose;
- (18) (July 23, 2003) from Jann Steffoff;
- (19) (July 23, 2003) from John Vainstein; and
- (20) (July 23, 2003) from Jacob Allerdice.

- (b) submitted by Deputy Mayor Ootes:
- (1) (undated) from Marty Collier;
 - (2) (undated) from Scott Bailey;
 - (3) (undated) from Lon Alexander;
 - (4) (undated) from Darren Stehr;
 - (5) (undated) from Sarah Hood;
 - (6) (July 18, 2003) from Martin Koob;
 - (7) (July 22, 2003) from Clive Roy;
 - (8) (undated) Traffic Impact information;
 - (9) (July 22, 2003) from Kevin Walters, President, The Eastern Avenue Residents Association;
 - (10) (July 22, 2003) from Julie Charles;
 - (11) (July 21, 2003) from Aleks Oniszczyk; and
 - (12) (July 22, 2003) from Paul Vrooman; and
- (c) submitted by Councillor Bussin:
- (1) (July 22, 2003) from Steve Van Egmond;
 - (2) (July 22, 2003) from Peter Smith;
 - (3) (July 23, 2003) from Sarah Weatherax;
 - (4) (undated) from Jim Neff, South East Riverdale Community Association;
 - (5) (undated) from Marlene Chapelle;
 - (6) (July 23, 2003) from Adele Emo; and
 - (7) (July 23, 2003) from Elsie Petch.

Vote:

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

Yes - 22	
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, Li Preti, Lindsay Luby, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Shiner, Soknacki, Sutherland, Tziretas
No - 17	
Councillors:	Augimeri, Bussin, Cho, Chow, Fillion, Ford, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Rae, Walker

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

Summary:

Having regard that the first Operative Paragraph embodied in Motion J(3) which recommended that Toronto East York Community Council Report No. 5, Clause No. 16, headed “Proposed Bicycle Lanes – Dundas Street East, from Broadview Avenue to Kingston Road (Toronto-Danforth, Ward 30; Beaches-East York, Ward 32)”, be re-opened for further consideration, did not carry, the balance of Motion J(3) was not considered.

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

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

Moved by: Councillor Duguid

Seconded by: Councillor Berardinetti

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

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

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

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 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 J(4), 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. 2, Page 286)

Procedural Vote:

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

City Council also had before it, during consideration of Motion J(4), a joint report dated July 14, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled “Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, Contract No. 03D4-23RD, Tender Call No. 176-2003 (Ward 37 – Scarborough Centre)”.

Vote:

Motion J(4) was adopted, without amendment.

Summary:

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

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

10.116 **Mandatory Retirement Policy**

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(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Johnston**

Seconded by: **Councillor Miller**

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

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

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

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

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

WHEREAS mandatory retirement results in the loss of an irreplaceable source of institutional memory that is especially crucial as the City of Toronto attempts to move

forward after the enforced amalgamation of the former six cities;

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

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(5) to the Administration 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(5) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, for consideration with Motion J(4), the following documents submitted by Councillor Johnston which are on file in the Office of the City Clerk:

- (1) (June 23, 2003) from the Toronto Star, entitled, “Here’s a gem we need to keep”;
- (2) (June 4, 2003) from Susan O’Neill, entitled, “Instructor fights forced retirement”; and
- (3) (June 27, 2003) from Ms. Annette Lalonde.

Disposition:

Having regard that Council did not conclude its consideration of Motion J(5) prior to the end of this meeting, consideration of Motion J(5) was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

10.117 Defence of Committee of Adjustment Decision - 47 Queensbury Avenue

Councillor Ashton 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 Ashton**

Seconded by: **Councillor Balkissoon**

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

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

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

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 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(6) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(6) was adopted, without amendment.

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

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

Moved by: Councillor Moscoe

Seconded by: Councillor Ashton

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 6, Clause No. 1, headed ‘Potential Litigation – The Honourable Coulter A. Osborne’, be reopened for further consideration, only insofar as it pertains to Recommendation (b) that the City Solicitor be requested to report periodically to Council for approval of legal fees, as required;

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

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 no financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary, Page 280)

Votes:

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

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

Councillor Ford requested that his opposition to Motion J(7) be noted in the minutes of this meeting.

10.119 Defence of Committee of Adjustment Decision - 14 John Street

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(8), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Nunziata**

Seconded by: **Councillor Di Giorgio**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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(8) 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(8) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(8) was adopted, without amendment.

10.120 Defence of Committee of Adjustment Decision – 29 Church Street

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(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Nunziata**

Seconded by: **Councillor Di Giorgio**

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

WHEREAS 62.96 parking spaces are required on site; and

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

WHEREAS there is a parking deficiency, not only on the subject site, but also on the

adjacent streets; and

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

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

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

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(9) 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(9) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(9) was adopted, without amendment.

10.121 **Federal Funding Assistance for SARS-Related Expenses**

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

Moved by: **Councillor Sutherland**

Seconded by: **Councillor Lindsay Luby**

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

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

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

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

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

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

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

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

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

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 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(10), 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 280)

Procedural Vote:

The vote to waive referral of Motion J(10) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(10) was adopted, without amendment.

10.122 Remediation of 11R Hounslow Heath Road and Abutting Properties

Councillor Dominelli moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion J(11), which carried:

Moved by: Councillor Dominelli

Seconded by: Councillor Di Giorgio

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

WHEREAS time is of the essence; and

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

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(11), a confidential 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 Summary, Page 280)

City Council also had before it, during consideration of Motion J(11), a confidential report dated July

5, 2003, from the Commissioner of Corporate Services.

Vote:

Motion J(11) was adopted, without amendment.

Summary:

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

“It is recommended that:

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

10.123 Deferral of Property Tax Payments – All Wards

Councillor Ashton moved that in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion J(12), which carried:

Moved by: **Councillor Ashton**

Seconded by: **Councillor Miller**

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

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

Tax Deferral Program; and

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

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

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 No. 3, Page 287)

Council also had before it during consideration of Motion J(12), a report July 18, 2003, from the Chief Financial Officer and Treasurer, entitled "Deferral of Property Tax Payments (All Wards)" (See Attachment No. 8, Page 252).

Motions:

- (a) Councillor Ashton moved that Motion J(12) be amended by adding thereto the following new Operative Paragraph:

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

- (b) Councillor Chow moved that Motion J(12) be amended by adding thereto the following new Operative Paragraph:

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

Votes:

Motion (a) by Councillor Ashton carried.

Motion (b) by Councillor Chow carried.

Motion J(12), as amended, carried.

Summary:

In summary, Council adopted Motion J(12), subject to adding the following new Operative Paragraphs:

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

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

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

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

10.124 Proposed Smog “Free” Toronto Transit Commission Day

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

Moved by: Councillor Pantalone

Seconded by: Councillor Bussin

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

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

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

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

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

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

days.”

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(13) to the 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(13) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(13) was adopted, without amendment.

10.125 Closure of Allen Road for Outdoor Concert – Downsview Park, July 30, 2003

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Augimeri**

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

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

NOW THEREFORE BE IT RESOLVED THAT the closure of Allen Road, between Highway 401 and Eglinton Avenue West, be approved for the period commencing 12:01

a.m. on July 30, 2003, and terminating at 5:00 a.m. on July 31, 2003;

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

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 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 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 No. 4, Page 288)

Procedural Vote:

The vote to waive referral of Motion J(14) to the Works Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(14) was adopted, without amendment.

10.126 Prohibited Parking on Affected Streets for Outdoor Concert – Downsview Park - July 30, 2003

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

Moved by: Councillor Feldman

Seconded by: Councillor Li Preti

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

WHEREAS the Transportation Services Division has identified several roadways where

prohibited parking at any time restrictions are required to ensure the safety of attendees to the outdoor concert and adequate traffic circulation in the adjacent neighbourhoods;

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

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

Roadway	Side	Limits	Date/Time
		Street	5:00 a.m. July 31
Sunfield Road	Both	Sheppard Avenue West to Diana Drive	12:01 a.m. July 30 to 5:00 a.m. July 31
Diana Drive	Both	Sunfield Road to Keele Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Steeprock Drive	Both	Chesswood Drive to Dufferin Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Overbrook Place	Both	Dufferin Street to Wilmington Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Kennard Avenue	Both	Dufferin Street to Wilmington Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
Sheppard Avenue West	Both	Jane Street to Yonge Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Clanton Park Road	Both	Wilson Heights Boulevard to Faywood Boulevard	12:01 a.m. July 30 to 5:00 a.m. July 31
Wilson Avenue	Both	Keele Street to Bathurst Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Whitley Avenue	Both	Northgate Boulevard to Keele Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Yorkdale Road	Both	Dufferin Street to southerly limit of Yorkdale Road	12:01 a.m. July 30 to 5:00 a.m. July 31

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(15) to the 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(15), 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 289)

Procedural Vote:

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

Vote:

Motion J(15) was adopted, without amendment.

10.127 Update on the Restructuring of \$183.75 Million Provincial Loans

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(16), moved by Councillor Shiner, seconded by Mayor Lastman, and, in the absence of Mayor Lastman, moved by Councillor Shiner, seconded by Councillor Moscoe, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Moscoe

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 4, Clause No. 7(a), headed, 'Debenture Issuance – Restructuring of \$183.75 million Provincial Loans', be re-opened for further consideration;

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

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

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 a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement Summary No. 6, Page 290)

Vote:

The first Operative Paragraph embodied in Motion J(16) 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 joint report dated July 17, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled, "Update on the Restructuring of \$183.75 Million Provincial Loans" (See Attachment No. 9, Page 256)

Procedural Vote:

Councillor Shiner, with the permission of Council, having regard that he was first speaker on this matter, moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived, in order to permit him to speak after other Members of Council have spoken, the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Cho, Chow, Dominelli, Duguid, Feldman, Flint, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Milczyn, Miller, Moscoe, Nunziata, Ootes, Shiner, Sutherland, Tziretas, Walker
No - 3	
Councillors:	Filion, Ford, Rae

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

Motion:

Councillor Miller moved that Motion J(16) be amended by adding the following new Operative Paragraph:

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

Votes:

Adoption of motion by Councillor Miller:

Yes - 34	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Tziretas, Walker
No - 3	
Councillors:	Ford, Holyday, Sutherland

Carried by a majority of 31.

Adoption of the balance of Motion J(16), as amended:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, I. Jones, L. Jones, Kelly, Li Preti, Lindsay Luby, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Soknacki, Sutherland, Tziretas, Walker
No - 1	
Councillor:	Ford

Carried by a majority of 35.

Summary:

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

"It is recommended that:

- (1) authority be granted for the Mayor and Chief Financial Officer and Treasurer to enter into an agreement (the 'Agreement'), in accordance with section 102 of the City of Toronto Act, 1997 (No.2) and the Municipal Act, 2001, with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing, for the issuance and sale of a debenture in a maximum aggregate principal amount of \$183,750,000.00, such agreement to be substantially in accordance with the draft agreement attached to this report as Appendix A and in form satisfactory to the City Solicitor, and that the Chief Financial Officer and Treasurer be authorized to execute such agreement and to issue the debenture on behalf of the City;
- (2) (i) a separate letter of agreement, be signed with the Province of Ontario to confirm Provincial funding of the one-third share of the capital needs of \$3,800,000,000.00 billion for the Toronto Transit Commission ten-year State of Good Repair capital plan, including

- the funding of the Provincial 2003 contribution to \$104,000,000.00; and
- (ii) for the Province to flow through the one-third contribution of \$104,000,000.00 million from the federal government towards the 2003 Toronto Transit Commission Capital Budget;
- (3) a further report be presented to Council at its September 2003 meeting from the Chief Administrative Officer and the Chief Financial Officer and Treasurer on the status of 2003 SARS funding and TTC Capital funding;
- (4) authority be granted for the introduction of the necessary Bills in Council to give effect thereto; and
- (5) the appropriate City officials be authorized to take the necessary actions to give effect thereto.”

10.128 **Outdoor Amphitheatre at Earls court Park**

Councillor Dominelli 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(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Dominelli

Seconded by: Councillor Silva

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

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

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

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

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

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

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

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

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

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

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(17) 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(17), a Fiscal Impact Statement from the Chief Financial Officer and Treasurer. (See Fiscal Impact Statement Summary, Page 280)

Procedural Vote:

The vote to waive referral of Motion J(17) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Soknacki moved that Motion J(17) be amended by inserting in the first Operative Paragraph, after the words "properly invoiced", the words "and certified by the Commissioner of

Economic Development, Culture and Tourism that value has been received for the invoice”, so that such Operative Paragraph shall now read as follows:

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

Votes:

The Motion by Councillor Soknacki carried.

Motion J(17), as amended, carried.

10.129 **Clothing Drop Boxes**

Councillor Moscoe gave notice of the following Motion J(18) to permit consideration at the next regular meeting of City Council scheduled to be held on September 22, 2003:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Holyday**

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

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

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

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

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

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

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

Fiscal Impact Statement:

City Council also had before it, for consideration with 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 280)

10.130 Declaration as Surplus - Parcels of Vacant Land Located at the Rear of Nos. 7 and 11 Blakeley Road (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(19), moved by Councillor Filion, seconded by Councillor Mammoliti, and, in the absence of Councillor Mammoliti, moved by Councillor Filion, seconded by Councillor Lindsay Luby, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Filion

Seconded by: Councillor Lindsay Luby

“**WHEREAS** North York Community Council at its meeting on July 9, 2003, recommended adoption of a report, entitled ‘Final Report – Application to Amend Zoning By-law 7625 and for Site Plan Approval – South Side of Finch Avenue West between Blakeley Road and Lorraine Drive’ from the Acting Director, Community Planning, North District, which report recommends, amongst other matters, the commencement of the necessary proceedings to consider the disposal of the City-owned lands at the rear of Nos. 7 and 11 Blakeley Road (approximate total area of 6.5 m²); and

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

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

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

WHEREAS due to the time sensitivity of meeting all of the steps necessary to declare the

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

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

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 Administration 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 a financial impact resulting from the adoption of this Motion. (See Fiscal Impact Statement No. 7, Page 291)

Procedural Vote:

The vote to waive referral of Motion J(19) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it during consideration of Motion J(19), a report dated July 16, 2003, from the Commissioner of Corporate Services, entitled “Declaration as Surplus, Parcels of Vacant Land Located at the Rear of Nos. 7 and 11 Blakeley Road (Ward 23 - Willowdale)” (See Attachment 10, Page 261).

Vote:

Motion J(19) was adopted, without amendment.

Summary:

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

“It is recommended that:

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

10.131 Amendments to Official Plans and Etobicoke Zoning Code – 35 Fieldway Road

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

Moved by: Councillor Milczyn

Seconded by: Councillor Lindsay Luby

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

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

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

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

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

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

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

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

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

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

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. 8, Page 292)

Votes:

The first Operative Paragraph embodied in Motion J(20) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(20) was adopted, without amendment.

10.132 Report from City Solicitor on 1465 Lawrence Avenue West

Councillor Di Giorgio moved that in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code leave be granted to introduce the following Notice of Motion J(21):

Moved by: Councillor Di Giorgio

Seconded by: Councillor Dominelli

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

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

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

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

Fiscal Impact Statement:

City Council had before it, during consideration of Motion J(21), a confidential 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 Summary, Page 280)

City Council also had before it, during consideration of Motion J(21), a confidential report dated July 17, 2003, from the City Solicitor.

Motion:

Councillor Di Giorgio moved that Motion J(21) be received.

Vote:

The motion by Councillor Di Giorgio carried.

Summary:

In summary, Council received Motion J(21), together with the confidential report dated July 17, 2003, from the City Solicitor, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to litigation or potential litigation.

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

Councillor Lindsay Luby moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion J(22), which carried:

Moved by: Councillor Lindsay Luby

Seconded by: Councillor Nunziata

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

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

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

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the report dated July 21, 2003, from the Acting Chair, Toronto Police Services Board, and that

such report be received, for information.”

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. 9, Page 293)

Council also had before it, during consideration of Motion J(22), a report dated July 21, 2003, from the Acting Chair, Toronto Police Services Board. (See Attachment No. 11, Page 264).

Motion:

Councillor Augimeri moved that Motion J(22) be amended by adding, after the last Recital, the following new Recitals, and adding the following new Operative Paragraph:

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

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

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

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

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

Votes:

The motion by Councillor Augimeri carried.

Motion J(22), as amended, carried.

Summary:

In summary, Council adopted Motion J(22), subject to adding, after the last Recital, the following

new Recitals, and adding the following new Operative Paragraph:

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

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

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

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

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

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

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

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(23), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Di Giorgio

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

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

WHEREAS the Owner has proposed to convey an eight (8) foot width strip of land

adjoining the easterly limit of a City park identified as Walter Saunders Memorial Park in exchange for the City land; and

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

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

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

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

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(23) to the Administration 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(23), 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 280)

Procedural Vote:

The vote to waive referral of Motion J(23) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(23), a report dated July 21, 2003, from the Commissioner of Corporate Services, entitled "Declaration as Surplus - Parcel of Vacant Land Located at the Rear of No. 963 Roselawn Avenue (Ward 15 - Eglinton-Lawrence) (See

Attachment No. 12, Page 271).

Vote:

Motion J(23) was adopted, without amendment.

Summary:

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

“It is recommended that:

- (1) the parcel of vacant land located at the rear of No. 963 Roselawn Avenue, being part of Lot 2, Concession 2, West of Yonge Street, designated as Part 22 on Reference Plan 66R-19954, be declared surplus to the City’s requirements and that the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

10.135 Assignment of Agreements for the Provision of Litter Bins with Advertising within the City of Toronto

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(24), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Pitfield

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

WHEREAS the agreements for the provision of litter bins with advertising state that Olifas Marketing Group Inc. shall not assign its interest in the agreements without the consent of

the City, which consent shall not be unreasonably withheld; and

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

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

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

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 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 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 280)

Procedural Vote:

The vote to waive referral of Motion J(24) to the Works Committee 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 joint report dated July 21, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor, entitled "Assignment of the Agreements for the Provision of Litter Bins with Advertising within the City of Toronto" (See Attachment No. 13, Page 274).

Motion:

Councillor Moscoe moved that Motion J(24) be amended by adding thereto the following new

Operative Paragraph:

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

Votes:

The motion by Councillor Moscoe carried.

Motion J(24), as amended, carried.

