

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

### Deferred Clauses:

Report No. 2 of The Administration Committee, Clauses Nos. 12a, 22a and 26a,  
Report No. 2 of The Economic Development and Parks Committee, Clause No. 14a,  
Report No. 1 of The Planning and Transportation Committee, Clause No. 3b,  
Report No. 2 of The Planning and Transportation Committee, Clauses Nos. 4a and 5a,  
Report No. 2 of The Policy and Finance Committee, Clauses Nos. 22a, 30a and 50a,  
Report No. 2 of The Toronto North Community Council, Clause No. 7a,  
Report No. 2 of The Toronto South Community Council, Clauses Nos. 4a and 14a,  
Report No. 2 of The Toronto West Community Council, Clauses Nos. 7a, 10a,  
12a and 13a, and  
Report No. 2 of The Audit Committee, Clauses Nos. 2a and 12a.

### New Reports:

Report No. 3 of The Toronto East Community Council,  
Report No. 3 of The Toronto North Community Council,  
Report No. 3 of The Toronto South Community Council, and  
Report No. 3 of The Toronto West Community Council,

and Notices of Motions as adopted by the Council of the City of Toronto at its Special meeting held on April 15 and 16, 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. 2 OF THE ADMINISTRATION COMMITTEE**

**Clause No. 12a - "Moving Forward with SAP".**

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

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

City Council on April 15 and 16, 2004, amended this Clause by:

- (1) referring the following Recommendation No. (1) of the Administration Committee to the Chief Administrative Officer, with a request that the recommended principle that 25 percent of any residential development be affordable be addressed in the report requested in Recommendation No. (2) of the Administration Committee:

“(1) in the redevelopment of the sites listed in the joint report (January 30, 2004) from the Commissioner of Corporate Services and the Chief General Manager, Toronto Transit Commission, the principle be established that 25 percent of any residential development be affordable;”;  
and

- (2) adding the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee with respect to the properties identified in Appendix 1, 2003 Schedule ‘B’, providing the rationale for determining the ‘Probability for Success’ designation, such report to include the reasons why these locations were not identified as being suitable for affordable housing.”

**Clause No. 26a - "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 April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**DEFERRED CLAUSE FROM REPORT NO. 2 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE**

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

City Council on April 15 and 16, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the International Alliance Program (IAP) formally set-up a protocol with Tourism Toronto to co-ordinate a synergetic approach to the International presentation of the City of Toronto;
- (2) the Commissioner of Economic Development, Culture and Tourism, in consultation with the Mayor's Office, be requested to re-examine and report back to the Economic Development and Parks Committee on the following:
  - (a) the City of Toronto's International Alliance program, with a view to forging cultural and educational relationships, as well as economic ones; and
  - (b) recommendations for a new policy on cultural relationships, taking into account Cities around the world with ethnic and cultural communities that are represented in the multi-cultural fabric of the City of Toronto;

and the Mayor be requested to establish a Task Force in this regard; and

- (3) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the potential for working with companies or trade organizations to either include them in the International Alliance Program trips or to seek sponsorship funds from them, as well as from other agencies that have international connections, i.e., the Lions Club or the Rotarians."

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

**Clause No. 3b - "Amendment to Municipal Code Chapter 447, Fences".**

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**DEFERRED CLAUSES FROM REPORT NO. 2 OF THE PLANNING AND TRANSPORTATION COMMITTEE**

**Clause No. 4a - "City of Toronto Position Regarding Ontario Municipal Board Reform".**

City Council on April 15 and 16, 2004, amended this Clause by:

- (1) deleting the recommendations of the Planning and Transportation Committee and inserting instead the following:

“It is recommended that the following recommendations in the supplementary report dated March 1, 2004, from the Commissioner of Urban Development Services, be adopted:

‘It is recommended that:

- (1) Council strike out the recommendations of the Planning and Transportation Committee contained in Clause No. 4 of Report No. 2;
- (2) Council adopt the recommendations set out below with respect to Bill 26, and advise the Minister of Municipal Affairs that Council:
  - (a) supports increasing application processing timeframes and the protection of Provincial interests in planning decisions and appeals, but recommends that the application processing timeframes before “failure to proceed” appeals can be made for applications involving:
    - (i) official plan amendments – be increased to 240 days;
    - (ii) zoning by-law amendments only – be increased to 180 days; and
    - (iii) zoning by-law amendments that run concurrently with an official plan amendment – be increased to 240 days;
  - (b) supports the change from “shall have regard to” to “shall be consistent with” Provincial Policy Statements, subject to further consideration of the contents of a revised Provincial Policy Statement;
  - (c) supports consultation by the Province with all stakeholders, including municipalities, on further improvements to planning-related legislation and the Provincial Policy Statement and specifically requests that the City of Toronto be consulted;
  - (d) recommends that the Planning Act be amended to:
    - (i) enshrine in the Act the concept that a “complete application” includes any information reasonably required by the municipality to make a sound planning decision;

- (ii) for the purposes of establishing timeframes before appeals may be made, a “complete” planning application include, at the request of Council, any application-related information identified as necessary to assess the application and set out in a preliminary planning report, as well as information needs arising from the community consultation meeting;
  - (iii) municipalities be afforded adequate time to review and decide on an application, even where the legislated timeframes cannot be met, taking into account the complexity of the planning application and context and when the applicant has submitted the necessary information, and in particular:
    - after an initial municipal review, the applicant and the municipality negotiate a realistic schedule for submission of necessary information and processing of the application;
    - the OMB take on a case management role in mediating and/or adjudicating disputes or appeals based on “failure to proceed”; and
    - the OMB refer back to Council for processing those “failure to proceed” appeals where the required information is incomplete or when there has been inadequate time for proper municipal review and decision-making;
  - (e) recommends that the Minister of Municipal Affairs consider broadening the concept of denying appeals of non-municipally endorsed official plan amendments to areas other than “urban settlement boundaries”, and in particular consider denying appeals of non-municipally endorsed official plan amendments regarding conversion of or changes in boundaries to employment lands;
- (3) the Minister of Municipal Affairs be advised that Council recommends that the legislation governing the planning process and appeals to the Ontario Municipal Board be amended to reflect the primacy of municipal decision-making on planning matters,

subject to consistency with declared Provincial interests, and more particularly that a full OMB hearing “de novo” on an appeal of a planning application should not be automatic and should only be scheduled if the Board first finds that a municipality has acted unreasonably, or in a manner not consistent with the Provincial Policy Statement;

- (4) the Minister of Municipal Affairs be advised that Council feels that Committee of Adjustment matters are entirely local in nature and that as such should not be subject to review by a Provincial body. Council recommends that municipalities should have the option in legislation of establishing a “local appeal board” to hear appeals of Committee of Adjustment decisions;
- (5) the Minister of Municipal Affairs be advised that Council recommends revision of the Board practices and procedures, so as to facilitate improved public participation in OMB hearings and proceedings through:
  - (a) the establishment of a fund by the Province for public participation in “de novo” hearings where these occur, with clear criteria to define eligibility for such funding;
  - (b) the preparation and publication of an OMB hearings guidebook explaining the process and the Board’s expectations of participants; and
  - (c) the designation of a senior case manager as a special assistant to the public participants, acting as a resource regarding Board practices and procedures;
- (6) the Minister of Municipal Affairs be advised that Council recommends that the administrative practices with respect to OMB appointments be revised to promote an independent, fair and competent tribunal, such that:
  - (a) Board members be appointed for a term of at least 6 years;
  - (b) required qualifications and candidate evaluation criteria be developed and used in selecting candidates;
  - (c) member selection follow an open process with a non-partisan, multi-stakeholder screening committee making recommendations to Cabinet; and

- (d) performance measures and annual performance reviews and human resource protocols for appointment renewals be developed and implemented; and
  - (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”; and
- (2) adding the following:

“It is further recommended that:

- (a) the Minister of Municipal Affairs and the Attorney General be advised that Toronto City Council believes that the role of the Ontario Municipal Board should be to determine whether City Council has acted within its rules and regulations and, if it determines that City Council has not, the decision be referred back to City Council; and
- (b) the Commissioner of Urban Development Services be requested to submit a report to City Council, twice a year, through the Planning and Transportation Committee, on:
  - (i) the number of decisions on applications for Official Plan Amendments, Zoning By-law Amendments, Site Plan and/or Committee of Adjustment that are appealed to the Ontario Municipal Board;
  - (ii) the number of such appeals where the Ontario Municipal Board upholds the position of the City of Toronto; and
  - (iii) the costs of such appeals, including staff time.”

