

## **CERTIFICATE OF AMENDMENTS**

Certified to be a true copy of action taken by City Council with respect to a Resolution by Mayor Miller requesting the Federal Government and its agency, the Toronto Port Authority, to agree to amend the Tripartite Agreement so as to remove the provision for a fixed link to the Toronto City Centre Airport, and Motions of Condolence, as adopted by the Council of the City of Toronto at its special meeting held on December 3, 2003.

### **CONSTRUCTION OF A FIXED LINK TO THE TORONTO CITY CENTRE AIRPORT**

City Council on December 3, 2003, adopted the following recommendations:

“It is recommended that:

- (a) the Resolution by Mayor Miller be adopted, subject to:
  - (1) adding to Part (2), the words ‘to reflect the wishes of the citizens of the City of Toronto, and the Federal Government be requested to respond as soon as possible but no later than three months’; and
  - (2) adding the following new Part (3):
    - ‘(3) the Chief Administrative Officer be requested to submit a report to City Council on a request that the Federal Government indemnify the City of Toronto against any legal costs or liabilities, pursued by third parties, that may arise from the amending of the Tripartite Agreement and, further, that this report be before City Council at the same time as the Federal Government response.’,

so that the Resolution by Mayor Miller, as amended by City Council, shall now read as follows:

‘**WHEREAS** the future of Toronto’s waterfront and the building of a bridge to the Toronto City Centre Airport was an important election issue in the 2003 municipal elections; and

**WHEREAS** the Mayor and many Members of Council were elected on a mandate to stop the construction of the bridge; and

**WHEREAS**, in order for Council to do so, it needs to seek to amend the Tripartite Agreement so that the original prohibition against a bridge is reinstated;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the Council of the City of Toronto state that it does not support the construction of a bridge (fixed link) to the Toronto City Centre Airport;
  - (2) the Council of the City of Toronto request that the Federal Government and its agency, the Toronto Port Authority, agree to amend the Tripartite Agreement so as to remove the provision for a fixed link to the Toronto City Centre Airport to reflect the wishes of the citizens of the City of Toronto, and the Federal Government be requested to respond as soon as possible but no later than three months; and
  - (3) the Chief Administrative Officer be requested to submit a report to City Council on a request that the Federal Government indemnify the City of Toronto against any legal costs or liabilities, pursued by third parties, that may arise from the amending of the Tripartite Agreement and, further, that this report be before City Council at the same time as the Federal Government response.’; and
- (b) the following motions be referred to the Chief Administrative Officer for report thereon to City Council at the same time as City Council considers the Federal Government’s response with respect to the fixed link to the Toronto City Centre Airport:

Moved by Councillor Feldman:

‘That the Resolution by Mayor Miller be amended to provide that the City of Toronto’s request to amend the Tripartite Agreement be conditional on the Federal Government providing indemnification to the City against any legal action that may result from the City amending the Tripartite Agreement or any other action by the City to encourage the Federal Government or the Toronto Port Authority to stop the fixed link to the Toronto City Centre Airport.’

Moved by Councillor Hall:

‘It is further recommended that City Council request the Federal Government to legislate the prohibition present in the Tripartite Amendment Agreement relating to the NEF 25 noise exposure parameters, the ban on jets and any runway extensions.’

Moved by Councillor Milczyn:

‘It is further recommended that, should the agreement of the Federal Government and the Toronto Port Authority not be secured to amend the Tripartite Agreement to remove approval for a fixed link, then the City of Toronto will take no further action to oppose the fixed link.’

Moved by Councillor Minnan-Wong:

‘It is further recommended that the Chief Administrative Officer be requested to report monthly to City Council, through the Economic Development and Parks Committee, on all expenditures and costs arising to the City of Toronto and its agencies, boards and commissions relating to amending the Tripartite Agreement, stopping construction of the fixed link to the Toronto City Centre Airport and the settlement with the Toronto Port Authority.’