Summary:

Motion J(24) was adopted, subject to adding thereto the following new Operative Paragraph:

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

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

“It is recommended that:

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

- (a) an assignment, assumption and release agreement in relation to the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto, on the terms and conditions as described in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor, with Torstar Corporation and/or one of its wholly-owned subsidiaries, which assignment, assumption and release agreement, shall
 - (i) assign the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto from Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries;
 - (ii) require the assignee to assume all of the obligations, including any outstanding or continuing obligations, of Olifas Marketing Group Inc. under the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto and requiring the assignee to provide replacement security in accordance with the requirements of those agreements;
 - (iii) require Torstar Corporation to guarantee the obligations of the assignee, if the assignee is a wholly-owned subsidiary of Torstar Corporation; and
 - (iv) contain such other conditions as are deemed advisable by the Commissioner of Works and Emergency Services and the City Solicitor; and
- (b) an associated mutual release in a form satisfactory to the City Solicitor releasing respectively, Toronto, Olifas Marketing Group Inc. and its surety, if the surety so requests, from their obligations to one another under the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto and the currently held Letters of Credit; and
- (3) the preceding Recommendation No. (2) only take effect upon the successful completion of the sale of assets of Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries.”

10.136 Land Exchange Involving Parking Lots at the Scarborough Civic Centre Between The Goldman Group and the City Of Toronto

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(25), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Duguid**

Seconded by: **Councillor Moeser**

“WHEREAS an approximately 1.5 acre commercial pay-for-parking lot exists on the west side of Town Centre Court, immediately east of Albert Campbell Square, adjacent to the Scarborough Civic Centre; and

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Commissioner of Corporate Services, in consultation with the Commissioners of Urban Development Services and Economic Development, Culture and Tourism, be authorized and directed to initiate discussions with The Goldman Group on the potential for a possible full or partial land exchange between The Goldman Group and the City of Toronto involving the subject parking lots;

- (2) the Commissioner of Corporate Services be directed to report on the progress of these discussions to the Administration Committee meeting scheduled for Thursday, September 4, 2003; and
- (3) in view of the significant public benefits that would potentially result from such a land exchange and resulting redistribution of new land uses, and to assist in these discussions, City Council authorize The Goldman Group to submit an application to rezone the City's parking lot for residential purposes."

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(25) to the 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(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. 10, Page 294)

Procedural Vote:

The vote to waive referral of Motion J(25) to the Scarborough Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(25) was adopted, without amendment.

Motion to Re-Open:

Councillor Nunziata, with the permission of Council, moved that, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(25) be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Nunziata moved that Motion J(25) be amended by deleting Recommendation No. (3)

embodied in the Operative Paragraph.

Votes:

The motion by Councillor Nunziata carried.

Motion J(25), as amended, carried.

Summary:

Motion J(25) was adopted, subject to amending the Operative Paragraph by deleting Recommendation No. (3).

10.137 First Parliament Site – 265–271 Front Street East

Deputy Mayor Ootes moved that, in accordance with the provisions of Chapter 27 of the City of Toronto Municipal Code, leave be granted to introduce the following Notice of Motion J(26), which carried:

Moved by: Councillor Ootes

Seconded by: Councillor Rae

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

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

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

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

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

Parliament Site into public ownership;

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

Fiscal Impact Statement:

City Council also had before it, during consideration of Motion J(26), a confidential 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 Summary, Page 280)

Council also had before it during consideration of Motion J(26) a confidential proposal.

Motion:

Councillor Moscoe moved that Motion J(26) be adopted, subject to:

- (1) amending the second Operative Paragraph by adding after the words “265 Front Street East”, the words “and the Toronto Transit Commission”; and
- (2) amending the third Operative Paragraph by adding thereto the words “and to the Toronto Transit Commission”.

Vote:

The motion by Councillor Moscoe carried.

Motion J(26), as amended, carried.

Summary:

Motion J(26) was adopted, subject to:

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

“AND BE IT FURTHER RESOLVED THAT authority be granted for the Commissioner of Economic Development, Culture and Tourism, in consultation with the appropriate City staff, to negotiate an agreement, on the basis of the attached confidential proposal, with the Province of Ontario and the property owners of 265

Front Street East and the Toronto Transit Commission, to bring the First Parliament Site into public ownership;”; and

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

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

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

10.138 Proposed Speed Humps – Gracefield Avenue, between Arkwright Street and Culford Road

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(27), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Di Giorgio

Seconded by: Councillor Dominelli

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

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

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

NOW THEREFORE BE IT RESOLVED THAT:

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

the Ministry of Environment, Fire Services, Emergency Medical Services and Toronto Police Services;

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

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(27) 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(27), 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 295)

Procedural Vote:

The vote to waive referral of Motion J(27) to the Humber York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(27) was adopted, without amendment.

10.139 Proposed Amendment Regarding the Discharge of Guns and Other Firearms

Councillor Mihevc moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(28), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor I. Jones

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

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

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

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

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

Advice by Deputy Mayor:

Deputy Mayor Ootes advised the Council that the provisions of Chapter 27 of the City of Toronto Municipal Code requiring the referral of Motion J(28) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

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 280)

Procedural Vote:

The vote to waive referral of Motion J(28) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(28) was adopted, without amendment.

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

Councillor Bussin moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(29), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Bussin

Seconded by: Councillor Pantalone

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

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

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

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

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

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

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 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(29) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Councillor Bussin moved that Motion J(29) be amended by deleting from the first Operative Paragraph the words “election signs on their campaign offices”, and inserting in lieu thereof the words “an election sign on one campaign office”, so that such Operative Paragraph shall now read as follows:

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

Disposition:

Having regard that Council did not conclude its consideration of Motion J(29) prior to the end of this meeting, consideration of Motion J(29) was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003.

10.141 Republic Contract – Adoption of Letter Agreement

Councillor Duguid moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(30), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Pitfield

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

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

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

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

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

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 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(30), a confidential 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 Summary, Page 280)

Procedural Vote:

The vote to waive referral of Motion J(30) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(30), a confidential report dated July 22, 2003, from the Commissioner of Works and Emergency Services.

Vote:

Motion J(30) was adopted, without amendment.

Summary:

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

“It is recommended that:

- (1) the attached negotiated Letter Agreement between the City of Toronto, Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Wilson Logistics Inc., dated July 21, 2003, be adopted as presented;
- (2) authorization be provided to the General Manager, Solid Waste Management Services, Works and Emergency Services, to execute the attached negotiated Letter Agreement on behalf of the City of Toronto;
- (3) the Commissioner of Works and Emergency Services be requested to submit a report in the first quarter of 2004 that provides a status report regarding the implementation of the provisions in the negotiated Letter Agreement and the associated financial impacts; and
- (4) the appropriate staff be authorized to take the necessary action to give effect to this Letter Agreement.”

10.142 Declaration of September 22, 2003 as “Toronto Car Free Day”

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(31), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Moscoe

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

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

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

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

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

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

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 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(31) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(31) was adopted, without amendment.

10.143 Maintenance of Vacant Buildings in the City of Toronto

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(32), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Korwin-Kuczynski

Seconded by: Councillor Altobello

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

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

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

WHEREAS such vacant building attract unwanted intruders; and

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

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

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

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

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

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 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(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 280)

Procedural Vote:

The vote to waive referral of Motion J(32) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(32) was adopted, without amendment.

10.144 Report on Heritage Designation of the Fairmont Royal York Hotel, 100 Front Street West

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(33), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Balkissoon

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

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 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(33), 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 280)

Procedural Vote:

The vote to waive referral of Motion J(33) to the Toronto East York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(33) was adopted, without amendment.

10.145 Appointment of Citizen Members to the Lakeshore Village Business Improvement Area Board of Management

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(34), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Flint

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

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

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

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

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

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

AND BE IT FURTHER RESOLVED THAT the appropriate officials be authorized and

directed to take any necessary actions to give effect thereto.”

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 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(34), 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 280)

Procedural Vote:

The vote to waive referral of Motion J(34) to the Economic Development and Parks Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(34) was adopted, without amendment.

10.146 **Ontario Municipal Board Review and Reforms**

Councillor Moscoe moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction of the following Notice of Motion J(35), moved by Councillor Moscoe, seconded by Councillor Kelly, and, in the absence of Councillor Kelly, moved by Councillor Moscoe, seconded by Councillor Soknacki, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Soknacki**

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

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

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

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

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

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

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 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(35), 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 280)

Procedural Vote:

The vote to waive referral of Motion J(35) to the Planning and Transportation Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(35), a report dated March 7, 2003, from GTA Task Force on OMB Reform, entitled "Recommendations for Reforming the Ontario Municipal Board and Ontario's Planning Appeal Process", a copy of which is on file in the Office of the City Clerk.

Vote:

Motion J(35) was adopted, without amendment.

10.147 Insurance Coverage – Molson Concert at Downsview Park

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(36), moved by Mayor Lastman, seconded by Deputy Mayor Ootes, and, in the absence of Mayor Lastman, moved by Councillor Nunziata, seconded by Deputy Mayor Ootes, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Nunziata

Seconded by: Deputy Mayor Ootes

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

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

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

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

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

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 Administration 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 Administration Committee carried, more than

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

Council also had before it, during consideration of Motion J(36), a confidential report dated July 23, 2003, from the Chief Financial officer and Treasurer.

Vote:

Motion J(36) was adopted, without amendment.

Summary:

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

“It is recommended that:

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

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

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(37), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Milczyn

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

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

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

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

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

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

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

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

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

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 Administration 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(37), 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. 12, Page 296)

Procedural Vote:

The vote to waive referral of Motion J(37) to the Administration Committee carried, more than two-thirds of Members present having voted in the affirmative.

City Council also had before it, during consideration of Motion J(37), a report dated July 22, 2003, from the Commissioner of Corporate Services, entitled "Declaration as Surplus; Part of No. 1 Colonel Samuel Smith Park Drive - Lakeshore Psychiatric Grounds (Ward 6 - Etobicoke-Lakeshore)". (See Attachment No. 14, Page 277).

Vote:

Motion J(37) was adopted, without amendment.

Summary:

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

"It is recommended that:

- (1) the parcel of vacant land located on part of No. 1 Colonel Samuel Smith Park Drive, being a portion of Lot 1, Plan 66M-2319, shown as Part 1 on PS-2002-046, be declared surplus to the City's requirements with the intended method of disposal to be by way of a new long-term lease to Humber College;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

10.149 Amendment to Final Report - Application to Amend the Zoning, By-law No. 7625 - TB ZBL 2001 0019 - Nuc-Tuct, Non-Profit Housing Corporation 53 Cummer Avenue (Ward 24 - Willowdale)

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(38), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Shiner

Seconded by: Councillor Feldman

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

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

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

NOW THEREFORE BE IT RESOLVED THAT the draft By-law attached to the Final Report dated February 8, 2002, from the Director, Community Planning, North District, Urban Development Services, entitled, ‘Final Report - Application to Amend the Zoning, By-law 7625 - TB ZBL 2001 0019 - Nuc-Tuct, Non-Profit Housing Corporation - 53 Cummer Avenue (Ward 24 – Willowdale)’, be amended by reducing the gross floor area from 9,045 m² to 7,700 m², reducing the unit count from 57 to 54, reducing the number of residential parking spaces to 37, reducing the building footprint on Schedule RM5(12), increasing the amount of outdoor amenity space to 3222 m² and increasing the lot coverage to 50 percent;

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

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(38) to the North 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(38) to the North York Community Council carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(38) was adopted, without amendment.

10.150 Amendment to College Street Avenue Study

Councillor Chow moved that the necessary provisions of Chapter 27 of the City of Toronto Municipal Code be waived to permit introduction and debate of the following Notice of Motion J(39), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

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

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

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

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

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

Votes:

The first Operative Paragraph embodied in Motion J(39) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(39) was adopted, without amendment.

10.151 Expansion and Repaving of the Parking Lot Adjacent to the Royal York GO Station

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(40), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor I. Jones

Seconded by: Councillor Milczyn

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

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(40) to the Policy and Finance Committee would have to be waived in order to now consider such Motion.

Procedural Vote:

The vote to waive referral of Motion J(40) to the Policy and Finance Committee carried, more than two-thirds of Members present having voted in the affirmative.

Vote:

Motion J(40) was adopted, without amendment.

10.152 The 50th Anniversary of the Scottish Rugby Football Club

Councillor Miller 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(41), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: **Councillor Miller**

Seconded by: **Councillor Li Preti**

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

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

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

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

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

Vote:

Motion J(41) was adopted, without amendment.

10.153 Consideration of the following matters was deferred to the next regular meeting of City Council scheduled to be held on September 22, 2003, having regard that they remained on the Order Paper at the conclusion of this meeting of Council:

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

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

REPORT NO. 6 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 18 - “Cigarette Practices in City Shelters”.

REPORT NO. 6 OF THE HUMBER YORK COMMUNITY COUNCIL

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

REPORT NO. 3 OF THE AUDIT COMMITTEE

- Clause No. 4 - “Toronto Parking Authority - An Assessment of the Adequacy and Effectiveness of Financial and Administrative Controls”.
- Clause No. 7 - “2002 Expenditures for Consulting Services - Departments and Boards”.

NOTICES OF MOTION

- F(1) Moved by Councillor Bussin, seconded by Councillor I. Jones, regarding the City Employees Strike - Summer of 2002.
- F(5) Moved by Councillor Filion, seconded by Councillor Moscoe, regarding a Freedom of Information Request – Removal of Trees at Bales Avenue and Glendora Avenue (Ward 23, Willowdale).
- J(5) Moved by Councillor Johnston, seconded by Councillor Miller, regarding the Mandatory Retirement Policy.
- J(29) Moved by Councillor Bussin, seconded by Councillor Pantalone, regarding approval to erect Election signs on Mayoral and City Councillor Candidates Campaign Offices prior to September 11, 2003 (60 days prior to voting day).

BILLS AND BY-LAWS

10.154 On July 22, 2003, at 6:51 p.m., Councillor Soknacki, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 760	By-law No. 610-2003	To confirm the proceedings of the Council at its meeting held on the 22nd day of July, 2003,
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the vote upon which was taken as follows:

Yes - 27

Councillors:	Altobello, Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Moscoe, Ootes, Pantalone, Pitfield, Rae, Silva, Soknacki, Walker
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No - 0

Carried, without dissent.

10.155 On July 22, 2003, at 7:23 p.m., Councillor Lindsay Luby, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 761

By-law No. 611-2003

To confirm the proceedings of the Council at its meeting held on the 22nd day of July, 2003,

the vote upon which was taken as follows:

Yes - 27	
Councillors:	Ashton, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Hall, Holyday, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Moscoe, Ootes, Pantalone, Pitfield, Rae, Shaw, Shiner, Soknacki, Walker

No - 0

Carried, without dissent.

10.156 On July 23, 2003, at 5:38 p.m., Councillor Augimeri, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 762

By-law No. 612-2003

To confirm the proceedings of the Council at its meeting held on the 22nd and 23rd of days of July, 2003,

the vote upon which was taken as follows:

Yes - 25

Councillors:	Altobello, Augimeri, Bussin, Cho, Di Giorgio, Dominelli, Duguid, Filion, Flint, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Ootes, Pantalone, Shaw, Tziretas
No - 3 Councillors:	Chow, Ford, Walker

Carried by a majority of 22.

10.157 On July 23, 2003, at 7:13 p.m., Councillor Holyday, seconded by Councillor Moscoe, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 763	By-law No. 613-2003	To confirm the proceedings of the Council at its meeting held on the 22nd and 23rd of days of July, 2003,
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the vote upon which was taken as follows:

Yes - 22 Councillors:	Altobello, Augimeri, Cho, Chow, Di Giorgio, Filion, Flint, Ford, Hall, Holyday, Johnston, L. Jones, Kelly, Korwin-Kuczynski, Li Preti, Moscoe, Ootes, Pantalone, Rae, Soknacki, Tziretas, Walker
No - 1 Councillor:	Balkissoon

Carried by a majority of 21.

10.158 On July 24, 2003, at 4:14 p.m., Councillor Lindsay Luby, seconded by Councillor Duguid, 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. 607	By-law No. 614-2003	To amend Chapter 910, Parking Machines, of the City of Toronto Municipal Code regarding parking machines on certain streets within the City of Toronto.
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Bill No. 608	By-law No. 615-2003	To amend further Metropolitan By-law
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		No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 610	By-law No. 616-2003	To amend further By-law No. 380-74 of the former Corporation of the City of Toronto respecting civic employees' pensions and other benefits, and to amend amending By-law No. 559-2002.
Bill No. 611	By-law No. 617-2003	To amend further By-law No. 10649 of the former Corporation of the City of Toronto respecting firefighters' pensions and other benefits.
Bill No. 612	By-law No. 618-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway Sheppard Avenue East.
Bill No. 613	By-law No. 619-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway McCowan Road.
Bill No. 614	By-law No. 620-2003	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 615	By-law No. 621-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 616	By-law No. 622-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 617	By-law No. 623-2003	To amend City of Toronto Municipal Code Chapter 767, Taxation, Article VII, Tax Rebate Program for Ethno-Cultural Centres, to amend the eligibility criteria for the Tax Rebate Program for Ethno-Cultural Centres.
Bill No. 618	By-law No. 624-2003	To designate a Site Plan Control Area (Agincourt Community).

Bill No. 619	By-law No. 625-2003	To adopt Amendment No. 1085 of the Official Plan for the former City of Scarborough.
Bill No. 620	By-law No. 626-2003	To amend Scarborough Zoning By-law No. 10076, as amended, with respect to the Agincourt Community.
Bill No. 621	By-law No. 627-2003	To amend City of Toronto Municipal Code Chapter 19, "Business Improvement Areas", to change the number of members required for quorum for the Danforth Business Improvement Area Board of Management.
Bill No. 622	By-law No. 628-2003	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 625	By-law No. 629-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 626	By-law No. 630-2003	To amend By-law No. 32759, as amended, of the former City of North York.
Bill No. 627	By-law No. 631-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 628	By-law No. 632-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 629	By-law No. 633-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 630	By-law No. 634-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 631	By-law No. 635-2003	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 632	By-law No. 636-2003	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 633	By-law No. 637-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 634	By-law No. 638-2003	To permanently close a portion of Kenaston Gardens, shown as Part 8 on Reference Plan 66R-20439.
Bill No. 635	By-law No. 639-2003	To designate an area that includes the existing Kingsway Business Improvement Area as an Improvement Area.
Bill No. 636	By-law No. 640-2003	To amend City of Toronto Municipal Code Chapter 19, "Business Improvement Areas", to reflect the expanded boundaries of The Kingsway Business Improvement Area.
Bill No. 637	By-law No. 641-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 638	By-law No. 642-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Auburn Avenue, Margueretta Street, Maybank Avenue, Quebec Avenue and Runnymede Road.
Bill No. 639	By-law No. 643-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Windermere Avenue.
Bill No. 640	By-law No. 644-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article II.
Bill No. 641	By-law No. 645-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic

		- Chapter 240, Article II.
Bill No. 642	By-law No. 646-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 643	By-law No. 647-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 644	By-law No. 648-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 645	By-law No. 649-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 646	By-law No. 650-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 647	By-law No. 651-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 648	By-law No. 652-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 649	By-law No. 653-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 650	By-law No. 654-2003	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. 651	By-law No. 655-2003	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. 652	By-law No. 656-2003	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. 653	By-law No. 657-2003	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. 654	By-law No. 658-2003	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. 655	By-law No. 659-2003	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. 656	By-law No. 660-2003	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. 657	By-law No. 661-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Burgess Avenue, Stephenson Avenue and Withrow Avenue.
Bill No. 658	By-law No. 662-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting George Street South.
Bill No. 659	By-law No. 663-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Brookdale Avenue.
Bill No. 660	By-law No. 664-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Cowan Avenue, Dufferin Street, Fort Rouille Street, Gladstone Avenue, Jameson Avenue, Melbourne Avenue, Peel Avenue,

		Spencer Avenue, Springhurst Avenue and Tyndall Avenue.
Bill No. 661	By-law No. 665-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Northcliffe Boulevard and Westmount Avenue.
Bill No. 662	By-law No. 666-2003	To exempt lands known municipally as 26 to 38 Corinth Gardens from Part Lot Control.
Bill No. 663	By-law No. 667-2003	To exempt certain lands known municipally as 1236 Dundas Street East from Part Lot Control.
Bill No. 664	By-law No. 668-2003	To exempt lands municipally known as 82 - 94 Jarvis Street and 105 - 107 Richmond Street East from Part Lot Control.
Bill No. 665	By-law No. 669-2003	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. 666	By-law No. 670-2003	To further amend Metropolitan Toronto By-law No. 45-84, respecting the regulation of traffic in Exhibition Place.
Bill No. 667	By-law No. 671-2003	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. 668	By-law No. 672-2003	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. 669	By-law No. 673-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dunloe Road.