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

City Council on April 15 and 16, 2004, amended the Clause be adding the following:

“It is further recommended that:

- (1) the supplementary report dated March 2, 2004, from the City Solicitor, be received;
- (2) the supplementary report dated April 8, 2004, from the City Solicitor, be adopted, subject to deleting Recommendation No. (4) and inserting instead the following new Recommendation No. (4):
  - ‘(4) the Commissioner of Works and Emergency Services report as part of the Clean and Beautiful City Initiative on the utility and cost implications of requesting Special Legislation:

- (a) to permit the City to require owners and occupants of abutting private property to cut grass and weeds or remove garbage and other debris from the parts of the adjacent highway not being used for motor vehicle traffic; and
- (b) to permit the City to require public corporations such as Canadian National Railway, Canadian Pacific Railway and Hydro One, and the Ministry of Transportation with respect to its lands, along highways abutting residential properties and highway noise barriers, to cut grass and weeds or remove garbage and other debris from their lands;’,

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

‘It is recommended that the following recommendations be adopted instead of the recommendations in the City Solicitor’s (March 4, 2004) report, “New Municipal Code Chapter 489, Long Grass and Weeds”:

- (1) the proposed by-law apply only to private lands and that the revised draft by-law, in Appendix 1, be amended accordingly;
- (2) City Council declare its opinion, under section 128 of the Municipal Act, 2001, that if land is not maintained free of long grass and weeds, as described in the revised draft by-law, this is a matter that is or could become or cause public nuisances;
- (3) subject to Recommendation No. (1), authority be granted to introduce in Council the revised draft by-law, “To adopt a new City of Toronto Municipal Code Chapter 489, Grass and Weeds”, substantially in the form set out in Appendix 1;
- (4) the Commissioner of Works and Emergency Services report as part of the Clean and Beautiful City Initiative on the utility and cost implications of requesting Special Legislation:



- (a) to permit the City to require owners and occupants of abutting private property to cut grass and weeds or remove garbage and other debris from the parts of the adjacent highway not being used for motor vehicle traffic; and
    - (b) to permit the City to require public corporations such as Canadian National Railway, Canadian Pacific Railway and Hydro One, and the Ministry of Transportation with respect to its lands, along highways abutting residential properties and highway noise barriers, to cut grass and weeds or remove garbage and other debris from their lands;
  - (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.';
- (3) the City Solicitor be requested to submit a report to the Works Committee, as part of the Clean and Beautiful City Initiative, on the City of Toronto's current authority to require public corporations to comply with Notices of Violation or Orders issued pursuant to the Toronto Municipal Code or other by-laws, including the City of Toronto's authority to undertake the work necessary to bring the property into compliance and to recover the costs incurred to complete the work; and
- (4) the Commissioner of Urban Development Services, in consultation with the Commissioner of Economic Development, Culture and Tourism, be requested to:
- (a) submit a report to the Planning and Transportation Committee on an enhanced program to meet the anticipated demands to cut long grass and weeds during the summer season City-wide, by the introduction of a program to utilize Parks staff to cut long grass and weeds on private property, on a cost recovery basis, rather than hiring contractors on an individual basis, as currently occurs; and
  - (b) develop a fee schedule to be included in Chapter 441, Fees, of the City of Toronto Municipal Code, if necessary, to fully recover all of the costs of this program including equipment and staff."

**DEFERRED CLAUSES FROM REPORT NO. 2 OF THE POLICY AND FINANCE COMMITTEE**

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

City Council on April 15 and 16, 2004, amended this Clause by adding the following:

“It is further recommended that the nomination process, as it pertains to the St. Lawrence Centre for the Performing Arts, be conducted according to the Type 2: Interest Group Nomination format, and the Canadian Stage Company be requested to nominate members for consideration for Board membership rather than advertising for such positions.”

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

City Council on April 15 and 16, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the appropriate Provincial Ministries, including the Ministry of the Attorney General, be requested to assist the City of Toronto in developing an effective by-law to address the issue of homeless people sleeping in public spaces;
- (2) the Provincial Government be requested to work with the City to ensure the provision of necessary services required to end street homelessness;
- (3) the appropriate City staff be instructed to keep public spaces clear and unobstructed for pedestrian traffic;
- (4) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, no later than the meeting scheduled for June 3, 2004, on the per diem cost the City of Toronto pays to operate all shelter facilities similar to the Fort York Armoury, and proposed future costs to the City of Toronto to operate shelter bed facilities delivering similar services and emergency services; and

- (5) the following motions be referred to the Commissioner of Community and Neighbourhood Services for report thereon to the April 29, 2004 meeting of the Community Services Committee:

Moved by Councillor Cho:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on alternative harm reduction programs, such report to address the possible gradual elimination of providing alcohol to shelter clients.’

Moved by Councillor Del Grande:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to re-evaluate the \$1,000,000.00 that was spent to provide a temporary shelter and emergency referral centre at the Fort York Armoury, and examine whether rental subsidies would be more appropriate to move 138 families out of shelters, and report on these matters to the Community Services Committee.’

Moved by Councillor Hall:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the next meeting of the Community Services Committee on:

- (a) the minimum services that will be required to provide for the functioning of a temporary shelter, such as accommodation, food and security; and
- (b) the process for the approval of the costs incurred for temporary shelters.’

Moved by Councillor Mammoliti:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to formalize a system of collecting success rate statistics relative to the shelter system, and to report to Council, on a regular basis, through the Community Services Committee, on these statistics, such report to include as much information as possible.’

Moved by Councillor Nunziata:

‘It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to conduct an audit on the number of homeless persons on the street, and submit an annual report to the Community Services Committee providing a comparison to previous years.’ ”

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

City Council on April 15 and 16, 2004, amended the Clause by adding the following

“It is further recommended that the General Manager and Chief Executive Officer of Exhibition Place be requested to:

- (1) report to the Policy and Finance Committee in July 2004, either verbally or in writing, on the status of the Ricoh Coliseum project; and
- (2) report in writing to the Policy and Finance Committee in September 2004 on the status of the Ricoh Coliseum project.”

**DEFERRED CLAUSE FROM REPORT NO. 2 OF THE TORONTO SOUTH COMMUNITY COUNCIL**

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

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**DEFERRED CLAUSES FROM REPORT NO. 2 OF THE TORONTO WEST COMMUNITY COUNCIL**

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

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 12a - “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 April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 13a** - **“(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 April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**DEFERRED CLAUSE FROM REPORT NO. 2 OF THE AUDIT COMMITTEE**

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

City Council on April 15 and 16, 2004, amended this Clause by adding the following:

“It is further recommended that:

- (1) the supplementary report dated February 27, 2004, from the Auditor General, be referred to the Audit Committee and the Auditor General be requested to submit a further report to the Audit Committee providing further information regarding the lease cost continuing to escalate at the same time as the funding for the vehicle replacement program has been increased substantially; and
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Audit Committee on:
  - (a) the termination of ‘home use’ vehicles;
  - (b) the use of credit cards to refuel City vehicles at gas stations inside the boundaries of the City of Toronto; and
  - (c) the repairing of City vehicles by private repair shops.”

**REPORT NO. 3 OF THE TORONTO EAST COMMUNITY COUNCIL**

**Clause No. 8** - **“Proposed Traffic Operations Changes on Brimley Road South of Ellesmere Road (Wards 37 and 38 - Scarborough Centre)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 24** - **“Final Report, Rezoning Application TF ZBL 2003 0009, Eden Oak (Woodside Village) Inc., RN Design, Architect, Malvern Community (Ward 42 - Scarborough Rouge River)”.**

City Council on April 15 and 16, 2004, amended the Clause by deleting the recommendation of the Toronto East Community Council and inserting instead the following:

“It is recommended that the report dated March 18, 2004 from the Acting Director of Community Planning, East District, as contained in the Clause, be adopted.”

**Clause No. 27** - **“Status of Land Adjacent to Wood Green Ravine, Located on the East Side of Manse Road, South of Lawrence Avenue East (Ward 44 - Scarborough East)”.**

City Council on April 15 and 16, 2004, referred this Clause to the Chief Administrative Officer, with the request that she report to the Policy and Finance Committee, and Council, by June 2004, on the feasibility study on the affordable housing demonstration project, as requested by Toronto City Council in July 2003, such report to also include an analysis of whether the area is deficient in parkland; City Council also:

- (1) requested the appropriate staff from the Departments of Community and Neighbourhood Services, Economic Development, Culture and Tourism (Parks and Recreation Division), Urban Development Services, Works and Emergency Services and Corporate Services to report to Policy and Finance Committee, and Council, by June 2004, on any issues concerning the feasibility of the proposed demonstration project, including all financial details;
- (2) in recognition of the priority of this matter, requested the Chief Administrative Officer to report to the Policy and Finance Committee, and Council, on these matters and recommend a course of action on the disposition of the property by June 2004; and
- (3) requested the Chief Administrative Officer to immediately convene a working group of all parties, including appropriate City staff, the President of the local Community Association, the local Councillor, local residents from the surrounding co-operative, rental and private homes, representatives from WRP Neighbourhood Housing and a representative from a local environmental group, to provide advice to staff in their preparation of the necessary reports.

