

## **CERTIFICATE OF AMENDMENTS**

Certified to be a true copy of amendments to:

Deferred Clause from September 28, 29, 30 and October 1, 2004:

Planning and Transportation Committee Report 6, Clause 4c.

Deferred Clauses from October 26, 27 and 28, 2004:

Administration Committee Report 8, Clause 8c,  
Board of Health Report 7, Clause 1c,  
Policy and Finance Committee Report 8, Clause 1c, and  
Planning and Transportation Committee Report 7, Clause 3a.

Deferred Clauses from November 30, December 1 and 2, 2004:

Works Committee Report 9, Clause 3b,  
Scarborough Community Council Report 8, Clause 7b, and  
Toronto and East York Community Council Report 9, Clauses 8a, 9a and 58a.

Deferred Clauses from December 6, 2004:

Administration Committee Report 9, Clauses 1b, 10b, 11b and 22b,  
Audit Committee Report 6, Clauses 4b and 6b,  
Community Services Committee Report 8, Clause 7b,  
Economic Development and Parks Committee Report 8, Clause 12b,  
Policy and Finance Committee Report 9, Clauses 41b and 42b,  
Works Committee Report 10, Clause 10b, and  
Etobicoke York Community Council Report 9, Clauses 1b and 2b.

New Committee Reports:

Administration Committee Report 1,  
Administration Committee Report 2,  
Audit Committee Report 1,  
Board of Health Report 1,  
Community Services Committee Report 1,  
Community Services Committee Report 2,  
Economic Development and Parks Committee Report 1,  
Economic Development and Parks Committee Report 2,  
Planning and Transportation Committee Report 1,  
Planning and Transportation Committee Report 2,  
Policy and Finance Committee Report 1,  
Policy and Finance Committee Report 2,  
Striking Committee Report 1,  
Works Committee Report 1, and  
Works Committee Report 2.

New Community Council Reports:

Etobicoke York Community Council Report 1,  
North York Community Council Report 1,  
Scarborough Community Council Report 1, and  
Toronto and East York Community Council Report 1,

and Notices of Motions as adopted by the Council of the City of Toronto at its regular meeting held on February 1, 2 and 3, 2005.

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

**DEFERRED CLAUSE FROM PLANNING AND TRANSPORTATION COMMITTEE REPORT 6**

**Clause 4c - "Taxicab Driver Safety".**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

"That the Commissioner of Urban Development Services be requested to report to the Planning and Transportation Committee for its meeting on March 7, 2005, on safety devices used successfully or unsuccessfully in other jurisdictions, and that the International Association of Transportation Regulators and its members be requested to comment on taxi driver safety devices."

This Clause, as amended, was adopted by City Council.

**DEFERRED CLAUSE FROM ADMINISTRATION COMMITTEE REPORT 8**

**Clause 8c - “Complaint Regarding Actions at Committee Meetings”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSE FROM BOARD OF HEALTH REPORT 7**

**Clause 1c - “Shade Policy and Technical Considerations for the City of Toronto”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSE FROM POLICY AND FINANCE COMMITTEE REPORT 8**

**Clause 1c - “Capital Financing Strategy – 2004”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSE FROM PLANNING AND TRANSPORTATION COMMITTEE REPORT 7**

**Clause 3a - “Comprehensive By-law Compliance Programme”.**

City Council on February 1, 2 and 3, 2005, referred this Clause back to the Planning and Transportation Committee for further consideration.

**DEFERRED CLAUSE FROM WORKS COMMITTEE REPORT 9**

**Clause 3b - “Bus-Only Lanes (Bus Rapid Transit) Downsview Subway Station to York University”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Council adopt the following Recommendations (3) and (4) of the Toronto Transit Commission (TTC) contained in the communication dated December 16, 2004, from the General Secretary, TTC:

- (3) that Toronto City Council request York University to approve this concept in principle, conditional on the City of Toronto and the Toronto Transit Commission entering into a binding agreement with York University which would result in the removal of the bus-only roadway within ten years; and
- (4) that Toronto City Council re-affirm that the extension of the Spadina/University subway to Steeles Avenue is the City's top priority for subway expansion and that the Minister of Finance and the Government of Ontario be so advised.' "

This Clause, as amended, was adopted by City Council.

#### **DEFERRED CLAUSE FROM SCARBOROUGH COMMUNITY COUNCIL REPORT 8**

**Clause 7b - "Elimination of Sidewalks on Starry Crescent and Boulderbrook Drive (Ward 42 - Scarborough Rouge River)".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

#### **DEFERRED CLAUSES FROM TORONTO AND EAST YORK COMMUNITY COUNCIL REPORT 9**

**Clause 8a - "Revised Final Report – Application to Amend the Official Plan and Zoning By-law – 450, 470 and 500 Lake Shore Boulevard West (Trinity-Spadina, Ward 20)".**

City Council on February 1, 2 and 3, 2005, amended this Clause by:

- (1) deleting Recommendation (1) of the Toronto and East York Community Council;
- (2) adopting the following staff recommendations contained in the Recommendations Section of the confidential report dated February 2, 2005, from the Commissioner of Urban Development Services, such recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that City Council:

- (1)
  - (a) as the preferred option, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 3 outlined in this report, including the exemption of Wittington Properties Ltd. from the payment of development charges in connection with its lands in Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6 and 6A in the FYN as well as Blocks 9 and 10 in the FYN; or
  - (b) if the public and separate School Boards or Wittington are not prepared to enter into agreements on the basis of settlement Scenario 3, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 2 outlined in this report whereby Wittington is not exempted from development charges and apply the credits as outlined in Scenario 2;
- (2) confirm and support the public benefits as set out in Attachment 3 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 3 is secured;
- (3) confirm and support the public benefits as set out in Attachment 2 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 2 is secured;
- (4) direct the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to continue support for the proposals contemplated in the OMB decision dated November 18, 2003, with respect to Blocks 2, 3, 4, 4A, 6 and 6A in FYN as well as Blocks 33 and 37 in the RLW;
- (5) authorize and direct the City Solicitor to attend at the Ontario Municipal Board to oppose any request by the public and separate School Boards to be added as parties to either the planning matters or the matter of Wittington’s appeal of the Development Charges By-law;
- (6) confirm that, if agreements are finalized pursuant to Scenario 3, that:
  - (a) in accordance with Section 5.2 of the Railway Lands West Part II Plan and Section 6.1 of the Fort York Part II Plan, Council intends to ensure that certain community services and facilities are secured through appropriate mechanisms, which may include the allocation of development charge funding for the library and community centres and other community facilities in the RLW and FYN and their immediate vicinities as part of Council’s annual capital budget setting process; and

- (b) authorize and direct staff to make necessary submissions to the Budget Advisory Committee to ensure that the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City's capital budget process;
- (7) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards to facilitate possible amendments to existing agreements in the Railway Lands West for Blocks 32, 33, 36 and 37 to allow funds collected for schools to be spent either in the Railway Lands West or the Fort York Neighbourhood;
- (8) authorize the Commissioner of Corporate Services, in consultation with the Commissioner of Urban Development Services, to work with the School Boards to identify possible City-owned sites for a joint use School and Community Centre to serve the Fort York Neighbourhood and to determine whether the school portion of the site could be provided at nominal rent as done in the Harbourfront and the Railway Lands West;
- (9) approve the recommendations contained within the Revised Final Report, Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto respecting lands known as 450, 470 and 500 Lake Shore Boulevard West, 00 036089 STE 20 OZ dated November 1, 2004, with the following changes:

Delete Recommendations (2), (3) and (14);

  - (a) amend Recommendation (5)(i) an affordable housing contribution of \$200,000 to a contribution of \$375,000 to be paid and distributed as outlined in this report; and
  - (b) add a new recommendation (18) to authorize easements for driveway purposes on the City owned triangle of land immediately north of Block 10 and on the City owned parcel of land located adjacent to the north east corner of Block 9 and 10 on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services;
- (10) authorize the City Solicitor, and necessary City staff to attend the OMB to support the Official Plan and Zoning By-law Amendments consistent with the settlement described in this report for Blocks 8, 9 and 10 in the FYN and Block 37 in the RLW;
- (11) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services, to make such stylistic and technical changes to any draft official plan amendment and draft zoning by-law amendments as may be required to implement any Ontario Municipal Board decision and give effect to the foregoing;

- (12) request that as part of the settlement for Wittington lands in the RLW and FYN that Wittington withdraw its appeals of the new Official Plan, the Central Waterfront Plan and the Development Charges By-law; and
- (13) authorize and direct the appropriate City officials to take the necessary steps to give effect thereto.”

This Clause, as amended, was adopted by City Council.

**Clause 9a** - **“Final Report - Application to Amend the Official Plan and Zoning By-law – 40 The Esplanade (Toronto Centre-Rosedale, Ward 28)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 58a** - **“Installation of Speed Humps – Howard Street, Between Parliament Street and Sherbourne Street (Toronto Centre-Rosedale, Ward 28)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to the meeting of Council on April 12, 2005.

#### **DEFERRED CLAUSES FROM ADMINISTRATION COMMITTEE REPORT 9**

**Clause 1b** - **“Improvement Initiative - Court Services Fine Collection”**.

City Council on February 1, 2 and 3, 2005, amended this Clause by:

- (1) amending the staff Recommendations contained in the Recommendations Section of the report (October 18, 2004) from the Commissioner of Corporate Services by:
  - (i) amending Recommendation (2) so that it now reads as follows:

“(2) authorize increasing Court Services collections efforts in a fiscally and socially responsible manner;” and
  - (ii) adding the following Recommendation (5):

“(5) the City shall review for approval all collection practices employed by collection agencies utilized by the City.”; and

(2) adding the following:

“That Council:

- (1) direct staff to pursue and obtain judgement in the Superior Court where individuals or companies have unpaid fines exceeding \$10,000.00 and, upon obtaining judgement, direct the City Solicitor to initiate collection action, including the seizure and sale of identified assets to effect payment; and
- (2) request the Chief Financial Officer and Treasurer to meet with Ontario Ministry of Finance staff and report back to the Administration Committee on what action the Province will take to implement more effective and practical collection measures to improve the level of compliance with court orders.”

This Clause, as amended, was adopted by City Council.

**Clause 10b** - **“Extension of Purchase Order 6013270 related to Request for Quotation 1004-03-3394 for the Supply, Delivery and Installation of Artopex Imagine Series Workstations to Various Locations throughout the City of Toronto”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That the Commissioner of Corporate Services be requested to review the specifications for workstations that are used by the City, in order to establish a standard workstation that would be durable, useful and available to meet the future needs of the City, and report on this review to the Administration Committee.”

This Clause, as amended, was adopted by City Council.

**Clause 11b** - **“Extension of Purchase Order 6013271 related to Request for Quotation 1004-03-3395 for the Supply, Delivery and Installation of Haworth Premise Series Workstations to Various Locations throughout the City of Toronto”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That the Commissioner of Corporate Services be requested to review the specifications for workstations that are used by the City, in order to establish a standard workstation that would be durable, useful and available to meet the future needs of the City, and report on this review to the Administration Committee.”

This Clause, as amended, was adopted by City Council.



