

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Report No. 1 of The Administration Committee, Clauses Nos. 13a, 27a and 29a,
Report No. 1 of The Planning and Transportation Committee, Clauses Nos. 3a and 9a,
Report No. 1 of The Policy and Finance Committee, Clause No. 2a,
Report No. 1 of The Toronto East Community Council, Clause No. 10a,
Report No. 1 of The Toronto North Community Council, Clause No. 41a,
Report No. 1 of The Toronto South Community Council, Clauses Nos. 6a, 13a, 14a, 15a,
16a, 17a, 29a, 31a, 78a and 80a,
Report No. 1 of The Toronto West Community Council, Clauses Nos. 16a, 17a, 18a, 20a,
28a, 29a, 30a, 31a, 32a, 33a, 35a and 36a, and
Report No. 1 of The Board of Health, Clause No. 4a.

New Reports:

Report No. 2 of The Administration Committee,
Report No. 2 of The Community Services Committee,
Report No. 2 of The Economic Development and Parks Committee,
Report No. 2 of The Planning and Transportation Committee,
Report No. 2 of The Policy and Finance Committee,
Report No. 2 of The Works Committee,
Report No. 2 of The Toronto East Community Council,
Report No. 2 of The Toronto North Community Council,
Report No. 2 of The Toronto South Community Council,
Report No. 2 of The Toronto West Community Council,
Report No. 2 of The Audit Committee,
Report No. 2 of The Board of Health,
Report No. 2 of The Nominating Committee,
Report No. 3 of The Striking Committee, and
Report No. 4 of The Striking Committee,

and Notices of Motions and action taken on Petitions as adopted by the Council of the City of Toronto at its regular meeting held on March 1, 2 and 3, 2004.

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

DEFERRED CLAUSES FROM REPORT NO. 1 OF THE ADMINISTRATION COMMITTEE

Clause No. 13a - **“Exchange of Property Interests with Bombardier Inc./ Release of Covenant (Ward 9 - York Centre and Ward 10 - York Centre)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the next regular meeting of City Council scheduled to be held on May 18, 2004.

Clause No. 27a - **“Review of Canadian Content Policy”**.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Administration Committee for further consideration at its meeting scheduled to be held on April 29, 2004, with requests that the Chief Administrative Officer:

- (1) in consultation with the Commissioner of Corporate Services and staff from Legal Services, submit a report to the Administration Committee, for consideration with this matter, outlining recommendations for procedures and policies that will stimulate and encourage Canadian manufacturing activity and assist Canadian suppliers, and possible amendments to the forms and methods that are now in place which would make it easier for Canadian and Toronto suppliers to register and supply the City of Toronto products and services; and
- (2) submit a report to the Administration Committee, within three months, on the possibility of implementing a Toronto Content Policy that would grant a 10 percent price preference to companies that pay property taxes to the City of Toronto, but the price differential would, in no case, be higher than 10 percent of the normal property taxes paid to the City of Toronto.

Clause No. 29a - **“Other Items Considered by the Committee”**.
(v) **Supreme Court of Canada Decision in Toronto (City) v. CUPE Local 79**

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Administration Committee.

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 3a - **“Amendment to Municipal Code Chapter 447, Fences”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 2a - “Naming of Community Councils”.

City Council on March 1, 2 and 3, 2004:

- (1) referred the following Recommendation No. (2) of the Policy and Finance Committee to the Toronto West Community Council for further consideration:

“(2) that the Toronto West Community Council continue to be named the Toronto West Community Council;” and

- (2) deferred consideration of the balance of this Clause to the next regular meeting of City Council scheduled to be held on May 18, 2004.

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE TORONTO EAST COMMUNITY COUNCIL

Clause No. 10a - “Final Report - Rezoning Application 03 035264 ESC 44 OZ Austin Burnett (Architecnics & Associate Architect) 10126 Sheppard Avenue East Rouge Community (Ward 44 - Scarborough East)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the supplementary report dated February 26, 2004, from the Commissioner of Urban Development Services, containing the following recommendations, be adopted:

‘It is recommended that:

- (1) the letter dated February 9, 2004, from Austin Burnett, requesting withdrawal of the Zoning By-law Amendment application for 10126 Sheppard Avenue East, be received with Report No. 1, Clause 10a of The Toronto East Community Council; and
- (2) staff be directed to close the Zoning By-law Amendment application file No. 03 035264 ESC 44 OZ.’ ”

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE TORONTO NORTH COMMUNITY COUNCIL

Clause No. 41a - “Request to Remove One City-Owned Tree - 2899-2901 Keele Street (Ward 9 - York Centre)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting the recommendation of the Toronto North Community Council and inserting instead the following:

“It is recommended that City Council approve the request for the removal of one City-owned tree located at 2899-2901 Keele Street, conditional on:

- (1) the applicant paying for the value of the Norway maple tree and for all associated removal and replacement costs, that is \$4,277.00;
- (2) the applicant planting one 70-millimetre replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
- (3) the applicant furnishing a two-year, renewable guarantee for the proposed tree planting, in the form of a Letter of Credit/certified cheque for \$588.00, to cover the costs of planting and maintenance of the 70-millimetre tree on City property.”

DEFERRED CLAUSES FROM REPORT NO. 1 OF THE TORONTO SOUTH COMMUNITY COUNCIL

Clause No. 14a - “Driveway Widening - 145 Silverthorn Avenue (Davenport, Ward 17)”.

City Council on March 1, 2 and 3, 2004, did not adopt this Clause.

Clause No. 31a - “Angled Driveway Widening - 23 Wilberton Road (St. Paul’s, Ward 22)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting the recommendation of the Toronto South Community Council and inserting instead the following:

“It is recommended that City Council approve the request for angled driveway widening at 23 Wilberton Road, as shown on Appendix ‘A’, subject to:

- (1) the parking area not exceeding 2.6 metres by 5.9 metres in dimension;
- (2) the applicant providing the landscape features substantially in accordance with the plan, as shown on Appendix ‘C’, to the satisfaction of the Commissioner of Works and Emergency Services; and
- (3) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.”

Clause No. 78a - "Installation of Traffic Control Signals - Ossington Avenue and Geary Avenue/Acores Avenue (Davenport, Ward 17 and St. Paul's, Ward 21)".

City Council on March 1, 2 and 3, 2004, referred this Clause to the Commissioner of Works and Emergency Services, in accordance with the following motion:

“WHEREAS the report dated December 10, 2003, from the Director, Transportation Services, South District, as contained in the Clause, indicates a safety issue with the installation of either a pedestrian crossover or a set of traffic signals at this location; and

WHEREAS neither a pedestrian crossover nor a set of traffic signals is technically warranted at this location; and

WHEREAS decisions by Community Councils to install traffic control signals or pedestrian crossovers that are not warranted should go to the Works Committee for consideration;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) this matter be referred to the Commissioner of Works and Emergency Services for review and recommendation of a safe crossing option at this location or nearby, if practical;
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Toronto South Community Council on this matter; and
- (3) the Toronto South Community Council forward its recommendations on this matter to the Works Committee for consideration.”

Clause No. 80a - "Removal of Speed Bumps - Public Lane Running North From Dewbourne Avenue, Between Peveril Hill North and Bathurst Street (St. Paul's, Ward 21)".

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting from Recommendation No. (1) in the report dated December 9, 2003, from the Director, Transportation Services, South District, as contained in the Clause, the words “By-law No. 923-2002”, and inserting instead the words “the former City of Toronto Municipal Code, Chapter 400, Subsections 400-28B and 400-70B (Speed Control Zones)”, so that such recommendation shall now read as follows:

- “(1) the remaining two speed bumps and associated signage in the public lane running north from Dewbourne Avenue, between Peveril Hill North and Bathurst Street be removed, and that the former City of Toronto Municipal Code, Chapter 400, Subsections 400-28B and 400-70B (Speed Control Zones), be amended by deleting reference to Drawing No. 421F-6739, dated December 2002; and”.

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE TORONTO WEST COMMUNITY COUNCIL

Clause No. 16a - **“Traffic Calming Poll Results (Speed Humps) Maple Leaf Drive, Donofree Road to Culford Road (Ward 12 - York South-Weston)”.**

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the report dated August 1997, from the Montgomery County Fire and Rescue Commission, entitled ‘The Effects of Speed Humps and Traffic Circles on Responding Fire-Rescue Apparatus in Montgomery County, Maryland’, be referred to the Commissioner of Works and Emergency Services for report thereon to the Community Councils.”

REPORT NO. 2 OF THE ADMINISTRATION COMMITTEE

Clause No. 12 - **“Moving Forward with SAP”.**

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 16 - **“Lobbying Disclosure Policy for Certain Competitive Calls/Requests - Amended to Apply to all City Tender/Quotation Calls or Requests for Proposals”.**

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the supplementary report dated March 2, 2004, from the Chief Administrative Officer, containing the following recommendations, be adopted:

‘It is recommended that:

- (1) the Chief Administrative Officer convey City Council’s Lobbyist Disclosure Policy to the City’s Agencies, Boards, Commissions and Corporations listed in Attachment 1, along with this report, requesting that they establish or amend their policies to be consistent with the intent of City Council’s Lobbyist Disclosure Policy and submit a copy of their policy to the City Chief Administrative Officer;
- (2) the Chief Administrative Officer, in consultation with the City Solicitor, relevant City officials and the City’s Agencies, Boards, Commissions and Corporations, report further on a “Schedule” of ABCCs, outlining their accountability to City Council and any requirements for them to comply with policy directions established by City Council, including the Lobbyist Disclosure Policy; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Clause No. 22 - **“2003 Fourth Quarter Status Report - Optimizing Revenue from Development Potential of TTC Properties (Various Wards)”.**

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 26 - **“Amendment of Contract No. 47007857 with Bowdens Media Monitoring Limited, for the Provision of a Daily Print and Electronic Media Clipping Package and Media Monitoring Services”.**

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 27 - **“Supply, Delivery and Installation of New Artopex Imagine Series, Workstations to Various Locations throughout the City of Toronto, Request for Quotation No. 1004-003-3394”.**

City Council on March 1, 2 and 3, 2004:

- (1) amended this Clause to provide that the purchasing authorization be for one year only; and
- (2) requested the Commissioner of Corporate Services to report back to the Administration Committee, prior to exercising the option for the second year.

Clause No. 28 - **“Supply, Delivery and Installation of New Haworth Premise Series Workstations to Various Locations throughout the City of Toronto, Request for Quotation No. 1004-03-3395”.**

City Council on March 1, 2 and 3, 2004:

- (1) amended this Clause to provide that the purchasing authorization be for one year only; and
- (2) requested the Commissioner of Corporate Services to report back to the Administration Committee, prior to exercising the option for the second year.

REPORT NO. 2 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 1 - "New By-law for Fire Safety Boxes".

City Council on March 1, 2 and 3, 2004, amended this Clause by:

- (1) deleting the following Recommendation No. (1) contained in the joint report dated January 22, 2004, from the Commissioner of Works and Emergency Services and the Fire Chief and General Manager, as contained in the Clause:

“(1) a new Fire Safety Box By-law, based on the By-law set out in Appendix ‘A’, be adopted;”;

- (2) adding the following:

“It is further recommended that:

- (a) Council adopt the supplementary joint report dated February 18, 2004, from the Commissioner of Works and Emergency Services and the Fire Chief and General Manager, containing the following recommendations:

‘It is recommended that:

- (1) Council adopt the draft by-law attached as Appendix “A” to this report;
 - (2) upon adoption of this by-law, the City of Toronto Municipal Code be amended by adding the by-law to the Code as Chapter 470, Fire Safety Boxes; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’;
- (b) the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services be requested to review the effect of the by-law on the development approval process, within one year of the implementation of the by-law; and
 - (c) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the possibility of fire inspection services being assumed by building inspectors, as directed by City Council at its meeting of October 29, 30 and 31, 2002.”

Clause No. 6 - “‘Cracks in the Foundation’ - Community Agency Survey 2003”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Lawrence Heights/Caledon Village be considered one of the high needs neighbourhoods.”

REPORT NO. 2 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 5 - “Asian Long-Horned Beetle”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the Commissioner of Economic Development, Culture and Tourism be requested to prioritize the funds directed to the City of Toronto from the Ministry of Natural Resources for tree planting, so that the residential areas affected by the Asian Long-horned Beetle benefit first; and
- (2) the City of Toronto continue to encourage the Federal and Provincial Governments to provide additional reforestation and planting funds for neighbourhoods devastated by the Asian Long-horned Beetle.”

Clause No. 13 - “Framework for Aligning Strategic Goals and Service Levels with Organizational Review in the Parks and Recreation Division (All Wards)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Framework for Aligning Strategic Goals and Service Levels with Organizational Review in the Parks and Recreation Division consider, and endeavour to be consistent with, the emerging City Council policies and objectives, such as the Community Safety Plan, the Clean and Beautiful City Initiative, the Environmental Plan and the Children and Youth Initiative.”