City Council, in the interim, affirmed its commitment to develop affordable housing on the Manse Road site, with WRP Neighbourhood Housing, pending the successful resolution of the issues identified in the requested feasibility study, the site to also include a Police/Ambulance Station and a park.

**REPORT NO. 3 OF THE TORONTO NORTH COMMUNITY COUNCIL**

**Clause No. 4** - **“Request for Fence Exemption - 14 Breen Crescent (Ward 25 - Don Valley West)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 34** - **“Inclusion on the City of Toronto Inventory of Heritage Properties - Leaside Bridge (Ward 26 - Don Valley West, and Ward 29 - Toronto-Danforth)”**.

City Council on April 15 and 16, 2004, amended this Clause in accordance with the following recommendation of the Toronto South Community Council contained in the communication dated April 8, 2004, from the City Clerk:

“The Toronto South Community Council recommends the adoption of the report (February 16, 2004) from the Commissioner of Economic Development, Culture and Tourism, subject to amending Paragraph 1 of the ‘Reasons for Listing’ by adding the word ‘civil’ before the word ‘engineering’.”

**Clause No. 44** - **“Ontario Municipal Board Hearing - Committee of Adjustment Application - 76 Horsham Avenue (Ward 23 - Willowdale)”**.

City Council on April 15 and 16, 2004, adopted the following recommendation:

“It is recommended that the Motion submitted by Councillor Moscoe, on behalf of Councillor Filion, as contained in the Clause, be adopted.”

**Clause No. 45** - **“Ontario Municipal Board Hearing - Committee of Adjustment Application - 64 Elmhurst Avenue (Ward 23 - Willowdale)”**.

City Council on April 15 and 16, 2004, adopted the following recommendation:

“It is recommended that the Motion submitted by Councillor Moscoe, on behalf of Councillor Filion, as contained in the Clause, be adopted.”

**REPORT NO. 3 OF THE TORONTO SOUTH COMMUNITY COUNCIL**

**Clause No. 7 - “Requests for Endorsement of Events for Liquor Licencing Purposes”.**

City Council on April 15 and 16, 2004, amended this Clause by adding the following new Part (m) to Recommendation No. (1) of the Toronto South Community Council:

“(m) Once a Shoreline Jumbilees Theatre to be held at the Davenport Perth Neighbourhood Centre, from May 21 to May 23, 2004, inclusive, and from May 28 to May 30, 2004, inclusive;”.

**Clause No. 10 - “Driveway Widening - 9 Fulton Avenue (Toronto-Danforth, Ward 29)”.**

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 21 - “Railway Lands West Public Realm Master Plan, Architectural Guidelines and Implementation Plan (Trinity-Spadina, Ward 20)”.**

City Council on April 15 and 16, 2004, adopted the following recommendation:

‘It is recommended that the supplementary report dated April 15, 2004, from the Commissioner of Urban Development Services, containing the following recommendation, be adopted:

‘It is recommended that Council adopt the Public Realm Master Plan, Architectural Guidelines and Implementation Plan for the Railway Lands West, attached to this report as Attachment 1.’ ”

**Clause No. 27 - “Installation of Speed Bumps - First Public Lane South of Vaughan Road, Between Arlington Avenue and Rushton Road and Between Humewood Drive and Pinewood Avenue (St. Paul’s, Ward 21)”.**

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**Clause No. 49 - “Installation of Speed Humps - Belsize Drive, Between Harwood Road and Cleveland Street (St. Paul’s, Ward 22)”.**

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.



- Clause No. 60** - **“Request for All-Way ‘Stop’ Sign Control - Adelaide Street West and Massey Street (Trinity-Spadina, Ward 19)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

**REPORT NO. 3 OF THE TORONTO WEST COMMUNITY COUNCIL**

- Clause No. 8** - **“Traffic Assessment - The Kingsway Neighbourhood (Ward 5 - Etobicoke-Lakeshore)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

- Clause No. 9** - **“Traffic Assessment - Swan Avenue and Wedgewood Drive (Ward 5 - Etobicoke-Lakeshore)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

- Clause No. 16** - **“Site Plan Bump Up Report - Site Plan Approval Application; Applicant: Medallion Properties Inc., Architect: Dietrich, Boecker Architect, 1555 Jane Street, (Ward 12 - York South-Weston)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

- Clause No. 27** - **“Traffic Assessment - Edgemore Drive, Glenroy Avenue and Meadowvale Drive (Ward 5 - Etobicoke-Lakeshore)”**.

City Council on April 15 and 16, 2004, deferred consideration of this Clause to the next regular meeting of City Council on May 18, 2004.

- Clause No. 34** - **“Application to Authorize a Major Fence Encroachment Agreement to Permit a Newly Constructed Wood Fence to Remain on the City Boulevard (Ward 5 – Etobicoke-Lakeshore)”**.

City Council on April 15 and 16, 2004, referred this Clause back to the Toronto West Community Council for further consideration.

**NOTICES OF MOTION APPEARING UNDER ITEM F**

**F(1) Possible Adjustments to Municipal Ward Boundaries**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Mihevc**

“**WHEREAS** Bill C-49 from the 37<sup>th</sup> Parliament – 2<sup>nd</sup> 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 April 15 and 16, 2004, adopted this Motion, without amendment.***

**F(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, have been invited to join Christmas, Canada Day and 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 April 15 and 16, 2004, ruled this Motion out of order.***

**NOTICES OF MOTION APPEARING UNDER ITEM J**

**J(1) Proposed Amendment to Licencing By-law to Regulate Issuance of Parking Tickets**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Altobello**

**“WHEREAS** the Toronto Police Service and motorists have complained of the issuance of phony parking tickets and fraudulent invoices on private parking facilities; and

**WHEREAS** it is estimated that there are more than 30,000 of these tickets issued annually to motorists who are duped or intimidated into paying them, believing them to be legitimate and enforceable; and

**WHEREAS** motorists receiving such invoices have no right of recourse, or appeal of the issuance, or amount of the notice; and

**WHEREAS** the amounts claimed are exorbitant and patrons who do not pay these tickets/invoices are harassed by collection agencies who threaten their personal credit ratings; and

**WHEREAS** this phenomena has grown into a major epidemic within the City of Toronto; and

**WHEREAS** these abuses should be addressed by an amendment to the City’s licensing by-law in the interests of consumer protection;

**NOW THEREFORE BE IT RESOLVED THAT** this matter be referred to the Planning and Transportation Committee for consideration at its meeting to be held on April 28, 2004, and that notice be given in accordance with Chapter 162, Notice, Public;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Urban Development Services, in consultation with the City Solicitor, and the Toronto Police Service, be requested to report with respect to an appropriate amendment to Chapter 545, Licensing, of the Municipal Code, to eliminate the ability of private parking enforcement agencies, to issue invoices or look alike tickets, and restrict the issuance of tickets to legal City of Toronto tickets issued by certified municipal law enforcement officers.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, without amendment.***

**J(2) Access to Licence Plate Information**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Altobello**

“**WHEREAS** access to the licence plate identification database maintained by the Province of Ontario is restricted to authorized persons for certain approved purposes only; and

**WHEREAS** IMPARK, as a commercial business, has apparently managed to secure an agreement with the Ministry of Transportation, in the Province of Ontario, to obtain licence plate information through the Ministry of Transportation database and/or the Canadian Police Information Centre (CPIC); and

**WHEREAS** IMPARK is not a law enforcement agency and it appears other similar businesses have access to licence plate data, and as such, receive this information improperly;

**NOW THEREFORE BE IT RESOLVED THAT** officials of the Toronto Police Service be requested to investigate this matter, and City officials meet with Ministry of Transport and/or CPIC officials, to determine why these companies are able to access what is essentially private information.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

**J(3) Appointments to Intergovernmental Task Force to Eradicate the Asian Long-Horned Beetle**

**Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Shiner**

“**WHEREAS** the Asian Long-Horned Beetle is an imported pest with no natural enemies in Canada and can potentially destroy our urban and natural hardwood forests which will have an economic, aesthetic and environmental impact on society; and