**Clause 22b - "Possible Acquisition of Toronto District School Board Property Located on Wanita Road for Stormwater Management Purposes (Ward 44 - Scarborough East)".**

City Council on February 1, 2 and 3, 2005, adopted the following:

"That:

- (1) Council adopt the following recommendation of the Works Committee, as contained in the Clause, subject to deleting from the second Operative Paragraph, the date 'December 2004', and inserting instead the date "March 8, 2005", so that the recommendation of the Works Committee shall now read as follows:

'BE IT RESOLVED THAT the City of Toronto express an interest in the acquisition of the Toronto District School Board Wanita Road property;

AND BE IT FURTHER RESOLVED THAT staff be directed to negotiate with the Toronto District School Board and report back to the Works Committee on the cost to acquire the Wanita Road site at its March 8, 2005 meeting;

AND BE IT FURTHER RESOLVED THAT City staff be directed to work with Toronto and Region Conservation Authority staff and report back to the Works Committee on how the site could be utilized to meet the goals of the Wet Weather Flow Master Plan, the Centennial Creek Subwatershed Study and the TRCA's Valley and Stream Corridor Policies, including aspects such as storm water management, water quality improvement, habitat restoration and increased tree canopy.';

- (2) the Chief Planner be directed to initiate an Official Plan Amendment and Zoning By-law Amendment to designate the Wanita Road lands owned by the Toronto District School Board to 'open space' and bring these amendments forward to the June meeting of Scarborough Community Council; and
- (3) the Commissioner of Urban Development Services be requested to continue discussions with the Toronto District School Board about the Wanita Road site, such discussions to also be used as an opportunity to discuss a creative solution to the management of school lands in a way that mutually benefits the School Board and the City."

This Clause, as amended, was adopted by City Council.

**DEFERRED CLAUSE FROM AUDIT COMMITTEE REPORT 6**

**Clause 6b** - **“Hostel Operations Review - Community and Neighbourhood Services”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSE FROM ECONOMIC DEVELOPMENT AND PARKS COMMITTEE REPORT 8**

**Clause 12b** - **“Humanitas: Feasibility Study for a New Cultural Attraction on Toronto’s Waterfront (Various Wards)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by:

(1) referring the following staff Recommendation (3) contained in the Recommendations Section of the report dated October 15, 2004, from the Commissioner of Economic Development, Culture and Tourism, to the Economic Development and Parks Committee, for further consideration of the name “Humanitas”:

“(3) the Word Mark ‘Humanitas’ be adopted and used as an official mark of the City of Toronto and the City Solicitor be directed to request the Registrar of Trade-Marks to give public notice of its adoption and use; and”; and

(2) adding the following:

“That the Commissioner of Economic Development, Culture and Tourism be requested to report to the Economic Development and Parks Committee, in one year’s time, on the results of the fundraising feasibility study.”

This Clause, as amended, was adopted by City Council.

**DEFERRED CLAUSE FROM POLICY AND FINANCE COMMITTEE REPORT 9**

**Clause 41b** - **“Operating Variance Report for the Nine Months Ended September 30, 2004”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSE FROM WORKS COMMITTEE REPORT 10**

- Clause 10b** - **“Contract 04WD-04RD, Tender Call 274-2004 Park Lawn Reverse Ramp (Ward 6 - Etobicoke-Lakeshore)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**DEFERRED CLAUSES FROM ETOBICOKE YORK COMMUNITY COUNCIL REPORT 9**

- Clause 1b** - **“Request for Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 22 Nairn Avenue (Ward 17 - Davenport)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 2b** - **“Request for an Exemption to Chapter 400 of the Former City of Toronto Municipal Code to Permit Front Yard Parking at 24 Nairn Avenue (Ward 17 - Davenport)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**ADMINISTRATION COMMITTEE REPORT 1**

- Clause 2** - **“Feasibility of Selling Parking Tag Receivables, or Increasing the Percentage of Remuneration, to the Canadian Bonded Credits Ltd.”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 3** - **“Recipient - 2004-2005 City of Toronto Scholarships in Aboriginal Health at the University of Toronto”**.

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That the Chief Administrative Officer be requested to report to the Administration Committee on how well the City of Toronto Scholarship in Aboriginal Health is fulfilling its goal of responding to the acute shortage of Aboriginal Health Care Professionals.”

This Clause, as amended, was adopted by City Council.

**Clause 5 - “Access to Licence Plate Information - City of Toronto Reference: 2004-S5-J(2)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 6 - “2004 Status Update Report - Optimizing Revenue from Development Potential of Toronto Transit Commission Properties (Various Wards)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding to the recommendation of the Administration Committee, the words “so that any further negotiations with the prospective developer of the property will be conducted by TTC staff only”, so that the recommendation of the Administration Committee now reads as follows:

“The Administration Committee recommends that City Council adopt the staff recommendations in the Recommendations Section of the report (November 1, 2004) from the Commissioner of Corporate Services and the Chief General Manager, Toronto Transit Commission, as amended, to provide that City Council advise the Toronto Transit Commission that 7 Crescent Road (Rosedale Bus and Subway Station) should be removed from the list of potential development sites, so that any further negotiations with the prospective developer of the property will be conducted by TTC staff only.”

This Clause, as amended, was adopted by City Council.

**ADMINISTRATION COMMITTEE REPORT 2**

**Clause 2 - “Court Application by Toronto District School Board With Respect to Yvonne Public School (Ward 7 - York West)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by deleting confidential Recommendations (1) and (2) of the Administration Committee and issuing confidential instructions to staff, that are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act, 2001*, as they contain information pertaining to litigation or potential litigation.

**Clause 4 - “Sale of Portions of City-owned Land Adjacent to 150 Borough Drive In Exchange for a Strata Land Interest for a Proposed New Public Park and Other Considerations (Ward 38 - Scarborough Centre)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by deleting from staff Recommendation (1) contained in the Recommendations Section of the report dated January 5, 2005, from the Commissioner of Corporate Services, the name “Skygold Developments Limited”, and inserting instead the name “Skygold Investments Ltd.”, so that Recommendation (1) now reads as follows:

“(1) authority be granted for the City to enter into a Land Exchange Agreement with Skygold Investments Ltd. (hereinafter referred to as ‘Skygold’ or ‘Goldman’), pursuant to which the City will agree to convey its lands north of the City’s deck parking facility, east of the Scarborough Civic Centre and west of Town Centre Court, designated as Parts 8, 9, 10, 11, 12 and 13 on the draft reference plan dated December 9, 2004 (the ‘Draft Reference Plan’), to Skygold in exchange for the conveyance of a strata land interest in certain lands for a proposed new public park designated as Parts 17, 19, 20, 21, 22, 26 and 28 on the Draft Reference Plan, a cash payment of \$1,800,000.00 and other considerations as outlined in Appendix A this report;”.

This Clause, as amended, was adopted by City Council.

**Clause 6 - “Surplus Land Declaration and Proposed Closing of Six Public Highways Located in Regent Park South (Ward 28 - Toronto Centre-Rosedale)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Council adopt Recommendations (2) and (3) contained in the Recommendations Section of the report (December 23, 2004) from the Acting Commissioner of Works and Emergency Services and the Commissioner of Corporate Services [as contained in the Clause] and as recommended by the Toronto and East York Community Council in the communication dated January 24, 2005, subject to amending Recommendation (2)(c) by deleting the words ‘at the sole cost of TCHC’, and inserting instead the words ‘at no cost to the City of Toronto’,

so that Recommendation (2)(c) now reads as follows:

‘(2)(c) following the closure of the Highways, easements be granted as required to the City, Bell Canada, Toronto Hydro, Enbridge, Rogers Cable and any other public utility company as may be required, for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing services, and for the construction of additional or new services, or, with the consent of the City and the affected utility companies, the services be removed from the Highways at no cost to the City of Toronto; and’.”

This Clause, as amended, was adopted by City Council.

**Clause 10 - Grant of Easement to Owners of 5306 to 5314 and 5318 Yonge Street (the “Yonge Street Owners”) over portions of 25 Canterbury Place (Ward 23 - Willowdale)**

City Council on February 1, 2 and 3, 2005, received this Clause.

### **AUDIT COMMITTEE REPORT 1**

**Clause 1 - "Toronto Emergency Medical Services Operational Support Review - Works and Emergency Services Department".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

### **BOARD OF HEALTH REPORT 1**

**Clause 1 - "Further Issues Relating to the Implementation of the Pesticide By-law".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

### **COMMUNITY SERVICES COMMITTEE REPORT 1**

**Clause 3 - "Toronto Social Services' Purchase of Employment Services Framework".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

### **COMMUNITY SERVICES COMMITTEE REPORT 2**

**Clause 1 - "Toronto EMS Hospital Offload Delays".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

### **ECONOMIC DEVELOPMENT AND PARKS COMMITTEE REPORT 1**

**Clause 1 - "Toronto Pearson International Airport International Air Transport Association (IATA) and Air Transport Association of Canada (ATAC) (All Wards)".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 9 - "Tourism Action Plan: Year One Implementation and Year Two Directions (All Wards)".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 10 - “Bringing the Final Assembly of Bombardier’s New C-Series Jet Program to Toronto”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That:

(1) the City call on the Province of Ontario to match the recent offer of the Government of Quebec and come forward with a plan to fund the expansion of the Downsview plant, and further that the Commissioner of Economic Development, Culture and Tourism be requested to report to the February 16, 2005 meeting of Council on what further incentives the City may be able to offer; and

(2) Council adopt:

(i) the following staff recommendations contained in the Recommendations Section of the report (February 2, 2005) from the Commissioner of Economic Development, Culture and Tourism:

“It is recommended that:

(1) City Council endorse in principle, the creation of an investment incentive program that would incorporate Tax Incremental Equivalent Grants plus the waiver of building and development related fees for the Downsview area to encourage the development of an aerospace cluster and new investment;

(2) this report and recommendations be considered together with the companion report on the creation of a Community Improvement Plan for the Downsview area; and

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

(ii) the following staff recommendation contained in the Recommendation Section of the report (February 2, 2005) from the Commissioner of Urban Development Services:

‘It is recommended that staff from Urban Development Services prepare a draft Community Improvement Plan for the Downsview area, in consultation with the Chief Financial Officer and Treasurer, the Commissioner of Economic Development, Culture and Tourism, and the Toronto Economic Development Corporation.’ ”

This Clause, as amended, was adopted by City Council.

**ECONOMIC DEVELOPMENT AND PARKS COMMITTEE REPORT 2**

- Clause 6** - **“Supplementary Information Re: Toronto Pearson International Airport, International Air Transport Association (IATA) and Air Transport Association of Canada (ATAC) (All Wards)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**PLANNING AND TRANSPORTATION COMMITTEE REPORT 1**

- Clause 1** - **“Proposed Graffiti Abatement Strategy”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 2** - **“Comprehensive Review of Fees in Urban Development Services”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**PLANNING AND TRANSPORTATION COMMITTEE REPORT 2**

- Clause 1** - **“Harmonization of the Sign By-law Concerning Posters on Utility Poles”.**

City Council on February 1, 2 and 3, 2005, referred this Clause back to the Planning and Transportation Committee for a public hearing under the *Municipal Act, 2001*.

- Clause 2** - **“Operation of Construction Equipment on Sundays and Statutory Holidays”.**

City Council on February 1, 2 and 3, 2005, referred this Clause back to the Planning and Transportation Committee for further consideration.



- Clause 3** - **“Amendment to Toronto Municipal Code, Chapter 545, Article II as it relates to Driving School Restricted Areas within the City of Toronto to Coincide with the Relocation of a Driver Examination Centre from 1201 Wilson Avenue to 35 Carl Hall Road”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Downsview Park be notified of the City of Toronto’s action in the event that the federal government wishes to enact a companion by-law for the Downsview Base.”

This Clause, as amended, was adopted by City Council.