Clause No. 14 - “International Alliance Program (IAP) - Summary Report for 2003 and Work Plan for 2004 (All Wards)”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

REPORT NO. 2 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - “Potential Settlements of Appeals to the New Official Plan 003011”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (a) the following recommendations contained in the joint report dated February 24, 2004, from the Commissioner of Urban Development Services and the City Solicitor, entitled ‘Proposed Partial Settlement of Appeal Nos. 6 and 14 to the New Official Plan 003011’, be adopted:

‘It is recommended that:

- (1) Council approve the further partial settlement of appeals to the new Official Plan, as shown in Appendix A to this report, for the purpose of facilitating a settlement of appeals to the new Official Plan by the Confederation of Residents and Ratepayers Associations and five Willowdale Residents Associations;
 - (2) the City Solicitor be authorized to take the necessary actions at the upcoming Ontario Municipal Board hearing to give effect to such modifications and/or settlements; and
 - (3) the City Solicitor be authorized to arrange for the execution of any necessary documentation, including Minutes of Settlement, in relation thereto.’;
- (b) all outstanding, unresolved ratepayer issues and directly-related matters only, be referred to the Mayor, in consultation with the Chair of the Planning and Transportation Committee and Members of Council representing ratepayers directly involved in the discussions, for further consideration and subsequent report to Council, through the Planning and Transportation Committee; and
- (c) the City Solicitor be authorized to continue to facilitate the process of comprehensively setting ratepayer appeals.”

Clause No. 2 - “Status Report on Studies on Rooming Houses and Second Suites and Measures in Place to Deal With Illegal Rooming Houses”.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Planning and Transportation Committee for further consideration, with a request that the Commissioner of Urban Development Services, in consultation with the City Solicitor, submit a further report to the Committee specifically identifying difficulties and recommending amendments, in light of the applicable occupancy case law, to the City’s by-laws, Provincial legislation (Building Code Act and Planning Act), and legal procedures, such as applications for and issuance of search warrants, in an effort to enable City of Toronto staff to effectively investigate concerns relating to illegal and/or unsafe rooming houses.

Clause No. 4 - “City of Toronto Position Regarding Ontario Municipal Board Reform”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 5 - “Harmonization of By-laws Concerning Long Grass and Weeds”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 6 - “Recent Court Decisions - City of Toronto v. Goldlist Properties Inc. et al (Official Plan Amendment No. 2) and Mattamy (Rouge) v. City of Toronto”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that, in light of this Court decision, the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on the standards for the establishment of community amenities, such as day care centres, recreation facilities and social housing, for possible inclusion in the Official Plan.”

Clause No. 8 - “Other Items Considered by the Committee”.
(h) Terms of Reference - Taxicab Advisory Committee and Licensing Sub-Committee

City Council on March 1, 2 and 3, 2004, received this Clause as information, subject to referring Item (h), entitled “Terms of Reference - Taxicab Advisory Committee and Licensing Sub-Committee”, to the Mayor.

REPORT NO. 2 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 1 - “Report on the Technology End of Lease Strategy Initiative”.

City Council on March 1, 2 and 3, 2004, adopted the following recommendations:

“It is recommended that:

- (a) Council adopt the confidential joint report dated March 1, 2004, from the Chief Administrative Officer, the Commissioner of Corporate Services, and the Chief Financial Officer and Treasurer, subject to:

(i) amending Recommendation No. (1) to read as follows:

‘(1) Council approve, in principle, the Technology End of Lease Strategy, specifically:

- work towards ending the City’s relationship with MFP and transition the City from a leased to an owned IT infrastructure;
- replacing up to approximately 15,400 desktop computers;
- replacing up to approximately 570 servers;
- consider transitioning to a new version of Windows operating system, and a new version of desktop productivity tools (Office Suite); and
- develop an integrated asset management system,

and related multi-year costs not to exceed a total of \$83.5 million;’;
and

(ii) deleting the following Recommendation No. (5) and re-numbering Recommendation No. (6) as Recommendation No. (5):

‘(5) any equipment required for the regular replacement cycles commencing in 2006 also be purchased by the above RFQ process in accordance with the City’s Purchasing By-law, policies, and procedures;’,

so that the recommendations adopted by Council shall now read as follows:

‘It is recommended that:

(1) Council approve, in principle, the Technology End of Lease Strategy, specifically:

- work towards ending the City’s relationship with MFP and transition the City from a leased to an owned IT infrastructure;
- replacing up to approximately 15,400 desktop computers;
- replacing up to approximately 570 servers;
- consider transitioning to a new version of Windows operating system, and a new version of desktop productivity tools (Office Suite); and
- develop an integrated asset management system,

and related multi-year costs not to exceed a total of \$83.5 million;

(2) decommissioned equipment be stored on a temporary, short-term basis, as an interim solution, if necessary, until the City can buy out the MFP leases expected in 2004;

- (3) the budget for the Technology End of Lease Strategy be referred to the Budget Advisory Committee for consideration as part of the 2004 budget process;
- (4) the Executive Director, Corporate Information and Technology provide regular quarterly information reports to the e-City Committee summarizing all Request for Quotations (RFQs) issued for equipment required for the Technology End of Lease Strategy and the total cumulative costs expended, in addition to the normal approval and reporting required by the City's Purchasing By-law, policies and procedures; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.',

the balance of such report to remain confidential, in accordance with the provisions of the Municipal Act, as it contains information which is subject to solicitor/client privilege.; and

- (b) Council also adopt the following recommendations:
 - (i) the Commissioner of Corporate Services be requested to provide detailed implementation plans on a phased-in basis, prior to any replacements being purchased, for the replacement of the necessary desk top computers and servers, such plan to outline all the costs involved;
 - (ii) the Chief Administrative Officer and the Commissioner of Corporate Services recommend a Peer Review System by a Blue Ribbon Panel to review and provide advice concerning the strategy approved by Council in principle, as well as the detailed Implementation Plan, to the next meeting of the e-City Committee to be scheduled before the end of April 2004, and to the Administration Committee for its meeting scheduled to be held on April 29, 2004, such Panel to give consideration to replacing or upgrading the desktop computers and servers.”

Clause No. 2 - “Community Safety Plan and Malvern Youth Employment Initiative”.

City Council on March 1, 2 and 3, 2004, amended this Clause by:

- (1) further amending the report dated February 17, 2004, from Mayor David Miller, as amended by the Policy and Finance Committee, by inserting in Part (c), under Initiative No. 2, entitled “Community Safety Secretariat”, after the words “service clubs”, the words “the Toronto Police Service, Toronto Community Housing Corporation and”, so that such Part shall now read as follows:

“(c) building productive relationships with community agencies, ethno-racial groups, businesses, faith groups, service clubs, the Toronto Police Service, the Toronto Community Housing Corporation and other organizations to collaboratively address community safety issues;” and

(2) adding the following:

“It is further recommended that:

- (a) the Mayor be requested to invite representatives from the Federal/Provincial governments, e.g. Immigration and Customs, and crime experts from the United States, to the upcoming Crime Summit to be held March 30, 2004, in order to bring international attention to this matter;
- (b) the Mayor, as an activity to assist his Community Safety Plan, meet and encourage all appointees to the Toronto Police Services Board to review and implement a program whereby an officer would identify himself and provide reasons for stopping and questioning the general public, similar to the program currently in place in New Jersey;
- (c) as part of the Mayor’s Community Safety Plan, appropriate City staff be directed to make every attempt to locate service agencies within the community by facilitating permanent City space wherever possible, including the review of relocating staff out of ‘Neilson House’;
- (d) appropriate City staff or the Community Safety Secretariat be requested to report to City Council, every six months, on the activities of the Plan and results of improvements achieved within the communities targeted;
- (e) the Mayor be requested to consider appointing Councillor Balkissoon to the Mayor’s Panel on Community Safety;
- (f) the final Terms of Reference and timeline for the Mayor’s Panel on Community Safety be submitted to Toronto City Council for information;
- (g) Members of City Council be notified and consulted, prior to any anti-crime and youth-related initiatives taking place in their respective Wards;
- (h) the Commissioner of Community and Neighbourhood Services be requested to consult with individual Members of Council on crime prevention initiatives in place in their respective Wards;
- (i) the Community Safety Plan, as a strategic component of its mandate, continue to utilize the Youth Gang Work Group which has an extensive and pro-active record for improving safety in Toronto;

- (j) the Toronto Police Services Board be requested to re-instate the Gun Amnesty Program, effective as soon as possible;
- (k) the Community Safety Secretariat be requested to look at recommendations dealing with tougher sentencing for gun-related crimes;
- (l) the Chief Administrative Officer be requested to submit a report to the Policy and Finance Committee on New York City's 'COMSTAT' Program, such report to include how the program operates, the capital and operating costs to set up the program, the time taken to implement the program and its effectiveness;
- (m) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Budget Advisory Committee on the status of the 'Big Five' report on the need for Recreation Centres, and on how to accelerate the building of the remaining community centres;
- (n) the City Solicitor, in consultation with the appropriate City staff, be requested to submit reports to the Policy and Finance Committee on:
 - (i) requesting the Province, the Toronto Police Services Board and the appropriate City Commissioners to investigate the possibility of the City taking over responsibility for the issuing of citations for traffic violations, including, but not limited to, 'Parking', 'Do Not Enters', 'Stop Signs', etc.;
 - (ii) an amendment to legislation that would not require the actual stopping of a vehicle in order to identify the driver, so that charges could be levied against the owner of the vehicle; and
 - (iii) the possibility of changing the status of all City by-law enforcement officers to 'Special Constables';
- (o) the following motion be referred to the Roundtable on Children, Youth and Education:

Moved by Councillor Ford:

'It is further recommended that the City of Toronto establish a Sports Committee to focus on the establishment of high school sports teams in the 416 area; and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Policy and Finance Committee on the Terms of Reference and membership for such Committee.' "

Clause No. 3 - “Clean and Beautiful City Initiative”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the official logo for the Clean and Beautiful City Initiative be a broom in front of the Toronto City skyline, and the Mayor, in consultation with appropriate City staff, be requested to produce and distribute pins/buttons, stickers and other promotional materials throughout Toronto as soon as possible;
- (2) every day be thought of as an Environment Day; and the City develop and implement programs that encourage the participation of individuals, community groups and the private sector to clean and beautify City parks, boulevards and other City spaces throughout the City; and these initiatives be developed through the appropriate Standing Committee, Working Group or Roundtable, and also through local Councillors;
- (3) each Member of Council be requested to submit a list of intersections of streets that they have visited and identified, outside of their Ward, as Clean and Beautiful and added to the sense of pride in the City of Toronto, and these lists be submitted to every meeting of Council;
- (4) local Councillors be requested to submit a maximum of four names of volunteers who have made an outstanding contribution to this initiative, and at the end of the year, the volunteers receive a certificate of recognition from the Mayor;
- (5) the budget and actual expenditures for the 2004 Action Plan for the Roundtable on a Beautiful City be broken down by Community Council area for quarterly reports;
- (6) the Budget Advisory Committee, when considering the monetary resources for this project, be requested to:
 - (a) take into account the needs of the City as a whole, and that all wards be given fair distribution of funds and resources; and
 - (b) recognize that enforcement should be given high priority in this plan;
- (7) the Clean Streets Working Group be requested to review:
 - (a) the effectiveness of the current litter hotline; and
 - (b) the effectiveness of using ‘litter vacs’ across the City, with particular reference to exhaust emissions, the amount of litter left behind and the problems associated with litter pick up on smog days;

- (8) the Chief Administrative Officer and Commissioners' Steering Group be requested to submit a report to the meeting of the Policy and Finance Committee scheduled to be held in May 2004 on:
 - (a) a review of the existing collection practices throughout the City, including complaints received over the last two years, mainly on private contractors in the City; and
 - (b) a review of the existing educational programs to reflect the new vision of the proposed 'Clean and Beautiful City';
- (9) as part of the enhancement to by-law enforcement, staff patrol the City and call in for the removal of any accumulation of uncollected items, such as white goods;
- (10) the Commissioner of Works and Emergency Services be requested to send a warning letter to all the owners of supermarkets requesting that their shopping carts be removed from City streets and, following a one-month grace period, the carts be returned to the owners at their cost;
- (11) the Commissioner of Works and Emergency Services be requested to submit reports to the Clean Streets Working Group on:
 - (a) a strategy to improve the cleanliness of the City's public laneways; and
 - (b) measures that could be taken to recover the increased costs of litter pickup that are incurred due to the materials generated by fast food outlets;
- (12) the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services be requested to submit a joint report to the Clean Streets Working Group on:
 - (a) the feasibility of regularizing 'Broom Day' as a City-sponsored event at various locations; and
 - (b) the graffiti removal pilot projects in place last summer, with a view to expanding these projects to a larger area;
- (13) the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services be requested to submit a joint report to the next meeting of the appropriate Standing Committee of Council on the feasibility of enacting a by-law requiring all business and residential property owners to clean their property and the public space adjoining their property, up to and including the curb;

- (14) the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services be requested to review existing by-law enforcement on private and public property, focusing on tougher and proactive enforcement;
- (15) the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services, with the advice and support of the Commissioner of Corporate Services, through the City Solicitor and the Executive Director of Human Resources, be requested to work out appropriate and financial arrangements and all necessary contracts with the Downtown Yonge BIA and the Bloor Yorkville BIA to secure an arrangement to accommodate the BIA's request for dedicated Municipal Standards Officers and Works and Emergency Services By-law Enforcement Officers to respond to enforcement issues in their districts, including street vending, postering, A-frame signs, litter, waste and garbage, and noise, on a full cost recovery basis; and
- (16) the Commissioner of Corporate Services be requested to immediately add a link under "Highlights" on the main page of the web site www.toronto.ca, entitled 'Get Involved in the Clean City Initiative', which will link to all the ways volunteers, community groups, Business Improvement Areas and ratepayer organizations can be involved."