**WHEREAS** the creation of an Intergovernmental Task Force, as already approved by the City of Vaughan, consisting of elected and appointed officials to communicate, develop, plan, support and implement strategies, as well as educate the public and appropriate partners, is proposed in the fight against the Asian Long-Horned Beetle; and

**WHEREAS** the mandate of the Intergovernmental Task Force will not overlap with the existing Interagency Management Team chaired by the federal Canadian Food Inspection Agency; and

**WHEREAS** the mandate of the Intergovernmental Task Force is clearly articulated and limited to enhancing communication between Government and Agency Partners, supporting the planning and implementation of a long term, well-planned and executed strategy to eradicate the Asian Long-Horned Beetle, supporting the planning and implementation of a comprehensive replanting strategy to enhance the health and sustainability of the urban forest, and providing advice on the development and implementation of a communication strategy around public information and education to ensure that the public and appropriate partners are informed on the identification and prevention aspects of the Asian Long-Horned Beetle; and

**WHEREAS** the Commissioner of Economic Development, Culture and Tourism supports the creation of an Intergovernmental Task Force;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council support the initiative of Vaughan City Council to form an Intergovernmental Task Force on the Asian Long-Horned Beetle and that Council appoint three Councillor representatives from the City of Toronto to participate in the Task Force.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, subject to adding the following new Operative Paragraph:***

***“AND BE IT FURTHER RESOLVED THAT Council waive Section 106, of Chapter 27 of the City of Toronto Municipal Code, in order to permit the direct appointment of three Members of Council to this Task Force, such three Members to be Councillors Hall, Li Preti and Mammoliti.”***

**J(4) Proposal to Make Used City of Toronto Information Technology Equipment (Personal Computers, Printers and Other Equipment) Available to PEN Canada for Support of ‘Writers in Exile’**

**Moved by: Deputy Mayor Bussin**

**Seconded by: Councillor Walker**

**“WHEREAS** Deputy Mayor Bussin, on behalf of Mayor David Miller, attended the conference ‘Building a Writers in Exile Network’, hosted by PEN Canada and PEN Quebec; and

**WHEREAS** the mandate of the conference was to seek Canadian municipal support and resources for the building of a writers in exile network in Canadian cities; and

**WHEREAS** an important component of support for refugee writers to continue their invaluable work of conscience, is to provide the tools with which to do so; and

**WHEREAS** the City of Toronto does dispose of used computer equipment that could be used by writers in exile, who can ill afford to purchase comparable equipment to continue their work; and

**WHEREAS** it is appropriate that the City of Toronto take a lead role in supporting exiled writers, as a great many exiled writers supported by PEN Canada live in Toronto, and many of Canada's foremost authors live in, and around, the City Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council direct the Commissioner of Corporate Services to arrange for PEN Canada the opportunity to acquire disposed of City of Toronto computer equipment appropriate to the support of writers in exile."

*Disposition:*

*City Council on April 15 and 16, 2004, deferred consideration of this Motion to the next regular meeting of City Council on May 18, 2004.*

**J(5) Yonge/Dundas Redevelopment Project, Transfer of Limited Partnership Interest in 259 Victoria Street**

**Moved by: Councillor Rae**

**Seconded by: Deputy Mayor Pantalone**

**“WHEREAS** City Council, at its meeting of February 2, 3 and 4, 1999, adopted Clause No. 10 of Report No. 2 of The Strategic Policies and Priorities Committee, headed, ‘Yonge/Dundas Redevelopment Project, Settlement of Expropriation Claims, the Salvation Army, Governing Council of Canada, 259 Victoria Street’, thereby authorizing the full and final settlement of the expropriation claim with the Salvation Army and declaring surplus 259 Victoria Street and portions of the public highway, in accordance with the objectives of the Community Improvement Plan for the Yonge/Dundas Redevelopment Project; and

**WHEREAS** City Council, by its adoption of Clause No. 10 of Report No. 2 of The Strategic Policies and Priorities Committee, authorized the City to enter into a master agreement with Robert Sniderman for the sale of the site (the ‘Torch Project’) and a fifty (50) year lease for an advertising tower; and

**WHEREAS** the sale was completed and the master agreement and lease imposed a restriction whereby Robert Sniderman was prevented from selling his interest in the Torch Project until the fifth anniversary of substantial completion of the Torch Project; and

**WHEREAS** City Council, at its meeting of December 14, 15, and 16, 1999, adopted Clause No. 19 of Report No. 11 of The Policy and Finance Committee, headed, 'Yonge/Dundas Redevelopment Project, Parcel C – 259 Victoria Street, Toronto, Amendments to the Master Agreement with Robert Sniderman', regarding the sale and redevelopment of the site, pursuant to which authority was granted (among other things) for Sniderman to sell a portion of his interest in the Torch Project to the Dundas Square Limited Partnership which assumed the role of developer of the Torch Project, with Sniderman retaining a twenty-five percent (25%) interest in the Torch Project; and

**WHEREAS** Robert Sniderman has now requested the City's consent to allow him to sell his remaining twenty-five percent (25%) interest in the Torch Project to one or more partners in the Dundas Square Limited Partnership; and

**WHEREAS** Robert Sniderman has requested that, pursuant to his arrangement with PenEx Dundas Square Ltd., this matter be expedited;

**NOW THEREFORE BE IT RESOLVED THAT COUNCIL** give consideration to the report dated April 8, 2004 from the Commissioner of Corporate Services, entitled 'Yonge/Dundas Redevelopment Project, Parcel C – Consent to Transfer by Robert Sniderman of his Limited Partnership Interest in 259 Victoria Street' and that the recommendations contained in such report be adopted."

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, without amendment.***

***In adopting Motion J(5), without amendment, Council adopted, without amendment, the report dated April 8, 2004, from the Commissioner of Corporate Services, entitled "Yonge/Dundas Redevelopment Project, Parcel C - Consent to Transfer by Robert Sniderman of his Limited Partnership Interest in 259 Victoria Street", containing the following recommendations:***

***"It is recommended that:***

- (1) Council grant its consent as required pursuant to the Ground Lease registered as Instrument No. CA707701 on January 15, 2001, and the restrictive covenant dated January 12, 2001, registered as Instrument No. CA707964 on January 15, 2001, between the City of Toronto and Penex Dundas Square Ltd., in its capacity as general partner of the Dundas Square Limited Partnership to Robert Sniderman to sell his twenty-five percent (25%) interest in the Torch Project to one or more of the partners in the Dundas Square Limited Partnership;***
- (2) the City Solicitor be authorized to complete all documentation on behalf of the City in connection with the foregoing; and***
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."***



**J(6) Technical Amendment to Term of Agreement with The Data Group of Companies for the Provision of Printing Services for Snap Set/NCR and other Legal Forms relating to Provincial Offences**

**Moved by: Councillor Walker**

**Seconded by: Councillor Davis**

**“WHEREAS** on September 19, 2003, the Purchasing and Material Management Division issued RFP No. 3003-03-7440, Printing Services for Snap Set/NCR and Other Legal Forms Relating to Provincial Offences, and the RFP was issued with the term of the agreement to expire on December 31, 2005, with an option to renew for two (2) additional 12-month periods; and

**WHEREAS** City Council on January 27, 28 and 29, 2004, adopted, without amendment, Policy and Finance Committee Report No. 1, Clause No. 24, headed ‘Printing Services for Snap Set/NCR and Other Legal Forms Relating to Provincial Offences – Request for Proposal No. 3003-03-7440’; and

**WHEREAS** the Clause approved by Council noted that the term of the agreement was February 1, 2004, to December 31, 2004, with an option to renew the contract for two (2) additional one-year terms, which is inconsistent with the requirements specified in RFP No. 3003-03-7440; and

**WHEREAS** an amendment to the term of the agreement as adopted by Council is necessary to be consistent with the requirements specified in the RFP; and

**WHEREAS** Court Services required the printing services for Snap Set/NCR and other Legal forms immediately, so an agreement was struck with the supplier to provide the service, subject to a request being made to Council to amend the contract terms to properly reflect the RFP specifications;

**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. 24, headed ‘Printing Services for Snap Set/NCR and Other Legal Forms Relating to Provincial Offences – Request for Proposal No. 3003-03-7440’, be re-opened for further consideration, only as it pertains to the term of the agreement;

**AND IT BE FURTHER RESOLVED THAT** City Council consider and adopt the joint staff report dated March 29, 2004, from the Commissioner of Corporate Services and Chief Financial Officer and Treasurer, to ensure the term of the agreement adopted by Council is consistent with the term set out in RFP No. 3003-03-7440.”