### **POLICY AND FINANCE COMMITTEE REPORT 1**

- Clause 1** - **“City of Toronto’s Contribution to the Tsunami Disaster Relief”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That:

- (1) the Mayor be requested to explore the feasibility of the City of Toronto twinning with a city or town which has been affected by the Tsunami, and submit a report to the Policy and Finance Committee;
- (2) the Medical Officer of Health be requested to facilitate the collection of names of Torontonians who are from areas affected by the Tsunami and who have professional qualifications needed and useful to their homeland, and to pass these names on to the Ontario Government; and the Mayor be requested to consider providing letters of support to Dr. Ponnuduray Senphinathan and other individuals who are interested and qualified in this endeavour, and the federal government be requested to remove any regulatory barriers, such as employment insurance rules, to ensure that these Torontonians are not penalized by their charitable actions;
- (3) the City of Toronto assist and partner with the Tamil Non-Governmental Organizations in Toronto to work for the Tsunami long-term rehabilitation projects in the areas of medicine, children and municipal infrastructure;
- (4) Council encourage City employees and Members of Council to participate in the drive for baby supplies organized by Toronto Emergency Medical Services and the Tamil Tsunami Relief Team and that Corporate Communications staff assist in the publicity of such drive;

- (5) the Chief Administrative Officer be requested to:
- (a) develop a protocol for an assistance plan, in consultation with the Federation of Canadian Municipalities and the federal government, when dealing with major disasters nationally and internationally; and
  - (b) report to Policy and Finance Committee biannually on the support being provided by the municipal, provincial and federal governments to assist the victims of the Tsunami disaster;
- (6) the following staff recommendations contained in the Recommendations Section of the report dated January 27, 2005, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be adopted:

‘It is recommended that:

- (1) a program which allows employees to donate cash through payroll deduction to the Tsunami Relief Effort be approved on a one-time basis; and
  - (2) Council approve that the donation be directed to two international agencies, the Canadian Red Cross and UNICEF Canada, for the specific purpose of providing aid to the Tsunami Relief Effort.’; and
- (7) the following staff recommendations contained in the Recommendations Section of the report dated January 31, 2005, from the Chief Administrative Officer and the Commissioner of Community and Neighbourhood Services, be adopted:

‘It is recommended that:

- (1) an amount of \$100,000.00 be included in the 2005 Community Partnership and Investment Program budget request to support community organizations that assist Tsunami immigrant sponsors and the family reunification process;
- (2) the funding in Recommendation (1), above, be dependent on matching contributions from the provincial and federal governments;
- (3) authority for the allocation of the funding in Recommendation (1), above, be delegated to the Commissioner of Community and Neighbourhood Services, to be determined in conjunction with the other orders of government;

- (4) this report be referred to the Budget Advisory Committee for consideration;
- (5) the Commissioner of Community and Neighbourhood Services provide an update on Tsunami immigrant settlement planning at the next Community Services Committee meeting; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

## **POLICY AND FINANCE COMMITTEE REPORT 2**

### **Clause 1 - “From the Street into Homes: A Strategy to Assist Homeless Persons Find Permanent Housing”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by:

- (1) amending Recommendation (I) of the Policy and Finance Committee by further amending the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, as follows:
  - (a) amending Recommendation (1) by:
    - (i) inserting the words “private sector landlords, such as the Greater Toronto Apartment Association”, after the word “government”; and
    - (ii) inserting the words “and rent support-based”, after the word “outreach-based”;
  - (b) amending Recommendation (2) by:
    - (i) inserting the words “and placement”, after the word “outreach”; and
    - (ii) inserting the words “private sector landlords and”, after the words “work of”;
  - (c) inserting in Recommendation (3) the words “market rent”, before the word “social”;

- (d) amending Recommendation (7) by:
  - (i) inserting the words “including Toronto EMS”, after the word “divisions”; and
  - (ii) inserting the words “a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department”, after the words “Toronto Police Service”;
- (e) deleting from Recommendation (9) the word “pilot”, and inserting instead the word “street”;
- (f) amending Recommendation (10) by:
  - (i) inserting the words “to Council for its meeting on July 19, 2005, through the”, before the words “Community Services Committee”; and
  - (ii) adding the words “such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies”;
- (g) amending Recommendation (11) by:
  - (i) inserting the words “and funding”, after the word “assessment”; and
  - (ii) deleting the word “reflect”, and inserting instead the words “adhere to”;
- (h) adding to Recommendation (17) the words “and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard”;
- (i) deleting from Recommendation (20) the words “as outlined in”, and inserting instead the words “in accordance with the provisions of”;
- (j) adding to Recommendation (23) the words “and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17”;

- (k) amending Recommendation (24) by:
  - (i) deleting the words “on a regular basis”, after the words “Community Services Committee”, and inserting instead the words “every six months”; and
  - (ii) adding the words “the first report being due for the meeting of City Council on July 19, 2005”; and
- (l) adding to Part (c) of Recommendation (26) the words “and that this be considered the highest priority in ‘seat at the table’ discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements”;

so that the staff recommendations contained in the Recommendations Section of the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, as amended by Council, shall now read as follows:

“It is recommended that:

- (1) City Council make a commitment to ending street homelessness by working with other orders of government, private sector landlords, such as the Greater Toronto Apartment Association, and community partners to implement an outreach-based and rent support-based Homelessness Strategy to assist homeless persons find permanent housing;

Homeless Outreach Services:

- (2) the City and its community partners further expand and intensify their outreach and placement activities and that those activities be co-ordinated with the work of private sector landlords and non-profit housing agencies which are opening new affordable and transitional housing units;
- (3) City staff work with the providers of market rent, social, supportive and alternative housing to ensure better co-ordination between their placement procedures;
- (4) outreach services continue to assist homeless persons in making applications for income support and to Housing Connections for social housing;

- (5) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be given delegated authority to allocate up to \$1,500,000.00 from the Supporting Communities Partnership Initiative (SCPI) to engage additional street outreach workers and housing follow-up workers (including up to six temporary positions) as well as related outreach and follow-up initiatives;
- (6) up to \$1,100,000.00 be allocated from the Mayor's Homeless Initiative Reserve Fund to fund an emergency shelter facility including assessment and referral services as well as extended drop-in hours, for Winter 2005-2006, with an adjustment to the 2005 Operating Budget of \$300,000.00 gross and \$0 net;
- (7) the General Manager, Shelter Housing and Support convene a Street Outreach Steering Committee, comprised of senior staff from appropriate City divisions, including Toronto EMS, the Toronto Police Service, a staff member of the Toronto Community Housing Corporation and a staff member of the Community and Neighbourhood Services Department, and key community partners including mental health, youth and Aboriginal services, shelter providers, and local businesses, which will assist in and assess the implementation of the outreach strategy;
- (8) the Toronto Police Service be requested to participate in the work of the Street Outreach Steering Committee and that this report be forwarded to the Toronto Police Services Board for its response;
- (9) the Street Outreach Steering Committee support the development of a street multi-disciplinary outreach team and service protocols designed to address the specific needs of homeless persons living with personality disorders, mental illness, addictions and developmental challenges;
- (10) to better focus ongoing outreach activities, the General Manager, Shelter Housing and Support recommend to Council for its meeting on July 19, 2005, through the Community Services Committee, an appropriate method for determining the number and service needs of homeless persons living on Toronto's streets and in its public spaces, such report to also include information regarding the number of outreach workers deployed by the City and all City-funded agencies;
- (11) criteria, assessment and funding procedures for grant programs related to housing and homelessness be revised as necessary to adhere to the City's priority of finding permanent solutions for persons living outside;

- (12) the City work with hospitals and correctional facilities to ensure specific housing options are included in discharge plans for those leaving care and custody;
- (13) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to allocate up to \$700,000.00 from the Supporting Communities Partnership Initiative to fund a pilot program designed to:
  - (a) assess the health needs of the homeless to assist them in accessing the most appropriate care;
  - (b) improve discharge planning from hospitals and correctional institutions; and
  - (c) facilitate the sharing, where permitted by law, of relevant medical information;

in order to decrease the number of homeless individuals with severe and persistent illnesses on the street and in shelters.
- (14) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate the SCPI funds outlined in Recommendations (5) and (13);

Access to Public Space:

- (15) in conjunction with the implementation of the Homelessness Strategy, City Council amend the Nathan Phillips Square By-law (1994-0784) as proposed in Attachment III and adopt the Interdepartmental Service Protocol (Attachment II, as amended) to guide implementation of the amended by-law;
- (16) City outreach staff and other City services be directed to employ the interdepartmental service approach outlined in the text of this report and contained in Attachment II to ensure public space is maintained in a safe, clean, accessible condition by assisting those who live there to access better alternatives;

Affordable Housing:

- (17) City Council support an achievable annual target of 1,000 new affordable housing units in the City of Toronto, including at least 500 to be targeted to low-income households on a rent-g geared-to-income basis and urge the federal and provincial governments to reach an agreement enabling the Affordable Housing Program to proceed without delay, and the General Manager, Shelter Housing and Support, report to the Community Services Committee, on an annual basis, as to the progress made in this regard;
- (18) in order to meet the housing targets outlined in Recommendation (17), \$11,200,000.00 plus interest from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Capital Revolving Fund for affordable housing to support affordable housing activities in 2005 and beyond;
- (19) up to \$900,000.00 for a variety of activities including two temporary positions be allocated from the Mayor's Homeless Initiative Reserve Fund to expedite pre-development work by the City on affordable housing developments, with an adjustment to the 2005 Operating Budget of \$250,000.00 gross and \$0 net;
- (20) the Commissioner of Community and Neighbourhood Services and/or the General Manager, Shelter Housing and Support be given delegated authority to issue requests for proposals and execute agreements on behalf of the City as deemed necessary to allocate up to \$900,000.00 in accordance with the provisions of Recommendation (19) to expedite pre-development work on affordable housing developments;
- (21) the terms of reference for the Mayor's Homeless Initiative Reserve Fund be expanded to include pre-development due diligence work for affordable housing development;
- (22) \$3,000,000.00 from the settlement between the City and the Province of Ontario in regard to cancellation of certain social housing projects by the former provincial government be allocated to the Mayor's Homeless Initiative Reserve Fund for use in the development of transitional housing;
- (23) the General Manager, Shelter Housing and Support convene an interdepartmental working group to identify unused or derelict publicly and privately owned buildings and land suitable for development or conversion to supportive, transitional and affordable housing use, and the Chief Administrative Officer be requested to compile a list from all agencies, boards, commissions and City departments of any under-utilized City-owned facilities or properties, with suggestions for possible consolidation of operations, with the intent that any surplus facilities identified be made available for affordable housing, such review to include 423 Old Weston Road in Ward 17;



- (24) the General Manager, Shelter Housing and Support report to Community Services Committee, every six months, on the results of outreach activities, access to public space and the development of affordable housing, the first report being due for the meeting of City Council on July 19, 2005;
- (25) the 2005 EMT Recommended Operating Budget for Shelter, Housing and Support be increased by \$0.550 million gross and \$0.0 net including the addition of eight temporary positions to reflect the 2005 component of the initiatives detailed in this report;

Collaborations with Other Governments:

- (26) City Council urge the provincial government to:
  - (a) support the creation of new supportive housing units in Toronto including new supportive housing rent supplements;
  - (b) provide funding for new rent supplements as well as additional housing allowances;
  - (c) permit the conversion of shelter per diems for use as housing supports and portable rent supplements to assist homeless persons make the transition from the streets and shelters into permanent housing, and that this be considered the highest priority in 'seat at the table' discussions with the provincial government in requesting flexibility in the use of shelter per diems for rent supplements;
  - (d) increase funding to the Supports for Daily Living (SDL) program to help ensure that as new affordable housing units become available the necessary supports are in place to help new residents keep that housing;
  - (e) work with the City to implement and fund a co-ordinated system in Toronto for access to supportive housing;
  - (f) establish an inter-ministerial working group on affordable and supportive housing to work with City of Toronto staff to improve the delivery of housing and housing support services to the homeless and facilitate co-ordination between the municipal and provincial governments;