Clause No. 6 - "2004 Development Charges Background Study".

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

"It is further recommended that the Chief Financial Officer and Treasurer be requested to reprint, under separate cover, Tables I-1 to I-8 of the 2004 Development Charges Background Study, along with a table showing the number of building permits issued per 1,000 population in each of the Greater Toronto Area municipalities, and this information be appended to all reports on development charges."

Clause No. 8 - "Toronto Council Position on the Greater Toronto Transportation Authority".

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting the recommendation of the Policy and Finance Committee and inserting instead the following:

"It is recommended that the supplementary report dated March 3, 2004, from the Commissioner of Urban Development Services, containing the following recommendations, be adopted:

'It is recommended that:

- (1) the Province of Ontario immediately begin consultation with the City of Toronto, the Toronto Transit Commission and other stakeholders, regarding the creation of a transportation authority for the Greater Toronto and Hamilton areas, such consultation to continue during the preparation of the legislation;

- (2) the Ministers of Transportation, Municipal Affairs, and Public Infrastructure Renewal be requested to consider the issues raised in this report, prior to the Province of Ontario proceeding to develop a model for a Greater Toronto and Hamilton transportation authority;
- (3) Toronto Council support the position of the Association of Municipalities of Ontario that the 2 cents per litre of existing provincial gas tax be allocated to municipalities on the basis of 90 percent on ridership, and the balance allocated on special circumstances business plan submissions;
- (4) this report be shared with the Greater Toronto and Hamilton Mayors and Regional Chairs; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Clause No. 16 - **“Morningside Neighbourhood Branch Library, Relocation to City-Owned Land”.**

City Council on March 1, 2 and 3, 2004, amended this Clause to provide that the Toronto Public Library be requested to approve the Project Management cost at \$36,650.00, and to use the balance of the funds, in the amount of \$63,745.00, to purchase books for the Library.

Clause No. 17 - **“Third Quarter 2003 Operating Variance Report”.**

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit the results of the Operating Variance Report to City Council, through the Policy and Finance Committee, in a more timely fashion, within one month after the end of the quarter.”

Clause No. 18 - **“2003 Third Quarter Capital Variance Report”.**

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Chief Financial Officer and Treasurer be requested to submit the results of the Capital Variance Report to City Council, through the Policy and Finance Committee, in a more timely fashion, within one month after the end of the quarter.”

Clause No. 19 - “Quarterly Reserves and Reserve Funds, Variance Report - September 30, 2003”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the report of the Chief Financial Officer and Treasurer on reserves, scheduled to come before the Budget Advisory Committee in March 2004, include details on local reserves, their origin, purpose, activity and balance; and
- (2) the Chief Financial Officer and Treasurer be requested to submit the results of the Quarterly Reserves and Reserve Funds Variance Report to City Council, through the Policy and Finance Committee, in a more timely fashion, within one month after the end of the quarter.”

Clause No. 22 - “Policy and Processes for Citizen Nomination to City Agencies, Boards, Commissions and Corporations (ABCCs) and External Special Purpose Bodies”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 30 - “Use of Fort York Armoury as a Temporary Shelter and Referral Centre”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 35 - “2004 Water and Wastewater Rate Increase, 2005-2006 Rate Strategy and Rate Projections for 2007-2013”.

City Council on March 1, 2 and 3, 2004, amended this Clause to provide that the issue of water rate increase projections, beyond 2004, be referred to the Budget Advisory Committee and the Works Committee for further analysis and review.

Clause No. 37 - “Designating Water and Wastewater Services as a ‘Business Unit’ - Status Report”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to a future meeting of the Works Committee on the proposed authorities to be delegated to the General Manager of Water and Wastewater Services, and no delegation of these authorities occur prior to such report being considered by City Council.”

Clause No. 39 - “Joint Municipal Water Bottling Project”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Budget Advisory Committee, in time for the 2004 budget deliberations, on cost recovery of this one-time expenditure of \$50,000.00.”

Clause No. 50 - “Financial Status of Ricoh Coliseum Project”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 51 - “Other Items Considered by the Committee”.

- (a) **List of Multi-Residential Properties that are subject to Automatic Rent Reduction Due to Property Tax Decreases in 2003 - (All Wards)**

City Council on March 1, 2 and 3, 2004, received this Clause as information, subject to referring Item (a), entitled “List of Multi-Residential Properties that are subject to Automatic Rent Reduction Due to Property Tax Decreases in 2003 - (All Wards)”, back to the Policy and Finance Committee for further consideration.

REPORT NO. 2 OF THE WORKS COMMITTEE

Clause No. 1 - “Change in Ownership of Company Contracting for Provision of Recycling/Litter Bins with Advertising”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) a Committee be established, composed of the Chair and Vice Chair of the Works Committee, a representative from the Urban Design Division of the Urban Development Services Department, a representative from Local 416 and an appropriate representative of the Works and Emergency Services Department, to review EUCAN’s design proposal and make recommendations to the Works Committee no later than June 2004, and the Chair of the Works Committee, or her designate, be part of the negotiating team with staff when negotiating the design of the new bins;
- (2) a process or protocol be established regarding the installation of additional recycling/litter bins in suburban areas;

- (3) the monitoring and frequency of pick-up be aggressively pursued, to prevent bins from overflowing; and
- (4) the Chief Administrative Officer, in consultation with the Commissioner of Works and Emergency Services, be requested to submit a report to the Works Committee on:
 - (a) the feasibility of the City of Toronto owning and maintaining the litter/recycling bins following the expiry of the lease;
 - (b) the development of a strategy for long-term ownership of the bins, including a cost analysis for bins with and without advertising; and
 - (c) the possibility of dedicating the revenue from the current bin leasing arrangement toward future City-owned bins.”

Clause No. 3 - “Residual Solid Waste Disposal - Outcome of RFP for Contingency Disposal Capacity - RFP No. 9155-03-3432”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) **‘WHEREAS** City Council on July 22, 23 and 24, 2003, adopted recommendations from the Works Committee (Clause No. 2 contained in Report No. 6 of The Works Committee) that authorized the issuance of a Request For Proposals (RFP No. 9155-03-3432) for contingency landfill capacity, in the event of a short-term border closure or major operational upset; and

WHEREAS no proposals were received from the marketplace in response to the City of Toronto’s Request For Proposals (RFP) for contingency disposal capacity, as reported by the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer in reports to Works Committee dated January 26, 2004 (public report), and January 28, 2004 (In-Camera report); and

WHEREAS subsequent to the RFP, interest in the provision of contingency disposal capacity has been expressed by Green Lane Landfill (located near St. Thomas, Ontario) and, potentially, there may be other landfill proprietors which may have an emerging interest in such provision;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services (or his designate) be directed and so authorized to investigate beyond the concluded RFP, the viability of any potential emerging interest in the provision of contingency disposal capacity by landfill proprietors, such as Green Lane Landfill;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services, in consultation with the Chief Financial Officer and Treasurer, be requested to submit a report to Works Committee, at his earliest opportunity, on the outcome of such investigations with interested landfill proprietors, and submit to the Works Committee, at that time, any recommendations he may have regarding the procurement of contingency disposal capacity to address the City of Toronto's needs.'; and

- (2) the Chair of the Works Committee be requested to submit a report to the next meeting of City Council on her meeting with the Minister of the Environment."

Clause No. 5 - "Turtle Island Claims for Additional Compensation".

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

"It is further recommended that subsequent to the arbitration, the Commissioner of Works and Emergency Services be requested to submit a report to City Council, through the Works Committee, on the cost of providing the service compared to the cost of providing it in-house."

Clause No. 11 - "F.G. Gardiner Expressway and Don Valley Parkway Closure – Heart and Stroke Foundation of Ontario '2004 Ride for Heart' (Wards 5, 6, 13, 14, 19, 20, 26, 27, 28, 29, 30, 31 and 34)".

City Council on March 1, 2 and 3, 2004, amended this Clause to provide that authority be granted to the Bloor-Annex Business Improvement Area and the Miles Nadal Jewish Community Centre to hold an event on Sunday, June 6, 2004, for their annual community festival.

REPORT NO. 2 OF THE TORONTO EAST COMMUNITY COUNCIL

Clause No. 19 - "Final Report - Part Lot Control - Application 03 196788 E00 00 PL, Lands West of Morningside Avenue, South of Highway 401, Petunia Valley Developments Inc. (Ward 43 - Scarborough East)".

City Council on March 1, 2 and 3, 2004, amended this Clause in accordance with the following motion:

"WHEREAS Recommendation No. (1) of Clause No. 19 of Report No. 2 of The Toronto East Community Council, headed 'Final Report - Part Lot Control - Application 03 196788 E00 00 PL, Lands West of Morningside Avenue, South of Highway 401, Petunia Valley Developments Inc. (Ward 43 - Scarborough East)', recommending approval of an application to lift part-lot control, subject to the imposition of a Section 118 Restriction on conveyances under the Land Titles Act, was required; and

WHEREAS City Planning has indicated that there is no need for a Section 118 Restriction on the lands and that the exemption should expire one (1) year after the by-law is passed;

NOW THEREFORE BE IT RESOLVED THAT Recommendation No. (1) of Clause No. 19 of Report No. 2 of The Toronto East Community Council be deleted and the following be inserted instead:

- '(1) Council approve the part-lot control application and grant an exemption for one (1) year; and
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to Recommendation No. (1).'

REPORT NO. 2 OF THE TORONTO NORTH COMMUNITY COUNCIL

Clause No. 2 - **“Request for Fence Exemption - 51 Artreeva Drive (Ward 10 - York Centre)”**.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Toronto North Community Council for further consideration.

Clause No. 3 - **“Residential Demolition Application - 565 Duplex Avenue (Ward 16 - Eglinton-Lawrence)”**.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, no later than May 2004, on a harmonized demolition approval process.”

Clause No. 6 - **“Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit the Excess Paving to Remain in Connection with Driveway Widening at 45 Craighurst Avenue (Ward 16 - Eglinton-Lawrence)”**.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Toronto North Community Council for further consideration.

Clause No. 7 - **“Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit the Excess Paving to Remain in Connection with Driveway Widening at 154 Lawrence Avenue West (Ward 16 - Eglinton-Lawrence)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 9 - **“Driveway Entrance Width - 110 Caribou Road (Ward 16 - Eglinton-Lawrence)”**.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Toronto North Community Council for further consideration, and requested the appropriate City staff to prepare a drawing for the residents on what was proposed.