***Disposition:***

***City Council on April 15 and 16, 2004, re-opened Policy and Finance Committee Report No. 1, Clause No. 24, headed “Printing Services for Snap Set/NCR and Other Legal Forms Relating to Provincial Offences – Request for Proposal No. 3003-03-7440”, for further consideration, only as it pertains to the term of the agreement. City Council subsequently adopted the balance of this Motion, without amendment.***

***In adopting Motion J(6), without amendment, Council adopted, without amendment, the joint report dated March 29, 2004, from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, entitled “Amendment to Term of Agreement for Printing Services For Snap Set/NCR and Other Legal Forms Relating to Provincial Offences, Request for Proposal No. 3003-03-7440”, containing the following recommendations:***

***“It is recommended that:***

- (1) the term of the agreement with the Data Group of Companies for the printing of snap set/NCR and other legal forms relating to Provincial Offences be amended to February 1, 2004 to December 31, 2005, in accordance with the term specified in the RFP in the estimated amount of \$283,800.00 in 2004 and \$283,800.00 in 2005, including all taxes and charges;***
- (2) the option to renew for the period of January 1, 2006 to December 31, 2006, in the estimated amount of \$283,800.00, including all taxes and charges and the period of January 1, 2007, to December 31, 2007, in the estimated amount of \$283,800.00, including all taxes and charges under the same terms and conditions be reviewed by the Commissioner of Corporate Services, in co-operation with the Purchasing Agent, provided the first term of the contract was performed satisfactorily, to ensure it is feasible to extend the contract;***
- (3) provided that there is a favourable review, in accordance with Recommendation No. (2), the Commissioner of Corporate Services be delegated the authority to exercise the renewal options on the terms and conditions set out above and be authorized to instruct the Purchasing Agent to process the necessary contract; and***
- (4) the appropriate officials be authorized and directed to take the necessary action to give effect thereto.”***

**J(7) Acknowledgement of Lease and Assignment of Agreements for the Operation and Management of the Indoor Ice Facility at the Ted Reeve Community Arena**

**Moved by: Deputy Mayor Bussin**

**Seconded by: Councillor Walker**

“**WHEREAS** the City and Ted Reeve Community Arena Committee of Management (TRCM) have entered into agreements with SportsCentre Design & Management, LP for the undertaking of certain capital improvements and the operation and management of an indoor ice facility (‘the Facility’) at the Ted Reeve Arena; and

**WHEREAS** the agreements state that SportsCentre Design & Management, LP shall not assign its interest in the agreements without the consent of the City and the Ted Reeve Arena Committee of Management, which consent shall not be unreasonably withheld; and

**WHEREAS** SportsCentre Design & Management, LP has requested that the City and the Ted Reeve Arena Committee of Management consent to the assignment by SportsCentre Design & Management, to Beaches Sports Centre Inc., a wholly-owned subsidiary of SportsCentre Design & Management, LP, of the agreements with the City and TRCM for the capital improvements, and the operation and management of the Facility; and

**WHEREAS** SportsCentre Design and Management, LP has further requested that the City consent to an Acknowledgement of Lease pertaining to equipment located at the Facility and leased by the Royal Bank of Canada to Beaches Sports Centre Inc;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the report dated April 14, 2004, from the City Solicitor, entitled ‘Acknowledgement of Lease and Assignment of Agreement between City of Toronto, SportsCentre Design & Management, LP and Ted Reeve Community Arena Committee of Management for the Operation and Management of the Indoor Ice Facility at the Ted Reeve Arena’ and that such report be adopted.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, without amendment.***

***In adopting Motion J(7), without amendment, Council adopted, without amendment, the report dated April 14, 2004, from the City Solicitor, entitled “Acknowledgement of Lease and Assignment of the Agreement between City of Toronto, SportsCentre Design & Management, LP and Ted Reeve Community Arena Committee of Management for the operation and Management of the indoor ice facility at the Ted Reeve Arena”, containing the following recommendations:***

*“It is recommended that:*

- (1) authority be granted to enter into an assignment agreement for the assignment of the rights and obligations of SportsCentre Design & Management, LP under agreements with the City and Ted Reeve Community Arena Committee of Management for the undertaking of certain capital repairs and improvements and the operation and management of the indoor ice facility at the Ted Reeve Arena, to Beaches Sportcentre Inc.; such assignment to be based on the same prices, terms and conditions and to be in a form satisfactory to the City Solicitor; and*
- (2) authority be granted to consent to an acknowledgement of lease of equipment by Beaches Sportscentre Inc. to the Royal Bank of Canada, provided that the City’s rights with respect to the leased equipment under the operating agreement with Beaches Sportscentre Inc. shall rank in priority over the Royal Bank, such acknowledgement agreement to be in a form satisfactory to the City Solicitor.”*

**J(8) Report of the City Clerk - Filing of Financial Statements for the 2003 Municipal Election**

**Moved by: Councillor Walker**

**Seconded by: Councillor Davis**

“**WHEREAS** subsection 80(3) of the Municipal Elections Act, 1996 requires the Clerk to notify Council of those candidates for office on Toronto City Council who failed to file the financial statements by March 31, 2004, the penalties for the default, the day the penalties take effect, the right to apply for an extension of the time to file and the effects of that extension; and

**WHEREAS** the Clerk is required to provide Council with such notice within ten days of the March 31, 2004 deadline for filing the financial statements; and

**WHEREAS** the Clerk has prepared the attached memorandum dated April 2, 2004, submitting a listing of those candidates who failed to file their financial statements, for Council’s information and a copy of the notice of default sent to candidates on April 1, 2004;

**NOW THEREFORE BE IT RESOLVED THAT** City Council receive, for information, the attached notice prepared by the Clerk listing those candidates who failed to file their financial statements by the March 31, 2004 deadline.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

*In adopting Motion J(8) without amendment, Council received, for information, the notice dated April 2, 2004, from the City Clerk.*

**J(9) Application for Liquor Licence for Additional Facilities and Application for Removal of Conditions on an Existing Liquor Licence - 280 Coxwell Avenue, “Adam’s Sports Bar” (Toronto - Danforth, Ward 30)**

**Moved by: Councillor Fletcher**

**Seconded by: Deputy Mayor Bussin**

**“WHEREAS** the owners of 280 Coxwell Avenue (the ‘property’) have applied to the Alcohol and Gaming Commission of Ontario (the ‘AGCO’) to extend the current liquor licence for the property to permit the licensing of additional facilities; and

**WHEREAS** the property is currently licensed for a total of 440 persons and the application for additional facilities is for an additional 800 persons for a total capacity of 1240 persons; and

**WHEREAS** there is an additional application before the AGCO to remove certain conditions currently on the liquor licence for the property; and

**WHEREAS** a number of business owners, residents and police in the area have raised concerns regarding these applications;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) a community consultation meeting be held by Councillor Fletcher to provide information to area business owners, residents and any other interested persons about the applications and to hear any concerns;
- (2) staff be authorized to request that the AGCO consider these applications together and hold a public hearing; and

- (3) staff be authorized to take any necessary steps and contact any relevant parties to prepare for the community consultation meeting and any AGCO hearing.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, without amendment.***

**J(10) Request to Senior Levels of Government for Increased Funding for Language Instruction for Newcomers to Canada**

**Moved by: Councillor Chow**

**Seconded by: Councillor Carroll**

“**WHEREAS** the City of Toronto receives almost half of Canada's newcomers each year; and

**WHEREAS** their integration in our City's economic and social life is essential to sustaining a prosperous, safe and healthy community; and

**WHEREAS** the ability to speak and write English is vital to newcomers' participation in their children's education, work and entrepreneurship, most social and community activities, and democratic decision-making; and

**WHEREAS** federal funding for Language Instruction for Newcomers to Canada has been flatlined since 1996, failing to adjust for increases in newcomer arrivals or the rate of inflation; and

**WHEREAS** this diminishing per capita investment is distributed inequitably, so that Ontario, which receives approximately 60 percent of Canada's newcomers, is allocated approximately 30 percent of total federal language training funding; and

**WHEREAS** federally-funded pilot projects for higher-level occupation-specific language training require a 50 percent cash or in-kind contribution from participating agencies, making it impossible for many agencies to access funds for vital programs to help foreign-trained professional and skilled workers contribute to our economy; and

**WHEREAS** provincially-funded Adult English as a Second Language ('ESL') programs provide no funds for heat, light, custodial services or rental of space, limiting the number of classrooms available to meet the English language learning needs of tens of thousands of Toronto residents;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council calls on the Government of Canada to:

- (1) increase funding for Language Instruction for Newcomers to Canada to reflect increased need and inflation;
- (2) increase the allotment of such funds given to the Province of Ontario to more fairly reflect the proportion of newcomers who arrive in this Province; and
- (3) eliminate the requirement that service providers contribute 50 percent of the funds for enhanced language training projects;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council calls on the Province of Ontario to provide an accommodation grant to cover heat, light, custodial service, rent and related costs borne by School Boards providing Adult ESL programs.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

**J(11) Instructions for Ontario Municipal Board Hearing - 800 Lansdowne Avenue**

**Moved by:** Councillor Giambrone

**Seconded by:** Councillor Carroll

**WHEREAS** the City Solicitor has prepared a confidential report seeking instructions whether to settle the appeal for 800 Lansdowne Avenue; and

**WHEREAS** consideration of this matter by Council is required on an urgent basis to provide instructions to staff in relation to this matter;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the confidential report dated April 12, 2004 from the City Solicitor, and that Recommendation No. (1) in the report be adopted.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

*In adopting Motion J(11), without amendment, Council adopted, without amendment, Recommendation No. (1) of the confidential report dated April 12, 2004, from the City Solicitor. The following Recommendation No. (1), together with the communication dated April 7, 2004, from Andrew Paton, 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:*

- “(1) *City Council accept the attached offer to settle from the applicant re 800 Lansdowne Avenue, dated April 7, 2004, on the basis set out in this report.*”

**J(12) Ontario Municipal Board Hearing – 403 Keele Street**

**Moved by: Councillor Watson**

**Seconded by: Councillor Saundercook**

“**WHEREAS** City Council at its meeting of March 1, 2 and 3 2004, directed the Commissioner of Urban Development Services 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

**WHEREAS** the City Legal, Planning and Economic Development staff met several times with City Councillors Watson, Saundercook and Nunziata, Cara O’Hagan of the Mayor’s Office, together with NRI and Nexxt Corporation representatives, a Ministry of the Environment (‘MOE’) representative and local residents representatives to help resolve the appeal; and

**WHEREAS** a settlement agreement has been reached as outlined in attached planning report;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto adopt the attached report dated April 14, 2004, from the Commissioner of Urban Development Services, which recommends the adoption of Minutes of Settlement and related matters with regard to the OMB hearing scheduled for April 26, 2004.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, without amendment.***

***In adopting Motion J(12), without amendment, Council adopted, without amendment, the report dated April 14, 2004, from the Commissioner of Urban Development Services, entitled “Directions Report for OMB Minutes of Settlement, Official Plan Amendment and Rezoning, 102023, TC CMB 2002 0013, Applicant: NEXXT Corporation Architect: KPMB Architects and CXT Architects, 403 Keele Street (Parkdale-High Park, Ward 14)”, containing the following recommendations:***

***“It is recommended that City Council:***

- (1) endorse the proposed Minutes of Settlement reached between NRI and NEXXT Corporation with respect to NRI’s OMB appeal of Official Plan and Zoning amendment applications by NEXXT Corporation for a property at 403 Keele Street;***



- (2) *authorize the City Solicitor and appropriate City staff to attend the OMB hearing scheduled for April 26, 2004, in support of the Minutes of Settlement;*
- (3) *authorize the City Solicitor and appropriate City staff to make such changes to Official Plan Amendment No. 267 and Site Specific Zoning By-law No. 746-2003, as necessary, to give effect to the Minutes of Settlement as outlined in Attachment 3 to this report;*
- (4) *direct appropriate City staff to forward the Minutes of Settlement to the Ministry of the Environment (MOE) and that the MOE be requested to rely on the Minutes of Settlement for purposes of addressing the relationship between NRI, the City, NEXXT, the condominium corporation and the residents of the NEXXT development, including reliance on the Minutes of Settlement when the MOE processes Certificate of Approval applications from NRI; and*
- (5) *authorize the appropriate City Official to execute the Minutes of Settlement and such other documentation as may be necessary to implement the above recommendations.”*

**J(13) Falun Dafa**

**Moved by: Deputy Mayor Bussin**

**Seconded by: Deputy Mayor Feldman**

“**WHEREAS** for the last five years, Falun Dafa practitioners have hosted the ‘Truth Compassion Tolerance Day’ for the Toronto Community at Nathan Phillips Square;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto reiterate that the Canadian Charter of Rights and Freedoms guarantees the freedom of conscience, religion, thought, belief, opinion, expression, peaceful assembly and association.”

*Disposition:*

*At City Council on April 15 and 16, 2004, this Motion was withdrawn.*

**J(14) Court Application on the Stolport Agreement**

**Moved by: Mayor Miller**

**Seconded by: Deputy Mayor Bussin**

**“WHEREAS** Council at its meeting held on June 24 to 26, 2003 authorized the settlement of the litigation between the City, TEDCO and the Toronto Port Authority (‘TPA’), involving the TPA’s claims relating to approximately 612 acres of land in the portlands, which were transferred by the former Toronto Harbour Commission to the City and Toronto Economic Development Corporation (‘TEDCO’); and

**WHEREAS** one of the components of the settlement was for the TPA to complete certain transfers of land to the City and TEDCO; and

**WHEREAS** there is an agreement between Stolport Corporation and the TPA that is registered against the lands to be transferred and certain other lands previously conveyed to the City and TEDCO, that the City Solicitor recommends should be removed from title before these transfers are completed;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the confidential report dated April 14, 2004, from the City Solicitor, regarding pursuing a court application to remove the Stolport Agreement from the title to the lands already transferred and to be transferred.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, subject to adding the following new Operative Paragraph:***

***“AND BE IT FURTHER RESOLVED THAT the confidential report dated April 14, 2004, from the City Solicitor, be adopted.”***

***In adopting Motion J(14), as amended, Council adopted, without amendment, the confidential report dated April 14, 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 City Council:***

- (1) instruct the City Solicitor to proceed with the court application for declaratory relief regarding the Stolport Agreement that has been registered on certain lands already transferred and lands to be transferred by the TPA to the City and TEDCO;***

- (2) *instruct the City Solicitor to retain the firm of Robins, Appleby & Taub to handle the court application for the City and TEDCO with the City and TEDCO jointly sharing the legal costs connected with the court application and the completion of the land transfers; and*
- (3) *authorize the appropriate City officials to take the necessary steps to give effect thereto.”*

**J(15) Bloordale Village Community Street Festival**

**Moved by: Councillor Giambrone**

**Seconded by: Deputy Mayor Pantalone**

“**WHEREAS** City Council, at its meeting held on January 27, 28 and 29, 2004, by its adoption of Recommendation No. (2) of Clause No. 59 of Report No. 2 of The Toronto South Community Council, refused the request that Bloordale Village Community Street Festival be declared an event of municipal significance for liquor licensing purposes; and

**WHEREAS** the organizers of the festival have since worked diligently with City Staff to reorganize and to resolve outstanding issues to promote a positive community event; and

**WHEREAS** the organizers of the festival have now also conducted community consultation to ensure that the concerns of residents and businesses are heard and addressed; and

**WHEREAS** the organizers of the festival have been granted the necessary permits required and have requested the City Council reconsider its decision;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto South Community Council Report No. 2, Clause No. 59, headed ‘Requests for Endorsement of Events for Liquor Licensing Purposes’, be re-opened for further consideration, only as it pertains to the Bloordale Village Community Street Festival;

**AND BE IT FURTHER RESOLVED THAT** City Council declare, for liquor licensing purposes the Bloordale Village Community Street Festival, to be held from June 25, 2004 to June 27, 2004 inclusive, an event of municipal and/or community significance and so advise the Alcohol and Gaming Commission of Ontario;

**AND BE IT FURTHER RESOLVED THAT** City Council advise the Alcohol and Gaming Commission of Ontario that it has no objection to the extension of the liquor licences of the following establishments to permit sale and service of alcohol on the patio until 11:00 p.m. in conjunction with the festival, and that the patio shall be closed and cleared by 12:00 a.m. each night of the festival.”

*Disposition:*

*City Council on April 15 and 16, 2004, re-opened Toronto South Community Council Report No. 2, Clause No. 59, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”, for further consideration, only as it pertains to the Bloordale Village Community Street Festival.*

*City Council subsequently adopted the balance of this Motion, subject to deleting the third Operative Paragraph and inserting instead the following new Operative Paragraph:*

**“AND BE IT FURTHER RESOLVED THAT** City Council advise the Alcohol and Gaming Commission of Ontario that it has no objection to the extension of the liquor licence of Duffy’s Billboard Club and Bar, 1238 Bloor Street West, to permit sale and service of alcohol on the patio until 11:00 p.m. on Friday and Saturday, and 9:00 p.m. on Sunday, in conjunction with the festival hours, and that the patio shall be closed and cleared one hour following the close of the festival each day.”