- (g) close service gaps in the diagnosis and treatment system for homeless persons with mental health and addiction issues by increasing the number of mental health, addiction treatment, detox, and infirmary beds and ensuring these services are available to homeless persons; and
  - (27) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;”;
- (2) amending Principle (4) contained in Attachment II, entitled “City of Toronto Interdepartmental Service Protocol For Homeless People Camping In Public Spaces”, to the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services, by deleting the second sentence and inserting instead the sentence “Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space.”, so that Principle (4) shall now read as follows:
- “(4) The City priority is to assist homeless people access safer, sustainable, and healthier alternatives than living outside, not enforcement. Enforcement will occur after all support efforts have been attempted without success, provided that the individual has been notified that he or she is required to vacate a public space. In the event of exceptional circumstances, however, intervention may be required to address immediate public safety concerns.”; and
- (3) adding the following:
- “That:
- (a) City Council call upon the Federal and Provincial governments to support the ‘One Percent Solution’ and dedicate 1 percent of the budget to housing at the federal and provincial level;
  - (b) City Council request the Province to amend the *Provincial Social Housing Reform Act*, to cost share subsidized housing, as is the case in every other provincial jurisdiction, rather than the current practice shared only by the federal government and the City (for a savings of \$226.2 million to the City);
  - (c) City Council request the Minister of Community and Social Services to give favourable consideration to the reallocation of hostel per diems into portable rent supplements to facilitate the movement of shelter residents into permanent affordable housing and that she be requested to communicate her response to this Council as soon as possible;

- (d) with the support of other orders of government, the City of Toronto reconfirm its overall commitment to the annual target of building 2,000 units of affordable housing and 1,000 units of supportive housing, as identified in Anne Golden's Report on Homelessness; and, further, that the targets referred to in Recommendation (17) be recognized as the number that the City can realistically achieve with its investment of \$11.2 million in 2005;
- (e) City Council strongly urge the Toronto District Catholic School Board to waive its development charges on affordable housing units;
- (f) the section of the City of Toronto Municipal Code dealing with Public Squares be amended to prohibit camping on public squares, including civic centres, in a manner similar to the amendment to the Nathan Phillips Square By-law, as set out in Recommendation (15) in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services;
- (g) the Chief Administrative Officer, in consultation with the Commissioner of Community and Neighbourhood Services and the Chief Financial Officer and Treasurer, be requested to undertake discussions with the appropriate parties, in order to extend the operation of the temporary Edward Street Shelter beyond May 2005, and report to the Policy and Finance Committee for its meeting on February 15, 2005, on options for financing the extended shelter operations in the 2005 Operating Budget, such report to also examine options for developing the site for affordable housing;
- (h) the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee meeting on June 29, 2005, on any progress with respect to the negotiations for the possible use of 110 Edward Street for affordable housing, the replacement of the shelter beds and the Assessment Facility located there when the shelter closes, and on any progress in finding a new winter Assessment and Referral Shelter to open in November 2005;
- (i) the Chief Administrative Officer be requested to:
  - (i) report to the Community Services Committee on developing a mechanism and process, in order to prepare a proposal, for presentation to the Minister of Health and the Minister of Community and Social Services, which would address the funding and program issues that impact persons in need of mental health and addiction support;
  - (ii) report to the Community Services Committee, in September 2005, on the gaps in services that are identified by the City's outreach services to the homeless; and

- (iii) report to Council, through the Community Services Committee, on the New York City experience, under Mayor Bloomberg, which indicates that a high number of subsidized housing units have recently been built and that the sources of funding for this housing be included;
- (j) the Commissioner of Community and Neighbourhood Services, in consultation with other City officials, be requested to increase the efforts being made to rid the shelters of bed bugs and make every possible effort to ensure the health and personal safety of clients, and report back on these issues as part of the Quality Assurance report due to be considered by Council in the first half of 2005;
- (k) the Commissioner of Community and Neighbourhood Services be requested:
  - (i) to ensure that two of the six outreach workers prescribed in the Homeless Strategy have specifically proven skills in interacting with youth, to ensure that the delicate skill sets needed to do effective outreach to youth are in fact being employed;
  - (ii) to consult with existing youth-serving agencies to discuss ways that a peer-to-peer counselling approach, meaning employment of formerly homeless youth for the task, could be utilized in their service delivery and report to the Community Services Committee after the 2005 Community Partnership Initiative Process, on those agencies known to be employing a youth peer-to-peer mentoring approach to building youth access to services;
  - (iii) to present quarterly reports on the development of the 1,000 transitional and affordable housing units to be delivered in 2005 and for the 995 units covered by housing allowances, rent supplements, and new supportive housing rent supplements and that the first report be submitted to the Community Services Committee in April 2005; and
  - (iv) as part of the housing plan, to canvass all Councillors to determine what lands or facilities may be available in their Wards towards the development of the 1,000 affordable and transitional housing units and that this be reported to the April 2005 meeting of Community Services Committee;
  - (v) to identify, on a ward-by-ward basis, all private sector units that are currently in receipt of rental supplements, and that each Member of Council be provided with a list of these units located in his/her Ward, subject to any privacy limitations;
  - (vi) to submit a report to the Community Services Committee for its meeting scheduled to be held on April 27, 2005, on a training and employment plan to assist homeless persons to find employment;

- (vii) to investigate the Wilson Foundation model, in Rochester, New York, involving City-owned housing, and report to the Community Services Committee on the feasibility of implementing such a model in Toronto;
  - (viii) to report to the Community Services Committee on an accountability framework and measurement standards to evaluate the effectiveness of funds used to address homelessness in the City of Toronto; and
  - (ix) to report to the Community Services Committee, in six months, on the effectiveness of the measures being used to remove the homeless from Nathan Phillips Square; and
- (l) the Chief Administrative Officer, in conjunction with the General Manager, Shelter, Housing and Support, be requested to report back to Council, through the Community Services Committee, in one year, on the status and results of implementation of the recommendations in the report dated January 13, 2005, from the Chief Administrative Officer, the City Solicitor, the Commissioner of Community and Neighbourhood Services and the Acting Commissioner of Works and Emergency Services.”

This Clause, as amended, was adopted by City Council.

**Clause 2 - “Update on and Toronto’s Progress on Achieving a ‘Seat at the Table’ and Relationship with the Association of Municipalities of Ontario (AMO)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (February 1, 2005) from the Chief Financial Officer and Treasurer:

‘It is recommended that:

- (1) Council establish a discretionary reserve account entitled “Government Relations Reserve” to receive, hold and to be drawn on to advance the City’s provincial agenda and that City Council continue to budget an amount annually for that purpose;
- (2) Municipal Code Chapter 227 (Reserves and Reserve Funds By-law) be amended by adding the “Government Relations Reserve” to Schedule “1” – Corporate Reserves;
- (3) the annual contribution to the Government Relations Reserve be limited to \$37,000.00 annually; and

- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

**Clause 3 - “Institute on Municipal Finance and Governance”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (February 1, 2005) from the Chief Financial Officer and Treasurer:

‘It is recommended that:

- (1) Council establish a discretionary reserve account entitled “Government Relations Reserve” to receive, hold and to be drawn on to advance the City’s provincial agenda and that City Council continue to budget an amount annually for that purpose;
- (2) Municipal Code Chapter 227 (Reserves and Reserve Funds By-law) be amended by adding the “Government Relations Reserve” to Schedule “1” – Corporate Reserves;
- (3) the annual contribution to the Government Relations Reserve be limited to \$37,000.00 annually; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.’ ”

This Clause, as amended, was adopted by City Council.

**Clause 6 - “Comprehensive Report on the City’s Long-Term Fiscal Plan”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 10 - “Authority to Issue Debentures During 2005”.**

City Council on February 1, 2 and 3, 2005, amended this Clause to provide that the Chief Financial Officer and Treasurer be directed not to issue debentures for the Toronto District School Board at this time, and that he be requested to submit a further report to the Policy and Finance Committee on this matter.

This Clause, as amended, was adopted by City Council.

**Clause 14 - “Ontario Water Works Association Conference 2005 and 2006”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 15 - “Status Report for the Work of the Council Procedures and Meeting Management Working Group”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That:

- (1) each Member of Council be supplied with a copy of Robert’s Rules of Order Newly Revised (10th Edition); and
- (2) the City Clerk be requested to provide an information session to Members of Council and their staff on the new procedural rules, at the earliest time possible.”

This Clause, as amended, was adopted by City Council.

**Clause 21 - “New Provincial Strong Communities Housing Allowance Program - Toronto Pilot”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by further amending staff Recommendation (2) contained in the Recommendations Section of the report dated January 4, 2005, from the Commissioner of Community and Neighbourhood Services, as amended by the Community Services Committee, so that it now reads as follows:

- “(2) the Commissioner of Community and Neighbourhood Services and/or the General Manager of Shelter, Housing and Support be authorized to execute an agreement with the Toronto Community Housing Corporation to administer the Strong Communities Housing Allowance Program - Toronto Pilot for the period January 1, 2005 to December 31, 2009, and to allocate each of the instalments of provincial funding as soon as it becomes available;”.

This Clause, as amended, was adopted by City Council.

**Clause 22 - “Toronto Hydro Conversion and Rebuild Program 2003-2005 (All Wards)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That a copy of the Clause, which includes the supplementary report (February 1, 2005) from the Chief Financial Officer and Treasurer, entitled ‘Late Toronto Hydro Invoices’, be forwarded to the Toronto Hydro Corporation Board of Directors with the request that the Board consider, in co-operation with appropriate City staff from Finance and Works and Emergency Services, ways to ensure that future invoices are submitted promptly to the City.”

This Clause, as amended, was adopted by City Council.

**Clause 24 - “Status of Labour Negotiations”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 25 - “Line of Credit Guarantee for the Toronto Botanical Garden Revitalization Plan”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by amending the staff recommendations contained in the Recommendations Section of the report dated January 14, 2005, from the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism, by:

- (1) deleting from Recommendation (1) the amount “\$2,000,000.00”, and inserting instead the amount “\$3,000,000.00”, so that the Recommendation now reads as follows:

“(1) authority be granted to enter into a tri-party agreement with the Toronto Botanical Garden and its financial institution for a line of credit guarantee in the amount of \$3,000,000.00 (inclusive of all interest payable by the TBG for a two-year period starting on March 1, 2005 and ending on March 1, 2007;” and

- (2) adding the following new Recommendation (5):

“(5) that the overall limit for the provision of capital loans and line of credit guarantees provided by the City be increased from \$5.0 million to \$10.0 million, amending Policy and Finance Committee Report 2, Clause 3, headed ‘Policy for Capital Loan and Line of Credit Guarantees’, as approved by Council at its meeting on March 6, 7 and 8, 2001.”

This Clause, as amended, was adopted by City Council.

**WORKS COMMITTEE REPORT 1**

**Clause 1 - “Drain Grant Appeal - 167 Westminster Avenue (Ward 14 - Parkdale-High Park)”.**

City Council on February 1, 2 and 3, 2005, referred this Clause back to the Works Committee for reconsideration of the appeal at its meeting on March 8, 2005.



**Clause 4 - “Site Plan Bump Up Report - Site Plan Approval Application Applicant: Peter Smith, Bousfields Inc. Owner: The Great Atlantic and Pacific Company of Canada Ltd. 170 The West Mall (Ward 5 - Etobicoke-Lakeshore)”.**

City Council on February 1, 2 and 3, 2005, adopted the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the supplementary report dated January 24, 2005, from the Acting Commissioner of Works and Emergency Services:

‘It is recommended that:

- (1) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited design and construct, to the satisfaction of the Acting Commissioner of Works and Emergency Services and at no expense to the City of Toronto, a public sidewalk along the full length of the south and west sides of West Mall Crescent;
- (2) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited design and construct, to the satisfaction of the Acting Commissioner of Works and Emergency Services and at no expense to the City of Toronto, a public sidewalk along its frontage on The West Mall, between West Mall Crescent and the property’s north driveway access;
- (3) as a condition to site plan approval, The Great Atlantic and Pacific Company of Canada Limited contribute 50 percent, to a maximum of \$52,500.00, towards the City’s cost of constructing public sidewalks on the west side of The West Mall, between the site’s north access and Waulron Street, and on the north side of Waulron Street adjoining the subject property;
- (4) the City of Toronto shall refund The Great Atlantic and Pacific Company of Canada Limited’s contribution, without interest, if it is unable to construct the sidewalk sections described in Recommendation (3), above, by December 31, 2008; and
- (5) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that may be required.’ ”

This Clause, as amended, was adopted by City Council.