Clause No. 36 - **“OMB Direction Report - Application to Amend Official Plan and Zoning By-law TB CMB 2002 0017 - BBT Devgroup Inc. - (Rafael + Bigauskas Architects) – 650 & 672 Sheppard Avenue East (Ward 24 - Willowdale)”**.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that:

‘WHEREAS BBT Devgroup Inc. has appealed, to the Ontario Municipal Board, applications for an Official Plan amendment, a zoning by-law amendment and site plan approval for a proposed development at 650-672 Sheppard Avenue East; and

WHEREAS the appeals were made to the Ontario Municipal Board without North York Community Council, City Council, City staff and the public having a full opportunity to review and provide comments with respect to the proposed project; and

WHEREAS Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2003, recognizes that the statutory time period should be increased for making decisions, before appeals may be made to the Ontario Municipal Board; and

WHEREAS the Ontario Municipal Board Hearing with respect to these appeals is scheduled to commence on March 8, 2004; and

WHEREAS the Ontario Municipal Board has refused the City of Toronto’s request to adjourn the Hearing of the appeals to a later date to afford further community consultation; and

WHEREAS prior to the February 17, 2004 meeting of the Toronto North Community Council, the developer proposed revisions substantially in compliance with the February 5, 2004 OMB Direction Report of the Acting Director, Community Planning, North District; and

WHEREAS the Toronto North Community Council at its meeting on February 17, 2004, recommended a settlement of this matter; and

WHEREAS notwithstanding the developer's proposal to reduce the maximum Floor Space Index ("FSI") to 2.35 and to reduce the built form of the project to a maximum height to 19 storeys, there are still significant community concerns with respect to the built form of the proposed development;

NOW THEREFORE BE IT RESOLVED THAT City Council:

- (1) direct the City Solicitor, at the commencement of the Ontario Municipal Board Hearing on March 8, 2004, to request the Board to adjourn the Hearing for a reasonable period of time to permit further consultation between the community, the developer and the City with respect to the appropriate built form a 2.35 FSI development should take on the site;
- (2) in the event the Ontario Municipal Board denies the City of Toronto's request for an adjournment to permit further community consultation, direct the City Solicitor to request the Board for an adjournment for the purpose of retaining an outside planning consultant to give evidence on an appropriate built form for a development with a maximum Floor Space Index of 2.35;
- (3) in the event the Ontario Municipal Board denies the City of Toronto's request for an adjournment to retain an outside planning consultant, direct the City Solicitor to attend the Hearing on behalf of the City in support of the settlement recommended by the Toronto North Community Council, as set out in Clause No. 36 of Report No. 2 of The Toronto North Community Council; and
- (4) authorize the City Solicitor and any other appropriate City staff to take such actions as are necessary to give effect to the recommendations contained herein.' "

Clause No. 40 - **"Nomination for the Agnes Macphail Award"**.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

"It is further recommended that Council adopt the following recommendation of the Toronto South Community Council contained in the communication dated February 19, 2004, from the City Clerk:

'It is recommended that the confidential communication dated February 10, 2004, from Graham Mitchell, Administrative Support, Agnes Macphail Recognition Committee, be adopted, such communication to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, as it contains information respecting personal matters about identifiable individuals, including municipal or local board employees.' "

- Clause No. 43** - **“Other Items Considered by the Community Council”.**
(a) **Request for Approval of a Variance from the Former Borough of East York Sign By-law No. 64-87, As Amended, to Erect Various Signs for Mercedes Benz Canada at 849 Eglinton Avenue East (Ward 26 – Don Valley West)**

City Council on March 1, 2 and 3, 2004, amended this Clause as follows:

- (a) City Council waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (a), entitled “Request For Approval of a Variance From the Former Borough of East York Sign By-law No. 64-87, As Amended, to Erect Various Signs for Mercedes Benz Canada at 849 Eglinton Avenue East.”; and
- (b) City Council adopted the report dated December 4, 2003, from the Deputy Chief Building Official and Director of Building, East District, Urban Development Services, containing the following recommendations:

“It is recommended that:

- (1) the request for variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.”.

City Council received the balance of the Clause as information.

REPORT NO. 2 OF THE TORONTO SOUTH COMMUNITY COUNCIL

- Clause No. 1** - **“Revocation of Two Vending Licences and Maintenance of One Vending Licence - Village of Yorkville Park (Toronto Centre-Rosedale, Ward 27)”.**

City Council on March 1, 2 and 3, 2004, amended this Clause to provide that the two Vendors be relocated within the moratorium area.

Clause No. 2 - “Draft By-laws - Official Plan Amendment and Rezoning – 26, 32, 34 Isabella Street and 33 Charles Street East (Toronto Centre-Rosedale, Ward 27)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the supplementary report dated February 26, 2004, from the Commissioner of Urban Development Services, containing the following recommendations, be adopted:

‘It is recommended that:

- (1) the City Solicitor secure the conditions noted in the Memorandum from the Commissioner of Works and Emergency Services, dated February 24, 2004, to the Commissioner of Urban Development Services, pertaining to environmental remediation of the site and provisions for service connections in the Section 37 Agreement;
- (2) the By-law be further amended to include that a minimum requirement of 274 parking spaces will be owned by the residential building;
- (3) a Traffic Demand Management Plan and a Shared Parking Management Plan be submitted by the applicant and approved by the Commissioner of Works and Emergency Services, prior to the issuance of Site Plan Approval; and
- (4) Council deem the amendments to the draft By-law to be minor, and, therefore, determine, pursuant to Subsection 34(17) of the Planning Act, that no further notice to the public is required.’ ”

Clause No. 4 - “Draft By-laws – Official Plan Amendment and Rezoning - 825, 855 and 863 Bay Street (Toronto Centre-Rosedale, Ward 27)”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 11 - “Ontario Municipal Board Decision – Condominium Conversion and Official Plan Amendment - 20 Carlton Street (Toronto Centre-Rosedale, Ward 27)”.

City Council on March 1, 2 and 3, 2004, adopted the following recommendation:

“It is recommended that the following recommendations contained in the confidential report dated March 1, 2004, from the City Solicitor, be adopted, the balance of such report to remain confidential, in accordance with the provisions of the Municipal Act, as it contains information which is subject to solicitor/client privilege:

‘It is recommended that:

- (1) the motion for leave to appeal to the Divisional Court from the Ontario Municipal Board Decision and Order of October 3, 2003, respecting 20 Carlton Street, be confirmed, and the City Solicitor seek, in addition, a review by the Board; and
- (2) the appropriate City officials be authorized to pay the costs of the leave motion and any subsequent appeal, in the event that the Court so orders.’ ”

Clause No. 14 - **“Fort York Neighbourhood Public Realm Master Plan and Architectural Design Guidelines (Trinity-Spadina, Wards 19 and 20)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 16 - **“Ontario Municipal Board Hearing - 511 Bremner Boulevard; 2 and 20 Housey Street; 20, 22A and 24 Bathurst Street (Trinity-Spadina, Ward 20)”**.

City Council on March 1, 2 and 3, 2004, received this Clause, together with the supplementary report dated February 26, 2004, from the Commissioner of Urban Development Services.

Clause No. 17 - **“Ontario Municipal Board Hearing – Official Plan Amendment and Rezoning Application - 764 Yonge Street and 35 Balmuto Street (Toronto Centre-Rosedale, Ward 27)”**.

City Council on March 1, 2 and 3, 2004, adopted the following recommendation:

“It is recommended that the supplementary report dated March 1, 2004, from the Commissioner of Urban Development Services, containing the following recommendations, be adopted, and the City Solicitor be directed to request a public hearing date during the Ontario Municipal Board deliberations:

‘It is recommended that:

- (1) City Council instruct the City Solicitor to appear at the Ontario Municipal Board hearing in support of the revised proposal as outlined in this report;
- (2) City Council support site specific amendments to the Official Plan for the former City of Toronto and Zoning By-law 438-86, as amended, as outlined in this report;

- (3) City Council authorize the execution of a Section 37 Agreement and any other agreements required to secure matters outlined in this report, or to implement any decision made by the Ontario Municipal Board;
- (4) City Council authorize the City Solicitor, in consultation with City staff, to prepare and make such stylistic and technical changes to an Official Plan amendment and Zoning By-law amendment as may be required to implement any OMB decision; and
- (5) City Council authorize the City Solicitor to request the OMB to withhold its Order, pending completion of any outstanding matters as outlined in this report, including execution and registration of a Section 37 Agreement.’ ”

Clause No. 19 - “Ontario Municipal Board Hearing - Official Plan Amendment, Rezoning and Site Plan Applications - 35 Walmer Road (Trinity-Spadina, Ward 20)”.

City Council on March 1, 2 and 3, 2004, adopted the following recommendation:

“It is recommended that the report dated January 30, 2004, from the Director, Community Planning, South District, as contained in the Clause, be adopted.”

Clause No. 29 - “Introduction of One-Way Southbound Operation and Parking Regulation - Algarve Crescent, from Old Weston Road to Turnberry Avenue (Davenport, Ward 17)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting the recommendation contained in the report dated January 14, 2004, from the City Clerk, and inserting instead the following:

“It is recommended that the direction of traffic on Algarve Crescent from Old Weston Road to Turnberry Avenue be changed from two-way to one-way westbound/southbound, and that the parking prohibition be changed from the north and west sides to the south and east sides of the street.”

Clause No. 32 - “Driveway Widening - 9 Fulton Avenue (Toronto-Danforth, Ward 29)”.

City Council on March 1, 2 and 3, 2004, referred this Clause back to the Toronto South Community Council for further consideration.

Clause No. 42 - “Proposed Roadway Modifications in Conjunction with Streetcar Track Reconstruction - College Street, Between Bathurst Street and Spadina Avenue (Trinity-Spadina, Ward 20)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by amending Recommendation No. (1) contained in the report dated February 16, 2004, from the Director, Transportation Services, South District, as contained in the Clause, by deleting the words “Drawing Nos. 421F 5770 and 421F-5771, dated July 2000”, and replacing them with the words “Drawing Nos. 421F-5570 and 421F-5571, dated July 2000”, so that such Recommendation shall now read as follows:

“(1) in order to authorize the roadway modifications and in turn enable the implementation of the proposed streetscape improvements described in the text of this report on COLLEGE STREET, from Bathurst Street to Spadina Avenue, By-law No. 602-89 be amended by deleting reference to Drawing Nos. 421F-5570 and 421F-5571, dated July 2000, and replacing them with Drawing Nos. 421F-7266 and 421F-7267, dated February 2004;”.

Clause No. 53 - “Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code - 866 Avenue Road (St. Paul’s - Ward 22)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following:

“It is further recommended that the Commissioner of Urban Development Services be requested to submit a report to the Toronto South Community Council, after one year, on any complaints generated.”

Clause No. 59 - “Requests for Endorsement of Events for Liquor Licensing Purposes”.

City Council on March 1, 2 and 3, 2004, amended this Clause by adding the following new Recommendation No. (3) to the recommendations of the Toronto South Community Council:

“(3) City Council, for liquor licensing purposes, advise the Alcohol and Gaming Commission of Ontario that it is aware of the Folsom Fair North Production Ltd. outdoor fair to be held on July 17, 2004, at the Steam Whistle Brewery Roundhouse, and on July 18, 2004, in the parking lot at 15 Wellesley Street East, and has no objection to its taking place.”

Clause No. 63 - “Prohibition of Parking - Alessia Circle (Davenport, Ward 17)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting Recommendation No. (1) contained in the report dated January 29, 2004, from the Director, Transportation Services, South District, as contained in the Clause, and inserting instead the following:

- “(1) the Uniform Traffic By-law Nos. 196-84 and 2958-94 of the former City of York be amended to prohibit parking at all times on:
- (a) the south side of the north branch of Alessia Circle;
 - (b) the east side of Alessia Circle; and
 - (c) the south side of the south branch of Alessia Circle;”.

Clause No. 66 - “Adjustment to Regulations Governing the Existing ‘Student Pick-up/Drop-off Area’ - Earl Haig Avenue at Earl Haig Public School (Beaches-East York, Ward 32)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by amending the report dated January 29, 2004, from the Director, Transportation Services, South District, as contained in the Clause, by:

- (1) deleting from Recommendation No. (3) the words “17 metres further east thereof”, and inserting instead the words “77 metres further east thereof”; and
- (2) inserting the following new Recommendation No. (2) and re-numbering the remaining recommendations accordingly:

“(2) the ‘No Parking, 9:30 a.m. to 4:00 p.m., Monday to Friday except public holidays and 8:30 a.m. to 6:00 p.m. Saturday and Sunday’ regulation on the south side of Earl Haig Avenue, from a point 58 metres east of Coxwell Avenue to a point 77 metres east thereof, be rescinded;”.

Clause No. 76 - “Installation of Speed Humps - Withrow Avenue, Between Logan Avenue and Broadview Avenue (Toronto-Danforth, Ward 30)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting from Recommendation No. (2)(iii) of the Toronto South Community Council the number “50”, and inserting instead the number “30”, so that such recommendation shall now read as follows:

- “(2)(iii) the speed limit be reduced from 40 to 30 km/h on Withrow Avenue, between Logan Avenue and Broadview Avenue, coincident with the implementation of speed humps;”.

REPORT NO. 2 OF THE TORONTO WEST COMMUNITY COUNCIL

Clause No. 7 - **“Installation for All-Way Stop Control - Kirah Court at Purdy Crescent (Ward 11 - York South-Weston)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 10 - **“Exemption from Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 276 Indian Road (Ward 14 - Parkdale-High Park)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 12 - **“Request for Exemption from Chapter 400 of the (Former) City of Toronto Municipal Code to Permit Joint Front Yard Parking at 108 and 110 Grenadier Road (Ward 14 - Parkdale-High Park)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 13 - **“(i) Poll Results – Installation of Driveway Widening for Second Parking Space at 153 Cowan; and (ii) Request for an Exemption from Chapter 248 of the (former) City of Toronto Municipal Code (Ward 14 - Parkdale-High Park)”**.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 40 - **“Settlement Report - OMB Pre-Hearing; Application to Amend the Official Plan and Zoning Code; 1286-1294 Islington Avenue and 15-19 Cordova Avenue (Ward 5 - Etobicoke-Lakeshore)”**.

City Council on March 1, 2 and 3, 2004, amended this Clause to provide that the payment for playground equipment under the Section 37 Agreement be increased from \$100,000.00 to \$150,000.00.

Clause No. 44 - “103 and 111 Ingram Drive (Ward 12 - York South-Weston)”.