Bill No. 670	By-law No. 674-2003	To amend Chapter 103, Heritage, of the City of Toronto Municipal Code to streamline the process for filling vacancies on Community Preservation Panels.
Bill No. 672	By-law No. 675-2003	To designate the property at 167 Church Street (Athenaeum Club) as being of cultural heritage value or interest.
Bill No. 673	By-law No. 676-2003	To exempt the Bayview Neighbourhood Branch Library from taxation for municipal and school purposes.
Bill No. 674	By-law No. 677-2003	To amend By-law No. 179-2003, being a by-law to provide for the levy and collection of special charges for the year 2003 in respect of certain business improvement areas, so as to correct the assessment and special charge rate for the Church-Wellesley Business Improvement Area.
Bill No. 675	By-law No. 678-2003	To levy an amount for the year 2003 upon certain Universities and Colleges.
Bill No. 676	By-law No. 679-2003	To levy an amount for the year 2003 upon certain Public Hospitals and Provincial Mental Health Facilities.
Bill No. 677	By-law No. 680-2003	To levy an amount for the year 2003 upon certain Correctional Facilities.
Bill No. 678	By-law No. 681-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 679	By-law No. 682-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 2233 Sheppard

		Avenue West.
Bill No. 680	By-law No. 683-2003	To amend City of Toronto Municipal Code Chapter 19, Business Improvement Areas to reflect the changed business improvement area provisions in the <u>Municipal Act, 2001</u> .
Bill No. 681	By-law No. 684-2003	To amend the General Zoning By-law No. 438-86 of the former City of Toronto as amended by By-law No. 566-2000 with respect to the lands known as 14 Strachan Avenue (tentatively known as 37, 41, 45, 49 and 53 East Liberty Street) being a portion of the Garrison Common North Area, for the lands known as the Inglis Lands.
Bill No. 682	By-law No. 685-2003	To amend the former City of Toronto Municipal Code Ch. 194, Footpaths, Bicycle Lanes and Pedestrian Ways, respecting bicycle lanes on Runnymede Road.
Bill No. 683	By-law No. 686-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fleet Street.
Bill No. 684	By-law No. 687-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Fleet Street and Strachan Avenue.
Bill No. 685	By-law No. 688-2003	To authorize the alteration of Nesbitt Drive and Governors Road by the installation of speed humps.
Bill No. 686	By-law No. 689-2003	To amend City of Toronto By-law No. 589-2002 being a By-law to effect Interim Control on lands bounded by Hilldale Road, Cripps, Avenue, Spears

		Street and Hillborn Avenue.
Bill No. 687	By-law No. 690-2003	To amend former City of York By-law No. 1-83 in respect of 963 and 1001 Roselawn Avenue.
Bill No. 688	By-law No. 691-2003	To name the private lane at 689 Danforth Road as "Asa Mews".
Bill No. 689	By-law No. 692-2003	To name the private streets located east of Kennedy Road and south of Lawrence Avenue East as "Brisby Mews", "Jenkinson Way", "Kiriakou Street" and "Pat Brooks Terrace".
Bill No. 690	By-law No. 693-2003	To amend City of Toronto Municipal Code Chapter 591, Noise, to revise the process for obtaining an exemption and to prohibit persistent animal noise, and to make consequential amendments to Municipal Code Chapter 441, Fees.
Bill No. 691	By-law No. 694-2003	To remove a Site Plan Control Area (Oakridge Community).
Bill No. 692	By-law No. 695-2003	To adopt Amendment No. 1108 of the Official Plan for the former City of Scarborough.
Bill No. 693	By-law No. 696-2003	To amend Scarborough Zoning By-law No. 9812, as amended, with respect to the Oakridge Community.
Bill No. 694	By-law No. 697-2003	To designate a Site Plan Control Area (Tapscott Employment District).
Bill No. 695	By-law No. 698-2003	To adopt Amendment No. 1111 of the Official Plan for the former City of Scarborough.

Bill No. 696	By-law No. 699-2003	To amend Scarborough Zoning By-law No. 10827, as amended, with respect to the Highland Creek Community.
Bill No. 697	By-law No. 700-2003	To layout and dedicate certain land for public highway purposes to form part of the public highway Misty Hills Trail.
Bill No. 698	By-law No. 701-2003	To amend City of Toronto Municipal Code Chapter 137, Public Library Board, respecting the composition of the Toronto Public Library Board.
Bill No. 699	By-law No. 702-2003	To appoint a member of the City Council as a member of the Toronto Transit Commission.
Bill No. 700	By-law No. 703-2003	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. 701	By-law No. 704-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Jordan Street and Melinda Street.
Bill No. 702	By-law No. 705-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 703	By-law No. 706-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Dods Avenue, Ethel Avenue, Old Stockyards Road and West Toronto Street.
Bill No. 704	By-law No. 707-2003	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 705	By-law No. 708-2003	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 706	By-law No. 709-2003	To exempt lands known municipally as 51 Fairchild Avenue and 4 Inez Court from Part Lot Control.
Bill No. 707	By-law No. 710-2003	To layout and dedicate certain land extending easterly from River Street for public highway purposes to form part of the public highway Wascana Avenue.
Bill No. 708	By-law No. 711-2003	To amend City of Toronto Municipal Code Chapter 162, Notice, Public, to decrease the notice period to a minimum of four working days.
Bill No. 709	By-law No. 712-2003	To authorize the alteration of sections of the roadway on Flamborough Drive between Keele Street and Culford Road.
Bill No. 710	By-law No. 713-2003	To adopt Amendment No. 105-2002 to the Official Plan of the Etobicoke Planning Area in order to redesignate from Low Density Residential to Medium Density Residential lands located at 1428 Royal York Road.
Bill No. 711	By-law No. 714-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at 1428 Royal York Road.
Bill No. 712	By-law No. 715-2003	To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting taximeter rates.
Bill No. 714	By-law No. 716-2003	To amend former City of North York By-law No. 7625 in respect of lands located on the east and west sides of Sentinel Road at Murray Ross Parkway and to repeal City of North York By-law

		No. 30930.
Bill No. 715	By-law No. 717-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting High Park Avenue.
Bill No. 716	By-law No. 718-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Grenadier Road, Parkway Avenue and Lynd Avenue.
Bill No. 717	By-law No. 719-2003	To authorize the alteration of sections of the roadway on Queens Drive between Upwood Avenue and Culford Road.
Bill No. 718	By-law No. 720-2003	To authorize the alteration of sections of the roadway on Old Yonge Street between York Mills Road and Campbell Crescent.
Bill No. 719	By-law No. 721-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bay Street, Berkeley Street, Gough Avenue and Wascana Avenue.
Bill No. 720	By-law No. 722-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Victoria Street.
Bill No. 721	By-law No. 723-2003	To layout and dedicate certain land at the rear of premises 253 Euclid Avenue to form part of the public lane between Euclid Avenue and Palmerston Avenue north of Dundas Street West.
Bill No. 722	By-law No. 724-2003	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 723	By-law No. 725-2003	To amend Scarborough Zoning By-law No. 24982, as amended, with respect to the Tapscott Employment District.

Bill No. 724	By-law No. 726-2003	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. 725	By-law No. 727-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Grace Street, Manning Avenue.
Bill No. 726	By-law No. 728-2003	To amend former City of North York By-law No. 366, being “A By-law to regulate the discharge of guns and other firearms”, to permit an agent of the City to discharge a firearm in order to carry out the contracted services.
Bill No. 727	By-law No. 729-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Gerrard Street East.
Bill No. 728	By-law No. 730-2003	To amend the former City of Toronto Municipal Code Ch. 194, Footpaths, Bicycle Lanes and Pedestrian Ways, respecting bicycle lanes on Gerrard Street East and River Street.
Bill No. 729	By-law No. 731-2003	To adopt Amend No. 112-2003 of the Etobicoke Official Plan with respect to the lands known as 35 Fieldway Road.
Bill No. 730	By-law No. 732-2003	To adopt Amendment No. 3 of the Official Plan for the City of Toronto with respect to the lands known as 35 Fieldway Road.
Bill No. 731	By-law No. 733-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to lands located on the south side of Fieldway Road, east of Allerton Road,

		municipally known as 35 Fieldway Road.
Bill No. 732	By-law No. 734-2003	To amend Chapter 910, Parking Machines, of the Municipal Code of the City of Toronto, to replace parking meters with parking machines on certain streets within the City of Toronto.
Bill No. 733	By-law No. 735-2003	To amend Chapter 910, Parking Machines, of the Municipal Code of the City of Toronto, to amend the hours of operation for parking machines on certain streets within the City of Toronto.
Bill No. 734	By-law No. 736-2003	To adopt Amendment No. 540 of the Official Plan for the former City of North York in respect of lands municipally known as 185 Graydon Hall Drive.
Bill No. 735	By-law No. 737-2003	To adopt Amendment No. 11 of the Official Plan of the City of Toronto in respect of lands municipally known as 185 Graydon Hall Drive.
Bill No. 736	By-law No. 738-2003	To amend former City of North York By-law No. 7625, as amended, with respect to the property known municipally as 185 Graydon Hall Drive.
Bill No. 737	By-law No. 739-2003	To amend former City of North York By-law No. 7625, as amended, with respect to the property known municipally as 185 Graydon Hall Drive.
Bill No. 738	By-law No. 740-2003	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at the northeast corner of Renforth Drive and Eringate Drive, municipally known as 120 Eringate Drive and 715 Renforth Drive.

Bill No. 739	By-law No. 741-2003	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 740	By-law No. 742-2003	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 741	By-law No. 743-2003	To amend further Metropolitan Toronto By-law No. 108-86 designating certain locations on former Metropolitan Roads as Pedestrian Crossovers.
Bill No. 742	By-law No. 744-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Lansdowne Avenue.
Bill No. 743	By-law No. 745-2003	To adopt Amendment No. 267 of the Official Plan for the former City of Toronto respecting lands known as 403 Keele Street. <i>*amended*</i>
Bill No. 744	By-law No. 746-2003	To amend the General Zoning By-law No. 438-86, of the former City of Toronto, respecting lands known municipally as 403 Keele Street. <i>*amended*</i>
Bill No. 745	By-law No. 747-2003	To authorize an agreement with Her Majesty the Queen in right of the Province of Ontario as represented by the Minister of Municipal Affairs and Housing respecting the issue and sale of a Debenture.
Bill No. 746	By-law No. 748-2003	To adopt Amendment No. 264 of the Official Plan of the former City of Toronto with respect to lands known as 55 and 60 Mill Street, known as the Gooderham and Worts Distillery Site.

Bill No. 747	By-law No. 749-2003	To amend the General Zoning By law No. 1994-0396 of the former City of Toronto with respect to lands known as 55 and 60 Mill Street, known as the Gooderham and Worts Distillery Site.
Bill No. 748	By-law No. 750-2003	To adopt Amendment No. 113-2003 to the Official Plan of the Etobicoke Planning Area in order to implement a site specific amendment affecting lands located on the south side of Dundas Street West, north side of Bloor Street West, east of Dunbloor Street, municipally known as 5145 Dundas Street West.
Bill No. 749	By-law No. 751-2003	To amend Chapters 320 and 324, of the Etobicoke Zoning Code, with respect to certain lands located on the north side of Bloor Street West, on the south side of Dundas Street West, and east of Dunbloor Road, known municipally as 5145 Dundas Street West.
Bill No. 750	By-law No. 752-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 751	By-law No. 753-2003	To adopt Amendment No. 12 of the Official Plan, being an amendment to the provisions of the Official Plan Chapter 6, Section 13, Bathurst/Strachan Secondary Plan to be renamed the Fort York Neighbourhood Secondary Plan. <i>*amended*</i>
Bill No. 752	By-law No. 754-2003	To adopt Amendment No. 265 of the Official Plan for the former City of Toronto being the Bathurst/Strachan Part II Plan to be renamed the Fort York Neighbourhood Part II Plan. <i>*amended*</i>

Bill No. 753	By-law No. 755-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 754	By-law No. 756-2003	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 755	By-law No. 757-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Symes Road.
Bill No. 756	By-law No. 758-2003	To amend former City of North York By-law No. 7625 in respect of lands municipally known as 53 Cummer Avenue.
Bill No. 609	By-law No. 759-2003	To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits,

the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Pitfield, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

10.159 On July 24, 2003, at 4:15 p.m., Councillor Moscoe, seconded by Councillor Soknacki, 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. 764	By-law No. 760-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd and 24th days of July, 2003,
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the vote upon which was taken as follows:

Yes - 31
Mayor: Lastman
Councillors: Ashton, Augimeri, Bussin, Cho, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Miller, Minnan-Wong, Moscoe, Ootes, Pantalone, Shiner, Soknacki, Tziretas, Walker
No - 0

Carried, without dissent.

10.160 On July 24, 2003, at 4:53 p.m., Councillor Mammoliti, seconded by Councillor Minnan-Wong, 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. 757	By-law No. 761-2003	To adopt Amendment No. 261 to the Official Plan for the former City of Toronto respecting lands known as 1 Bloor Street East, 23 Bloor Street East, 14 Hayden St., and Roy's Square.
Bill No. 758	By-law No. 762-2003	To amend General Zoning By-law No. 438-86 of the former City of Toronto, as amended with respect to lands known as 1 Bloor Street East, 23 Bloor Street East, 14 Hayden Street and Roy's Square.
Bill No. 759	By-law No. 763-2003	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Wellington Street West,

the vote upon which was taken as follows:

Yes - 32

Councillors:	Altobello, Ashton, Augimeri, Bussin, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Flint, Ford, Hall, Holyday, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

10.161 On July 24, 2003, at 6:04 p.m., Councillor Milczyn, seconded by Councillor Ashton, 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. 765	By-law No. 764-2003	To confirm the proceedings of the Council at its meeting held on the 22nd, 23rd and 24th days of July, 2003,
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the vote upon which was taken as follows:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Feldman, Filion, Flint, Ford, Hall, Holyday, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Milczyn, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Rae, Shiner, Soknacki, Tziretas, Walker
No - 0	

Carried, without dissent.

The following Bills were withdrawn:

Bill No. 623	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 624	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 671	To amend By-law No. 30788 of the former City of North York, as amended, to restrict the content of signs on office or industrial buildings in

the Yonge Street City Centre Area.

Bill No. 713 To amend City of Toronto Municipal Code Chapter 545, Licensing, respecting Toronto Licensing Tribunal reporting requirement.

OFFICIAL RECOGNITIONS:

10.162 Condolence Motions

July 22, 2003:

Councillor Rae, seconded by Councillor Shaw, moved that:

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

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

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

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

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

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

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

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

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

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

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

Councillor Shiner, seconded by Councillor Feldman, moved that:

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

WHEREAS Evelyn Davids, having lived in Seneca Towers for approximately eighteen years, was very actively involved with the residents of the building, serving as the Tenant Representative for Seneca Towers and who, just a few weeks prior to her death, was once again acclaimed to this position; and

WHEREAS Evelyn Davids, as President, also played an important role in the ‘1700 Finch Social Club’ of Seneca Towers; and

WHEREAS Evelyn Davids took the time to assist the residents of Seneca Towers whenever possible, whether it be by helping them complete forms, doing their shopping, filling out medical questionnaires or just by sharing her smile and a little bit of conversation with them; and

WHEREAS most recently, over one hundred and fifty residents attended an 80th birthday celebration dinner given by Evelyn Davids’ children in her honour, and the residents joined in whole-heartedly, singing, dancing, performing and sharing stories of Evelyn Davids’ many acts of kindness; and

WHEREAS Evelyn Davids’ gracious, compassionate and friendly manner, along with her tireless dedication to her fellow residents at Seneca Towers will be sadly missed;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to her sons, Denis, Llewelyn

and Trevor and their families.”

Leave to introduce the foregoing Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Dr. Daniel G. Hill and Mrs. Evelyn Davids.

July 24, 2003:

Mayor Lastman, seconded by Deputy Mayor Ootes, moved that:

“**WHEREAS** the Members of Toronto City Council are deeply saddened to learn of the tragic death of New York Councilman James E. Davis at the New York City Hall Council Chambers on Wednesday, July 23, 2003;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of Toronto City Council, our sincere condolences to Mayor Michael Bloomberg and Members of New York City Council.”

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 Councilman James E. Davis.

10.163 Presentations/Introductions/Announcements:

July 22, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students from the Toronto Chinese Community Services Association, present at the meeting.

July 23, 2003:

Councillor Pantalone, during the afternoon session of the meeting, with the permission of Council, introduced Nick Simone, Executive Director of the Italian Chamber of Commerce, accompanied by his son, Michael Simone, present at the meeting. Councillor Pantalone advised the Council that Mr. Simone had been involved in organizing the twinning of the Cities of Toronto and Milan, Italy.

Deputy Mayor Ootes, during the afternoon session of the meeting, advised the Council that a shooting incident had occurred at New York City Hall, and that there were two victims, one of

which, it was suspected but, as yet, unconfirmed, was a New York City Councillor. (It was subsequently confirmed that one of the victims had been New York Councilman James E. Davis.)