**Clause 5 - "Portlands Energy Centre (Ward 30 - Toronto-Danforth)".**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

"That, in recognizing Toronto City Council's previous policy encouraging a sustainable and environmentally friendly co-generation facility on the waterfront:

- (1) TEDCO, prior to entering into any agreements with the Portlands Energy Centre Inc. (PEC Inc.), be requested to pursue opportunities with Enwave and PEC Inc. to facilitate a co-generation facility;
- (2) Council's representatives on the Enwave Board of Directors be requested to again review all opportunities to enter into an agreement with PEC Inc. to purchase steam from this plant, making this a co-generation facility and advise City Council of this initiative;
- (3) PEC Inc. be advised of City Council's intent that this facility be co-generation and request that they advise Council on their efforts to make this a co-generation facility; and
- (4) the Minister of Energy be requested to assist the City in this endeavour."

This Clause, as amended, was adopted by City Council.

**WORKS COMMITTEE REPORT 2**

**Clause 3 - "Drain Grant Appeal - 3 Morningside Avenue (Ward 13)".**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 6 - "F.G. Gardiner Expressway and Don Valley Parkway Closure - Heart and Stroke Foundation of Ontario "2005, 2006 and 2007 Ride for Heart" (Various Wards)".**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding to staff Recommendations (2) and (3) contained in the Recommendations Section of the report dated December 22, 2004, from the Acting Commissioner of Works and Emergency Services, the words "with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada's Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre", so that staff Recommendations (2) and (3) now read as follows:

- “(2) no other closures due to events or film permits be authorized on arterial routes bounded by Highway 401, Warden Avenue, the Lake and Humber River, which will be required to accommodate overflow traffic from the expressway closures on the day of the ‘2005 Ride for Heart’, with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada’s Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre;
- (3) authority be given to close the F.G. Gardiner Expressway, from the Humber River to the Don Valley Parkway, including all ramps, and the Don Valley Parkway, from the F.G. Gardiner Expressway to York Mills Road, including all ramps, on Sunday, June 4, 2006 and Sunday, June 3, 2007, from 3:00 a.m. to 2:00 p.m., for the ‘2006 and 2007 Ride for Heart’, and no other closures due to events or film permits be authorized on arterial routes bounded by Highway 401, Warden Avenue, the Lake and Humber River, which will be required to accommodate overflow traffic from the expressway closures on the day of the ‘2006 and 2007 Ride for Heart’, with the exception of Yonge Street, from the south side of Dundas Street to the north side of Queen Street, to host a festival in celebration of Canada’s Walk of Fame; Shuter Street will remain open east and west to allow access to the Eaton Centre;”.

This Clause, as amended, was adopted by City Council.

### **ETOBICOKE YORK COMMUNITY COUNCIL REPORT 1**

**Clause 5** - **“Request for All-Way Stop Controls - The Kingsway at Prince George Drive and The Kingsway at Twyford Road (Ward 4 - Etobicoke Centre)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 6** - **“Request for All-Way Stop Controls - The Kingsway at Edenbridge Drive/Wimbledon Road (Ward 4 - Etobicoke Centre)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 25** - **“Application for Variance from Sign By-law No. 3369-79 of the former City of York Southwest Quadrant of Canadian Pacific Railway Overpass at Black Creek Drive (Ward 11 - York South-Weston)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**NORTH YORK COMMUNITY COUNCIL REPORT 1**

**Clause 10** - **“Feasibility to Extend the Concrete Median - Keele Street north of Highway 401 (Ward 9 - York Centre)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 30** - **“All Way Stop Control - Brentcliffe Road at Fairland Road (Ward 26 - Don Valley West)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 35** - **“Request for Poll - Speed Hump Plan - Hillhurst Blvd., west of Bathurst Street (Ward 15 - Eglinton-Lawrence)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 39** - **“Sale of a Portion of the Unopened Glengarry Avenue Road Allowance located at the rear of 250 Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)”**.

City Council on February 1, 2 and 3, 2005, amended this Clause by deleting from the recommendation of the North York Community Council, the words “subject to site plan approval being required for the construction of any structure or pavement on the property”, so that the recommendation of the North York Community Council now reads as follows:

“The North York Community Council recommends that City Council adopt the staff recommendations in the Recommendations Section of the following report (December 20, 2004) from the Commissioner of Corporate Services:”.

This Clause, as amended, was adopted by City Council.

**Clause 42** - **“Final Report - Application to Amend the Zoning By-law 1916 of the former Borough of East York – 2003 035114 SMI 26 OZ - Sherman Brown Dryer Karol Lebow - 851 Millwood Road (Ward 26 - Don Valley West)”**.

City Council on February 1, 2 and 3, 2005, amended this Clause:

- (1) by amending Recommendation (2) of the North York Community Council by:
  - (a) deleting Parts (d) and (e) and inserting instead the following new Parts (d) and (e):

“(d) Unit 1 shall have a front yard set back of 6 metres from the property line; and

(e) Units 2, 3, 4, 5, and 6 shall have a front yard set back of 4 metres from the property line;”; and

(b) adding the following new Parts (f) and (g):

“(f) there shall be a 1 foot reduction in height for all proposed units; and

(g) there shall be a barrier between the Hydro transformer and the site;”;

so that Recommendation (2) of the North York Community Council now reads as follows:

“(2) adopt the staff recommendations in the Recommendations Section of the supplementary report (November 30, 2004) from the Commissioner of Urban Development Services, subject to the Draft Zoning By-law being amended to include the following:

(a) no landscape strip requirement at the east property line;

(b) a 5.5 metre driveway width be permitted;

(c) a minimum garage length of 5.8 metres be permitted;

(d) Unit 1 shall have a front yard set back of 6 metres from the property line;

(e) Units 2, 3, 4, 5, and 6 shall have a front yard set back of 4 metres from the property line;

(f) there shall be a 1 foot reduction in height for all proposed units; and

(g) there shall be a barrier between the Hydro transformer and the site;”; and

(2) to provide that the Site Plan application shall address the matters about the Unit 2 wall treatment and Unit 1 block glass windows.

This Clause, as amended, was adopted by City Council.

**Clause 46 - “Final Report - Rezoning Application – 04 121069 NNY 24 OZ - IBI Group – Sedun & Kenerva Architects Inc. – 685 Sheppard Avenue East (Ward 24 - Willowdale)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following additional recommendations to the Recommendations Section of the report dated December 20, 2004, from the Director, Community Planning, North District:

- “(4) before introducing the necessary bill to City Council for enactment, the owner shall enter into an agreement with the City, and authorize the appropriate City officials to execute the agreement, to the satisfaction of the City Solicitor, to provide a contribution for public art, such agreement to incorporate the following:
  - (a) a contribution of \$50,000.00;
  - (b) the public art shall be provided to the satisfaction of the Director of Community Planning, North District, in consultation with the Chair of the Arts Committee for Public Places and the Ward Councillor;
  - (c) subject to such approval, the public art may be incorporated on the site or used by the City in the general area; and
  - (d) the public art contribution be secured prior to the enactment of the zoning by-law;
- (5) before introducing the necessary bill to City Council for enactment, the owner shall either provide proof of the payment of the \$20,000.00 required in Recommendation (4)(b) of the report of the Commissioner of Urban Development Services (January 8, 2002) as set out in North York Community Council Report 4, Clause 1, as adopted by Council at its meeting of May 21, 22 and 23, 2002, or provide a cheque payable to the City Treasurer in the amount of \$20,000.00 for the purpose of community improvements in Ward 24, to be determined in consultation with the Ward Councillor; and
- (6) the Director of Community Planning, North District, report to the North York Community Council, on the number of places of worship along that portion of Sheppard Avenue East in Ward 24, and any other arterial roads within the ward with a significant number of places of worship. ”

This Clause, as amended, was adopted by City Council.

**SCARBOROUGH COMMUNITY COUNCIL REPORT 1**

**Clause 1 - “Removal of Seven Privately-owned Trees 5 and 6 Falcon Lane (Ward 44 - Scarborough East)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 16** - **“Supplementary Report - Site Plan Control Application 03 035259 ESC 40 SA, 1554177 Ontario Limited – Holt/Architect, 170 Ellesmere Road, Maryvale Community (Ward 40 - Scarborough Agincourt)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

### **TORONTO AND EAST YORK COMMUNITY COUNCIL REPORT 1**

- Clause 4** - **“Final Report - Application to Amend the Official Plan and Zoning By-law - Regent Park Revitalization - Toronto Community Housing Corporation (Toronto Centre-Rosedale, Ward 28)”**.

City Council on February 1, 2 and 3, 2005, amended this Clause:

- (1) by deleting from the draft Regent Park Secondary Plan, the following subsection (i) of Section 4.1.4, and renumbering subsection (j) accordingly:

“(i) Provincial consent under the *Social Housing Reform Act* required prior to the lease or sale of land; and”;

- (2) to provide that:

(i) prior to the issuance of demolition permits for any buildings in Regent Park, that TCHC be required to obtain the Provincial consent for the sale or lease of land as required under the *Social Housing Reform Act*, and that this condition be secured through demolition control; and

(ii) replacement housing for Regent Park not be permitted to be located on the West Donlands or the East Bayfront unless they are above Council’s target for affordable housing for these neighbourhoods and that no double counting be permitted; and

- (3) by adding the following:

“That Council adopt the following staff recommendation contained in the Recommendation Section of the report dated January 31, 2005, from the Commissioner of Urban Development Services:

‘It is recommended that the funding for new affordable housing to be constructed in conjunction with replacement of Regent Park housing be addressed in the context of a financial strategy for the redevelopment when reported upon through the Policy and Finance Committee, by the Chief Administrative Officer and the Chief Financial Officer and Treasurer in the 2nd quarter of 2005.’ ”

This Clause, as amended, was adopted by City Council.

**Clause 6 - “Site Plan Approval Application - 595 Commissioners Street (Toronto-Danforth, Ward 30)”.**

City Council on February 1, 2 and 3, 2005, adopted the following staff recommendations in the Recommendations Section of the report (February 1, 2005) from the Commissioner of Urban Development Services:

“It is recommended that:

- (1) City Council adopt the report of the Director, Community Planning dated December 6, 2004, as amended by deleting conditions (viii), (ix) and (xii) of that report, and substituting the following:
  - ‘(viii) the owner shall submit, prior to the issuance of a below grade building permit, all environmental site assessment reports in accordance with current Ministry of Environment (MOE) Risk Assessment (RA) policies and procedures as prescribed under the new Record of Site Condition Regulation (153/04). This submission will include all environmental site assessment reports describing the current site conditions, the proposed remedial action plans indicating that a RA would be used along with any Health and Safety plans to protect the workers and the public, to the satisfaction of the Commissioner of Works and Emergency Services;
  - (ix) the owner shall submit, prior to the issuance of an above-grade building permit, a copy of the completed RA with confirmation that it has been submitted to the MOE for review. Also, submit an undertaking that states, the applicant will assume any inherent risk if the MOE requests modifications to the RA which results in changes to the building program; and
  - (xii) the owner shall submit, prior to occupancy, the appropriate documentation reflecting the site’s condition, in accordance with current MOE Risk Assessment policies and procedures, including a Record of Site Condition which references the RA standards;’ and
- (2) the following new condition be added to the Recommendations Section of the December 6, 2004 report by the Director, Community Planning South District:



- (xix) the owner shall provide and maintain an irrigation system, for the proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Commissioner of Works and Emergency Services, including requirements to maintain in good order and operation.’ ”

This Clause, as amended, was adopted by City Council.