City Council on March 1, 2 and 3, 2004, amended this Clause by striking out the recommendations of the Toronto West Community Council and inserting instead the following:

“It is recommended that the confidential reports dated December 29, 2003, and February 26, 2004, from the City Solicitor, be received, such reports to remain confidential in their entirety, in accordance with the provisions of the Municipal Act, as they contain information which is subject to solicitor/client privilege.”

City Council at the in-camera portion of its meeting held on March 1, 2 and 3, 2004, also issued confidential instructions to staff, such instructions to remain confidential in their entirety, in accordance with the provisions of the Municipal Act, as they contain information which is subject to solicitor/client privilege.

Clause No. 52 - “Decision of the Committee of Adjustment - 3 Windermere Avenue (Ward 13 - Parkdale-High Park)”.

City Council on March 1, 2 and 3, 2004, received this Clause.

REPORT NO. 2 OF THE AUDIT COMMITTEE

Clause No. 2 - “Fleet Operation Review - Phase One”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

Clause No. 12 - “Interim Report on the Progress of Negotiations with SAP Canada Inc. in regard to Software License Costs and Maintenance Fees for SAP Software Licenses Currently Not in Use”.

City Council on March 1, 2 and 3, 2004, deferred consideration of this Clause to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

REPORT NO. 2 OF THE BOARD OF HEALTH

Clause No. 1 - "Use of Pesticides to Control the Asian Long-horned Beetle".

City Council on March 1, 2 and 3, 2004, amended this Clause in accordance with the following recommendation of the Economic Development and Parks Committee contained in the communication dated February 9, 2004, from the City Clerk:

"The Economic Development and Parks Committee recommended to Council the adoption of the report (December 31, 2003) from the Medical Officer of Health, as amended by the Board of Health at its meeting on January 19, 2004, subject to adding the following:

'the Pest Management Regulatory Agency be urged to move expeditiously in approving the appropriate application methods of the pesticide imidacloprid for use against the Asian Long-Horned Beetle.' "

REPORT NO. 3 OF THE STRIKING COMMITTEE

Clause No. 1 - "Appointments of Members of Council to Advisory Committees and Tree Advocate Position".

City Council on March 1, 2 and 3, 2004, amended this Clause by deleting from Item No. 6, entitled "Capital Revolving Fund Reference Group, (Let's Build)", the name "J. Mihevc", and inserting instead the name "M. Feldman", so that such Item shall now read as follows:

"(6) Capital Revolving Fund Reference Group (Let's Build):

(1 Member of Council to be appointed, plus the Chair of Community Services Committee)

O. Chow, Chair, Community Services Committee
M. Feldman."

PETITIONS:

City Council on March 1, 2 and 3, 2004, adopted the following recommendation:

"It is recommended that the petitions submitted by Councillors Augimeri, Li Preti and Mammoliti, with respect to sidewalk snow clearing, be referred to the Budget Advisory Committee for consideration with the Transportation Services 2004 Operating Budget."

NOTICES OF MOTION APPEARING UNDER ITEM J

J(1) Possible Adjustments to Municipal Ward Boundaries

Moved by: Councillor Moscoe

Seconded by: Councillor Mihevc

“**WHEREAS** Bill C- 49 from the 37th Parliament – 2nd Session which revised the boundaries of several ridings is being rushed through Parliament in preparation for a possible spring election; and

WHEREAS the boundaries of Federal and Provincial ridings and Toronto municipal wards are co-terminus; and

WHEREAS the rationalization of the electoral boundaries was brought about with the objective of bringing some clarity for electors; and

WHEREAS the changes may bring about the necessity to adjust municipal wards to match the new Federal ridings;

NOW THEREFORE BE IT RESOLVED THAT this matter be referred to the Chief Administrative Officer and the City Clerk with a request that they report to the Administration Committee, on the following:

- (1) the appropriate timing for revising municipal wards;
- (2) the transition to the new municipal boundaries;
- (3) the possibility of replacing the ward numbers with names that are more reflective of the areas they delineate; and
- (4) possible adjustments to the City’s Administrative Service Districts.”

Disposition:

City Council on March 1, 2 and 3, 2004 deferred consideration of this Motion to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

J(2) Proclaiming May 13, 2004 as Falun Dafa Day in Toronto

Moved by: Councillor Walker

Seconded by: Councillor Balkissoon

“**WHEREAS** Mayor Mel Lastman wrote a congratulatory letter to the Falun Dafa conference in May 1999; and

WHEREAS on September 5, 2001, Mayor Mel Lastman wrote Prime Minister Jean Chrétien, requesting his attention to the plight of 130 Falun Dafa practitioners engaged in a hunger strike in Shenyang City, Toronto's twin city in China; and

WHEREAS for the last five years Falun Dafa practitioners have hosted the beautiful 'Truth Compassion Tolerance Day' for the Toronto community at Nathan Phillips Square, as well have been invited to join Christmas, Canada day, Victoria Day Parades and have been invited to do presentations to high school and university students throughout the city; and

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

WHEREAS Falun Dafa's teachings have helped many people improve their health, elevate their mind, uplift their spirit, and deepen their understanding of life, humanity, and the universe; and

WHEREAS Falun Dafa practitioners practice the principle of Zhen-Shan-Ren (Truthfulness, Benevolence, Forbearance) and incorporate it into their daily lives, striving to become better people in all environments and situations, as well as cultivate their bodies by practising smooth and tranquil exercises that can improve their overall physical health; and

WHEREAS transcending cultural and racial boundaries, Falun Dafa has touched the lives of countless people in more than 60 countries, including many people in Canada of different ages, professions, and racial backgrounds; and

WHEREAS all Falun Dafa activities, including classes and practices are offered by volunteers and open to the public free of charge; and

WHEREAS since July 20, 1999 the government of China has been in conflict with the United Nations Universal Declaration of Human Rights by forbidding Falun Dafa practitioners to practice their beliefs;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council hereby proclaims May 13, 2004 as Falun Dafa Day in Toronto, and in issuing this proclamation, commend those who take part in these Falun Dafa activities to bring healthier physical, mental, and spiritual conditions to themselves and to others."

Disposition:

City Council on March 1, 2 and 3, 2004 deferred consideration of this Motion to the Special meeting of City Council scheduled to be held on April 15 and 16, 2004.

J(3) **St. David's Day in the City of Toronto**

Moved by: Councillor Jenkins

Seconded by: Mayor Miller

“WHEREAS March 1, 2004, is St. David's Day, Patron Saint of Wales; and

WHEREAS it is a date of great importance to the Welsh people abroad and to the 45,000 members of the Welsh community of the Greater Toronto Area;

NOW THEREFORE BE IT RESOLVED THAT the Members of City Council extend their sincere best wishes to the Welsh Community of the City of Toronto for a Happy Saint David's Day.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(4) **4320 Bathurst Street Rezoning Application**

Moved by: Deputy Mayor Feldman

Seconded by: Councillor Saundercook

“WHEREAS the previous owner, Dr. Alan Black, of the property municipally known as 4320 Bathurst Street made an rezoning application to permit the conversion of the existing premises to permit an office unit for two dentists; and

WHEREAS this matter was considered by the North York Planning Board on May 1, 1974, and the application was approved, subject to conditions; and

WHEREAS shortly following the North York Planning Board decision, Dr. Alan Black passed away and the zoning by-law to implement this approval was not enacted; and

WHEREAS the current owner would like to legalize the use of this property by two dental practitioners, one of whom will reside on the premises in keeping with the 1974 North York Planning Board approval; and

WHEREAS given the passage of time since the 1974 North York Planning Board approval, the current owner will be required to file a current rezoning application and may be required to file a site plan application; and

WHEREAS it would be fair and appropriate that no fee be charged for these applications which reflect a previous approval and that the processing of these applications be expedited;

NOW THEREFORE BE IT RESOLVED THAT City Council direct that the application fee be waived for any planning applications to permit two health care practitioners, one of whom will reside on the premises at 4320 Bathurst Street;

AND BE IT FURTHER RESOLVED THAT the Chief Planner be directed to expedite the processing of the planning applications for 4320 Bathurst Street and that a public meeting pursuant to the Planning Act be scheduled for the earliest possible date without the need to submit a Preliminary Report to Toronto North Community Council and without the need to hold a community meeting.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(5) **Appointments of Members of Council to the Toronto Centre for Arts Advisory Committee**

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Ashton

“**WHEREAS** City Council, at its meeting held on January 27, 28 and 29, 2004, by its adoption of Clause No. 3 of Report No. 1 of The Policy and Finance Committee, re-established the Toronto Centre for Arts Advisory Committee with a composition of four (former North York) Members of Council; and

WHEREAS the Advisory Committee is only to continue until June 30, 2004, so the appointment of all four incumbents, as well as a Budget Advisory Committee member, is an advantage; and

WHEREAS the Striking Committee has recommended the appointment of four Members of Council, as well as an additional member should Council increase the composition to five Members; and

WHEREAS there are no financial impacts associated with this Motion;

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. 3, headed ‘Sub-Committees, Advisory Committees, Roundtables and Other Bodies’, be re-opened for further consideration, only as it pertains to the Toronto Centre for Arts Advisory Committee;

AND BE IT FURTHER RESOLVED THAT Toronto Centre for Arts Advisory Committee composition be increased to five Members of Council, so that the following Members are appointed in accordance with Clause No. 1 of Report No. 3 of the Striking Committee, headed 'Appointments of Members of Council to Advisory Committees and Tree Advocate Position':

M. Augimeri
S. Carroll
M. Feldman
J. Filion
D. Shiner.”

Disposition:

City Council on March 1, 2 and 3, 2004, re-opened Policy and Finance Committee Report No. 1, Clause No. 3, headed “Sub-Committees, Advisory Committees, Roundtables and Other Bodies”, for further consideration, as it pertains to the Toronto Centre for Arts Advisory Committee. City Council subsequently adopted the balance of this Motion, without amendment.

J(6) Request to Re-establish the Parc Downsview Park Operating Protocol Committee

Moved by: Councillor Moscoe

Seconded by: Councillor Walker

“WHEREAS the Federal Government routinely declares paramouncy and ignores municipal policies, by-laws and procedures; and

WHEREAS in 2002, the Department of National Defence constructed what has been deemed to be Toronto’s ugliest new building on Sheppard Avenue west of the Allen Road under the doctrine of paramouncy, without regard to the municipal planning process, without regard to community input and without building permits: and

WHEREAS as a result, the City lost more than \$500,000.00 in building permit revenues; and

WHEREAS in response, the City established the Parc Downsview Park Operating Protocol Committee with the express purpose of fighting this tendency towards paramouncy by requiring all applications for City services, no matter how routine, to be brought before this Committee; and

WHEREAS this has resulted in, for example, the Department of National Defence having to make alternative arrangements for mail delivery for lack of a municipal address; and

WHEREAS this has resulted in the Downsview Park retreating from their earlier declaration of paramountcy and coming to the table to negotiate a development protocol for the Downsview lands; and

WHEREAS Council, at its meeting of January 27, 28 and 29, 2004, contrary to the advice of City staff, adopted the recommendation of the Policy and Finance Committee to disband this committee; and

WHEREAS the Federal Government is currently talking about a 'New Deal for Cities'; and

WHEREAS one significant component of this new deal ought to be an agreement to respect the role of cities, particularly as it pertains to the official plan and the planning process; and

WHEREAS this ought to be co-ordinated by the Mayor's Office as part of the discussion regarding the new deal for cities;

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. 3, headed 'Sub-Committees, Advisory Committees, Roundtables and Other Bodies', be re-opened for further consideration, only insofar as it relates to the Parc Downsview Park Operating Protocol Committee;

AND BE IT FURTHER RESOLVED THAT Council re-establish this Committee and the matter be referred to the Mayor to determine:

- (1) how this initiative fits into the overall strategy to achieve a new deal for cities;
- (2) a revised mandate, terms of reference and membership for the Committee; and
- (3) how resumption of discussion regarding the planning protocol for the Downsview lands will be handled."

Disposition:

City Council on March 1, 2 and 3, 2004, re-opened Policy and Finance Committee Report No. 1, Clause No. 3, headed "Sub-Committees, Advisory Committees, Roundtables and Other Bodies", for further consideration, as it pertains to the Parc Downsview Park Operating Protocol Committee. City Council subsequently adopted the balance of this Motion, without amendment.