July 24, 2003:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the ESL students from Warden Woods Community Centre, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, advised the Council that, having regard that this was the third day of Council, the agenda would be reviewed for 'quick releases' immediately following the lunch break, and any items held by Members of Council who were not present in the Chamber would be released, without amendment, unless the City Clerk had received notification by 12:00 noon, from the respective Members, that the item should be held and the reason therefor.

Mayor Lastman, during the morning session of the meeting, invited Jo-Ann McCarthur, President, Molson Sports and Entertainment, to the podium, and expressed, on behalf of Council, the appreciation of Council to Molson Sports and Entertainment for their exemplary efforts in bringing together the Rolling Stones and many great bands for the concert to be held on Wednesday, July 30, 2003, at Downsview Park. Mayor Lastman proclaimed July 30, 2003, as "Molson Canadian/Rolling Stones Rock Toronto Day", in the City of Toronto, and presented a copy of the proclamation to Jo-Ann McCarthur to mark the occasion.

Councillor Miller, during the afternoon session of the meeting, with the permission of Council, expressed, on behalf of Council, the best wishes of Council to Barry Randall, Director, Court Services, and wished him a speedy recovery.

10.164 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of the proceedings of Council:

July 22, 2003:

Councillor Walker, at 10:15 a.m., moved that Council vary the order of its proceedings to consider Clause No. 19 of Report No. 6 of The Community Services Committee, headed "Raising the Profile of Tenant Issues in the Upcoming Provincial Election: A Public Education Campaign", as a 'time sensitive' matter, the vote upon which was taken as follows:

Yes - 31

Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Di Giorgio, Dominelli, Duguid, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Shaw, Shiner, Silva, Tziretas, Walker
No - 8	
Mayor:	Lastman
Councillors:	Ford, Holyday, Kelly, Minnan-Wong, Ootes, Soknacki, Sutherland

Carried by a majority of 23.

July 23, 2003:

Councillor Miller, at 2:19 p.m., moved that Council vary the order of its proceedings to consider Motion I(3), moved by Councillor Miller, seconded by Councillor I. Jones, respecting a request of the Minister of Labour to ensure that local labour is used for Toronto Community Events, as a 'time-sensitive' matter, the vote upon which was taken as follows:

Yes - 22	
Councillors:	Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Dominelli, Filion, Flint, Hall, Johnston, I. Jones, L. Jones, Mihevc, Milczyn, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Rae, Walker
No - 15	
Councillors:	Altobello, Balkissoon, Duguid, Feldman, Ford, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Ootes, Shiner, Soknacki, Sutherland, Tziretas

Carried by a majority of 7.

Councillor Holyday, at 2:21 p.m., moved that Council vary the order of its proceedings to consider Motion I(4), moved by Councillor Holyday, seconded by Councillor I. Jones, respecting the City of Toronto support of the GO Transit Capital Growth/Enhancement Program, as a 'time-sensitive' matter, the vote upon which was taken as follows:

Yes - 27

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July 22, 2003	9:37 a.m. to 12:30 p.m.*	Roll Call 2:10 9.m.	2:09 p.m. to 7:30 p.m.*	Roll Call 3:05 p.m.	Roll Call 3:15 p.m.	Roll Call 3:51 p.m.	Roll Call 4:30 p.m.	Roll Call 6: 45 p.m.
Nunziata	x	x	x	x	x	x	x	-
Ootes	x	x	x	x	x	-	-	x
Pantalone	x	x	x	x	x	x	x	x
Pitfield	x	-	x	x	-	x	x	x
Rae	x	x	x	-	-	x	x	x
Shaw	x	-	-	-	-	-	-	-
Shiner	x	-	x	-	-	x	x	x
Silva	x	-	x	-	-	-	-	-
Soknacki	x	-	x	-	-	x	-	x
Sutherland	x	-	x	x	x	x	x	-
Tziretas	x	-	x	-	-	-	-	-
Walker	x	x	x	-	-	x	x	x
Total	43	26	43	28	24	26	28	25

* Members were present for some or all of the time period indicated.

July 23, 2003	Roll Call 9:37 a.m.	9:37 a.m. to 12:30 p.m.*	Roll Call 11:05 a.m.	2:10 p.m. to 7:15 p.m.	Roll Call 3:30 p.m.	Roll Call 5:35 m.
Lastman	-	-	-	-	-	-
Altobello	x	x	x	x	-	x
Ashton	-	x	x	x	x	-
Augimeri	-	x	x	x	x	x
Balkissoon	x	x	-	x	x	x
Berardinetti	-	-	-	x	-	-
Bussin	x	x	-	x	x	x
Cho	-	x	-	x	x	x
Chow	-	x	x	x	x	x
Di Giorgio	x	x	-	x	-	x
Dominelli	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	x	x	x	-
Filion	-	x	-	x	-	x
Flint	x	x	x	x	x	x

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July 23, 2003	Roll Call 9:37 a.m.	9:37 a.m. to 12:30 p.m.*	Roll Call 11:05 a.m.	2:10 p.m. to 7:15 p.m.	Roll Call 3:30 p.m.	Roll Call 5:35.m.
Ford	-	x	x	x	x	x
Hall	x	x	x	x	-	x
Holyday	x	x	x	x	x	x
Johnston	-	x	-	x	x	x
I. Jones	x	x	-	x	x	-
L. Jones	x	x	x	x	x	x
Kelly	-	x	-	x	x	x
Korwin- Kuczynski	x	x	-	x	-	x
Li Preti	x	x	x	x	x	x
Lindsay Luby	x	x	-	x	x	-
Mammoliti	x	x	-	x	-	-
McConnell	-	-	-	-	-	-
Mihevc	x	x	x	x	-	x
Milczyn	-	x	x	x	-	x
Miller	x	x	x	x	-	x
Minnan-Wong	x	x	-	x	-	-
Moeser	x	x	x	x	-	-
Moscoe	x	x	x	x	-	x
Nunziata	x	x	x	x	x	x
Ootes	x	x	x	x	x	x
Pantalone	x	x	x	x	-	x
Pitfield	x	x	x	x	-	-
Rae	x	x	x	x	x	-
Shaw	-	x	-	x	-	x
Shiner	x	x	-	x	-	-
Silva	x	x	-	x	-	-
Soknacki	-	x	x	x	-	-
Sutherland	x	x	x	x	x	-
Tziretas	x	x	-	x	-	x
Walker	x	x	x	x	x	-
Total	31	42	26	43	23	28

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* Members were present for some or all of the time period indicated.

July 24, 2003	9:44 a.m. to 12:30 p.m.*	2:14 p.m. to 6:10 p.m.*
Lastman	x	x
Altobello	x	x
Ashton	x	x
Augimeri	x	x
Balkissoon	x	-
Berardinetti	-	-
Bussin	x	x
Cho	x	x
Chow	x	x
Di Giorgio	x	x
Dominelli	x	x
Duguid	x	x
Feldman	x	x
Filion	x	x
Flint	x	x
Ford	x	x
Hall	x	x
Holyday	x	x
Johnston	x	x
I. Jones	x	x
L. Jones	x	x
Kelly	x	x
Korwin-Kuczynski	x	x
Li Preti	x	x
Lindsay Luby	x	x
Mammoliti	-	x
McConnell	-	-
Mihevc	x	x
Milczyn	x	x
Miller	x	x

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July 24, 2003	9:44 a.m. to 12:30 p.m.*	2:14 p.m. to 6:10 p.m.*
Minnan-Wong	x	x
Moeser	x	-
Moscoe	x	x
Nunziata	x	x
Ootes	x	x
Pantalone	x	x
Pitfield	-	x
Rae	x	x
Shaw	x	x
Shiner	x	x
Silva	x	x
Soknacki	x	x
Sutherland	x	x
Tziretas	x	x
Walker	x	x
Total	41	41

* Members were present for some or all of the time period indicated.

Adjourned: 6:10 p.m.

**MEL LASTMAN,
Mayor**

**ULLI S. WATKISS,
City Clerk**

ATTACHMENT NO. 1

Enquiry dated May 21, 2003, from Councillor Walker, addressed to the City Clerk, regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto (See Minute No. 10.4, Page 2):

In a letter dated May 20, 2003, the Director of Corporate Access and Privacy makes a number of factual statements regarding an information request made by the St. Lawrence and Downtown Community Bulletin.

Could you provide answers to the following questions:

- (1) The Freedom of Information (F.O.I.) Request was for copies of competition files, including evaluations related to hiring of the Chief Administrative Officer, the Commissioner of Urban Development Services, the Commissioner of Corporate Services, the Chief Financial Officer, the City Clerk, the City Solicitor and the Executive Director of Information and Technology. Do these records exist?
- (2) If not, why not?
- (3) What are the applicable Provincial laws or regulations and City By-laws relative to the records retention of these records?
- (4) Have any of the named officials been involved in this information request either directly or indirectly?

I thank you in advance for your prompt and full response to these questions.

ATTACHMENT NO. 2

Answer dated June 19, 2003, from the City Clerk, to the Enquiry dated May 21, 2003, from Councillor Walker, regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto (See Minute No. 10.4, Page 2):

This responds to the May 21, 2003 Enquiries submitted to the City Clerk and the Mayor submitted by Councillor Michael Walker with respect to statements contained in a May 20, 2003 letter to the Mayor and Members of Council from the former Director of Corporate Access and Privacy.

Q1: The Freedom of Information (FOI) request was for copies of competition files including evaluations relating to hiring of the Chief Administrative Officer, the Commissioner of Urban Development Services, the Commissioner of Corporate Services, the Chief Financial Officer, the City Clerk, the City Solicitor and the Executive Director Information and Technology. Do these records exist?

A1: As set out in the in-camera Personnel Sub-Committee report prepared by the Executive Director of Human Resources, dated April 7, 2003, any records responsive to this request are with the three search firms involved in the seven competitions. Six of the seven competitions included sub-committees of Council members, who may have their own records.

External counsel has advised the City Clerk that there is no reason to believe that any of the records have been destroyed. The City Clerk is further advised that any records responsive to the FOI request are exempted from disclosure by sub-section 52(3) of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). This was the basis for the response to the FOI request recommended by the City's outside legal counsel. As a result, external counsel advised that conducting any further searches would have incurred a needless expense to the City.

Q2: If not, why not?

A2: Not applicable.

Q3: What are the applicable provincial laws or regulations and City By-laws relative to the records retention of these records?

A3: The City is required by Section 254(1) of the Municipal Act to "retain and preserve the records of the municipality ... in a secure and accessible manner...". The City has defined a "record" in Chapter 219-9 of its Municipal Code as "any unit of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes correspondence, memoranda, plans, maps, drawings, graphic works, photographs, film,

microfilm, sound recordings, videotapes, machine readable records, and any other documentary material, regardless of physical form or characteristics, made or received in the course of the conduct of the affairs of the City, and retained by the City for the purposes of future reference". This definition is consistent with the definitions found in both the Municipal Act, and the Municipal Freedom of Information and Protection of Privacy Act. Section 255 of the Municipal Act allows municipalities to destroy records once a retention period has been established by a municipality and approved by the municipality's auditor, and the retention period has expired. In the case of competition files, the City has not yet established a retention schedule for these specific records, so documents of this nature must be retained until a schedule has been approved by Council and the Auditor General.

In determining an appropriate retention period for employment competition files, a balance must be achieved between retaining a corporate record of the competition process and the potential violation of an applicant's privacy, if sensitive personal information about them is retained long after the competition is completed. The City's predecessor municipalities had widely varying retention periods for employment competition records, ranging from six months to perpetual. The Association of Municipal Managers, Clerks and Treasurers of Ontario have recommended a retention period for employment records of one year after the end of the competition.

Q4: Have any of the named officials been involved in this information request either directly or indirectly?

A4: The handling of this information request was discussed at Personnel Sub-Committee on April 8, 2003. In an in-camera report dated April 7, 2003, the Executive Director, Human Resources, proposed to Personnel Sub-Committee that, for reasons outlined in the report, the preparation of a response to the FOI request should be delegated to outside legal counsel.

On the advice of Counsel, the City Clerk (as delegated head) signed the decision letter with respect to the request for the competition files relating to the hiring of the Chief Administrative Officer, the Commissioner of Urban Development Services, the Commissioner of Corporate Services, the Chief Financial Officer, the City Solicitor and the Executive Director Information and Technology. Also on the advice of Counsel, Mayor Lastman signed the decision letter with respect to the request for the competition file relating to the hiring of the City Clerk.

ATTACHMENT NO. 3

Enquiry dated May 21, 2003, from Councillor Walker, addressed to the Mayor, regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto (See Minute No. 10.4, Page 2):

In a letter dated May 20, 2003, the Director of Corporate Access and Privacy makes a number of factual statements regarding an information request made by the St. Lawrence and Downtown Community Bulletin.

Could you provide answers to the following questions:

- (1) The Freedom of Information (F.O.I.) Request was for copies of competition files, including evaluations related to hiring of the Chief Administrative Officer, the Commissioner of Urban Development Services, the Commissioner of Corporate Services, the Chief Financial Officer, the City Clerk, the City Solicitor and the Executive Director of Information and Technology. Do these records exist?
- (2) If not, why not?
- (3) What are the applicable Provincial laws or regulations and City By-laws relative to the records retention of these records?
- (4) Have any of the named officials been involved in this information request either directly or indirectly?

I thank you in advance for your prompt and full response to these questions.

ATTACHMENT NO. 4

Answer dated June 24, 2003, from the Mayor, to the Enquiry dated May 21, 2003, from Councillor Walker, regarding the alleged contravention of Provincial Statutes and the integrity of the Freedom of Information process in the City of Toronto (See Minute No. 10.4, Page 2):

- (1) See Clerk's response.
- (2) Not applicable.
- (3) See Clerk's response.
- (4) I signed the letter on the advice of counsel, as set out in the Clerk's response. That was my only involvement in this matter.

ATTACHMENT NO. 5

Enquiry dated June 12, 2003, from Councillor Walker, addressed to the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor, regarding the Union Station Project (See Minute No. 10.4, Page 2):

At its meeting of February 2003, City Council directed a review be conducted of the RFP and evaluation processes leading up to Council's vote in July 2002 in respect of the Union Station project. A report dated May 22, 2003, was provided to City Council. Many troubling questions remain about the legitimacy of the process, particularly considering the errors and omissions in the report.

Introduction:

It is clear that the City of Toronto has a governance crisis. The MFP scandal resulted from failure of the administration to provide City Council all the financial information required to make an informed decision on a multi-million dollar contract award. No senior staff who knew financial information was being withheld came forward to inform City Council of that fact. Failure to inform City Council of information material to its deliberative and decision making processes is a dereliction of duty.

In July 2002, the administration failed to provide City Council detailed scoring information it needed to properly award a \$100 million contract on Union Station. It failed to inform City Council that two evaluations had been conducted and that LP Heritage scored higher in the first evaluation.

The administration then refused Councillors' requests for detailed scoring information and for the names of scorers. Notwithstanding that LP Heritage had the higher score in the first evaluation and that the scoring difference between Union Pearson and LP Heritage was statistically insignificant in the second evaluation, the request for a presentation from LP Heritage was refused.

City Council cannot function effectively on behalf of the people of Toronto if this administration fails to provide or frustrates Council's legal right to all information critical to its deliberations and decisions. The City has suffered serious damage because City Council was not provided sufficient information about the MFP contract. Millions of dollars are being spent to find out why.

This administration stonewalled City Council's right to know all scoring information related to Union Station and its right to have a presentation from LP Heritage. The factors of the MFP and Union Station scandals are similar: an administration that withholds and/or refuses to provide information to City Council critical to an informed decision. City Council, the people of Toronto, Union Pearson and LP Heritage deserve better.

The sickness is in the secrecy; therefore, in the interests of public accountability, the City Solicitor must not hide behind the cloak of solicitor-client privilege. There is no legal barrier to all actions being open to public scrutiny. I insist that all answers to the following questions be open to public scrutiny in the interests of transparency and accountability.

There was a 6-member selection committee and 10 categories of evaluation resulting in 60 scoring details and 6 total score for each of 3 proposals – LP Heritage, LP Heritage Alternate and Union Pearson. Senior staff did not advise City Council that there were two sets of evaluations so Council was not in a position to ask for the second set of evaluations.

- Question 1. Who decided to only provide the total scores to City Council?
- Question 2. Who among you made the final decision to provide City Council with only the total scores?
- Question 3. Why did senior staff decide to provide only total scores to City Council and not inform City Council that there were two sets of evaluations?
- Question 4. Why did you refuse to provide all scoring details and to not inform City Council that there were two sets of evaluations?
- Question 5. When did you decide to refuse to provide all scoring details?
- Question 6. The Chief Administrative Officer, the Commissioner of Corporate Services, the City Solicitor and the City Clerk are senior management at the City and are directly accountable to City Council for their actions and inaction. If none of these people made the final decision to refuse to provide all scoring details to City Council and to not inform City Council that there were two sets of evaluations, then who made the decision?
- Question 7. Was the City Solicitor consulted about the decision to provide only total scores to City Council and to not inform City Council that there were two sets of evaluations?
- Question 8. If the Solicitor was consulted, when was she consulted?
- Question 9. If consulted, was the City Solicitor's advice to not inform City Council that there were two sets of evaluations or did she advise that all scores should be provided to City Council?
- Question 10. When Councillors requested all scoring details at the in camera meeting, why did the City Solicitor not inform City Council that they have a legal right to know the requested information?

- Question 11. Was the Mayor and/or any Councillor advised of any scoring details other than the total scores, and, if yes, exactly what information was conveyed to them and when?
- Question 12. When City Councillors requested all scoring details, did the Chief Administrative Officer inform the Mayor, Deputy Mayor, City Solicitor, Commissioner of Corporate Services, Clerk, or any member of City Council that City Council has a right to know the requested information?
- Question 13. When City Councillors requested all scoring details as noted above, did the Commissioner of Corporate Services inform the Mayor, Deputy Mayor, City Solicitor, Chief Administrative Officer, Clerk, or any member of City Council that City Council has a right to know the requested information?
- Question 14. If elected officials and/or senior management were not informed as noted above, on what authority did the Commissioner of Corporate Services rely to not inform them that City Councillors have a right to know?
- Question 15. Is there any rational explanation for the failure to respect City Council's right and need to know all information critical to a \$100 million contract award on what is possibly the most important landmark in Canada?
- Question 16. When Councillors at the July 2002 meeting asked senior staff to link scorers' names with their respective score totals, why did staff not inform City Council that the associated names could not be provided because the information had been destroyed prior to the meeting?
- Question 17. Why did senior management not inform all Councillors of the destruction of original evaluation records at any time between July 2002 and January 29, 2003, when it was revealed by the media?
- Question 18. After learning that the original evaluation records had been destroyed, did the Chief Administrative Officer, Commission of Corporate Services, City Solicitor or City Clerk inform the Mayor and/or any Councillor?
- Question 19. If the Mayor and/or any Councillor was informed, when were they informed?
- Question 20. If the Mayor and/or certain Councillors were informed of the destruction, which senior staff were involved in the decision to not inform all members of the Administration Committee and City Council?