- Clause 27** - **“Request for an Exemption from Chapter 400 of the former City of Toronto Municipal Code to Permit Front Yard Parking - 533 St. Clarens Avenue (Davenport, Ward 18)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 28** - **“Request for Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for Two Vehicles – 319 Glenayr Road (St. Paul’s, Ward 21)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 31** - **“Request for Exemption from Chapter 248 of the Former City of Toronto Municipal Code to Permit Driveway Widening – 26 Tarlton Road (St. Paul’s, Ward 22)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 41** - **“Installation of Speed Humps - Bank Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

- Clause 42** - **“Installation of Speed Humps - Waterloo Avenue, between Dufferin Street and Gladstone Avenue (Davenport, Ward 18)”**.

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 43 - “Installation of Speed Humps - Gordon Street, between Dufferin Street and Sheridan Avenue (Davenport, Ward 18)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 45 - “Installation of Speed Humps - Poplar Plains Road, between Cottingham Street and Poplar Plains Crescent and Russell Hill Road, between Clarendon Avenue and Boulton Drive (St. Paul’s, Ward 22)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 46 - “Speed Hump Poll Results - Laing Street, between Queen Street East and Eastern Avenue (Beaches-East York, Ward 32)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.

**Clause 52 - “Delivery Vehicle Parking Zone, with Time Restricted Parking - East side of Roncesvalles Avenue and Measures to Discourage Heavy Vehicle Infiltration - Galley Avenue and Wright Avenue (Parkdale-High Park, Ward 14)”.**

City Council on February 1, 2 and 3, 2005, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations Section of the report (February 1, 2005) from the Acting Commissioner of Works and Emergency Services:

‘It is recommended that:

- (1) a “Delivery Vehicle Parking Zone” be delineated on the east side of Roncesvalles Avenue, from a point 15 metres north of Galley Avenue to a point 9 metres further north;
- (2) parking be allowed by delivery vehicles and restricted to a maximum duration of 30 minutes, from 6:00 a.m. to 6:00 p.m., Monday to Saturday, on the east side of Roncesvalles Avenue, from a point 15 metres north of Galley Avenue to a point 9 metres further north;
- (3) the parking meter/machine regulations on Roncesvalles Avenue be amended as required based on Recommendations (1) and (2) above;

- (4) approval be given to narrow Wright Avenue, on the north side, from a point 24 metres east of Roncesvalles Avenue to a point 23 metres further east thereof, from a width of 6.3 metres to a width varying from 4.2 metres to 6.3 metres, by the installation of precast modular islands with integrated planter boxes, generally as shown on the attached print of Drawing No. 421F-7753, dated February, 2005;
- (5) the existing stopping prohibition in effect at all times on the south side of Wright Avenue, between a point 23 metres east of Roncesvalles Avenue and a point 25 metres further east thereof, be amended to be in effect at all times between a point 23 metres east of Roncesvalles Avenue and a point 35 metres further east thereof;
- (6) the existing permit parking regulation on the south side of Wright Avenue, east of Roncesvalles Avenue be amended as required based on Recommendation (5) above; and
- (7) appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.’ ”

This Clause, as amended, was adopted by City Council.

**Clause 63** - **“Temporary Road Occupation to Accommodate Construction Staging Area – 42 Camden Street (Trinity-Spadina, Ward 20)”**.

City Council on February 1, 2 and 3, 2005, adopted the following:

“That Council adopt the staff recommendations contained in the Recommendations Section of the report dated December 15, 2004, from the Director, Transportation Services, South District, as contained in the Clause.”

This Clause, as amended, was adopted by City Council.

**Clause 79** - **“Ontario Municipal Board Hearing - 20, 22, 22A and 24 Bathurst Street (Trinity-Spadina, Ward 19)”**.

City Council on February 1, 2 and 3, 2005, adopted the following staff recommendations contained in the Recommendations Section of the confidential report dated February 2, 2005, from the Commissioner of Urban Development Services, such recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that City Council:

- (1)
  - (a) as the preferred option, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 3 outlined in this report, including the exemption of Wittington Properties Ltd. from the payment of development charges in connection with its lands in Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6 and 6A in the FYN as well as Blocks 9 and 10 in the FYN; or
  - (b) if the public and separate School Boards or Wittington are not prepared to enter into agreements on the basis of settlement Scenario 3, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 2 outlined in this report whereby Wittington is not exempted from development charges and apply the credits as outlined in Scenario 2;
- (2) confirm and support the public benefits as set out in Attachment 3 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 3 is secured;
- (3) confirm and support the public benefits as set out in Attachment 2 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 2 is secured;
- (4) direct the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to continue support for the proposals contemplated in the OMB decision dated November 18, 2003, with respect to Blocks 2, 3, 4, 4A, 6 and 6A in FYN as well as Blocks 33 and 37 in the RLW;
- (5) authorize and direct the City Solicitor to attend at the Ontario Municipal Board to oppose any request by the public and separate School Boards to be added as parties to either the planning matters or the matter of Wittington’s appeal of the Development Charges By-law;
- (6) confirm that, if agreements are finalized pursuant to Scenario 3, that:
  - (a) in accordance with Section 5.2 of the Railway Lands West Part II Plan and Section 6.1 of the Fort York Part II Plan, Council intends to ensure that certain community services and facilities are secured through appropriate mechanisms, which may include the allocation of development charge funding for the library and community centres and other community facilities in the RLW and FYN and their immediate vicinities as part of Council’s annual capital budget setting process; and

- (b) authorize and direct staff to make necessary submissions to the Budget Advisory Committee to ensure that the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City's capital budget process;
- (7) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards to facilitate possible amendments to existing agreements in the Railway Lands West for Blocks 32, 33, 36 and 37 to allow funds collected for schools to be spent either in the Railway Lands West or the Fort York Neighbourhood;
- (8) authorize the Commissioner of Corporate Services, in consultation with the Commissioner of Urban Development Services, to work with the School Boards to identify possible City-owned sites for a joint use School and Community Centre to serve the Fort York Neighbourhood and to determine whether the school portion of the site could be provided at nominal rent as done in the Harbourfront and the Railway Lands West;
- (9) approve the recommendations contained within the Revised Final Report, Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto respecting lands known as 450, 470 and 500 Lake Shore Boulevard West, 00 036089 STE 20 OZ dated November 1, 2004 [as contained in Toronto and East York Community Council Report 9, Clause 8(a)] with the following changes:  
  
Delete Recommendations (2), (3) and (14);
  - (a) amend Recommendation (5)(i) an affordable housing contribution of \$200,000 to a contribution of \$375,000 to be paid and distributed as outlined in this report; and
  - (b) add a new Recommendation (18) to authorize easements for driveway purposes on the City owned triangle of land immediately north of Block 10 and on the City owned parcel of land located adjacent to the north east corner of Block 9 and 10 on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services;
- (10) authorize the City Solicitor, and necessary City staff to attend the OMB to support the Official Plan and Zoning By-law Amendments consistent with the settlement described in this report for Blocks 8, 9 and 10 in the FYN and Block 37 in the RLW;

- (11) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services, to make such stylistic and technical changes to any draft official plan amendment and draft zoning by-law amendments as may be required to implement any Ontario Municipal Board decision and give effect to the foregoing;
- (12) request that as part of the settlement for Wittington lands in the RLW and FYN that Wittington withdraw its appeals of the new Official Plan, the Central Waterfront Plan and the Development Charges By-law; and
- (13) authorize and direct the appropriate City officials to take the necessary steps to give effect thereto.”

This Clause, as amended, was adopted by City Council.

**Clause 80 - “Ontario Municipal Board Hearing - 511 Bremner Boulevard and 2 and 20 Housey Street (Trinity-Spadina, Ward 20)”.**

City Council on February 1, 2 and 3, 2005, adopted the following staff recommendations contained in the Recommendations Section of the confidential report dated February 2, 2005, from the Commissioner of Urban Development Services, such recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the *Municipal Act, 2001*, as it contains information related to litigation or potential litigation:

“It is recommended that City Council:

- (1) (a) as the preferred option, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 3 outlined in this report, including the exemption of Wittington Properties Ltd. from the payment of development charges in connection with its lands in Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6 and 6A in the FYN as well as Blocks 9 and 10 in the FYN; or
- (b) if the public and separate School Boards or Wittington are not prepared to enter into agreements on the basis of settlement Scenario 3, authorize execution of Section 37 and such other agreements as may be necessary to give effect to Scenario 2 outlined in this report whereby Wittington is not exempted from development charges and apply the credits as outlined in Scenario 2;
- (2) confirm and support the public benefits as set out in Attachment 3 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 3 is secured;
- (3) confirm and support the public benefits as set out in Attachment 2 for each of Blocks 33 and 37 in the RLW, Blocks 2, 3, 4, 4A, 6, and 6A in the FYN as well as Blocks 9 and 10 in the FYN if Scenario 2 is secured;

- (4) direct the City Solicitor and necessary City staff to attend at the Ontario Municipal Board to continue support for the proposals contemplated in the OMB decision dated November 18, 2003, with respect to Blocks 2, 3, 4, 4A, 6 and 6A in FYN as well as Blocks 33 and 37 in the RLW;
- (5) authorize and direct the City Solicitor to attend at the Ontario Municipal Board to oppose any request by the public and separate School Boards to be added as parties to either the planning matters or the matter of Wittington's appeal of the Development Charges By-law;
- (6) confirm that, if agreements are finalized pursuant to Scenario 3, that:
  - (a) in accordance with Section 5.2 of the Railway Lands West Part II Plan and Section 6.1 of the Fort York Part II Plan, Council intends to ensure that certain community services and facilities are secured through appropriate mechanisms, which may include the allocation of development charge funding for the library and community centres and other community facilities in the RLW and FYN and their immediate vicinities as part of Council's annual capital budget setting process; and
  - (b) authorize and direct staff to make necessary submissions to the Budget Advisory Committee to ensure that the provision of the community services and facilities identified in Section 5.2 of the RLW Part II Plan and Section 6.1 of the FYN Part II Plan be reviewed as part of the City's capital budget process;
- (7) authorize the Commissioner of Urban Development Services, in consultation with the City Solicitor, to assist the School Boards to facilitate possible amendments to existing agreements in the Railway Lands West for Blocks 32, 33, 36 and 37 to allow funds collected for schools to be spent either in the Railway Lands West or the Fort York Neighbourhood;
- (8) authorize the Commissioner of Corporate Services, in consultation with the Commissioner of Urban Development Services, to work with the School Boards to identify possible City-owned sites for a joint use School and Community Centre to serve the Fort York Neighbourhood and to determine whether the school portion of the site could be provided at nominal rent as done in the Harbourfront and the Railway Lands West;
- (9) approve the recommendations contained within the Revised Final Report, Application to amend the Official Plan and Zoning By-law of the (former) City of Toronto respecting lands known as 450, 470 and 500 Lake Shore Boulevard West, 00 036089 STE 20 OZ dated November 1, 2004 [as contained in Toronto and East York Community Council Report 9, Clause 8(a)] with the following changes:

Delete Recommendations (2), (3) and (14);

- (a) amend Recommendation (5)(i) an affordable housing contribution of \$200,000 to a contribution of \$375,000 to be paid and distributed as outlined in this report; and
  - (b) add a new recommendation (18) to authorize easements for driveway purposes on the City owned triangle of land immediately north of Block 10 and on the City owned parcel of land located adjacent to the north east corner of Block 9 and 10 on the terms and conditions satisfactory to the Commissioner of Works and Emergency Services;
- (10) authorize the City Solicitor, and necessary City staff to attend the OMB to support the Official Plan and Zoning By-law Amendments consistent with the settlement described in this report for Blocks 8, 9 and 10 in the FYN and Block 37 in the RLW;
  - (11) authorize the City Solicitor, in consultation with the Commissioner of Urban Development Services, to make such stylistic and technical changes to any draft official plan amendment and draft zoning by-law amendments as may be required to implement any Ontario Municipal Board decision and give effect to the foregoing;
  - (12) request that as part of the settlement for Wittington lands in the RLW and FYN that Wittington withdraw its appeals of the new Official Plan, the Central Waterfront Plan and the Development Charges By-law; and
  - (13) authorize and direct the appropriate City officials to take the necessary steps to give effect thereto.”