J(7) **Status Report on the Sale of 20 Gothic Avenue**

Moved By: Councillor Saundercook

Seconded By: Councillor Grimes

“**WHEREAS** the application for the land municipally known as 20 Gothic Avenue has recently been approved by the Ontario Municipal Board on February 4, 2004, for an Official Plan Amendment, and Zoning By-law No. 438-86 Amendment; and

WHEREAS the community does not know if the land was put to public tender after being declared surplus by Council, and staff has been asked by the local Councillor to clarify; and

WHEREAS it is assumed only one developer (Quebex Development Corporation) was authorized to submit an application to purchase 20 Gothic Avenue; and

WHEREAS the payment of application fees in the amount of \$20,000.00 was deferred by Council, and could be contrary to Section 111 of the Municipal Act; and

WHEREAS the City of Toronto would breach its own 99-year commitment to the local community to maintain 20 Gothic as Open Space – Zoned G; and

WHEREAS the City of Toronto did not give prior notice to the public of the proposed sale of 20 Gothic Avenue, as required by Section 193 of the Municipal Act; and

WHEREAS questions about the irregularities of the proposed sale put to relevant City Departments for clarification on November 11, 2003 have received no reply from staff;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Corporate Services provide a report to City Council to address the above questions and the status of the property sale;

AND BE IT FURTHER RESOLVED THAT Council order the sale of 20 Gothic Avenue be suspended until these concerns have been addressed to the satisfaction of City Council.”

Disposition:

City Council on March 1, 2 and 3, 2004, referred this Motion to the Administration Committee.

J(8) **Request for Report - Traffic Studies at Signalized and Non-Signalized Intersections Along St. Clair Avenue West (Ward 17, Davenport)**

Moved by: Councillor Shiner

Seconded by: Councillor Nunziata

“**WHEREAS** Report No. 1 of The Works Committee, as adopted by City Council on February 4, 5 and 6, 2003, headed ‘Feasibility of a Reserved Streetcar Right-of-Way on St. Clair Avenue (Wards 11, 17, 21 and 22)’, indicated there may be significant impacts to traffic patterns on streets adjacent to St. Clair Avenue West, as a result of restricting left turns at most signalized and non-signalized intersections; and

WHEREAS many members of the St. Clair Avenue West and Davenport community have serious concerns about this prospect;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the April 28, 2004 meeting of the Works Committee with up-to-date traffic studies for all signalized and non-signalized intersections along St. Clair Avenue West in Ward 17;

AND BE IT FURTHER RESOLVED THAT the report include the number of cars making left turns, right turns and continuing straight through these intersections in the morning rush hour, evening rush hour and during the day.”

Disposition:

Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on May 18, 2004.

J(9) **Extension of Time Period to Exercise Option to Purchase – Block 18C – Skydome Bus Parking Facility**

Moved by: Councillor Rae

Seconded by: Deputy Mayor Feldman

“**WHEREAS** Stadium Corporation of Ontario Limited and the City of Toronto are parties to an Option Agreement granting the City an option to acquire Block 18C, the SkyDome Bus Parking Facility, on certain terms and conditions; and

WHEREAS at its meeting held on September 22, 23, 24 and 25, 2003, Council authorized the Toronto Parking Authority (‘TPA’) to exercise the City’s option to purchase Block 18C provided the TPA Board of Directors gave final approval for the acquisition following completion of due diligence investigations; and

WHEREAS the TPA's initial investigations have identified potential environmental issues; and

WHEREAS the TPA must satisfy itself with respect to those issues and, if its concerns are validated, report back to Council for further direction prior to exercising the option; and

WHEREAS the due diligence period expires prior to Council's meeting in May and the Option Agreement must be amended to allow sufficient time for the foregoing steps to be taken; and

WHEREAS Stadium Corporation of Ontario Limited has agreed to amend the Option Agreement to extend the due diligence and option period at no cost to the City or the TPA; and

WHEREAS the City of Toronto is a party to the Option Agreement and its consent is required for any such amendment to have effect;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize an amendment to the Option Agreement which extends the time frame to complete the due diligence and exercise the option to May 27, 2004, and staff be authorized to take all steps necessary give effect thereto."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(10) **Ontario Municipal Board Hearing – 403 Keele Street**

Moved by: Councillor Watson

Seconded by: Councillor Di Giorgio

“WHEREAS at its meeting of July 22, 23, and 24, 2003, City Council approved Proposed Official Plan Amendment No. 267 and related zoning by-law amendments to redesignate land at 403 Keele Street to permit high density residential development with a height of 64.2 metres instead of the currently permitted 14 metres; and

WHEREAS at the time of the approval by City Council, information regarding the impact on one of the adjoining industries which employs 450 local residents and which forms part of an integrated group of industries in the City of Toronto was unknown; and

WHEREAS serious problems with the impact of the development on the adjoining industry have come to light which affect the viability of this industry and the jobs of 450 employees as more particularly outlined in the letter attached; and

WHEREAS the Ministry of the Environment has expressed concerns about the proposed change of zoning as set out in the letter dated November 6, 2003 which is attached; and

WHEREAS substantial cost would be incurred by the City in preparing for an Ontario Municipal Board ('OMB') hearing scheduled for April 26, 2004;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the City Solicitor be instructed to seek an adjournment of the Ontario Municipal Board hearing scheduled to commence on April 26, 2004, until a suitable date in or after September 2004;
- (2) the Commissioner of Urban Development Services be requested to consult with the parties to the Hearing, other appropriate City officials and the Ministry of the Environment and report to the Toronto West Community Council on April 7, 2004, on environmental concerns and potential impacts of the proposed development on nearby industrial operations; and
- (3) should the Ontario Municipal Board not grant an adjournment of the Hearing scheduled to commence on April 26, 2004, the City Solicitor be instructed to advise the Board and the parties and participants in this Hearing, that City Council may, at its meeting of April 15, 2004, take a further position respecting appropriateness of the proposed development and the Official Plan and Zoning By-law amendments under appeal and may instruct the City Solicitor."

Disposition:

City Council adopted this Motion, subject to striking out the Operative Paragraph and inserting instead the following new Operative Paragraph:

"NOW THEREFORE BE IT RESOLVED THAT:

- (1) ***the OMB be advised that there may be a request to adjourn the three week hearing scheduled to begin April 26, 2004 if a resolution of the NRI appeal is not reached by April 15, 2004;***
- (2) ***the Commissioner of Urban Development Services be requested to work with the parties to the Hearing and other appropriate City officials, including the Commissioner of Economic Development, Culture and Tourism, in an effort to resolve the appeal brought by NRI concerning the proposed development at 403 Keele Street before April 15, 2004; and to report directly to City Council at its meeting on April 15, 2004, as to the outcome of these efforts; and***
- (3) ***if the NRI appeal is not resolved by April 15, 2004, then all parties having agreed to request an adjournment of the OMB hearing to July 2004 in this circumstance, the City Solicitor be instructed to request such adjournment on consent on April 16, 2004."***

J(11) **Grant to Tenants' Association of 220 Eglinton Avenue East (Ward 22, St. Paul's)**

Moved by: Councillor Walker

Seconded by: Councillor Shiner

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

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

WHEREAS the Tenants' Association of 220 Eglinton Avenue East applied for an additional grant of \$9,000.00 under the Tenant Support Grant Program in December 2003, to dispute their landlord's application to the Ontario Rental Housing Tribunal for termination of tenancy based on the claim that the landlord was carrying out renovations so extensive that a building permit and vacant possession of the building would be required; and

WHEREAS the landlord application, if successful, would result in eviction of all tenants in the building; and

WHEREAS a Tribunal hearing was held with respect to the matter on October 22, 2003, but was adjourned to November 4 and December 18, 2003; and

WHEREAS at the December 18, 2003 hearing, the landlord's contractor did not indicate that vacant possession was required to do the work and instead gave evidence that vacant possession was preferred as the repair could be completed sooner; and

WHEREAS at the same hearing, a manager of the City of Toronto Municipal Licensing and Standards Division gave evidence that in his experience, the proposed renovation was not extensive enough to warrant a vacant possession of the building; and

WHEREAS the Tribunal has requested submission of arguments from both parties and has not made a decision on the landlord application; and

WHEREAS the Tenants' Association of 220 Eglinton East has incurred substantial costs for legal representation to defend their tenancies and applied for an additional grant of \$9,000.00; and

WHEREAS the tenants' application for a grant was not approved by staff as legal costs associated with disputes about evictions due to extensive renovations are beyond the mandate of the Tenant Support Grant Program; and

WHEREAS the tenants appealed to the Tenant Defence Sub-Committee at its meeting on February 27, 2004 and the Sub-Committee recommended approval of \$5,000.00 from the Tenant Support Grants Program to assist the Tenants' Association with paying their legal costs; and

WHEREAS the recommended amount of \$5,000.00 is available as that amount was accrued from the 2003 Tenant Support Grants Program in anticipation of this case; and

WHEREAS the Tribunal hearing has been completed and the Tenants' Association has been requested to pay the legal expenses which have been overdue for two months; and

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

WHEREAS this is a case with wider implications in that the eviction of all tenants from the building may precipitate an application for conversion of the building to a condominium, resulting in loss of rental units, and may in addition potentially set a precedent of requiring only a minimal test for establishing that vacant possession of rental units is necessary to undertake capital repairs;

NOW THEREFORE BE IT RESOLVED THAT Council grant \$5,000.00 from the 2003 Tenant Support Grant Program to the Tenants' Association of 220 Eglinton Avenue East to assist them with payment of their legal costs, and deem such grant to be in the municipal interest.”

Disposition:

City Council on March 1, 2 and 3, 2004, referred this Motion to the Community Services Committee.

J(12) Payment of Outstanding Hydro Charges – 200 Madison Avenue

Moved by: Councillor Chow

Seconded by: Councillor Walker

“WHEREAS on May 21, 22, and 23, 2003, Council approved the report titled ‘Outstanding Hydro Charges - Various Non-Profit Agencies’ which approved funding for payment of the outstanding Hydro bill and part of the go-forward costs of Chill Out and Furniture Bank, the two occupants of 200 Madison Avenue; and

WHEREAS in October 1999, the Property Management Committee allocated 200 Madison Avenue for use as affordable housing; and

WHEREAS Let's Build has established that development of 200 Madison Avenue is expected to begin on October 1, 2004; and

WHEREAS Chill Out and Furniture Bank have been informed that they will be expected to vacate the premises when development activity begins;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Community and Neighbourhood Services be authorized to draw on appropriate sources of funding, including the Mayor's Homeless Initiatives Fund, up to a maximum of \$25,000.00, for the payment of Hydro costs at 200 Madison Avenue until September 30, 2004;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Corporate Services be directed to notify the tenants of 200 Madison Avenue that they must vacate the premises by September 30, 2004."

Disposition:

Notice of the foregoing Motion was given to permit consideration at the next regular meeting of City Council scheduled to be held on May 18, 2004.

J(13) **Expansion of Notification Area for a Community Consultation Meeting - 188 Clifton Avenue Rezoning and Official Plan Amendment Application**

Moved by: Deputy Mayor Feldman

Seconded by: Councillor Minnan-Wong

“WHEREAS an application has been made, Application No. 03 190167 NNY 10 OZ to amend the North York Official Plan and Zoning By-law No. 7625 on the lands municipally known as 188 Clifton Avenue, in order to permit the construction of a new three-storey, 6-plex building to the east of the existing two-storey duplex and an additional dwelling unit in the basement of the existing duplex; and

WHEREAS on January 5, 2004, Toronto North Community Council approved the report (December 16, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the aforementioned application and seeking Community Council's direction on further processing of the application and on the community consultation process [Ref: Toronto North Community Council Report No. 1, Clause No. 53, Other Items Considered by the Community Council]; and

WHEREAS City Council now deems it desirable to provide an expanded notice area for the community consultation in order to ensure that residents in the vicinity are provided with sufficient opportunity to provide their comments on the proposal;

WHEREAS a community consultation meeting date has been scheduled for Thursday, April 1, 2004;

NOW THEREFORE BE IT RESOLVED THAT notice for the community consultation be expanded to include landowners and residents within the area bounded by Kennard Avenue to the north, Honiton Street to the east, Acton Avenue to the south, and Dufferin Street to the west.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(14) **Ontario Municipal Board Hearing – 111 Northdale Road**

Moved by: Councillor Jenkins

Seconded by: Councillor Stintz

“**WHEREAS** the Committee of Adjustment - Midtown Panel – on September 25, 2003, heard an application for consent to the division of a parcel of residential lands into two parts for conveyance purposes for the property at 111 Northdale Road in Ward 25; and

WHEREAS a variance to the zoning by-law was required to permit the construction of a new two-storey dwelling, whereas, under site specific By-law No. 26392, no more than one principal building is to be located on a lot; and

WHEREAS the Committee of Adjustment refused the applications on grounds that:

- (1) the proposed lots are not in keeping with the general pattern of development in the area;
- (2) the applications do not maintain the general intent of the Official Plan; and
- (3) the size of the proposed lots is not consistent with the lots in the area; and

WHEREAS the owner appealed the consent to the Ontario Municipal Board but missed the deadline for the variance appeal; and

WHEREAS the Ontario Municipal Board has set March 16, 2004, as the date for the hearing; and

WHEREAS the Ontario Municipal Board has advised Planning staff that they will proceed with the appeal as filed, despite the variance application not being appealed;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to authorize City legal staff to attend the Ontario Municipal Board hearing scheduled for March 16, 2004, and any possible subsequent hearings, to uphold the Committee of Adjustment's refusal for consent and variance for the property at 111 Northdale Road."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(15) **Request for Review of Incentives for Provision of Affordable Housing**

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

"**WHEREAS** increases in density and height may be authorized in order to achieve the provision of public benefits in return under Section 37 of the Planning Act; and

WHEREAS in August 2000, Council adopted a City-wide policy that acknowledged both rental housing and affordable rental housing as a public benefit; and

WHEREAS increases in permitted height and density in exchange for the provision of public benefits should be subject to reasonable tests of good planning from both an economical and social perspective; and

WHEREAS a key component of the implementation framework is that the qualifying projects not include subsidized or non-profit housing; and

WHEREAS strict adherence to this implementation framework will not further aggravate conditions of social congestion that are conducive to crime, drugs and violence; and

WHEREAS the implementation guidelines for this City-wide policy are still being developed; and

WHEREAS in April 2002, the City adopted a Municipal Housing Facility By-law which expanded the range of incentives for the construction of new affordable rental housing;

NOW THEREFORE BE IT RESOLVED THAT the existing City policies which offer incentives for the provision of affordable housing as a public benefit under both Section 37 of the Planning Act and under the Municipal Housing Facility by-law be reviewed as part the comprehensive framework that addresses the reduction of crime, drugs and violence in a constructive and productive manner;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the next meeting of the Planning and Transportation Committee outlining the risks or merits of allowing projects which have received density bonuses under a Section 37 agreement for the provision of rental housing to then qualify for additional incentives having the effect of introducing subsidized housing in an area where a cluster of assisted housing already exists.”