At its meeting of February 13, 14 and 15, 2002, the Toronto City Council adopted, without amendment, Clause No. 17 of Report No. 2 of The Administration Committee; (By-law No. 154-2002) which stated:

“The Administration Committee recommends that it be mandatory for Department Heads to consult with the Director, Corporate Access and Privacy respecting disclosure of propriety [sic] information in public and in-camera reports to ensure that Council has sufficient information to make informed decisions including as much public disclosure as possible with respect to major contracts such as leasing.”

In October, 2002, the Commission of Corporate Services issued a “briefing note” which stated among other things that the above noted By-law “...is not a City By-law and has not been implemented as a corporate-wide procedural requirement.”

- Question 21. Other than the Commissioner of Corporate Services who issued the briefing note, which other senior management were involved in the decision to inform City Council and the people of Toronto that By-law No. 154-2002 is not a City By-law?
- Question 22. Did the Chief Administrative Officer direct the Union Station Project Director (Commissioner of Corporate Services) to comply with the requirements of By-law No. 154-2002 (Mandating Department Heads to consult with the Director, Corporate Access and Privacy, respecting disclosure of information to public) with respect to the Union Station Project? If not, why not?
- Question 23. Did the Commissioner of Corporate Services take steps to ensure compliance with By-law No. 154-2002 with respect to the Union Station Project? If not, why not?
- Question 24. Did the City Solicitor take steps to ensure compliance with By-law No. 154-2002 with respect to the Union Station Project? If not, why not?
- Question 25. Are there other By-laws passed by City Council that this administration has considered not to be City By-laws? If yes, please provide a list.
- Question 26. Has the Chief Administrative Officer, City Solicitor, Commissioner of Corporate Services or any other department head issued a briefing note or other direction to any staff that states or implies that City staff are not obligated to comply with certain City By-laws?

ATTACHMENT NO. 6

Answer dated June 23, 2003, from the Chief Administrative Officer, the Commissioner of Corporate Services and the City Solicitor to the Enquiry dated June 12, 2003, from Councillor Walker, regarding the Union Station Project (See Minute No. 10.4, Page 2):

We are concerned that you allege this administration failed to provide City Council with information it needed to properly award the contract on Union Station. This administration is committed to providing timely, accurate and professional advice to City Council to the best of our ability. We believe your characterization of the professional opinions and advice provided to City Council by City staff and outside legal counsel as “refusals” is unjustified and unfair. City Council decided not to pursue the names of the individual scorers during its in-camera session in July 2002 and it was the Administration Committee that, after receiving legal advice, decided not to allow a presentation by the two proponents. It is our job to provide City Council with all relevant and material information to allow it to make informed decisions as well as our best advice on how to protect the interests of the City. This was done on the Union Station project.

It was precisely to address public concerns that the Honourable Coulter Osborne was requested by City Council to review the Union Station RFP process to determine, among other matters, if it had been fair to both proponents. He found that the process was “on balance, fair to both proponents”. In the course of that review, he also discussed at length “Council’s Right to Know”. Justice Osborne reviewed what information was provided to City Council and examined why City staff took the actions they did. In the end he concluded that City Council was informed of “the material facts” before it voted on the preferred proponent in July 2002.

In response to your specific questions we provide the following information (where considered appropriate, some questions have been grouped together with a single response):

Question 1. Who decided to only provide the total scores to City Council?

Question 2. Who among you made the final decision to provide City Council with only the total scores?

Response: The Commissioner of Corporate Services is the lead on the Union Station project. Ms. Simpson is the Project Co-ordinator. At its meeting held in July 2002, they provided City Council with the scoring summary identifying all 6 selection Committee members’ scores for the 9 categories of evaluation for both proposals exactly as shown at p. 49 of the Report to Toronto City Council from the Honourable Coulter A. Osborne entitled “Union Station Review” (“the review report”). The evaluation and these scores were the subject of a lengthy in camera discussion and debate including questioning of Ms. Simpson and Ms. Anderton.

Question 3. Why did senior staff decide to provide only total scores to City Council and not inform City Council that there were two sets of evaluations?

Question 4. Why did you refuse to provide all scoring details and to not inform City Council that there were two sets of evaluations?

Response Administration Committee and City Council were advised of the change in financial status of LP Heritage and that the financial scores were lowered as a result. At page 84 of his review report, Justice Osborne concludes "by the time Council voted on the preferred proponent issue in July 2002, it had been apprised of all relevant information concerning the Union Station RFP".

In the opinion of staff, there was only one evaluation. As detailed at pages 40 to 48 in the review report, individual score cards were completed on May 8, 2002, in anticipation of a wrap up meeting on May 10 to discuss those marks and next steps.

However, based on advice from legal counsel, the evaluation process was suspended while further information with respect to LP Heritage was obtained. Following a presentation from staff to the Selection Committee on Prime Realty Group's legal and financial status on June 17, 2002, the score cards were returned to the selection committee members and the three financial scores only were revisited.

Question 5. When did you decide to refuse to provide all scoring details?

Response: There was no such refusal. See the response to Question 1 and 2 above.

Question 6. The CAO, the Commissioner of Corporate Services, City Solicitor and City Clerk are senior management at the City and are directly accountable to City Council for their actions and inaction. If none of these people made the final decision to refuse to provide all scoring details to City Council and to not inform City Council that there were two sets of evaluations, then who made the decision?

Response: Justice Osborne concluded (page 84) that City Staff provided all the relevant, material information required by City Council to make an informed decision. The Administration Committee in June 2002 and City Council in July 2002 were advised of the change in the financial status of LP Heritage and that the financial scores had been lowered as a result. They were also provided with the opportunity to review the PricewaterhouseCoopers report.

Question 7. Was the City Solicitor consulted about the decision to provide only total scores to City Council and to not inform City Council that there were two sets of evaluations?

- Question 8. If the Solicitor was consulted, when was she consulted?
- Question 9. If consulted, was the City Solicitor's advice to not inform City Council that there were two sets of evaluations or did she advise that all scores should be provided to City Council?
- Question 10. When Councillors requested all scoring details at the in camera meeting, why did the City Solicitor not inform City Council that they have a legal right to know the requested information?
- Response: The City Solicitor was not consulted in this regard. As far as staff were concerned, City Council had received all material information.
- Question 11. Was the Mayor and/or any Councillor advised of any scoring details other than the total scores, and if yes, exactly what information was conveyed to them and when.
- Question 12. When City Councillors requested all scoring details, did the CAO inform the Mayor, Deputy Mayor, City Solicitor, Commissioner of Corporate Services, Clerk, or any member of City Council that City Council has a right to know the requested information?
- Question 13. When City Councillors requested all scoring details as noted above, did the Commissioner of Corporate Services inform the Mayor, Deputy Mayor, City Solicitor, CAO, Clerk, or any member of City Council that City Council has a right to know the requested information?
- Response: All councillors including the Mayor received the same information on the scoring details at the July 2002 City Council meeting. This information was reviewed again at the February 2003 City Council meeting.
- As noted above, Justice Osborne concluded that City Staff did provide all the relevant, material information required by City Council to make an informed decision.
- Question 14. If elected officials and/or senior management were not informed as noted above, on what authority did the Commissioner of Corporate Affairs rely to not inform them that City Councillors has a right to know?
- Question 15. Is there any rational explanation for the failure to respect City Council's right and need to know all information critical to a \$100 million contract award on what is possibly the most important landmark in Canada?

Response: City Staff provided all material information and their professional opinions to City Council and answered all questions put to them to the best of their knowledge. Justice Osborne concluded that City Staff did provide all the relevant, material information required by City Council to make an informed decision.

Question 16. When Councillors at the July 2002 meeting asked senior staff to link scorers' names with their respective score totals, why did staff not inform City Council that the associated names could not be provided because the information had been destroyed prior to the meeting?

Response: In response to questioning from you during the in-camera session of City Council in July 2002, Ms. Simpson did advise City Council that the Selection Committee did not record the individual scorers' names and so she could not provide them to you.

Question 17. Why did senior management not inform all Councillors of the destruction of original evaluation records at any time between July 2002 and January 29, 2003 when it was revealed by the media?

Response: Senior Management were informed of the destruction of the individual score cards on January 20, 2003 and commenced an investigation immediately. Although the individual score cards were discarded, the information from those score cards had been transcribed onto a spreadsheet and retained. That spreadsheet had been presented to City Council at its meeting held July 2002. Councillors were informed of these facts at the Administration Committee Special Meeting on January 29, 2003.

Affidavits were subsequently obtained from all selection committee members to verify their individual scores. Justice Osborne concluded at page 63 "I am therefore satisfied that there is reliable evidence establishing the scores identified by scorer."

Question 18. After learning that the original evaluation records had been destroyed, did the CAO, Commission of Corporate Services, City Solicitor or Clerk inform the Mayor and/or any Councillor?

Question 19. If the Mayor and/or any Councillor was informed, when were they informed?

Question 20. If the Mayor and/or certain Councillors were informed of the destruction, which senior staff were involved in the decision to not inform all member of the Administration Committee and City Council?

Response: All Councillors, including the Mayor, were informed at the same time, through the Administration Committee on January 29, 2003.

At its meeting of February 13, 14 and 15, 2002, the Toronto City Council adopted without amendment Clause No. 17 of Report No. 2 of the Administration Committee; (By-law No. 154-2002) which stated:

“The Administration Committee recommends that it be mandatory for Department Heads to consult with the Director, Corporate Access and Privacy respecting disclosure of propriety [sic] information in public and in-camera reports to ensure that Council has sufficient information to make informed decisions including as much public disclosure as possible with respect to major contracts such as leasing.”

In October, 2002, the Commissioner of Corporate Services issued a “briefing note” which stated among other things that the above noted By-law “...is not a City By-law and has not been implemented as a corporate wide procedural requirement.”

Question 21. Other than the Commissioner of Corporate Services who issued the briefing note, which other senior management were involved in the decision to inform City Council and the people of Toronto that By-law No. 154-2002 is not a City By-law?

Response: That briefing note was prepared in consultation with the CAO, City Solicitor and City Clerk. The briefing note does not say that By-law No. 154-2002 is not a City By-law. By-law No. 154-2002 is the general confirmatory by-law for the February 13, 14 and 15, 2002 City Council meeting. The reference (initially made in the media) to the amendment made by the Administration Committee to Clause No. 17 of Report No. 2 as a City By-law is not accurate. By-law No. 154-2002 relates to all proceedings of City Council at its meeting held February 13, 14 and 15, 2002, and is intended to confirm the proceedings of Council. It acts as a fail safe mechanism to ensure all City Council’s recommended actions are properly authorized at law.

The amendment made by the Administration Committee to the staff report found at Clause No. 17 of Administration Committee Report No.2 is a resolution adopting an administrative policy decision related to that specific item. It does not meet the legal requirements for a By-law. As a resolution, it has the same status as any other Council direction on a specific matter. To be construed as an administrative policy decision of general application, it should properly have been considered and reported through the Policy and Finance Committee.

Question 22. Did the CAO direct the Union Station Project Director (Commissioner of Corporate Services) to comply with the requirements of By-law No. 154-2002 (Mandating Department Heads to consult with the Director, Corporate Access and Privacy respecting disclosure of information to public) with respect to the Union Station Project? If not, why not?

Question 23. Did the Commissioner of Corporate Services take steps to ensure compliance with By-law No. 154-2002 with respect to the Union Station Project? If not, why not?

Question 24. Did the City Solicitor take steps to ensure compliance with By-law No. 154-2002 with respect to the Union Station Project? If not, why not?

Response: The Administration Committee resolution did not apply to the Union Station project. All City RFP's including the RFP for Union Station clearly state that they are subject to the Municipal Freedom of Information and Protection of Privacy Act. They provide that the City will endeavour to maintain the confidentiality of proprietary and other such information provided to it by third parties.

At the time the report on the Union Station RFP was prepared there was no outstanding request for disclosure under MFIPPA. Issues arose at the Administration Committee meeting in June 2002 with respect to what matters should be dealt with in camera. This is a matter upon which the City Solicitor and City Clerk provide advice to Council. On the Union Station matter, legal advice was given and on that basis, decisions were made by the Administration Committee and directions given to City staff as to what information should be made public and what should remain confidential.

Question 25. Are there other By-laws passed by City Council that this administration has considered not to be City By-laws? If yes, please provide a list.

Response: No. See the response to Question 21.

Question 26. Has the CAO, City Solicitor, Commissioner of Corporate Services or any other department head issued a briefing note or other direction to any staff that states or implies that City staff are not obligated to comply with certain City By-laws?

Response: No. City staff are obligated to comply with all Council direction.

ATTACHMENT NO. 7 [Notice of Motion I(4)]

Joint Report dated July 14, 2003, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled “Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road - Contract No. 03D4-23RD, Tender Call No. 176-2003 (Ward 37 – Scarborough Centre)” (See Minute No. 10.111, Page 125):

Purpose:

The purpose of this report is to advise on the results of the Tender issued for Road Resurfacing in District 4 - Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, in accordance with specifications as required by the Works and Emergency Services Department and to request authority to issue a contract to the recommended bidder.

Financial Implications and Impact Statement:

This project has been included in the approved Transportation Services 2003 Capital and Operating Budgets. Funds in the amount of \$3,483,161.69 are available in Accounts, Major Road Resurfacing (CTP303-01), Sidewalks (CTP403-01) and Roadway Cut Repair – District 4 (TP0218). The engineering estimate for this project is \$3,645,987.02.

Works and Emergency Services staff have compared the low Tender to the estimated cost and found price to be reasonable.

Recommendation:

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

Background:

The Bid Committee, at its meeting held on June 25, 2003, opened the following Tenders for Contract No. 03D4-23RD, Tender Call No. 176-2003, for the Road Resurfacing in District 4 - Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road:

<u>Tenderer</u>	<u>Price Complete Including All Charges and Taxes</u>
Furfari Paving Co. Ltd.	\$3,483,161.69
D. Crupi & Sons Limited	\$3,496,240.76
961488 Ontario Limited o/a Sanan Construction	\$3,508,531.64
Warren Bitulithic Limited	\$3,731,710.97
Brennan Paving & Construction Ltd.	\$4,106,536.78

Comments:

The Tender documentation submitted by the recommended bidder has been reviewed by the Commissioner of Works and Emergency Services and was found to be in conformance with the Tender requirements.

Works and Emergency Services staff have compared the bids to the estimated cost and found the price of the recommended bidder to be reasonable and within the budget available.

The Fair Wage and Labour Trades Office has reported that the firm recommended has indicated they have reviewed and understand the conditions under the Fair Wage Policy and have agreed to fully comply. In addition, the firm has agreed to keep a daily log specifying the date, contract number, location, worker name, job classification, times/day/location and total number of hours/location and to co-operate in a payroll audit in 2003-04. Based on this, the Fair Wage and Labour Trades Office has reported favourably on the firm recommended.

Conclusion:

This report requests authority to issue a contract for Road Resurfacing in District 4 - Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road, in accordance with specifications, to Furfari Paving Co. Ltd., being the lowest Tender received.

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ATTACHMENT NO. 8 [Notice of Motion J(12)]

Report dated July 18, 2003, from the Chief Financial Officer and Treasurer, entitled “Deferral of Property Tax Payments (All Wards)” (See Minute No. 10.123, Page 150):

Purpose:

To report on the feasibility of developing an additional property tax deferral program, to help alleviate the impacts that have resulted from SARS, and on the potential for the program's costs being covered by the Provincial Government.

Financial Implications:

Council, at its meeting of May 21-23, and 26, 2003, adopted a motion providing for a program for businesses to spread their 2003 final tax bill over six instalments by way of post-dated cheques or pre-authorized payment, to help ameliorate some of the financial hardship being experienced as a result of SARS. The estimated interest cost for the City was estimated at up to \$1.0 million for this program, depending on the level of participation. As the 2003 final tax bills have already been issued, a further property tax deferral program is not feasible for 2003.

The financial implications of various property tax deferral programs are as embodied in Table 1 of this report; a 30-day delay (or deferral) in the due dates for the collection of property taxes, if implemented without penalty and interest, would create a financial impact of \$12.7 million due to lost investment earnings and/or higher interest costs, if applied to all classes, or \$8.6 million if limited to the non-residential class and \$4.1 million if limited to the residential class.

Recommendations:

It is recommended that this report be received for information.

Background:

At the meeting of Council held on June 24-26, 2003, by adoption of Motion J(44), Council directed, amongst other things, that:

“the City of Toronto SARS Recovery Team report to the July Council meeting on the feasibility of developing a Property Tax Deferral Program for a defined period and on the potential for the program’s costs being covered by the Provincial Government”.

By way of background, at its meeting of May 21, 22 and 23, 2003, during consideration of SARS

related matters, Council adopted a motion providing for a program for businesses to spread their 2003 final tax bill over six instalments from July through to December, by way of post-dated cheques or pre-authorized payment, to help ameliorate some of the financial hardship being experienced by businesses as a result of SARS. The financial implication to the City was estimated at up to \$1.0 million, depending upon the level of participation, due to lower net interest earnings associated with the reduction in cashflow.

The City of Toronto's final 2003 property tax bills were mailed to property owners during the month of May in order to provide the required 30 days advance notice prior to the first final instalment due date. For most property owners, the final bill is to be paid in three instalments, due and payable on July 2, August 1, and September 2, 2003. For property owners enrolled in the City's pre-authorized property tax payment program (PTP), the final bill is paid in six instalments, due and payable on the 15th, or first business day thereafter, for the months of July to December, inclusive. The motion adopted by Council extended, for businesses, the deadline to enrol in the PTP to June 16th for the 2003 final instalment billing, and further allowed for payment by way of post-dated cheques.

To be eligible to participate in this program for 2003, the applicant's tax account had to be in good standing, and applications had to be received by June 16, 2003, in order to allow for sufficient time to process prior to the first due date for the final tax bills.

Comments:

Issues Related to Tax Deferral Programs:

This section provides a brief summary of issues that have arisen during discussion of property tax relief amongst stakeholders.

Various business sectors, particularly those in the hospitality industry, have requested specific tax relief. The request for the deferral of property taxes for hospitality-related businesses is problematic for administrative, logistic and legal reasons.

First, there is no clear definition or consensus as to what types of businesses should be referred to as "hospitality-related". For example, there is a wide variety in types of restaurants such as fine dining, fast food, donut and coffee shops, and even convenience stores and gas bars that serve sandwiches. Entertainment establishments might include movie or performance theatres, pinball arcades, bowling alleys, etc. Even with hotels, some are more geared to providing long-term corporate accommodations as opposed to daily or weekly accommodations for visitors and tourists.