This Clause, as amended, was adopted by City Council.

**Clause 86 - “Status Report - Site Plan Approval Application - 45 Eastern Avenue (Toronto Centre-Rosedale, Ward 28)”.**

City Council on February 1, 2 and 3, 2005, deferred consideration of this Clause to its next regular meeting on February 16, 2005.



**NOTICES OF MOTION APPEARING UNDER ITEM F**

**F(1) Strategy to Reduce and Eliminate Unsolicited Junk E-mails**

**Moved by: Councillor Palacio**

**Seconded by: Councillor Nunziata**

“**WHEREAS** City staff and Councillors’ staff spend hours of productivity every day, going through and deleting unwanted ‘junk’ e-mails; and

**WHEREAS** my office has repeatedly asked our Information and Technology Division to find ways of blocking or screening unsolicited e-mails, without success; and

**WHEREAS** our computer systems constantly get affected by incoming viruses, because of a lack of a SPAM filtering solution; and

**WHEREAS** this is costing taxpayers hundreds of thousands of dollars in wasted staff time;

**NOW THEREFORE BE IT RESOLVED THAT** the Executive Director of Corporate Information and Technology report to the e-City Committee on a strategy to reduce and eliminate the volume of unsolicited external e-mails to City staff and Councillors;

**AND BE IT FURTHER RESOLVED THAT** the Executive Director of Corporate Information and Technology be asked to expedite the implementation of a SPAM filtering solution, which will help address unsolicited emails.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**F(2) OMB Appeal – Application for Front Yard Parking at 1501 Islington Avenue**

**Moved by: Councillor Lindsay Luby**

**Seconded by: Councillor Grimes**

“**WHEREAS** the Etobicoke Committee of Adjustment refused an application to permit a front yard parking pad at 1501 Islington Avenue; and

**WHEREAS** the applicant has appealed the Committee's decision to the Ontario Municipal Board; and

**WHEREAS** the front yard parking pad is more than minor in nature, is not appropriate and does not meet the intent of the zoning by-law;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor send a member of her staff to attend the Ontario Municipal Board to oppose the application, to ask that the City be added as a party to the hearing and to make appropriate arrangements for expert witnesses.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**NOTICES OF MOTION APPEARING UNDER ITEM I**

**I(1) Request for Poll - Speed Hump Plan - Golfdown Drive (Ward 2 - Etobicoke North)**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Jenkins**

“**WHEREAS** all residents of Toronto deserve the opportunity to have their views considered wherever they may live; and

**WHEREAS** some residents of Golfdown Drive in Etobicoke would like the opportunity to be polled to determine if their street can be considered a candidate for speed humps; and

**WHEREAS** they would like to do so in an atmosphere that is free from bias and intimidation; and

**WHEREAS** their municipal representative, Councillor Ford, has openly indicated that he is strongly opposed to speed humps; and

**WHEREAS** consideration of permission to conduct a poll without the blessing of the local Councillor might be somewhat problematic and in that kind of atmosphere get less than a fair hearing; and

**WHEREAS** Councillor Ford has been an open advocate of a Councillor’s duty to act on behalf of citizens, wherever they might live; and

**WHEREAS** Councillor Ford himself has come to the rescue of many citizens without regard to their place of residence;

**NOW THEREFORE BE IT RESOLVED THAT** the attached Resolution (Appendix 1) be considered by the Etobicoke York Community Council.”

Appendix 1  
Request for Poll - Speed Hump Plan  
Golfdown Drive (Ward 2 - Etobicoke North)

Resolution by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

**“WHEREAS** residents of Golfdown Drive have expressed concern with regard to vehicle speeds on the roadway; and

**WHEREAS** residents of Golfdown Drive have expressed concern with regard to the volume of traffic on the roadway; and

**WHEREAS** there are two schools fronting onto Golfdown Drive, Elms Jr. Middle School and St. Stephen Elementary School;

**NOW THEREFORE BE IT RESOLVED THAT** staff conduct an evaluation of the need for speed humps to calm traffic;

**AND BE IT FURTHER RESOLVED THAT** the appropriate staff be authorized to conduct a poll of eligible residents of Golfdown Drive, between Islington Avenue and Albion Road, for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy, and public notice be given, pursuant to the *Municipal Class Environment Assessment Act*, including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services; and the staff evaluation be distributed to residents with the poll;

**AND BE IT FURTHER RESOLVED THAT** the results of the poll be reported by staff;

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

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

- (i) a by-law be prepared for the alteration of sections of the affected roadway and the speed limit be reduced to 30 km/hr; and
- (ii) pursuant to the requirements of the *Municipal Class Environmental Assessment Act*, Notice of Completion be issued;

**AND BE IT FURTHER RESOLVED THAT** the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, referred this Motion to the Etobicoke York Community Council.***

**I(2) Support for the Efforts of the Undocumented Workers Committee**

**Moved by: Councillor Giambrone**

**Seconded by: Mayor Miller**

“**WHEREAS** Toronto City Council recognizes there are thousands of hard working, tax paying immigrants in the City of Toronto who have no government documentation; and

**WHEREAS** there is a shortage of labour in the construction sector; and

**WHEREAS** many of these undocumented workers in the City of Toronto who work in the construction sector have no health and safety protection; and

**WHEREAS** the Canadian Government recognizes that foreign workers make a significant contribution to Canada’s economic development by helping to address skill shortages and teaching Canadians high-demand qualifications; and

**WHEREAS** it is understood that as a general rule, foreign workers must have an approved job offer and a work permit before arriving in Canada, and that once they have received their approved job offer, they must apply for a work permit; and

**WHEREAS** every year, millions of people embark on a migratory journey, many of whom leave their country to seek a better future for themselves and for their families; and

**WHEREAS** international social, economic and political conditions have a direct impact on Canada’s Citizenship and Immigration programs and policies; and

**WHEREAS** the Department of Citizenship and Immigration is committed to reaping the maximum benefits of international migration and to making Canada a destination of choice for immigrants; and

**WHEREAS** two of the *Immigration Refugee Protection Act’s* objectives that underscore the immigration program are:

- (1) supporting the settlement, adaptation and integration of newcomers into Canadian society; and
- (2) managing access to Canada with a fair and effective enforcement strategy;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council expresses its support for the many thousands of undocumented workers currently living and working in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council expresses support for the efforts of the Undocumented Workers Committee to reach a fair and equitable resolution;

**AND BE IT FURTHER RESOLVED THAT** Toronto City Council direct the City Clerk to write to the Federal Minister of Citizenship and Immigration expressing its desire to see the cases of undocumented workers be addressed in a timely, fair and equitable manner.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, referred this Motion to the Policy and Finance Committee.*

**I(3) Preliminary Review of the Let’s Build Pilot Project Funding Agreements**

**Moved by: Councillor Del Grande**

**Seconded by: Councillor Di Giorgio**

“**WHEREAS** the City of Toronto administers and distributes funds on behalf of the provincial and federal governments under the Let’s Build program; and

**WHEREAS** as such, the City of Toronto has a fiduciary duty to those other levels of government to administer and distribute the funds under the Let’s Build program in such a way as to maximize the benefit for tax dollars spent through the program; and

**WHEREAS** a number of Councillors have voiced concern about the financial benefits received in exchange for the funding provided to a number of the Pilot Project proponents; and

**WHEREAS** staff have already attempted to renegotiate the terms under which the funding has already been approved to at least one of the Pilot Project proponents, suggesting that the original terms were not negotiated so as to provide the City of Toronto with the maximum benefit possible; and

**WHEREAS** Council’s goal of providing the maximum number of affordable rental units under the program may be compromised by the failure to negotiate the most advantageous deals possible;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the Auditor General to conduct a preliminary review of the terms of the eight (8) Pilot Project Agreements approved by Council;

**AND BE IT FURTHER RESOLVED THAT** City Council direct the Auditor General to add this review to his audit schedule and to report back in a timely fashion – commensurate with the short-term nature and magnitude of the funds distributed under this program – so that Council can take timely, corrective actions based on his findings;

**AND BE IT FURTHER RESOLVED THAT** City Council direct the Auditor General to report his preliminary findings, along with his opinion about the need to expand his review, directly to the Audit Committee at the earliest possible date.”

*Disposition:*

*This Motion was withdrawn at City Council on February 1, 2 and 3, 2005.*

**I(4) Request to Re-open Appointment of Members of Council to Canadian National Exhibition Association, Board of Directors**

**Moved by: Councillor Mammoliti**

**Seconded by: Councillor Palacio**

“**WHEREAS** City Council, at its meeting of November 30, December 1 and 2, 2004, adopted, without amendment, the recommendations of the Striking Committee for appointment of Members of Council to the Board of Directors of the Canadian National Exhibition Association;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Striking Committee Report 7, Clause 1, headed ‘Appointment of Members of Council to the Canadian National Exhibition Association Board of Directors and Municipal Section’, be re-opened for further consideration as it pertains to the appointments of Members of Council to the CNEA Board of Directors, for the purpose of asking questions on the process for these appointments.”

*Disposition:*

*This Motion was withdrawn at City Council on February 1, 2 and 3, 2005.*

**NOTICES OF MOTION APPEARING UNDER ITEM J**

**J(1) Regulation of Communication Towers**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Mihevc**

“**WHEREAS** communication towers are federally regulated by the CRTC; and

**WHEREAS** the position taken by the City is inconsistent on the processing of applications for communication towers; and

**WHEREAS** some towers are dealt with by City Planning staff as ‘structures’ and are required to go through a planning or Committee of Adjustment process; and

**WHEREAS** some applications are routinely issued permits by the Building Division on an ‘as-of-right’ basis; and

**WHEREAS** residents can suddenly wake up one morning to find a cellular tower in their neighbourhood which is ugly, imposing and intrusive and they appear to have no recourse for any kind of due process;

**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Urban Development Services be requested report to the Planning and Transportation Committee on amendments to the City’s Site Plan Control By-laws that would designate communication towers as structures subject to site plan control.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(2) Consolidating the Naming of the Community Council Boundaries with the Service Districts of the City of Toronto**

**Moved by: Councillor Milczyn**

**Seconded by: Councillor Holyday**

“**WHEREAS** City Council at its special meeting on July 30, 31 and August 1, 2002, adopted, as amended, Administration Committee Report 10, Clause 2, headed ‘Four District Model for City Public Services (All Wards)’; and

**WHEREAS** Council amended Recommendation (2) contained in the report dated June 17, 2002, from the Chief Administrative Officer and, in so doing, adopted the recommendations of the Administration Committee to implement the four new service district boundaries; and

**WHEREAS** these service districts were named North, South, East and West Districts; and

**WHEREAS** City Council at its meeting on May 18, 19 and 20, 2004, adopted Policy and Finance Committee Report 1, Clause 2b, headed 'Naming of Community Councils', and renamed the Toronto West Community Council, the 'Etobicoke York Community Council'; and

**WHEREAS** the Toronto South Community Council was renamed the 'Toronto and East York Community Council'; and

**WHEREAS** the Toronto East Community Council was renamed the 'Scarborough Community Council'; and

**WHEREAS** the Toronto North Community Council was renamed the 'North York Community Council'; and

**WHEREAS** citizens of Toronto have raised a number of concerns about the confusion that exists by having two different names for identical City boundaries, one political and one bureaucratic; and