Disposition:

City Council on March 1, 2 and 3, 2004, referred this Motion to the Planning and Transportation Committee.

J(16) Request for Direction - Ontario Municipal Board Hearing on 977-981 Kipling Avenue

Moved by: Councillor Milczyn

Seconded by: Councillor Holyday

“WHEREAS in January 2003, the Applicant, St. Andrews Lane, submitted an application to the City to amend the Official Plan and Zoning By-law, and for Site Plan Approval, for a proposed 26-unit townhouse development on the lands known municipally as 977-981 Kipling Avenue; and

WHEREAS the application was appealed to the Ontario Municipal Board for Council’s failure to make a decision within the prescribed time period under the Planning Act; and

WHEREAS Council at its meeting held on September 22, 23, 24 and 25, 2003, adopted Clause No. 42 of Report No. 7 of The Etobicoke Community Council, directing the City Solicitor and City staff to oppose the owner’s appeal at the Ontario Municipal Board; and

WHEREAS in January 2004, the Applicant submitted a revised application to the Ontario Municipal Board reducing the number of townhouse units proposed on the site from 26 to 20; and

WHEREAS the City Solicitor and City Staff require Council instruction respecting what position to take at the Ontario Municipal Board hearing on the revised 20-unit proposal; and

WHEREAS the hearing at the Ontario Municipal Board is scheduled for March 8, 9 and 10, 2004, requiring that such instructions be given at its meeting of March 1, 2 and 3, 2004;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the confidential report dated February 27, 2004 from the City Solicitor, and that such report be adopted.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

In adopting Motion J(16), without amendment, Council adopted, without amendment, the confidential report dated February 27, 2004, from the City Solicitor. The following recommendation contained in this report is now public and the balance of this report remains confidential, in accordance with the provisions of the Municipal Act, as it contains information which is subject to solicitor-client privilege:

“It is recommended that the City Solicitor and City staff appear at the Ontario Municipal Board hearing scheduled for March 8, 9 and 10, 2004, and oppose the proposed Official Plan Amendment, Zoning Code Amendment and Site Plan Approval applications for a revised 20 unit townhouse development.”

J(17) Sponsorship of Habitat for Humanity House by the City of Toronto - 38 St. Lawrence Street (Ward 28, Toronto Centre – Rosedale)

Moved by: Mayor Miller

Seconded by: Councillor McConnell

“WHEREAS the Mayor’s Housing Summit held on February 26, 2004, confirmed the importance of the community, the private sector, the City and senior levels of government working in partnership on affordable housing solutions; and

WHEREAS at its meeting of September 22, 23, 24 and 25, 2003, City Council declared the property at 38 St. Lawrence Street surplus to requirements and authorized the Commissioner of Corporate Services, in consultation with the Commissioner of Community and Neighbourhood Services, to continue negotiations with Metropolitan Toronto Habitat for Humanity Inc. for the sale of the property for a purchase price below market value; and that all of the purchasers be selected from the City’s Social Housing Waiting List; and

WHEREAS the Commissioner of Corporate Services is currently negotiating with Metropolitan Toronto Habitat for Humanity Inc.; and

WHEREAS The Rotary Club of Toronto is working in partnership with the Habitat for Humanity on this development; and

WHEREAS 10 sponsorships at \$60,000.00 each are being offered to support the development of 10 affordable homeownership homes; and

WHEREAS there is an opportunity for the City to show leadership and commitment to affordable housing through involving volunteer City employees in the building effort and by the City of Toronto funding one sponsorship at a cost of \$60,000.00; and

WHEREAS the funds will be used to develop those parts of the house not usually built by volunteers, including but not limited to the foundations, land costs and lot servicing, interior wiring and plumbing of the house as well as to purchase materials not usually donated; and

WHEREAS a decision needs to be made prior to the construction of the development which will commence this spring;

NOW THEREFORE BE IT RESOLVED THAT, conditional on the City selling 38 St. Lawrence Street to Metropolitan Toronto Habitat for Humanity Inc., Council grant \$60,000.00 from the City's Capital Revolving Fund for Affordable Housing for one sponsorship at the Habitat for Humanity development at 38 St. Lawrence Street, and deem such grant to be in the municipal interest;

AND BE IT FURTHER RESOLVED THAT authority be granted to enter into an agreement with Metropolitan Toronto Habitat for Humanity Inc./Habitat for Humanity Toronto Inc. for the purposes of securing the one sponsorship at 38 St. Lawrence Street on terms and conditions acceptable to the Commissioner of Community and Neighbourhood Services and in a form acceptable to the City Solicitor;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Community and Neighbourhood Services be directed to report to the Community Services Committee and Council on the status of the development and sponsorship in the fall of 2004."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(18) **Review of Driveway Widening Policy**

Moved by: Councillor Moscoe

Seconded by: Councillor Stintz

"BE IT RESOLVED THAT the policy on driveway widening be referred to the Works Committee for review;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report on this matter to the Works Committee by June 2004."

Disposition:

City Council on March 1, 2 and 3, 2004, referred this Motion to the Works Committee.

J(19) **Review of Front Yard Parking Policy**

Moved by: Councillor Moscoe

Seconded by: Councillor Stintz

“BE IT RESOLVED THAT the policy on front yard parking be referred to the Works Committee for review;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report on this matter to the Works Committee by June 2004.”

Disposition:

City Council on March 1, 2 and 3, 2004, referred this Motion to the Works Committee.

J(20) **Bloor West Village Ukrainian Festival**

Moved by: Councillor Saundercook

Seconded by: Councillor Grimes

“WHEREAS the Bloor West Village Ukrainian Festival will hold its Street Festival on August 27, 2004, from 6:00 p.m. to 1:00 a.m., and on August 28, 2004, from 9:00 a.m. to 1:00 a.m., and on August 29, 2004, from 10:00 a.m. to 6:00 p.m.; and

WHEREAS the Bloor West Village Ukrainian Festival and the Bloor West Village BIA have requested a liquor licence for beer tents on a section of Bloor Street West, closed to vehicular traffic and encompassing the centre two lanes of Bloor Street West, between Jane Street and Clendenan Road; and

WHEREAS the Bloor West Village Ukrainian Festival has indicated that the locations of the three beer tents will be on Bloor Street, east of Armadale Avenue, on Bloor Street, west of Windermere Avenue, and on Bloor Street, west of Runnymede Road; and

WHEREAS the Ward Councillor has received this formal request from the Bloor West Village Ukrainian Festival;

NOW THEREFORE BE IT RESOLVED THAT City Council advise the Licensing and Registration Department of the Alcohol and Gaming Commission of Ontario that the request for a liquor licence by the Bloor West Village Ukrainian Festival is in the public interest, having regard to the needs and wishes of the residents of the municipality, and request the Alcohol and Gaming Commission of Ontario to provide the application.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(21) **Provincial Funding for the Strong Neighbourhoods Task Force**

Moved by: Councillor Chow

Seconded by: Mayor Miller

“**WHEREAS** City Council at its meeting on June 24, 25, and 26, 2003, directed that the Commissioner of Community and Neighbourhood Services, ‘in collaboration with the Chief Administrator’s Office, the United Way of Greater Toronto, and other appropriate stakeholders explore opportunities with provincial and federal officials for achieving tripartite agreements to support the City’s social infrastructure’; and

WHEREAS the Community Services Committee received for information, a report dated January 13, 2004, from the Commissioner of Community and Neighbourhood Services, entitled ‘Update on Tripartite Agreements to Support Toronto's Social Infrastructure’, which advises Council that the Commissioner of Community and Neighbourhood Services has, in conjunction with the United Way of Greater Toronto, established the Strong Neighbourhoods Task Force to develop the tools necessary to achieving tripartite agreements that support Toronto’s social infrastructure [Ref: Community Services Committee Report No. 2, Clause No. 10(i)];and

WHEREAS the provincial Ministry of Community and Social Services has agreed to provide funding in the amount of \$185,000.00 to the Strong Neighbourhoods Task Force; and

WHEREAS the United Way of Greater Toronto is providing project and budget management services for the Strong Neighbourhoods Task Force initiative;

NOW THEREFORE BE IT RESOLVED THAT Council accept funding, in the amount of \$185,000.00, from the Ministry of Community Services, and that upon receipt of this funding, it be transferred in its entirety to the United Way of Greater Toronto for the Strong Neighbourhoods Task Force.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(22) **Grant to Tenants’ Association of 25 St. Mary Street (Ward 27, Toronto Centre-Rosedale)**

Moved by: Councillor Walker

Seconded by: Councillor Rae

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

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

WHEREAS the Tenants' Association of 25 St. Mary Street applied for an additional grant of up to \$10,000.00 under the Tenant Support Grant Program on February 18, 2004, to dispute their landlord's appeal to the Ontario Divisional Court on an order issued by the Ontario Rental Housing Tribunal approving the right of the tenants to retain secondary locks for their apartments; and

WHEREAS the tenants' application was not approved by staff because the issue of tenants' rights to retain secondary locks is outside the mandate of the Tenant Support Grants Program; and

WHEREAS the Tenants Association is seeking financial assistance to allow them to engage the services of a lawyer to participate in defence of the Tribunal decision at the Divisional Court; and

WHEREAS the tenant representatives appealed their application to the Tenant Defence Sub-Committee at its meeting on February 27, 2004, and the Sub-Committee recommended approval of a grant of up to \$10,000.00 from the Tenant Support Grants Program; and

WHEREAS there are sufficient funds in the 2004 Tenant Support Grants Program to provide a grant to assist the Tenants' Association with paying their legal costs up to \$10,000.00; and

WHEREAS a speedy approval of the requested grant is needed because the court date has been scheduled for March 12, 2004, to hear the landlord's appeal; and

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

NOW THEREFORE BE IT RESOLVED THAT Council grant up to \$10,000.00 from the 2004 Tenant Support Grant Program to the Tenants' Association of 25 St. Mary Street to assist them towards payment of their legal costs, subject to receipt of invoices to the satisfaction of the Commissioner of Community and Neighbourhood Services, and deem such grant to be in the municipal interest."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(23) Extension of Interim Control By-law for the Lands at: 1 to 29 Musgrave Street, 600 Victoria Park Avenue, 2234 to 2276 Gerrard Street East, 2284 to 2316 Gerrard Street East, and 2336 to 2366 Gerrard Street East

Moved by: Deputy Mayor Bussin

Seconded by: Councillor Rae

“**WHEREAS** By-law No. 846-2000, as amended by By-law No. 929-2003, makes the lands known as 1 to 29 Musgrave Street, 600 Victoria Park Avenue, 2234 to 2276 Gerrard Street East, 2284 to 2316 Gerrard Street East, and 2336 to 2366 Gerrard Street East, subject to Interim Control; and

WHEREAS the Interim Control By-law expires on March 24, 2004; and

WHEREAS the Interim Control By-law was adopted to permit a planning study of the area; and

WHEREAS the study will be submitted to Toronto South Community Council in July, 2004; and

WHEREAS Urban Development Services is requesting an extension to the Interim Control By-law for a further six months;

NOW THEREFORE BE IT RESOLVED THAT the report dated February 26, 2004, from the Commissioner of Urban Development Services, be adopted in order that an extension of the Interim Control By-law for those properties referenced in the report is granted for an additional six months.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