**J(16) Condemnation of Anti-Semitic and Hate Crime**

**Moved by:** Councillor Walker

**Seconded by:** Councillor Mihevc and Councillor Saundercook

**“WHEREAS** the number of anti-Semitic incidents in the Greater Toronto Area reported to B’nai Brith has increased sharply since 2001; and

**WHEREAS** the recent racially motivated attack against a mosque in Pickering also highlights this alarming rise in racial and religious intolerance and hate; and

**WHEREAS** recent incidents of vandalism and hate crime involving homes, cars, cemeteries, synagogues, mosques, schools and construction hoardings in the Greater Toronto Area represent an intolerable affront to our collective civility; and

**WHEREAS** such acts are intended to isolate and marginalize individuals and communities on the basis of prejudice against faith and culture; and

**WHEREAS** such actions cause significant harm to personal perceptions of fear, safety, liberty and well-being, reducing the quality of life both for the targets of the hate crimes, and for all residents of Toronto; and

**WHEREAS** such acts are clearly in violation of human rights and hate-based crime legislation;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) Council condemn, in the strongest terms, the recent acts of violent vandalism and hate crimes targeted against the Jewish and Muslim communities of the Greater Toronto Area;
- (2) Council condemn, in the strongest terms, all hate related crimes, as repugnant to the civility, tolerance and diversity that distinguishes our City and its people;
- (3) Council provide support for the Canadian Jewish Congress Conference; and
- (4) Council support the Government of Ontario in its declaration that hate and all hate crimes have absolutely no place in our City or our Province.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

**J(17) Opposition to Proposed Eight Percent Provincial Sales Tax on Low Cost Meals**

**Moved by: Councillor Cho**

**Seconded by: Councillor Stintz**

**“WHEREAS** the new Liberal Government was elected on a platform of ‘Choose Change’ and are now considering the introduction of a PST tax of eight percent on those meals that cost less than \$4.00; and

**WHEREAS** many students in Toronto now go to school without eating breakfast and the City of Toronto is already providing breakfast and snack programs to assist these students; and

**WHEREAS** many young people purchase low-cost meals either for breakfast, lunch or after-school snacks at fast-food locations or food outlets in shopping malls; and

**WHEREAS** many single mothers cannot afford expensive meals and they choose to purchase low-cost meals for their children; and

**WHEREAS** many new immigrants who have been unsuccessful in finding gainful employment in their chosen field cannot afford expensive meals and also choose to purchase low-cost meals; and

**WHEREAS** those people on social assistance choose to purchase meals that are frequently less than \$4.00; and

**WHEREAS** those senior citizens on fixed incomes who cannot afford expensive meals are forced to purchase lower cost meals;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council convey to the Premier of Ontario and the Liberal Government that Council believes this tax is regressive, inhumane, and hurts those members of society most in need, and Council urge the Premier of Ontario not to implement this tax.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion, subject to deleting all seven recitals so that the Motion now reads as follows:***

***“BE IT RESOLVED THAT Toronto City Council convey to the Premier of Ontario and the Liberal Government that Council believes this tax is regressive, inhumane, and hurts those members of society most in need, and Council urge the Premier of Ontario not to implement this tax.”***

**J(18) Interim Control By-law Amendment to Include lands at 18 Fern Avenue (York South-Weston, Ward 11)**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Hall**

**“WHEREAS** the Council of the City of Toronto on April 15, 2003, by resolution, directed that a review be undertaken in respect of the land use planning regulations in the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area of the City (former City of York), an area within which 18 Fern Avenue is located; and

**WHEREAS** Council on April 15, 2003, passed By-law No. 189-2003 to effect Interim Control in the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area of the City for a period of one year from the date of its passing; and

**WHEREAS** the property municipally known as 18 Fern Avenue was exempted from Interim Control By-law No. 189-2003, on the basis of an application for consent and minor variance submitted to and proceeding through the Committee of Adjustment, the time Interim Control By-law No. 189-2003 was passed; and

**WHEREAS** the Humber York Committee of Adjustment, at its hearing held on Tuesday, August 12, 2003, unanimously refused Application File No. A18/03HY and A55/03HY to obtain consent to sever the lands into two residential lots and to maintain the existing two-storey detached dwelling on the easterly portion of the site, identified as Part 2; and

**WHEREAS** the owner appealed the Committee of Adjustment's Decision to refuse the application to the Ontario Municipal Board; and

**WHEREAS** City Council, at its meeting held on September 22, 23, 24 and 25, 2003, directed the City Solicitor to authorize City Legal staff to attend the Ontario Municipal Board hearing to support the unanimous decision of the Committee of Adjustment; and

**WHEREAS** Council on March 3, 2004, passed By-law No. 216-2004, to extend the period of time during which Interim Control By-law No. 189-2003 is to be in effect, until April 14, 2005; and

**WHEREAS** the evidence was given at the Ontario Municipal Board indicating that if the Ontario Municipal Board dismissed the appeals, and upheld the Committee of Adjustment's refusal decision, then it would be appropriate to amend Interim Control By-law 189-2003, in order to have Interim Control applied to 18 Fern Avenue; and

**WHEREAS** the Ontario Municipal Board, at its hearing on March 4, 2004, issued an oral decision, dismissing the appeals on the basis they did not comply with Section 51(24) (a) and (c) of The Planning Act; and

**WHEREAS** the Commissioner of Urban Development Services has submitted the attached report dated April 14, 2004, recommending that Interim Control By-law No.189-2003, as amended, be further amended to, in effect, apply interim control to 18 Fern Avenue;

**NOW THEREFORE BE IT RESOLVED THAT** City Council adopt the recommendations contained in the report dated April 14, 2004 from the Commissioner of Urban Development Services, entitled 'Interim Control By-law Amendment Report to Include lands at 18 Fern Avenue, File Number: 10/15/1-4 (York South-Weston, Ward 11)';

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the introduction of the necessary Bill in Council to give effect hereto."

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

*In adopting Motion J(18), without amendment, Council adopted, without amendment, the report dated April 14, 2004, from the Commissioner of Urban Development Services, entitled "Interim Control By-law Amendment Report to Include lands at 18 Fern Avenue, File Number: 10/15/1-4, (York-South-Weston, Ward 11)", containing the following recommendations:*

*“It is recommended that City Council:*

- (1) amend City of Toronto By-law No. 189-2003, as amended, substantially in accordance with the Interim Control By-law Amendment; and*
- (2) authorize the City Solicitor to make such stylistic and technical changes to the Interim Control By-law amendment as may be required.”*

*City Council subsequently enacted By-law No. 252-2004.*

**J(19) Grant to Fountainhead Tenants’ Association to Assist with Completion of Ontario Municipal Board Appeal (York West, Ward 8)**

**Moved by: Councillor Walker**

**Seconded by: Councillor Li Preti**

**WHEREAS** City Council established a Tenant Defence Fund to assist tenants of Toronto in disputing above guideline rent increases (‘AGI’s’), participating in Ontario Municipal Board Appeals affecting condominium conversion and demolition applications, and making appeals to the Divisional Court on orders issued by the Ontario Rental Housing Tribunal with respect to AGI applications 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 owner of the Maple Grove apartment complex, Met Cap Living Management Inc., had applied to the Ontario Municipal Board (‘OMB’) for permission to amend the Official Plan and Zoning By-Law, in order to construct a long-term care facility between two buildings in the complex (40 Fountainhead Road and 470 Sentinel Road), on the north side of Fountainhead Road; and

**WHEREAS** the City and the Fountainhead Tenants’ Association opposed the proposed intensification project because it would result in the loss of certain existing amenities for tenants in the complex (the north swimming pool, green space and some trees in the woodlot), and the owner did not originally propose compensation for the loss of amenities; and

**WHEREAS** Councillor Li Preti submitted a Notice of Motion to Council, at its meeting of February 4, 5 and 6, 2003, requesting a grant of \$7,500.00 on behalf of the tenants’ association to hire a private solicitor, to represent the tenants’ association at the OMB hearing, and Council approved a smaller grant of \$5,000.00 for this request; and



**WHEREAS** prior to the OMB hearing on February 24, 2004, the owner submitted revisions of the original proposal, which included provision of benefits for the entire apartment complex to be secured through a Section 37 Agreement as a requirement of the site-specific official plan and zoning by-law amendments;

**WHEREAS** at the OMB hearing on February 24, 2004, City witnesses testified that the revised proposal addressed the original reasons for City's refusal of the application, and thereby the City was no longer in opposition to the owner's application; and