Secondly, staff of City Legal Services advise that, while due dates and penalties and interest can apply to a class of properties as may be provided for in a by-law, no legislative authority exists to set different instalments and due dates for certain kinds of properties based on the nature of the

business within a property class.

Thirdly, the majority of business establishments are multi-tenanted, and it is the property owner that is billed and is responsible for payment of taxes to the City on the due date. The City does not have a record of business tenants. Various arrangements can exist between landlords and tenants, but generally, property taxes form part of the monthly rent paid by the tenant to the landlord. As such, business tenants may not receive a benefit from a deferral of property tax payments, unless the property owner/landlord voluntarily agreed to allow tenants to defer their regular monthly rent payments. For a business in a multi-tenanted property, the City has no jurisdiction to intervene in the collection of taxes by the property owner from the tenants. Furthermore, the task of attempting to determine what portion of the total taxes on a multi-tenanted property are attributable to premises occupied by a business in the context of a property tax deferral would require significant additional resources from the City.

Financial Impacts of Property Tax Deferrals:

From the City's perspective, any deferral of the due dates on the property tax bill will result in an increase in interest costs arising from the need for additional temporary borrowing by the City and/or foregone interest earnings including amounts held for the school boards. Table 1 provides an estimate of the incremental increase in interest costs associated with each of the above tax due date deferral programs. A 30-day deferral/delay of all due dates will result in an incremental impact on the City's interest earnings/interest costs of \$12.7 million over that currently budgeted for. This amount includes \$5.0 million which is the cost to the City related to the deferral in the collection of taxes for education purposes, which under current legislation will have to continue to be paid to the school boards on the prescribed quarterly due dates. A sixty and ninety day deferral will have a financial impact of \$25.7 million and \$38.3 million, respectively. If due dates spread evenly over eleven instalments were mandated, then financial impact to the City would be approximately \$19.2 million.

Table 1: Estimated Cost of Delaying Property Tax Due Dates
(Net cost interest impact, \$ millions)

	Incremental Increase in Borrowing Interest Costs		
	Residential Class (municipal / education)	Non-Residential Classes (municipal / education)	Total – All Classes (municipal / education)
30 Day Deferral	\$4.1 M (\$2.7 / \$1.4)	\$8.6 M (\$5.0 / \$3.6)	\$12.7 M (\$7.7 / \$5.0)
60 Day Deferral	\$8.4 M (\$5.5 / \$2.9)	\$17.3 M (\$10.1 / \$7.2)	\$25.7 M (\$15.6 / \$10.1)
90 Day Deferral	\$12.4 M (\$8.2 / \$4.2)	\$25.9 M (\$15.0 / \$10.9)	\$38.3 M (\$23.2 / \$15.1)
11 Instalments	\$6.2 M (\$4.1 / \$2.1)	\$13.0 M (\$7.6 / \$5.4)	\$19.2 M (\$11.7 / \$7.5)

Some stakeholders have suggested the waiving of interest and penalties. Legally, no authority exists to waive interest and penalty charges since Council has approved these charges as part its 2003 levy

by-law. From a financial perspective, the effect of waiving interest and penalties would be equivalent to deferring the due dates, as there would be no financial motivation to make payment on the explicit due date. Notwithstanding the foregoing, the financial implications would be up to the amounts shown in Table 1, assuming that payments would be made on the last date before financial penalties resumed.

Funding of SARS Impacts by Senior Levels of Government:

The senior levels of government have made recent announcements in respect of financial aid to the City of Toronto and its businesses affected by the economic impact of SARS. As at the time this report was prepared, the Province had agreed to reimburse the City for direct costs incurred as a result of SARS. The details of these measures are still unfolding, and consultation and negotiations are continuing to take place between stakeholders. Provincial staff have indicated that the City will not be compensated for revenue losses related to SARS. It is expected that any lost interest earnings from a city initiative such as a property tax deferral program would be similarly exempted from provincial assistance.

Conclusion:

The deferral of the due dates of the property tax bill will result in a financial impact for the City due to lost investment earnings and/or higher interest costs. Council can establish different instalments and due dates for taxes for municipal purposes and for school purposes, and for different property classes. For 2003, Council adopted a tax deferral program which allowed businesses to spread their 2003 final tax bill over six instalments from July through to December, by way of post-dated cheques or pre-authorized payment, to help ameliorate some of the financial hardship being experienced by businesses as a result of SARS. A further tax deferral program for 2003 is not feasible, as the tax bills have been issued and mailed to property owners. The financial implications of various tax deferral programs for 2004 and/or beyond are as embodied in Table 1 of this report. With respect to businesses, most businesses are in multi-tenanted properties, and the City has no means of ensuring that the benefit of any tax deferral is passed on from the landlord to tenant.

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Adir Gupta, Manager, Financial Policy & Research, Tel.: 416-392-8071

ATTACHMENT NO. 9 [Notice of Motion J(16)]

Joint Report dated July 17, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled, "Updating on the Restructuring of \$183.75 million Provincial Loans" (See Minute No. 10.127, Page 157):

Purpose:

To request Council's approval for the issuance and sale of a debenture to the Province to restructure certain provincial loans and for authority for the Mayor and the Chief Financial Officer and Treasurer to enter into an agreement between the City and the Province in respect of the issuance of the debenture on terms and conditions contained in this report.

Financial Implications and Impact Statement:

If Council does not approve the loan restructuring, the City will have to pay the Province by borrowing \$118.75 million in September 2003 and \$65.00 million in March 2004 in the public capital debt markets for a ten-year term at an additional annual interest cost estimated at \$3.47 million commencing in 2004. Over the debenture's term-to-maturity of 10.5 years, the additional interest cost incurred by the City is approximately \$34.7 million greater than the provincial loan.

Recommendations:

It is recommended that:

- (1) authority be granted for the Mayor and Chief Financial Officer and Treasurer to enter into an agreement (the "Agreement"), in accordance with section 102 of the City of Toronto Act, 1997 (No. 2) and the Municipal Act, 2001, with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing, for the issuance and sale of a debenture in a maximum aggregate principal amount of \$183,750,000, such agreement to be substantially in accordance with the draft agreement attached to this report as Appendix A and in form satisfactory to the City Solicitor, and that the Chief Financial Officer and Treasurer be authorized to execute such agreement and to issue the debenture on behalf of the City;
- (2) with respect to the 2003 TTC capital budget funding, a separate letter of agreement be signed with the Province to confirm the capital needs at a total of \$311 million including a further increase in the provincial contribution to \$104 million and for the Province to flow through the 1/3 contribution of \$104 million from the federal government;
- (3) a further report be presented to Council at its September 2003 meeting from the Chief Administrative Officer and the Chief Financial Officer and Treasurer on the status of 2003

SARS funding and TTC capital funding;

- (4) authority be granted for the introduction of the necessary Bills in Council to give effect thereto; and
- (5) the appropriate officials be authorized to take the necessary actions to give effect thereto.

Background:

At its meeting held on June 24, 2003, Council adopted Clause No. 7(a) of Report No. 4 of the Policy and Finance Committee "Debenture Issuance – Restructuring of \$183.75 million Provincial Loans" as amended by adding the following:

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

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

The Province provided the City with two \$100 million interest free loans to assist with amalgamation and transition in 1998 and 1999. To date, the City has paid \$16.25 million, leaving the balance of \$183.75 million that the City is contractually obligated to pay and is the subject of the repayment negotiations. Currently, the City owes the Province \$118.75 million representing the 2002 and 2003 overdue instalments.

Comments:

Provincial Position - Loan

City staff recently met with the Deputy Ministers of Finance and Municipal Affairs and Housing, and senior staff from the Ministries of Transportation and Health to discuss the loan restructuring in conjunction with Council’s adopted amendments to the original draft agreement as contained in Appendix A. We have been informed that the Provincial Auditor will soon be considering reclassifying the loan as non-performing and the appropriate action to be taken to collect the overdue payments. The Province has indicated that the loan restructuring cannot be linked to TTC or SARS

funding. Therefore, it is necessary that the City reconsider the previously negotiated offer that was considered by Council at its June 24th meeting.

SARS Funding

With respect to SARS funding, at the meeting with senior provincial staff, City staff was encouraged to hear that direct costs incurred in responding to the SARS outbreaks would be reimbursed. The City proposed that the Province maintain a reasonable “window” for claiming overtime and backfill costs as the Toronto Public Health service and other City departments attend to the backlog work interrupted by SARS. With a reasonable claim period, the City should be in a position to recover all of its incremental costs incurred by the health programs, in particular, for EMS and Public Health.

Provincial officials agreed that this was a reasonable request and staff will be requesting in writing that the sunset date of claiming SARS related costs be extended to March 31, 2004.

The Province confirmed that the MMAH down payment of \$2 million can be applied to health costs incurred. To date, the City has received approximately \$6,160,000 in combined provincial funding against an estimated \$11,500,000 in costs as at May 30, 2003. Some of the costs included in the estimate are not eligible for funding currently as they are not considered incremental costs but they may be captured over the “window period” as the City clears the backlog of work. Claims have been recently filed for the Health programs (EMS, TPH and Homes for the Aged) and staff has been assured that they will be processed expeditiously. Within the next week, it is expected that EMS will receive an additional \$700,000 for its expenditures to the end of May.

In regard to the request by Public Health to build staffing capacity to deal with infectious disease outbreaks in the future, Public Health is focusing on the backlog work in the short term. The Province has indicated that it may take until the early Fall 2003 for funding approval related to this recent request.

At the end of June, staff received claim forms and instructions for the MMAH SARS program (which covers all other non-health-related costs) and the Finance Department is co-ordinating the claim for the departments and the ABCs. Staff sought clarity on the eligibility of costs and lost revenues that can be claimed through the MMAH program. The Province will not cover the cost of lost revenues and the cost of the City’s economic recovery program.

TTC Funding

The provincial government expressed its willingness to work with the City to secure its share of federal funding for the TTC. A letter dated July 14, 2003 has been received from Infrastructure Canada (attached) indicating that the federal government is committed to working with the City to achieve sustained and predictable cost-sharing for the TTC’s capital requirements.

Following is a summary of the TTC's 2002 and 2003 capital budgets and related federal & provincial funding:

	2003 Approved Budget	2003 Committed Funding	2002 Approved Budget	2002 Actual Expenditure
Capital - Base	\$311 million	\$311 million	\$228 million	\$186 million
Funding Sources				
1/3 Province	104	73	76	62
1/3 Federal	103	14	76	62
1/3 City	104	104	76	62
	\$311 million	\$191 million	\$228 million	\$186 million

At this point, the federal and provincial funding shortfall is \$120 million. Thus, it is recommended that Council request a separate letter of agreement with the Province which confirms TTC's capital needs of \$311 million and for the Province to assist in flowing through the federal share to the City.

Financing Implications

By refinancing the Provincial Loans with the Province instead of issuing debt in the public capital markets, the City will save \$34.7 million in interest charges over the term of the debenture, assuming an interest rate of 5.50% as compared to the provincial rate of 3.00%. The Province, by agreeing to this refinancing, will incur a fiscal impact as a result of providing financing at rates lower than its current cost of funds.

If Council does not approve this arrangement, it is possible that the Province will withdraw the offer and the loan repayment will return to the original schedule that would require a payment of \$118.75 million by the City, not including any interest penalties, in 2003 and a payment of \$65.0 million in 2004. These amounts will have to be borrowed in the public capital markets at higher interest rates that would cost the City an additional \$3.47 million per year, commencing in 2004 and \$34.7 million over the term of the debenture.

The repayment schedule for the renegotiated payment is contained in Appendix B of this report. The schedule is based upon a 3.00% interest rate, compounded semi-annually, with a 10 year amortization period and payments occurring semi-annually on July 15th and January 15th of each year. This schedule will accommodate the City's 2003 debt charge budget while providing the Province with a full \$20 million payment during its 2003 fiscal year.

Also, the original loan agreements provide the Province with the ability to intercept funds that have

been appropriated to the City by the Legislature if the City fails to fulfil its payment obligations under the terms of the agreements.

In addition, the City's request for capital financing at a reduced interest rate from the Ontario Municipal Economic Infrastructure Financing Authority (OMEIFA) would be jeopardized by a delay in finalizing the provincial loan arrangements since funding will not be provided to municipalities who are in a default position with the Province. This would result in an estimated increase in debt charges of \$2.0 million annually for each \$100.0 million that would have to be borrowed from the public capital markets instead of OMEIFA.

The following table summarizes the current status of the funds owed by the City to the Province:

Purpose	Owed by Province to City
	(million)
POA – Transfer	48.10
Other - Subsidized Programs	70.65
TOTAL	\$118.75

It must be emphasized that under provincial legislation, the Province is able to intercept other funds owed to the City if loan repayments are not forthcoming. These could include funding for cost-shared programs (i.e. Ontario Works, Public Health, etc.)

Conclusion:

If Council does not approve the provincial offer to restructure the existing loans, the City would have to borrow \$183.75 million in the public capital markets for a ten-year term in order to repay the loans according to the original repayment schedule. For 2004, the City's debt charge budget would increase by \$3.47 million if the loan payments were financed in the public capital markets and additional debt charges if the City is not able to access lower cost OMEIFA funding. Over the term of the debenture, an additional \$34.7 million would be incurred by the City, not including any interest penalties that would be assessed due to principal payments that are currently overdue.

Contacts:

Len Brittain, Director, Corporate Finance
Tel: 416-392-5380, Fax: 416-397-4555, E-mail: lbrittai@toronto.ca

Martin Willschick, Manager, Treasury Services
Tel: 416-392-8072, Fax: 416-397-4555, E-mail: mwillsch@toronto.ca

List of Attachments:

Appendix A: Debenture, Asset Identification and Transfer Process Agreement

Appendix B: Repayment Schedule

(A copy of the Appendices referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 10 [Notice of Motion J(19)]

Report dated July 16, 2003, from the Commissioner of Corporate Services, entitled "Declaration as Surplus - Parcels of Vacant Land Located at the Rear of Nos. 7 and 11 Blakeley Road (Ward 23 - Willowdale)" (See Minute No. 10.130, Page 164):

Purpose:

To declare the subject properties surplus to municipal requirements.

Financial Implications and Impact Statement:

Revenue will be generated from the eventual sale.

Recommendations:

It is recommended that:

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

Background:

The former City of North York acquired all of Nos. 7 and 11 Blakeley Road for Service Road purposes through two prior development applications in the area. The densities were removed from Nos. 7 and 11 Blakeley at the time of those applications and were consolidated with two condominium projects on the east side of Lorraine Drive. These developments have now been built.

The Environmental Study Report ("ESR") for the Uptown Service Road identifies land required for Service Road (Beecroft Road extension) purposes. The rear most +0.2 metres of Nos. 7 and 11 Blakeley Road are not required for the Service Road. The applicant proposes to consolidate these rear lands with their development site.

North York Community Council at its meeting of July 9, 2003, recommended adoption of a report entitled “Final Report – Application to amend Zoning By-law 7625 and for Site Plan Approval – South side of Finch Avenue West between Blakeley Road and Lorraine Drive” from the Acting Director, Community Planning, North District, which report recommends, amongst other matters, the commencement of the necessary proceedings to consider the disposal of the City-owned lands at the rear of Nos. 7 and 11 Blakeley Road.

Comments:

In consideration of the size of the parcel, a formal circulation was not undertaken to the City’s Agencies, Boards, Commissions and Departments for comments. However, staff of Works and Emergency Services and Economic Development, Culture and Tourism, which would be the two probable groups that may have some interest in the two subject parcels, have indicated that there is no municipal interest in these lands, as they are non-viable and could not be reasonably used by any other departments. As no municipal interest was expressed in retaining the rear lands, this report recommends that the subject parcels be declared surplus to municipal requirements. The Property Management Committee has reviewed this matter and concurs with the recommendations of this report.

Details of the two properties to be declared surplus are as follows:

Subject Property:	Rear of No. 7 Blakeley Road	Rear of No. 11 Blakeley Road
Assessment Roll Number:	Part of 1908-07-2-470-00300	Part of 1908-07-2-470-0100
Legal Description:	Part of Lot 86, Registered 3705, also shown as 1 on PS-2003-081	Part of Lot 88, Registered Plan 3705, also shown as Part 2 on PS-2003-081
Approximate Site Dimensions:	Rectangular in shape	
East/West:	15.24 metres (50 feet)	15.24 metres (50 feet)
South:	0.213 metres (0.70 feet)	0.207 metres (0.679 feet)
Approximate Site Area:	3.3 m ² (35.52 sq.ft.)	3.2 m ² (34.45 sq. ft.)
Current Status:	Vacant	Vacant
Zoning:	R4	R4
Existing Official Plan:	Uptown Residential – One	Uptown Residential – Two
New Official Plan:	Mixed Use Areas	Mixed Use Areas

In order to proceed with the disposal of the properties, the City must comply with the procedures governing disposal of property. Section 268 of the Municipal Act, 2001, requires that, before selling any property, Council must declare the property to be surplus by by-law or resolution, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted from doing so.

Conclusions:

As there is no municipal interest in retaining the two parcels of vacant land located at the rear of Nos. 7 and 11 Blakeley Road, City Council should declare the subject properties surplus to the City's requirements, and authorize the Commissioner of Corporate Services to invite an offer to purchase from the abutting property developer.

Contact:

Name: Susan Kei
Position: Property Information Clerk
Telephone: (416) 392-4135
Fax: (416) 392-1880
E-Mail: skei@toronto.ca

List of Attachments:

Site Maps

(A copy of the Site Maps referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 11 [Notice of Motion J(22)]

Report dated July 22, 2003 from the Acting Chair, Toronto Police Services Board, entitled "Security Plan for the July 30, 2003 Rolling Stones Concert, Reference: Motion J(23) from the Council Meeting held on June 24, 25 and 26, 2003" (See Minute No. 10.133, Page 169):

Purpose:

The purpose of this report is to respond to the request for a report on the security arrangements for the Rolling Stones Concert to take place in Downsview Park, Toronto, on Wednesday, July 30, 2003.

Financial Implications and Impact Statement:

There are no financial implications in regard to the receipt of this report.

Recommendation:

It is recommended that Toronto City Council receive this report.

Background:

At its meeting held on July 17, 2003, the Board was in receipt of a report (dated July 15, 2003) containing a request for a report from Chief of Police Julian Fantino on the security plans developed by the Toronto Police Service with regard to the July 30, 2003 outdoor music concert by the Rolling Stones.

The report to be prepared by Chief Fantino is in response to Council's request for information on the status of security arrangements, including crowd management. Council further requested that this information be provided to its July 22, 23 and 24, 2003 meeting for consideration.