In adopting Motion J(23), without amendment, Council adopted, without amendment, the report dated February 26, 2004, from the Commissioner of Urban Development Services, entitled “Six Month Extension to Interim Control By-law No. 846-2002, as amended by By-law No. 929-2003, for the lands known as 1 to 29 Musgrave Street, 600 Victoria Park Avenue, 2234 to 2276 Gerrard Street East, 2284 to 2316 Gerrard Street East and 2236 to 2366 Gerrard Street East (Ward 32, Beaches-East York)”, containing the following recommendations:

“It is recommended that:

- (1) City Council extend Interim Control By-law No. 846-2002, as amended by By-law No. 929-2003, for a further 6 months; and***
- (2) the City Solicitor be requested to prepare the Bill and authority be granted to introduce the Bill in Council.”***

J(24) **Request for Report - Review of Land Use Policies and Regulations Respecting Nightclubs and Entertainment Facilities**

Moved by: Councillor Chow

Seconded by: Deputy Mayor Pantalone

“**WHEREAS** City Council at its meeting on November 26 to 28, 2002, requested the Commissioner of Urban Development Services to review land use policies and regulations with respect to nightclubs and entertainment facilities;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting on April 28, 2004, on the following:

- (1) a new licensing category for nightclubs and entertainment facilities;
- (2) a requirement for all nightclubs and entertainment facilities to have liability insurance prior to the issuance of any licence;
- (3) the posting of a bond to cover costs associated with area clean-up;
- (4) increasing the powers of the Toronto Licensing Tribunal; and
- (5) a minimum sound attenuation requirement.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, subject to amending the first Operative Paragraph by replacing the words, “for its meeting on April 28, 2004”, with the words, “as soon as possible”, so that the first Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee, as soon as possible, on the following:

- (1) a new licensing category for nightclubs and entertainment facilities;***
- (2) a requirement for all nightclubs and entertainment facilities to have liability insurance prior to the issuance of any licence;***
- (3) the posting of a bond to cover costs associated with area clean-up;***
- (4) increasing the powers of the Toronto Licensing Tribunal; and***
- (5) a minimum sound attenuation requirement.”***

J(25) **Ontario Municipal Board Hearing on 929 – 939 Sheppard Avenue West**

Moved by: Deputy Mayor Feldman

Seconded by: Councillor Shiner

“**WHEREAS** the City Solicitor has prepared a report seeking authority for the settlement of the Ontario Municipal Board (‘OMB’) hearing respecting the appeal of the rezoning and Official Plan Amendment Applications for 929-939 Sheppard Avenue West which is scheduled to commence April 26, 2004; and

WHEREAS consideration of this matter by Council is required on an urgent basis to provide instructions to staff in relation to this matter and because the settlement offer will lapse at the end of the March 1, 2004 Council meeting should the offer not be accepted;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached confidential report dated March 1, 2004, from the City Solicitor.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, subject to adding the following new Operative paragraph:

“AND BE IT FURTHER RESOLVED THAT the confidential report dated March 1, 2004, from the City Solicitor, be adopted.”

In adopting Motion J(25), as amended, Council adopted, without amendment, the confidential report dated March 1, 2004, from the City Solicitor. The following recommendations contained in this report are now public and the balance of this report remains confidential, in accordance with the provisions of the Municipal Act, as it contains information which is subject to solicitor-client privilege:

“It is recommended that:

- (1) Council accept the settlement offer proposed by the Applicant as described in this report and instruct the City Solicitor and other appropriate City staff to attend the upcoming Ontario Municipal Board hearing in support of the applications as revised in accordance with the settlement offer; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

J(26) **Settlement of Legal Action Relating to a Personnel Matter**

Moved by: Mayor Miller

Seconded by: Deputy Mayor Pantalone

“WHEREAS City Council at its Special meeting on January 30 and February 12, 2004, had before it a confidential report dated January 26, 2004, from the Commissioner of Corporate Services, relating to a personnel matter; and

WHEREAS City Council referred the confidential report to the Mayor and the Chief Administrative Officer for further consideration; and

WHEREAS the Solicitor has submitted additional information in this regard; and

WHEREAS consideration of this matter by City Council is required on an urgent basis, to provide instructions to outside counsel in relation to this matter;

NOW THEREFORE BE IT RESOLVED THAT Council consider the confidential legal opinion dated March 1, 2004.”

Disposition:

City Council on March 1, 2 and 3, 2004, amended this Motion by issuing confidential instructions to staff. These instructions remain confidential, in their entirety, in accordance with the Municipal Act, as they pertain to personal information about identifiable individuals.

J(27) **Approval of a Feasibility Study for the Toronto International Environmental Centre Project**

Moved by: Deputy Mayor Pantalone

Seconded by: Councillor Pitfield

“WHEREAS, since August 2003, City staff, along with proponents for the Toronto International Environmental Centre project, NGO participants and environmental consultants, have participated in numerous meetings regarding the proposed Toronto International Environmental Centre, and at the October 15, 2003 meeting of stakeholders, including City staff, there was a consensus that a formal feasibility study is needed for the project; and

WHEREAS the Toronto International Environmental Centre would include the exhibit, research and general advancement of environmental initiatives; and

WHEREAS there is some urgency to this Motion due to a Reducer conference in early May 2004, which could lead to the centres' funding by others; and

WHEREAS the Commissioner of Works and Emergency Services and the Chair of the Works Committee are in agreement with this Motion;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the concept of the Toronto International Environmental Centre, in principle, and study the concept in detail; and that this study is to be carried out in consultation with the City of Toronto, local NGOs and environmental specialists at no cost to the City;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Service and the Commissioner of Economic Development, Culture and Tourism, continue to report to Council, through the Works Committee, on the status of the study."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(28) **St. Patrick's Day in the City of Toronto**

Moved by: Councillor Walker

Seconded by: Councillor Kelly

“WHEREAS March 17th is St. Patrick's Day, Patron Saint of Ireland; and

WHEREAS St. Patrick, after settling in Ireland in 432 AD, founded hundreds of churches and converted thousands of people to his faith during his extensive travels of Ireland; and

WHEREAS St. Patrick used the three-leafed shamrock to explain the concept of the Holy Trinity and this contributed to green becoming the national colour of Ireland; and

WHEREAS the Irish culture is centred around a rich tradition of oral legend and myth, so it is no surprise that the story of St. Patrick's life became exaggerated over the centuries; and

WHEREAS the first St. Patrick's Day parade that took place on March 17, 1762, in the United States (New York City), was organized as a way for the expatriate Irish to reconnect with their Irish roots in their new home country; and

WHEREAS Saint Patrick died after a productive life on March 17, 461 AD; and

WHEREAS St. Patrick's Day is now a secular, as well as a religious celebration; and

WHEREAS St. Patrick's Day is a date of great importance to the Irish people abroad, and to the members of the Irish community of the Greater Toronto Area;

NOW THEREFORE BE IT RESOLVED THAT the Members of City Council extend their sincere best wishes to the Irish community of the City of Toronto for a Happy Saint Patrick's Day."

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

J(29) **Mechanism to Report on Decisions of the Committee of Adjustment**

Moved by: Councillor Milczyn

Seconded by: Councillor Nunziata

“WHEREAS residents and property owners depend on City of Toronto staff to review all applications made to the Committee of Adjustment to determine whether there are any issues which affect the public interest; and

WHEREAS City of Toronto staff from various departments do sometimes submit their comments and recommendations to the Committee of Adjustment; and

WHEREAS City of Toronto staff comments may recommend rejection of an application or impose conditions on approval; and

WHEREAS the Committee of Adjustment may reject staff advice or a decision of the Committee of Adjustment may be appealed to the Ontario Municipal Board; and

WHEREAS the public interest as identified by City staff should be considered by City Council;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on a mechanism to report on decisions, where either the Committee has ignored the Staff recommendation, or an appeal is filed to the Ontario Municipal Board whose intent is to overturn the staff position;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services report on the implications of staff appearing at the Ontario Municipal Board in each instance.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, subject to amending the first Operative Paragraph to read as follows:

“NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on a mechanism to report on decisions when an appeal is filed to the Ontario Municipal Board which intends to overturn the City staff decision;”.

J(30) Proposed Interim Control By-law to Prohibit Entertainment Facilities West of Spadina Avenue in the King-Spadina Part II Plan Area

Moved by: Councillor Chow

Seconded by: Deputy Mayor Pantalone

“WHEREAS City Council at its meeting of November 26 to 29, 2002, directed the Commissioner of Urban Development Services to review land use policies and regulations with respect to nightclubs and entertainment facilities; and

WHEREAS the King-Spadina Part II Plan was adopted by City Council in 1996, and encouraged the flexible development of a wide variety of uses, and also had the effect of permitting the expansion of the established entertainment district westward, in the Part II Plan area, beyond Spadina Avenue; and

WHEREAS the Commissioner of Urban Development Services acknowledged that certain entertainment uses and residential uses may conflict, and indicated that potential conflicts would be analyzed; and

WHEREAS significant residential development has occurred in the King-Spadina Part II Plan area, west of Spadina Avenue, and is likely to continue to occur;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto adopt the attached report dated March 1, 2004 from the Commissioner of Urban Development Services, regarding an Interim Control By-law for the area of King-Spadina west of Spadina Avenue;

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

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

In adopting Motion J(30), without amendment, Council adopted, without amendment, the report dated March 1, 2004, from the Commissioner of Urban Development Services, entitled “Proposed Interim Control By-law to Prohibit Entertainment Facilities West of Spadina Avenue in the King-Spadina Part II Plan Area (Ward 20, Trinity-Spadina)”, containing the following recommendations:

“It is recommended that:

(1) City Council adopt the following resolution:

Whereas Section 38 of the Planning Act authorizes Council to pass resolutions directing that a review or study be undertaken in respect of land use planning policies within the area of the municipality which is to be the subject of an Interim Control By-law, therefore be it resolved that Council request the Commissioner of Urban Development Services to undertake a review or study in respect of land use policies for those lands west of Spadina Avenue in the King-Spadina Part II Plan area that are identified on Attachment 2; and

(2) City Council, after adopting the resolution in Recommendation No. (1) above, grant authority for the introduction of the necessary Bills in Council to substantially give effect to the following:

No person shall, in the area referred to in Recommendation No. (1) above, use any lot or erect any building or structure for an entertainment facility and/or a patio in conjunction with an entertainment facility for a period of one year, save any use lawfully existing on the lands at the time of the passage of these Bills.”

City Council subsequently enacted By-law No. 158-2004.

J(31) Congratulations to Councillor Raymond Cho on the Birth of a Grandson, Raymond Cho Jr.

Moved by: Mayor Miller

Seconded by: Deputy Mayor Pantalone

“WHEREAS the Members of Council are delighted to learn of the birth of Councillor Raymond Cho’s grandson, Raymond Cho Jr. on Friday, February 27, 2004;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our heartfelt congratulations to Councillor Raymond Cho and his wife Soon Ok, his son Raymond Cho Jr. and his daughter-in-law Ji Yang.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion, without amendment.

CONDOLENCE MOTIONS

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

Seconded by: Councillor Mihevc

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the sudden passing of James (Jacobs) Kagoshima on February 17, 2004; and

WHEREAS at the time of his death, James Kagoshima lived at Seaton House and was well known to the homeless community; and

WHEREAS he was a proud aboriginal man from Northern Ontario who spent much of his time working on the issues of homelessness and fighting injustice; and

WHEREAS he spoke several times to City Council and its Committees about his concerns and most recently was involved in encouraging the City to keep the armouries open to house the homeless; and

WHEREAS James Kagoshima wanted his death to be remembered as much as his life;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to members of his family and to members of the homeless community, through the Toronto Disaster Relief Committee.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion unanimously.

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

Seconded by: Councillor Rae

“**WHEREAS** the Members of City Council are saddened to learn that Matthew Dolmage passed away on February 21, 2004, at the age of 29; and

WHEREAS Matthew Dolmage, despite living with cerebral palsy and visual impairment, was able to use an electric wheelchair for mobility and a computer and sign language to communicate in order to be an active member of the community who challenged society’s preconceived notions of persons with disabilities; and

WHEREAS Matthew Dolmage worked tirelessly to change attitudes and create a truly inclusive society based on fairness, respect and an acceptance of all types of abilities; and

WHEREAS Matthew Dolmage actively sought to remove barriers to education for persons with disabilities; and

WHEREAS Matthew Dolmage dedicated much of his time to volunteering and touched the lives of many; and

WHEREAS Matthew Dolmage was a devoted son, brother, teacher and friend;

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 family, friends and the many people he touched with love during his lifetime.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion unanimously.

(3) **Moved by: Councillor Ford**

Seconded by: Councillor Hall

“**WHEREAS** the Members of Council are saddened to learn of the death of Mr. Bruno Racovaz; and

WHEREAS Mr. Bruno Racovaz was a long-time active citizen of Etobicoke North; and

WHEREAS Mr. Racovaz was a very vocal neighbourhood voice and ratepayers’ representative; and

WHEREAS Mr. Racovaz will be missed by many in the community at large;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the Racovaz family, especially his wife Mirella.”

Disposition:

City Council on March 1, 2 and 3, 2004, adopted this Motion unanimously.