**WHEREAS** in its decision issued on May 22, 2003, the OMB allowed the owner's appeal and concluded that the proposed benefits would provide adequate compensation for the loss of the amenities; and

**WHEREAS** the OMB requires the owner to consult with the area tenants to finalize the details of certain proposed benefits, specifically, the south pool expansion and improvements, the proposed new playground, and the proposed new recreation facility; and

**WHEREAS** the OMB is withholding its order until the Section 37 Agreement between the owner and the City has been finalized to secure the benefits identified in the site-specific Official Plan and Zoning By-law Amendments; and

**WHEREAS** the owner indicated that they intend to schedule the tenant consultation process in the near future; and

**WHEREAS** Councillor Li Preti requested the Tenant Defence Sub-Committee at its meeting of February 27, 2004, to recommend approval of a second grant of \$3,000.00 for the Fountainhead Tenants' Association in order to ensure that the tenants' interests are represented during the consultation process;

**WHEREAS** the Tenant Defence Sub-Committee, having considered the motion, authorized its Chair to submit a Notice of Motion to Council for its meeting on April 15 and 16, 2004, recommending a grant of up to \$3,000.00 for the Fountainhead Tenants' Association; and

**WHEREAS** the Tenant Defence Sub-Committee requested the Commissioner of Community and Neighbourhood Services to submit a report to the Special Council meeting of April 15 and 16, 2004 to be considered with the motion at the same time; and

**WHEREAS** the Special Council meeting of April 15 and 16, 2004, is a special meeting held only for considering reports of Community Councils and deferred business from the previous Council meeting, rather than discussing new matters; and

**WHEREAS** section 107 of the Municipal Act 2001 provides that the council of every municipality may, subject to section 106 of the Municipal Act, 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;

**NOW THEREFORE BE IT RESOLVED THAT** this Notice of Motion and the report dated April 8, 2004, from the Commissioner of Community and Neighbourhood Services, entitled 'Non-Concurrence in Request for a Tenant Support Grant from the Tenant Defence Fund by the Fountainhead Tenants' Association Following an Ontario Municipal Board Decision (Ward 8 - York West)' be referred to the Tenant Defence Sub-Committee meeting of May 12, 2004, for report to the Community Services Committee."

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

**J(20) Listing of 230 Bloor Street West on the Inventory of Heritage Properties**

**Moved by: Councillor Chow**

**Seconded by: Councillor Mihevc**

**“WHEREAS** the property at 230 Bloor Street West contains a building designed by architect John Lyle and constructed in 1919-20 as the Studio for his architectural practice; and

**WHEREAS** John Lyle was a prominent Canadian architect who designed a number of noteworthy buildings in Toronto including the Royal Alexander and the Runnymede Library, and who was the co-designer of Union Station; and

**WHEREAS** numerous Canadian architects, among them Douglas E. Kertland, John Jackson Beck and Arthur Eadie, received training at the John Lyle Studio at 230 Bloor Street West; and

**WHEREAS** the John Lyle Studio Building is a good example of the Georgian Revival architectural style; and

**WHEREAS** the building at 230 Bloor Street West was used by John Lyle as his Studio until his retirement in 1943; and

**WHEREAS** the property has cultural resource value or interest for its architectural significance and association with a prominent Canadian architect;

**NOW THEREFORE BE IT RESOLVED THAT** the property at 230 Bloor Street West be listed on the City of Toronto's Inventory of Heritage Properties."

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion, without amendment.*

**CONDOLENCES:**

(1) Moved by: Councillor Carroll

Seconded by: Mayor Miller

“**WHEREAS** the community of Seneca Hill, and indeed the entire City, have banded around the family of Cecilia Zhang with hopes and prayers for her safe return and now share a deep sense of outrage and grief at her loss; and

**WHEREAS** the Council of the City of Toronto will always be grateful to its citizens for the support shown to Cecilia’s parents, Raymond and Sherry, throughout their terrible ordeal; and

**WHEREAS** the citizens of Toronto will forever hold in their hearts, the precious photographic images of the lively student of Seneca Hill Public School and loving daughter to Raymond and Sherry;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be requested to convey on behalf of the members of City Council, our sincere sympathy to the Zhang family on their tragic personal loss.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion unanimously, subject to adding the following new Operative Paragraph:***

***“AND BE IT FURTHER RESOLVED THAT Council extend special thanks to Councillor Olivia Chow for her efforts in assisting with language translation and emotional support, on October 29, 2004, at the time of the family’s terrible loss.”***

(2) Moved by: Mayor Miller

Seconded by: Deputy Mayor Bussin

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the passing of Mrs. Jessie Lindsay, beloved mother of Councillor Gloria Lindsay Luby, on March 2, 2004; and

**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 Councillor Gloria Lindsay Luby and her family.”

***Disposition:***

***City Council on April 15 and 16, 2004, adopted this Motion unanimously.***

(3) **Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Chow**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the sudden passing of Ms. Dolores Grey on February 22, 2004, in her 41st year; and

**WHEREAS** Dolores Grey was a tireless and resolute volunteer for many social, environmental and human rights causes; and

**WHEREAS** Dolores Grey was not only a strong believer and advocate for the importance of community participation, but also quietly, humbly and consistently lived what she spoke by sharing in the day to day, month in and month out activity that is the integral part of successful community campaigns; and

**WHEREAS** Dolores Grey, while volunteering for her community and for our City, touched the hearts and minds of the many people she worked and spoke with and will be sorely missed by the Toronto social movement community, colleagues, friends and families;

**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 her family, her father Mr. James Grey, her sister Ms. Rosemary Lavoratore, her brothers Aidan, Denis and Peter, as well as her extended family members at Guru Ram Ashram.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion unanimously.*

(4) **Moved by: Deputy Mayor Pantalone**

**Seconded by: Mayor Miller**

“**WHEREAS** the Mayor and Members of City Council are deeply saddened to learn of the passing of Mr. William Johnston on Friday, April 2, 2004, in his 56th year; and

**WHEREAS** William Johnston worked as a poverty lawyer in south Parkdale and served as a caring Board Member for such diverse organizations as the Centre for Addiction and Mental Health Community Advisory Board’s Neighbourhood Liaison Committee, Friends of Fort York, Dewson Public School Parent Teachers Association, Niagara Neighbourhood Residents’ Association and Garrison Creek Community Linkages Group; and

**WHEREAS** William Johnston, as a strong advocate for one of Toronto’s oldest neighbourhoods, the Niagara Neighbourhood, was mindful of its history and was always compassionate with regards to its residents and worked on numerous community projects, including the closure of a lead smelter, the institution of library services, and the development of community gardens – particularly the garden at the Garrison Flats; and

**WHEREAS** William Johnston was an avid lover of nature and was closely involved with pioneering greening projects within the City of Toronto; and

**WHEREAS** William Johnston served the City of Toronto well, as Executive Assistant to former Councillor Martin Silva and Councillor Joe Pantalone, from January 3, 1991, onwards; and

**WHEREAS** William Johnston, while volunteering for his community and working for our City, touched the hearts and minds of countless people and will be truly missed by neighbours, Toronto residents, Toronto City Hall colleagues, and his numerous friends; and

**WHEREAS** William Johnston was devoted to his wife Anne, their children Andrew, Amy, Kathleen, and the late Eric, his mother Margaret and his father, the late Eric, his sisters Anthea (Kyle) and the late Karen, and his brothers Peter and Eric;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Mayor and Members of City Council, our sincere sympathy to the Johnston family;

**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Economic Development, Culture and Tourism, in consultation with the local Councillor, investigate the possibility of naming one of the new City parks being created in the Niagara Neighbourhood area after William Johnston to recognize his long lasting contribution to both his community and to the City of Toronto.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion unanimously.*

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

**Seconded by:** Mayor Miller

“**WHEREAS** the Members of City Council are very saddened to learn of the passing of Brian Loreto, a Senior Solicitor with the Legal Services Division of the City of Toronto, on April 13, 2004, in his 49th year; and

**WHEREAS** Brian Loreto was a Solicitor with the former Cities of North York and Hamilton and the former Regional Municipality of Hamilton-Wentworth; and

**WHEREAS** Brian Loreto was one of the most dedicated and diligent members of the Legal Services Division, who provided exceptional counsel to the City of Toronto; and

**WHEREAS** Brian was an avid supporter of the arts throughout the City of Toronto and loved film and music and was an annual attendee at the Toronto Film Festival; and

**WHEREAS** Brian will be truly missed by his colleagues at the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife Nancy Clarkson and their family.”

*Disposition:*

*City Council on April 15 and 16, 2004, adopted this Motion unanimously.*

Toronto, Ontario  
April 26, 2004

City Clerk.