Conclusions:

A copy of Board Minute No. P189/03, in the form attached as Appendix "A" to this report, containing the July 15, 2003 report is provided for information.

A copy of the report prepared by Chief Fantino (dated July 21, 2003) in response to the July 15, 2003 request, in the form attached as Appendix "B" to this report, is also provided for information.

Given the limited time available to respond to Council's request for a report on the security arrangements at the concert, the Board members have not had an opportunity to review the Chief's report prior to the July 22, 23 and 24, 2003 Council meeting. This matter will be reviewed by the Board at its next regularly scheduled meeting.

Contact:

Chief of Police Julian Fantino
Toronto Police Service
Telephone no. 416-808-8000
Fax. No. 416-808-8002.

List of Attachments:

Appendix A - Board Minute No. P189/03
Appendix B - Chief's report dated July 21, 2003

APPENDIX "A"

THIS IS AN EXTRACT OF THE MINUTES OF THE MEETING OF THE TORONTO
POLICE SERVICES BOARD HELD ON JULY 17, 2003

#P189. REQUEST FOR REPORT: SECURITY PLAN FOR THE JULY 30, 2003 ROLLING
STONES CONCERT

The Board was in receipt of the following report JULY 15, 2003 from Gloria Lindsay Luby, Acting
Chair:

Subject: REQUEST FOR REPORT: SECURITY PLAN FOR
THE JULY 30, 2003 ROLLING STONES CONCERT

Recommendations:

It is recommended:

- (1) that the Board request that Chief Fantino report to City Council on the status of the security arrangements for the Rolling Stones Concert to take place in Downsview Park, Toronto, on July 30, 2003;
- (2) that the report noted in recommendation no 1 be provided to the Acting Chair by the end of the business day on July 21, 2003;
- (3) that the Board authorize the Acting Chair to review, on behalf of the Board, the report noted in recommendations no. 1 and 2 and prepare the appropriate report to Toronto City Council for consideration at its meeting on July 22, 2003; and

- (4) that a copy of the report forwarded to Toronto City Council be provided to the Board for information at its next regularly scheduled meeting.

Background:

The "Rolling Stones" are scheduled to perform an outdoor music concert at Downsview Park in north Toronto on July 30, 2003 and it is anticipated that as many as 500,000 people may attend the event. Given the impact an event this size will have upon, among others the police and transit services in the City of Toronto, Toronto City Council has requested information on the status of the security arrangements, including crowd management, developed by the Toronto Police Service.

I have attached a copy of Clause J(23) from the Council meeting held on June 24, 25 and 26, 2003 which contains the following request:

THAT the Chief of Police, Toronto Police Service, be requested to submit a report to the July 22, 2003 Council meeting on the status of the security arrangements for the Rolling Stones Concert at Downsview Park, including crowd management.

In order to respond to the request by Council, I am recommending that Chief Fantino be requested to report on the issues raised by Council as noted above and, consistent with the Board's responsibility to report to Council, I be authorized to forward Chief Fantino's report to Council on behalf of the Board for consideration at its July 22, 2003 meeting.

Given the restrictive time period to respond to this request and, further, given that the next regularly scheduled meeting of the Board will take place after the Rolling Stones Concert, the Board will not have an opportunity to formally receive the Chief's report prior to forwarding it to Council. However, a copy of the report forwarded to Council will be provided to the Board for information at its August 14, 2003 meeting.

Staff Superintendent Gary Grant, Area Field, was in attendance and updated the Board on the operational plan developed by the Toronto Police Service which includes a planning committee that was established and includes representatives of the following agencies:

- ? Toronto Police Service;
- ? Toronto Fire Services;
- ? Toronto Emergency Medical Services;
- ? Toronto Transit Commission;
- ? City of Toronto;
- ? Peel, York, and Durham Police Services and the OPP; and
- ? Department of National Defence.

Staff Supt. Grant advised that the Service and the planning committee are working to ensure the

safety and security of the public members attending the concert and the safety of approximately 1200 police officers who will be patrolling Downsview Park and the subway stations and assigned to strategic traffic points. Although 800 of those officers will be paid duties, the total costs that will be incurred by the Service to police the concert are currently estimated to be \$500,000.

Chief Fantino also provided the Board with details about the security plan for the concert and indicated that the event organizers were responsible for determining the items that persons attending the concert would be prohibited from bringing into Downsview Park.

A list identifying the prohibited items had been posted publicly on the event organizers' website for the past month. Although Chief Fantino was not involved in determining which items would be prohibited, he did add two to the list: drugs and alcohol. He further advised the Board that, after publicly disclosing the list, as a courtesy to the members of the public attending the concert, earlier this week, he believes that he has been unfairly portrayed in subsequent news reports which did not clarify that the original items on the prohibited list were determined by the event organizers and not him. He reiterated that, while the Service is working to ensure that there is peace and enjoyment at the concert, personal safety would not be compromised.

The Board approved the following Motions:

1. THAT the Board approve the foregoing report;
2. THAT the Board write to the federal government representative for this event, Mr. Dennis Mills MP, recommending that the net additional costs incurred by the Toronto Police Services Board be absorbed by the federal government or the event organizers,
3. THAT Chief Fantino be requested to provide a report to the Board following the July 30, 2003 concert containing the actual costs incurred by the Service; and
4. THAT the report noted in Motion No. 3 containing actual costs be forwarded to the federal government or the event organizers for reimbursement of the costs, if necessary.

(A copy of the Attachment: Clause J(23) from City Council Meeting held on June 24, 25 and 26, 2003 referred to in the foregoing Appendix A is on file in the Office of the City Clerk.)

APPENDIX "B"

July 21, 2003

To: Acting Chair and Board Members
Toronto Police Services Board

From: Julian Fantino
Chief of Police

Subject: UPDATE ON STATUS OF SECURITY ARRANGEMENTS FOR ROLLING
STONES CONCERT FOR TORONTO CITY COUNCIL

Recommendation:

It is recommended that:

- (1) The Board receive this report for information purposes and
- (2) The Board forward this report to Toronto City Council for information

Background:

The Board at its meeting on July 17, 2003 received an update on the status of the security arrangements for the Rolling Stones concert. The concert is scheduled to take place at Downsview Park on July 30, 2003 and is expected to attract in excess of 500,000 people.

The Board made a series of recommendations (BM #P189 refers), two of which are:

- (1) that the Board request that Chief Fantino report to City Council on the status of the security arrangements for the Rolling Stones Concert to take place in Downsview Park, Toronto, on July 30, 2003;
- (2) that the report noted in recommendation no 1 be provided to the Acting Chair by the end of the business day on July 21, 2003;

Staff Superintendent Gary Grant and Staff Superintendent Kim Derry have been assigned duties as the Operational Commanders for the concert. An operational plan has been developed by the Toronto Police Service which includes a planning committee that was established and includes representatives of the following agencies:

Toronto Police Service;
Toronto Fire Services;
Toronto Emergency Medical Services;
Toronto Transit Commission;
City of Toronto;
Peel, York, and Durham Police Services and the OPP;
Department of National Defence, and
The concert's promoters.

The Service and the planning committee are working to ensure the safety and security of the public attending the concert and the safety of approximately 1200 police officers who will be patrolling Downsview Park and the subway stations. Officers will also be assigned to strategic traffic points around the site. To accomplish this extraordinary demand on the Service's resources, it is necessary to put the entire Service on 12 hour shifts for the duration of the event. In addition, the concert promoters have hired almost 1200 private security personnel to handle the entry points and several security locations inside the site.

The concert promoter established a list identifying items that they were prohibiting from the site. This list has been posted publicly on the event organizers' website for the past month. The Service was not involved in determining which items would be prohibited, but was involved in making the list more public through the media. A few Councillors were very vocal about the items on the list and directed undeserved and uninformed criticism at the Toronto Police Service. It is important to note that, while the Service is working to ensure that there is peace and enjoyment at the concert, personal and officer safety will not be compromised.

Our planning priority was, and continues to be public and Officer safety. The promoter and the artists are very concerned with security arrangements, as we are, and have imposed conditions of entry which will be strictly enforced by the security staff retained by the promoter. Police will assist as requested. Ticket sales have been capped at 500,000.

Police will increase patrols in the area during the days leading up to the event. Police and security officers will ensure any early arrivals do not cause a safety concern to themselves or anyone else.

On the night before the concert, patrols in the area will again be increased, and the police will work in conjunction with site security and organizers.

Gates to the site open at 8:00 a.m. on July 30. Every concert goer will be subjected to a thorough search by event security as a condition of entry. They will file through chutes and place all their belongings on tables.

There are three entrances:

? Chesswood Rd. east of Sheppard Ave. W.,

- ? Wilson Avenue, west of the Allen Road, and
- ? Sheppard Ave. W., east of the Allen Road

The Command Post for the event will be located in Building 2, behind the stage area. There will be 5 Mobile stations situated strategically in an arc around perimeter of the crowd. These stations will be set up in conjunction with EMS and food, water, and sunscreen will be available for event staff.

Liquor sales will be conducted by the event promoter at six areas throughout the site. The service of liquor will start at 2:00 pm and will end at 8:00 pm. Each of the six areas will also be randomly closed for one hour during the event. The total number of people allowed in these areas is limited to 80,000. Plainclothes officers will be enforcing the Liquor Licence Act in respect of the licence issued to the promoters.

The event is scheduled to end at 11:00 pm. Maximum staffing will be available on and off site at this time. The TTC will operate a shuttle between Wilson Heights. and Yonge Subway to diffuse the crowd to two subway lines.

There will be a strong police presence at the Downsview Station and at the Wilson Station. Entry to the system will be staged to avoid over crowding. Many buses will be available to transport concert goers from the site to Yorkdale where other modes of transportation can be accessed such as taxis, personal vehicle pick ups, Subway, and GO Transit.

There will be several roads closed before, during, and after the event. The Allen Road will be closed for pedestrian traffic to walk to and from Yorkdale to access transportation. Several other roads will be closed at various times to accommodate the expected huge pedestrian volume. The closures will be detailed on our website and the public will be informed through a series of joint media conferences planned to start on July 28.

With this event having so many components, development and planning of the entire event remains very fluid. The planning group is diligently dealing with emerging issues and finalizing the operational plans.

We are confident that we will achieve our goal of attaining the safety of all concert goers, event staff and emergency service personnel. On my behalf, Staff Superintendent Gary Grant will be in attendance at the Council meeting to answer any questions Councillors may have.

Respectfully submitted,

Julian Fantino
Chief of Police

ATTACHMENT NO. 12 [Notice of Motion J(23)]

Report dated July 21, 2003, from the Commissioner of Corporate Services, entitled “Declaration as Surplus - Parcels of Vacant Land Located at the Rear of No. 963 Roselawn Avenue (Ward 15 - Eglinton-Lawrence)” (See Minute No. 10.134, Page 171):

Purpose:

To declare the subject property surplus to municipal requirements.

Financial Implications and Impact Statement:

Additional land is to be acquired in exchange for the sale of the property.

Recommendations:

It is recommended that:

- (1) the parcel of vacant land located at the rear of No. 963 Roselawn Avenue, being part of Lot 2, Concession 2 West of Yonge Street, designated as Part 22 on Reference Plan 66R-19954, be declared surplus to the City’s requirements and that the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

This property consists of a vacant, triangular-shaped parcel of land, designated as Part 22 on Plan 66R-19954 located at the rear of 963 Roselawn Avenue (the “Property”). It forms part of the former CNR Belt Line right-of-way acquired by the City in April, 2000 for park purposes. The property was not acquired by way of expropriation.

The owner of the adjoining premises known as Nos. 963 and 1001 Roselawn Avenue (the “Owner”) has made a Site Plan Application to develop that property. In order to regularize its property boundary for development purposes, the Owner has expressed interest in acquiring the Property from the City. In exchange, the Owner has proposed to convey to the City an eight (8) foot wide strip of land, designated as Part 4 on Reference Plan 66R-18833 (the “Lands”) in

exchange for the Property. The Lands adjoin the easterly limit of the City owned Walter Saunders Memorial Park.

The Humber York Community Council at its meeting on July 8, 2003, recommended adoption of a report entitled "Final Report - Application to lift Holding (H) Zoning from the former City of York Zoning By-Law No. 1-83, as amended By-Law No. 850-2000; 1001 Roselawn Inc. and Ruland Properties Inc. " from the Director, Community Planning, West District. The Report recommends lifting the Holding Zoning to permit development of townhouse units on the easterly 70 metres of that site. Subject to Council approval of the planning report, the Owner anticipates that a building permit for the proposed development will be issued in late August, 2003. The Owner has therefore requested that proceedings be initiated to consider the disposal of the Property by the City in order to consolidate the development parcel.

Comments:

Given the size and nature of the Property, a formal circulation of all of the City's Agencies, Boards, Commissions and Departments for comments was not undertaken. Economic Development, Culture and Tourism, however, the only group to have a probable interest in the Property, has indicated that there is no municipal interest in these lands and that they could not be reasonably used by any other department. Further, EDCT staff advised that the conveyance of Lands to the City for park purposes would complement the adjoining Walter Saunders Memorial Park. As no municipal interest was expressed in retaining the Property, this report recommends that the subject parcel be declared surplus to municipal requirements.

The Property currently forms part of the Beltline Trail. Under the new Official Plan, if enacted in its present form, the Property will therefore be designated as "Parks and Open Space Areas". That designation will then prohibit the sale of those City-owned lands in the absence of Official Plan Amendment. Because the new Official Plan has been appealed in its entirety and is therefore not in effect, however, Council may still authorize the sale of the Property. It is intended though that any proposed Offer(s) to Purchase will be made conditional upon the new Official Plan not prohibiting the disposal of the Property at the time of closing.

Acquisition of the Property would regularize the lot line and development parcel of the Owner and the integrity of the Beltline Trail would not be compromised. The Lands to be acquired in exchange would support an existing City Park. It is therefore recommended that City Council proceed with declaring the Property surplus to municipal requirements.

Details of the Property to be declared surplus are as follows:

Subject Property: Rear of No. 963 Roselawn Avenue

Assessment Roll Number: Part of 1914-03-2-380-00100

Legal Description:	Part of Lot 2, Concession 2, West of Yonge Street, designated as Part 22 on Reference Plan 66R-19954
Approximate Site Dimensions:	Triangular in shape
Northerly Limit:	26.45 metres (86.77 feet)
Westerly Limit:	2.44 metres (8.00 feet)
Approximate Site Area:	37.17 m ² (400.00 ft ²)
Current Status:	Vacant
Zoning:	T – Transit and Utilities District
Existing Official Plan:	Open Space
New Official Plan:	Open Space

In order to proceed with the disposal of the Property, the City must comply with the procedures governing disposal of property. Section 268 of the Municipal Act, 2001, requires that, before selling any property, Council must declare the property to be surplus by by-law or resolution, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted from doing so.

Conclusions:

As there is no municipal interest in retaining the Property, City Council should declare the Property surplus to the City's requirements, and authorize the Commissioner of Corporate Services to invite an offer to purchase from the Owner, the developer of the abutting property.

Contact:

Name: Leila Valenzuela
Position: Sr. Real Estate Technologist
Telephone: (416) 392-7174
Fax: (416) 392-1880
E-Mail: lvalenzu@toronto.ca

(A copy of the Site Maps referred to in the foregoing report is on file in the Office of the City Clerk.)

ATTACHMENT NO. 13 [Notice of Motion J(24)]

Joint Report dated July 21, 2003, from the Commissioner of Works and Emergency Services and the City Solicitor, entitled, "Assignment of the Agreements for the Provision of Litter Bins with Advertising within the City of Toronto." (See Minute No. 10.135, Page 173):

Purpose:

The purpose of this report is to (a) obtain Council's consent to the request of Olifas Marketing Group Inc. for the assignment from it to Torstar Corporation or one of its wholly-owned subsidiaries of its obligations and benefits under the agreements for the provision of litter bins with advertising within the City of Toronto and (b) obtain authorization to enter into an assignment, assumption and release agreement as set out in this report.

Financial Implications and Impact Statement:

There are no financial implications associated with the adoption of this report.

Recommendations:

It is recommended that:

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

- (i) assign the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto from Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries;
 - (ii) require the assignee to assume all of the obligations, including any outstanding or continuing obligations, of Olifas Marketing Group Inc. under the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto and requiring the assignee to provide replacement security in accordance with the requirements of those agreements;
 - (iii) require Torstar Corporation to guarantee the obligations of the assignee, if the assignee is a wholly-owned subsidiary of Torstar Corporation; and
 - (iv) contain such other conditions as are deemed advisable by the Commissioner of Works and Emergency Services and the City Solicitor; and
- (b) an associated mutual release in a form satisfactory to the City Solicitor releasing respectively, Toronto, Olifas Marketing Group Inc. and its surety, if the surety so requests, from their obligations to one another under the agreements, as amended, for the provision of litter bins with advertising within the City of Toronto and the currently held letters of credit; and
- (3) the preceding Recommendation No. (2) only take effect upon the successful completion of the sale of assets of Olifas Marketing Group Inc. to Torstar Corporation or one of its wholly-owned subsidiaries.

Background:

The City has entered into several agreements with Olifas Marketing Group Inc. (“OMG”) for the provision of litter bins with advertising in various locations within the City of Toronto (the “Service Agreements”). In addition, the City and OMG have entered into agreements to amend the Service Agreements, primarily to take into account modifications to the litter bins requested by the City. OMG has recently advised the City that it intends to enter into an agreement with Torstar Corporation or one of Torstar’s wholly-owned subsidiaries (collectively called “Torstar”) pursuant to which OMG will sell substantially all of its assets including all of its rights and obligations under the Service Agreements. The Service Agreements all provide that OMG shall not assign its obligations, duties, responsibilities, rights and privileges under the Service Agreements without the consent of the City, which consent shall not be unreasonably withheld. OMG has requested that the Commissioner seek the required consent from City Council.

Comments:

Solid Waste Management Services is satisfied that Torstar has the capability to fulfill the obligations of the litter bins with advertising agreement. Torstar has expertise in selling advertising as well as the necessary operational experience.

In order to ensure the uninterrupted delivery of the litter bins with advertising program in the event a sale of the assets of OMG to Torstar is successfully concluded, the City Solicitor recommends that all parties enter into an assignment, assumption and release agreement which would take effect on the same day as the sale of assets is completed. Under the proposed assignment, assumption and release agreement, OMG would assign its rights and obligations under the Service Agreements to Torstar and Torstar would agree to assume all of the obligations under the Service Agreements, including the obligations to make payments to the City and to provide letters of credit in favour of the City. The assignment, assumption and release agreement would also contain a mutual release of OMG and the City with respect to the time period prior to the asset sale.