Moved by Councillor Shiner:

‘That the Resolution by Mayor Miller be amended to provide that City Council’s approval of the request to amend the Tripartite Agreement be conditional upon there being no costs in excess of the settlement approved by City Council by its adoption of Clause No. 1 of Report No. 6 of The Policy and Finance Committee on June 24, 25 and 26, 2003.’ ”

### **CONDOLENCE MOTIONS**

(1) **Moved by:** Mayor Miller

**Seconded by:** Councillor Walker

“**WHEREAS** the Members of City Council are very saddened to learn of the sudden passing of Mr. Tom Kneebone, a driving force in the theatrical community in Toronto and around the world; and

**WHEREAS** Tom Kneebone's contributions ranged from classical to cabaret and, as an award winning performer, writer and director on the stage, in films, on TV and radio, he distinguished himself as one of our leading theatrical figures and, in so doing, injected his enthusiasm and love for the arts with audiences here and around the world; and

**WHEREAS** during his 16 years as the Artistic Director of The Smile Theatre Company, Tom Kneebone shared his passion for entertaining with over 75 special productions that brought smiles, tears and joy to seniors in nursing homes, hospitals and other care facilities; and

**WHEREAS** Tom Kneebone was a relentless booster of the theatrical community, involved with small, large and lavish productions and outstanding performances at the London Old Vic, The Stratford Festival, The Shaw Festival and many other venues world-wide; and

**WHEREAS** as an icon of the theatrical world, and, in recognition of his many memorable and outstanding achievements during a long and distinguished career, Tom Kneebone was rewarded with the Order of Ontario, the Order of Canada, the Queen's Jubilee Medal and other prestigious awards; and

**WHEREAS** Tom will be forever remembered and his laughter etched in the hearts of his cousin Robert Gibson in Australia, his many devoted friends and audiences in Toronto and around the world;

**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 cousin Robert Gibson."

*Disposition: The Motion was adopted unanimously.*

(2) **Moved by: Mayor Miller**

**Seconded by: Councillor Pantalone**

**“WHEREAS** the Members of City Council are very saddened to learn of the sudden passing of Toronto artist Lynn Donoghue on November 22, 2003; and

**WHEREAS** Lynn was a nationally recognized painter whose strong luminous works can be found in galleries and museums across Canada and in private collections internationally; and

**WHEREAS** since her arrival in Toronto in the 1970's, Lynn has been a major presence through her exceptional exhibitions at galleries, and also through her teaching and mentoring of young and upcoming artists; and

**WHEREAS** she was elected a member of the Royal Academy of Art in 1991; and



(4) **Moved by:** Councillor Ashton

**Seconded by:** Councillor Kelly

“**WHEREAS** the Members of Toronto City Council are saddened to learn of the passing of Shirley Eidt, a former Member of Scarborough Council who came out of retirement to fill a seat on the Council of the Municipality of Metropolitan Toronto for six months, following the death of Councillor Brian Harrison; and

**WHEREAS** Shirley Eidt will long be remembered as an enthusiast of public participation and worked tirelessly in the Scarborough community to promote participation in local government; and

**WHEREAS** Shirley Eidt was a Member of the Board of the Canadian Cancer Society and a long time fundraiser for The Heart and Stroke Foundation and volunteered a tremendous amount of time and energy working with developmentally handicapped kids at Golf Road School; and

**WHEREAS** Shirley Eidt exemplified the spirit of volunteerism through her involvement with various organizations and charities, who once said her goal was to help people with their problems and, through her vision, made our community a better and more caring society; and

**WHEREAS** it was a privilege to know her;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the members of Toronto City Council, our sincere sympathy to Shirley’s daughter Cathy Nash and her son Jim and his family.”

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

**“AND BE IT FURTHER RESOLVED THAT the Toronto East Community Council be requested to give consideration to an appropriate naming opportunity to recognize the tremendous contribution to the former City of Scarborough by Councillor Shirley Eidt.”**

(5) **Moved by:** Councillor Balkissoon

**Seconded by:** Councillor Altobello

“**WHEREAS** the Members of City Council are deeply saddened by the tragic death of Mr. Derek Wah Yan on November 1, 2003; and

**WHEREAS** Mr. Derek Wah Yan was fatally wounded by a stray bullet as he sat in his home; and

**WHEREAS** this senseless and random act of violence has deprived a wife of her husband and two young sons of their father; and

**WHEREAS** the death of Derek Wah Yan is a great loss to his family, to his friends and to all members of his community;

**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, Kim Pheung and to his two sons, Andrew and Felix.”

*Disposition:                    The Motion was adopted unanimously.*

Toronto, Ontario  
December 5, 2003

City Clerk