Under the Service Agreements, OMG has provided various letters of credit to the City. Upon assignment of the Service Agreements to Torstar the letters of credit would no longer be of any effect. Accordingly, if requested, it would be appropriate for the City to enter into a separate mutual release document with OMG and its sureties whereby each releases the other from any past or future claims in relation to the letters of credit.

Counsel for Torstar has advised that one of Torstar's wholly-owned subsidiaries, rather than Torstar itself, may be the purchaser of the assets of OMG. In that event, counsel for Torstar has advised that Torstar would be prepared to guarantee the obligations of its subsidiary.

The Commissioner of Works and Emergency Services submitted a report dated May 22, 2003 to the Works Committee regarding the negotiation of various amendments to the Service Agreements. Because of the impending sale of the assets of OMG to Torstar, no negotiations are currently taking place. The Commissioner will report further on this matter at a future date.

Conclusions:

OMG has advised the City that it intends to sell its assets to Torstar or a wholly-owned subsidiary of Torstar. One of the assets included in the sale would be the agreement between OMG and the City for the provision of litter bins with advertising in various locations throughout the City of Toronto. The Commissioner of Works and Emergency Services recommends that Council give its consent to the assignment of the agreement between OMG and the City for the provision of litter bins with advertising to Torstar or one of its wholly-owned subsidiaries in accordance with the terms and conditions set out in this report.

Contact:

Angelos Bacopoulos
General Manager
Solid Waste Management Services
Tel: (416) 392-8831

Shirley Mathi
Solicitor
Legal Services Division
Tel: (416) 392-2989

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ATTACHMENT NO. 14 [Notice of Motion J(37)]

Report dated July 22, 2003, from the Commissioner of Corporate Services, entitled "Declaration as Surplus - Part of No. 1 Colonel Samuel Smith Park Drive - Lakeshore Psychiatric Grounds (Ward 6 - Etobicoke-Lakeshore)" (See Minute No. 10.148, Page 196):

Purpose:

To declare the property surplus to municipal requirements.

Financial Implications and Impact Statement:

Costs associated with constructing the new Assembly Hall parking facility and repaving Humber College's existing parking facility will be at the City's sole expense. Funds are available in the approved Culture Division Capital Budget. All of the above will be reported in detail at the time the terms and conditions of the proposed long-term lease and the other agreements, as necessary, are submitted for approval.

Recommendations:

It is recommended that:

- (1) the parcel of vacant land located on part of No. 1 Colonel Samuel Smith Park Drive, being a portion of Lot 1, Plan 66M-2319, shown as Part 1 on PS-2002-046, be declared surplus to the City's requirements with the intended method of disposal to be by way of a new long-term lease to Humber College;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

The City (former Municipality of Metropolitan Toronto) acquired Lots 1 and 2, Plan 66M-2319 as part of a Master Agreement between the Province of Ontario, former Metropolitan Toronto, City of Etobicoke, Metropolitan Separate School Board and Humber College ("Humber") in the late 1980's. The property was not acquired through expropriation proceedings. The lands described as Lot 1, Plan 66M-2319 are improved with the Assembly Hall (the "Assembly Hall lands") which is an auditorium/banquet hall. Currently, the Assembly Hall has no parking spaces associated with it. The lands described as Lot 2, Plan 66M-2319 are subject to a 99-year lease which commenced

on February 26, 1998 between the City and Humber (the “Leased Lands”).

Comments:

The Assembly Hall has a significant shortage of parking facilities and this lack of parking is detrimentally affecting the operation of the facility, its capacity to generate revenue and deliver community programs. It is intended that new parking facilities be constructed by the City on a portion of the Assembly Hall lands shown as Parts 1 and 2 on Sketch PS-2002-046. Parts 1 and 2 on Sketch PS-2002-046 are located west and east respectively of the most northerly portion of the Leased Lands. Once the parking facilities are built, it is proposed that Humber exchange its current parking lot (sandwiched between Parts 1 and 2) for the new facility to be built on the lands identified as Part 1 on Sketch PS-2002-046 (the “Part 1 Lands”) via a new lease agreement incorporating the Part 1 lands and replacing the 1998 lease. This will necessitate declaring surplus to municipal requirements the Part 1 Lands.

It is proposed that at the time Humber takes occupancy of the Part 1 Lands, the City will commence use of both Humber’s old parking spaces and the new facilities built on the lands identified as Part 2 on Sketch PS-2002-046 as a continuous strip forming the new Assembly Hall parking lot. The amended lease agreement would provide that Humber provide a right-of-way in favour of the City over its existing driveway which abuts Parts 1 and 2 on Sketch PS-2002-046 to the south for access to all adjoining parking facilities. It is further proposed that the reconfigured parking lot, once completed, will be operated by the Toronto Parking Authority.

In consideration of the desire to promptly resolve the parking shortage at the Assembly Hall site, a formal circulation was not undertaken to obtain the City’s Agencies, Boards, Commissions and Departments comments.

The subject property forms part of the Colonel Samuel Smith Park. If the new Official Plan comes into effect in its current form, the disposal policies related to City-owned lands in Parks and Open Space Areas would prohibit the sale of this property and would provide no discretion to Council to authorize a sale without an Official Plan Amendment. However, as the Official Plan has been appealed, and is therefore not in effect, Council may authorize the sale of this property at this particular time without an amendment to the Official Plan. Accordingly, this report recommends that the subject parcel be declared surplus to municipal requirements.

Details of the subject property to be declared surplus are as follows:

Subject Property: Part of No. 1 Colonel Samuel Smith Park Drive

Assessment Roll Number: Part of 1919-05-2-350-00170

Legal Description: Part of Lot 1 on Plan 66M-2319, also shown as Part 1 on

PS-2002-046

Approximate Site Dimensions:

Frontage: 18 metres (59.06 feet)
Depth: 58 metres (190.29 feet)

Approximate Site Area: 1,061 m² (11,420.88 sq.ft.)

Current Status: Vacant

Zoning: I - Institutional

Existing Official Plan: Open Space

New Official Plan: Parks and Open Space

In order to proceed with the disposal of the property, the City must comply with the procedures governing disposal of property. Section 268 of the Municipal Act, 2001, requires that, before selling any property, Council must declare the property to be surplus by by-law or resolution, give notice to the public of the proposed sale and obtain at least one appraisal of the market value of the property, unless exempted from doing so.

Conclusions:

As there is no municipal interest in retaining part of No. 1 Colonel Samuel Smith Park Drive, being part of Lot 1 on Plan 66M-2319, shown as Part 1 on PS-2002-046, City Council should declare the subject property surplus to the City's requirements, and authorize the Commissioner of Corporate Services to negotiate a long-term lease agreement with Humber to use the subject property in exchange for Humber terminating from its existing lease an equivalent parcel of land and Humber agreeing to allow the City to use its existing driveway on lands which form part of Humber's existing long-term lease.

Contact:

Name: Susan Kei
Position: Property Information Clerk
Telephone: (416) 392-4135
Fax: (416) 392-1880
E-Mail: skei@toronto.ca

(A copy of the Site Maps referred to in the foregoing report is on file in the Office of the City Clerk.)

FINANCIAL IMPACT STATEMENT SUMMARY

Notices of Motion

Council Meeting – July 22, 2003

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
F(1)	City Employee Strike – Summer of 2002	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider.
F(2)	Request to Provincial Government to Abandon Electricity Deregulation and Privatization.	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider.
F(3)	Request of TDSB Supervisor to Withdraw Plans to Charge Parking User Fees to Toronto Residents for Overnight Parking in TDSB Neighbourhood School Parking Lots.	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider.
F(4)	Funding to Assist with OMB Appeal – 151-165 St. Clair Avenue West.	\$5,000	\$ 0	See previously distributed Summary Sheet. Consider.
F(5)	FOI Request – Removal of Trees at Bales Avenue & Glendora Avenue (Ward 23).	\$ 0	\$ 0	Consider.
F(6)	Proposed Amendment to the Taxpayer Protection Act	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider.
I(1)	Remuneration of the Incoming Council	\$2,500 +		See previously distributed Summary Sheet. Consider.
I(2)	Revision to the City's Coat of Arms	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider.
I(3)	Request of the Minister of Labour to Ensure that Unionized Local Labour is used for Toronto Community Events	\$ 0	\$ 0	See previously distributed Summary Sheet. Consider

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
I(4)	City of Toronto Support of the GO Transit Capital Growth/Enhancement Program	\$ 0	\$ 0	See CFO report. Consider
J(1)	West Rouge Family Day – Designation as Community Festival	\$ 0	\$ 0	Consider.
J(2)	Status Report on Local 416 Collective Agreement 2002 Bargaining – Letters of Intent	\$ see FIS	\$ 0	<i>Confidential.</i> See FIS. Consider.
J(3)	Dundas Street East Bike Lanes – Dundas Street East, from Broadview Avenue to Kingston Road	\$ 0	\$ 132,000	See FIS. Consider.
J(4)	Road Resurfacing in District 4 – Kennedy Road from Lawrence Avenue to Eglinton Avenue and Lawrence Avenue from Warden Avenue to Kennedy Road (Ward 37)	\$ 0	\$ 3,483,000	See FIS. Consider.
J(5)	Mandatory Retirement Policy	\$ 0	\$ 0	Consider.
J(6)	Defence of Committee of Adjustment Decision – 47 Queensbury Avenue	\$ 0	\$ 0	Consider.
J(7)	Reconsideration of Cl. #1 of Report #6 of the Admin Cttee – Potential Litigation – The Honourable Coulter A. Osbourne	\$ 0	\$ 0	Consider.
J(8)	Defence of Committee of Adjustment Decision – 14 John	\$ 0	\$ 0	Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
	Street			
J(9)	Defence of Committee of Adjustment Decision – 29 Church Street	\$ 0	\$ 0	Consider.
J(10)	Federal Funding Assistance for SARS Related Expenses	\$ 0	\$ 0	Consider.
J(11)	Remediation of 11R Hounslow Heath Road and Abutting Properties			Confidential See FIS. Consider.
J(12)	Deferral of Property Tax Payments – All Wards	\$ 0	\$ 0	See FIS. Consider.
J(13)	:Proposed Smog “Free” Toronto Transit Commission Day	\$ 0	\$ 0	Consider.
J(14)	Closure of Allen Road for Outdoor Concert – Downsview Park – July 30, 2003	\$ 0	\$ 164,279	See FIS. Consider.
J(15)	Prohibited Parking on Affected Streets for Outdoor Concert – Downsview Park – July 30, 2003	\$ 0	\$ 164,279	See FIS. Consider.
J(16)	Update on the Restructuring of \$183.75 Million Provincial Loans	See FIS		See FIS. Consider.
J(17)	Outdoor Amphitheatre at Earls court Avenue			Motion being rewritten.
J(18)	Clothing Drop Boxes	\$ 0	\$ 0	Consider.
J(19)	Declaration as Surplus Parcels of Vacant Land Located at the Rear	Unknown	\$ 0	See FIS. Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
	of Nos. 7 & 11 Blakeley Road (Ward 23)			
J(20)	Amendments to Official Plans and Etobicoke Zoning Code – 35 Fieldway Road	\$ 0	\$ 25,000	See FIS. Consider.
J(21)	Report from City Solicitor on 1465 Lawrence Avenue West			Confidential See FIS. Consider.
J(22)	Toronto Police Service Security Plan for the Rolling Stones Concert to be held in Downsview Park	\$ 500,000	\$ 0	See FIS. Consider.
J(23)	Declaration as Surplus Parcel of Vacant Land Located at the Rear of No. 963 Roselawn Avenue (Ward 15)	\$ 0	\$ 0	Consider.
J(24)	Assignment of Agreements for the Provision of Litter Bins with Advertising within the City of Toronto	\$ 0	\$ 0	Consider.
J(25)	Land Exchange Involving Parking Lots at the Scarborough Civic Centre Between the Goldman Group and the City of Toronto	\$ 0	\$ 0	See FIS. Consider.
J(26)	First Parliament Site – 265-271 Front Street East			Confidential See FIS. Consider.
J(27)	Proposed Speed Bumps – Gracefield Avenue between Arkwright Street and Culford Road	\$ 1,200	\$ 0	See FIS. Consider.

Motion #	Title	Operating \$ (net)	Capital \$ (net)	Comments
J(28)	Proposed Amendment Regarding the Discharge of Guns and Other Firearms	\$ 0	\$ 0	Consider.
J(29)	Approval to Erect Election Signs on Mayoral and City Councillor Candidates Campaign Offices prior to September 11, 2003	\$ 0	\$ 0	Consider.
J(30)	Republic Contract – Adoption of Letter Agreement			<i>Confidential</i> See FIS. Consider.
J(31)	Declaration of September 22, 2003 as ‘Toronto Car Free Day’	\$ 0	\$ 0	Consider.
J(32)	Maintenance of Vacant Buildings in the City of Toronto	\$ 0	\$ 0	Consider.
J(33)	Report on Heritage Designation of the Fairmount Royal York Hotel – 100 Front Street West	\$ 0	\$ 0	Consider
J(34)	Appointment of Citizen Members to the Lakeshore Village BIA Area Board of Management	\$ 0	\$ 0	Consider.
J(35)	OMB Review and Reforms	\$ 0	\$ 0	Consider.
J(36)	Insurance Coverage – Molson Concert at Downsview Park			<i>Confidential.</i> Consider.
J(37)	Declaration of Surplus, Part of No. 1 Colonel Samuel Smith Park Drive – Lakeshore Psychiatric Grounds (Ward 6)	\$ 0	\$ 187,000	See FIS. Consider.

FINANCIAL IMPACT STATEMENT NO. 1 [NOTICE OF MOTION J(3)]
(See Minute No. 10.114, Page 133)

Financial Implications:

- Operating**
- Current year impacts: \$ _____ (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: \$ 132,000 (net) Future year impacts: \$ _____ (net)
- Following year
 Future years
- Funding sources (specify):
- | | |
|--|--|
| <input checked="" 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):

This referral of this Clause to the Works Committee for consideration should not have any further financial impact provided the work is subsequently approved to proceed in 2003.

Notices of Motion – J (3)

- Consider Refer to Standing Committee
- Submitted by: _____
 Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 2 [NOTICE OF MOTION J(4)]

(See Minute No. 10.115, Page 138)

Financial Implications:

<input type="checkbox"/> Operating
<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 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 type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input checked="" type="checkbox"/> Current year impacts: \$ <u>3,483,000</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 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: \$ <u>0</u> (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):

Resurfacing of roads in District 4. Tender Call 176-2003, Contract No. 03D4-23RD.

Notices of Motion – J (4)

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 3 [NOTICE OF MOTION J(12)]
(See Minute No. 10.123, Page 150)

Financial Implications:

Operating

X Current year impacts: \$ 0* (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):

Notices of Motion –J(12) – The report from the CFO recommends receipt of the report, having no financial impacts for 2003. Should Council consider other options, the impacts would be as outlined in Table 1 attached to the CFO report.

X Consider Refer to Standing Committee

Submitted by: _____
 Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 4 [NOTICE OF MOTION J(14)]
(See Minute No. 10.125, Page 153)

Financial Implications:

<input type="checkbox"/> Operating
<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 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 type="checkbox"/> Other
<input type="checkbox"/> Budget adjustments: \$ _____ (net)
<input type="checkbox"/> Impact on staffing levels: _____ (positions)

<input checked="" type="checkbox"/> Capital
<input checked="" type="checkbox"/> Current year impacts: \$ <u>164,279</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 capital budget
<input checked="" 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: \$ <u>0</u> (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):

Notices of Motion – J (14) The costs identified here are total expenditures for J (14) and J (15). It is expected that these costs will be charged directly to Molson's as part of its responsibility for the July 30 Downsview event.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 5 [NOTICE OF MOTION J(15)]
(See Minute No. 10.126, Page 154)

Financial Implications:

Operating

Current year impacts: \$ _____ (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: \$ 164,279 (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 checked="" type="checkbox"/> New revenues	<input type="checkbox"/> Debt
<input type="checkbox"/> Reserve/Reserve Fund contributions	<input type="checkbox"/> Other

Budget adjustments: \$ 0 _____ (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):

Notices of Motion – J (15) The costs identified here are total expenditures for J (14) and J (15). It is expected that these costs will be charged directly to Molson’s as part of its responsibility for the July 30 Downsview event.

Consider Refer to Standing Committee

Submitted by: _____
 Chief Financial Officer and Treasurer

Submitted by: _____

Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 7 [NOTICE OF MOTION J(19)]
(See Minute No. 10.130, Page 164)

Financial Implications:

Operating	
<input checked="" type="checkbox"/> Current year impacts: \$ <u>unknown</u> (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 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):

Notices of Motion –J(19) – As per the attached report, revenues will be generated from the future sale of the surplus property.

X Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 9 [NOTICE OF MOTION J(22)]
(See Minute No. 10.133, Page 169)**

Financial Implications:

Operating

Current year impacts: \$500,000 (net) Future year impacts: _____ (net)

Following year
 Future years

Funding sources (specify): TBD

<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):
The Toronto Police Board recommended that the \$500,000 additional costs incurred by the Toronto Police Services Board be absorbed by the federal government or the event organizers.

Notices of Motion – J (22)

Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 10 [NOTICE OF MOTION J(25)]
(See Minute No. 10.136, Page 177)

Financial Implications:

Operating

Current year impacts: \$ 0 (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: \$ 0 (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:

- X Service Level Impact:(Specify)
- Consistent with Council Strategic directions and fiscal priorities (specify):

Notices of Motion –(J 25) – Potential parkland could re-locate or change in size.

X Consider Refer to Standing Committee

Submitted by: _____
Chief Financial Officer and Treasurer

FINANCIAL IMPACT STATEMENT NO. 11 [NOTICE OF MOTION J(27)]

(See Minute No. 10.138, Page 181)

Financial Implications:

<input checked="" type="checkbox"/> Operating	
<input checked="" type="checkbox"/> Current year impacts: \$1,200 (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	<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: \$0 (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: \$0 (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):

Notices of Motion – J (27) Costs will be accommodated within the 2003 Budget for this item.

Consider Refer to Standing Committee
Submitted by: _____
Chief Financial Officer and Treasurer

**FINANCIAL IMPACT STATEMENT NO. 12 [NOTICE OF MOTION J(37)]
(See Minute No. 10.148, Page 196)**

Financial Implications:

Operating	
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 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)	

X Capital	
X Current year impacts: \$ <u>187,000</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 capital budget	<input type="checkbox"/> Third party funding
<input type="checkbox"/> New revenues	X 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):

Notices of Motion –(J 37) – land swap to allow creation of parking lot as originally funded in 2002 Culture Capital Budget.

- X Consider
- Refer to Standing Committee

Submitted by:

Chief Financial Officer and Treasurer