**WHEREAS** further consideration of this matter is warranted in order to simplify and clarify the City of Toronto's administration to the citizens of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council rename the four service districts to align with the four Community Council boundary names that have been approved by Council, so that the names of the service districts shall be as follows:

Etobicoke York District;  
North York District;  
Scarborough District; and  
Toronto and East York District;

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

***Disposition:***

***City Council on February 1, 2 and 3, 2005, deferred consideration of this Motion to its next regular meeting on February 16, 2005.***



**J(3) Request to Renew the Facade Program for the York Eglinton Business Improvement Area**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Palacio**

**“WHEREAS** the City of Toronto has, for a considerable period of time, operated a Facade Program to encourage businesses to renovate the fronts of their properties; and

**WHEREAS** by way of establishing the Clean and Beautiful City Program the City has made a commitment to improving its public face; and

**WHEREAS** the Facade Program has, in the past, improved the appearance of our retail strips and has proved its value;

**NOW THEREFORE BE IT RESOLVED THAT** the City renew the Facade Program to apply to the York Eglinton Business Improvement Area.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, deferred consideration of this Motion to its next regular meeting on February 16, 2005.*

**J(4) Ontario Municipal Board Hearing - 133 Wynford Drive**

**Moved by: Councillor Pitfield**

**Seconded by: Councillor Jenkins**

**“WHEREAS** the Committee of Adjustment for the City of Toronto (Midtown Panel) refused an application by the The De Leuw Cather Group Ltd., the owners of 133 Wynford Drive, to permit the construction of a condominium project containing 430 dwelling units; and

**WHEREAS** variances were requested to the minimum gross floor area of indoor recreational space, the minimum average unit gross floor area and the number of permitted dwelling units; and

**WHEREAS** the applicant also submitted an application to amend the Official Plan to permit said development; and

**WHEREAS** the applicant has appealed the Committee’s decision respecting the minor variance application and its Official Plan Amendment application to the Ontario Municipal Board; and

**WHEREAS** the Ontario Municipal Board will be conducting a hearing of both appeals on February 2, 2005; and

**WHEREAS**, after consultation with the Community and the local Councillor, the applicant has agreed to amend its proposal by increasing the amount of indoor recreational space proposed from 1 m<sup>2</sup> per unit to 1.2 m<sup>2</sup> per unit and to decrease the number of units proposed from 430 to 410;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City Solicitor to attend the Ontario Municipal Board hearing in support of the Minor Variance and Official Plan Amendment appeals, as so amended.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(5) Funds for Improvements to Design and Construction of Town Hall Square – Yorkville Avenue at Yonge Street**

**Moved by: Councillor Rae**

**Seconded by: Councillor McConnell**

“**WHEREAS**, through a Section 37 Agreement, Great Gulf Homes is obligated to spend up to \$750,000.00 on the design and construction of park improvements to a new public park (18 Yorkville Avenue at Yonge Street) and convey this park to the City; and

**WHEREAS**, as the recent tenders for park construction were high, significant cuts are required that would seriously compromise the landscape quality of this signature park project; and

**WHEREAS**, as there is a high level of expectation for the design of this park from project stakeholders and the community, there is a strong interest to ‘add back’ some of the park features that would have otherwise been removed from the park design; and

**WHEREAS** an opportunity has been identified to allocate \$200,000.00 of additional funding toward park improvements and this funding is not currently allocated to any specific Capital project and is being held by the Finance Department; and

**WHEREAS** this \$200,000.00 comes from a Section 45 (Committee of Adjustment) agreement with the developer of 8-10 Scollard Street, to be used to improve parks in the immediate neighbourhood, and 18 Yorkville is almost immediately adjacent; and

**WHEREAS** staff of the Economic Development, Culture and Tourism Department have evaluated a proposed scope of work and costing exercise prepared by Great Gulf Homes for the ‘adding back’ of selected landscape elements, and are satisfied that the services provided would represent a fair value to the City for the available funds;

**NOW THEREFORE BE IT RESOLVED THAT** the funds in the amount of \$200,000.00 be directed towards the improvements to the design and construction of this park.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(6) Ontario Municipal Board Appeals – 16-18 Golfdale Road**

**Moved by: Councillor Jenkins**

**Seconded by: Councillor Walker**

“**WHEREAS** at its meeting held on September 28, 29, 30 and October 1, 2004, City Council adopted the recommendations of North York Community Council as contained in North York Community Council Report 7, Clause 40, and thereby directed the City Solicitor to oppose, at the Ontario Municipal Board (OMB), the Official Plan and Zoning By-law amendment appeals by the owner of 16 and 18 Golfdale Road; and

**WHEREAS** the Ontario Municipal Board has scheduled a hearing date for three days, commencing on February 9, 2005; and

**WHEREAS** on January 19, 2005, the applicant revised its proposed Official Plan and Zoning By-law amendment; and

**WHEREAS** the Director, Community Planning, North District, wishes to report upon the revised proposal and obtain further directions in respect of the OMB hearing; and

**WHEREAS** it is appropriate to consider the Request for Direction Report dated January 31, 2005, from the Director, Community Planning, North District, at this meeting, as it is ‘time sensitive’ and cannot be considered first by the Community Council prior to the OMB hearing date of February 9, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the staff recommendations contained in the Recommendations Section of the attached report dated January 31, 2005, from the Director, Community Planning, North District.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(6), without amendment, Council adopted, without amendment, the following staff recommendation contained in the Recommendation Section of the report dated January 31, 2005, from the Director, Community Planning, North District:*

*“It is recommended that City Council instruct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing to oppose the revised application.”*

**J(7) Legislation to Prohibit the Sale of Knives to Minors**

**Moved by: Councillor Thompson**

**Seconded by: Mayor Miller**

“**WHEREAS** Council has adopted ‘Strengthening our at-risk neighbourhoods’ as one of its priorities for the 2003-2006 term, in order to achieve ‘Improved community safety’, among other matters; and

**WHEREAS** there have been recent incidents where knives have been used in the commission of a crime, including the use of knives by young people to settle disputes; and

**WHEREAS** there is evidence of a trend for young people to carry knives not for peaceful purposes (for example, while hunting and fishing) but as a status symbol and as a weapon to threaten and to cause personal injury and death; and

**WHEREAS** the Province has enacted legislation that supplements the firearms restrictions in the Criminal Code and *Federal Firearms Act* by, among other matters, prohibiting the sale of ammunition, deactivated firearms and imitation firearms to individuals under 18 years of age, under the *Ammunition Regulation Act, 1994* and the *Imitation Firearms Regulation Act, 2000*; and

**WHEREAS** the enactment of similar legislation, that prohibits the sale of the types of knives that are now being used as weapons to individuals under 18 years of age, will help to improve community safety;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Provincial Attorney General, the Provincial Minister of Community Safety and Correctional Services and the Federal Minister of Justice and Attorney General to take the necessary steps to enact new legislation, including any necessary amendments to the Criminal Code, to prohibit the sale of the type of knives that are now being used as weapons instead of their intended lawful purposes (for example, hunting and fishing) to individuals under 18 years of age.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, referred this Motion to the Policy and Finance Committee.***

**J(8) Provincial Gas Tax Reserve Fund**

**Moved by: Councillor Soknacki**

**Seconded by: Councillor Mihevc**

**“WHEREAS** the ‘Letter of Agreement’ between the Province of Ontario and the City of Toronto, under the ‘Province’s Dedicated Gas Tax Funds for Public Transportation Program’, requires funds received to be deposited to a dedicated gas tax funds reserve account; and

**WHEREAS** the 2004 budget made provision for these funds as operating revenue, rather than as a Reserve Fund draw; and

**WHEREAS** the report establishing the required reserve fund contained an incorrect technical amendment, and consequently no bill was introduced by Council to establish the reserve fund;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report dated January 28, 2005, from the Chief Financial Officer and Treasurer, entitled ‘Establishment of Provincial Gas Tax Reserve Fund’, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(8), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 28, 2005, from the Chief Financial Officer and Treasurer:***

***“It is recommended that:***

- (1) an obligatory reserve fund be established called ‘Provincial Gas Tax Revenues for Public Transit’ in accordance with Appendix 1, the purpose of which is to provide funding for public transportation expenditures eligible under the Provincial Dedicated Gas Tax Funds for Public Transportation Program, and Municipal Code {Chapter 227 (Reserves and Reserve Funds)} be amended by adding the ‘Provincial Gas Tax Revenues for Public Transit’ to Schedule ‘14’ – obligatory reserve funds, such funds to be held in trust by the City for the Province pending payment of eligible public transportation expenditures in accordance with the Letter of Agreement;***
- (2) approval be given for a technical amendment to the 2004 Operating Budget transferring \$20 million from Non-Program Revenues ‘Provincial Grants’ to the City Budget for TTC identified as a ‘Contribution from Reserve Fund’ and thereby reduce the net operating subsidy from the City of Toronto;***

- (3) *approval be given for the withdrawal of the entire 2004 instalment received from the Province in the amount of \$20,312,724.00 from City of Toronto Reserve Fund, entitled 'Provincial Gas Tax Revenues for Public Transit', to fund the 2004 Operating Budget, in accordance with the agreement; and*
- (4) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto."*

**J(9) 245 Queens Quay West – Opposition to Application for a Liquor Licence**

**Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Rae**

**“WHEREAS** the occupants of 245 Queens Quay West have applied to the Alcohol and Gaming Commission of Ontario (AGCO) for a liquor licence to serve alcohol on their patio; and

**WHEREAS** the City Councillor has been advised that past and present conduct of patrons of this establishment affords reasonable grounds to believe that a granting of a patio liquor licence may result in the behaviour of a certain and significant number of patrons not being in accordance with the law, and, combined with other concerns, such as criminal activities, noise and traffic, demonstrates that a patio licence for these premises is not in the public interest, having regard to the needs and wishes of the Municipality in which the premises is located;

**NOW THEREFORE BE IT RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in the proceedings involving 245 Queen’s Quay West, and the City Solicitor and necessary staff be authorized to participate in any proceedings before the AGCO which relate to 245 Queen’s Quay West.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

**J(10) Approval of BIA Operating Budgets and Appointments/Deletions to BIA Boards of Management (Queens Quay Harbourfront, Korea Town and Wychwood Heights BIAs)**

**Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Chow**

“**WHEREAS** Council approved the establishment of the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) at its meeting on November 30-December 2, 2004, and each BIA held their first general membership meeting, on January 18 and January 27, 2005, respectively, to appoint a Board of Management and adopt a 2005 Operating Budget; and

**WHEREAS** Section 204 of the *Municipal Act* requires that Council appoint members to BIA Boards of Management, and approve BIA annual Operating Budgets; and

**WHEREAS** it is beneficial to facilitate the full operation of the Queens Quay Harbourfront and Korea Town BIAs as soon as possible, so that they may begin developing and implementing their 2005 improvement program; and

**WHEREAS** the Wychwood Heights BIA Board of Management adopted a motion on January 20, 2005, to accept the resignation of two existing Board members and adjust their quorum figure accordingly, in order to remedy an ongoing situation respecting the lack of quorum at several recent Board of Management meetings, which requires an amendment to Toronto Municipal Code Chapter 19, Business Improvement Areas;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the staff recommendations contained in the Recommendations Section of the attached report dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism, which seeks Council’s approval of the Boards of Management, quorum figures and 2005 Operating Budgets for the Queens Quay Harbourfront and Korea Town BIAs, and of necessary revisions to the Board of Management for the Wychwood Heights BIA.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(10), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 28, 2005, from the Commissioner of Economic Development, Culture and Tourism:***

*“It is recommended that:*

- (1) Council appoint the nominees listed in Attachment No. 1 to this report to the Boards of Management for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) for the remainder of the 2003-2006 term;*
- (2) Council amend the City of Toronto Municipal Code, Chapter 19, ‘Business Improvement Areas’, to add the Board of Management information for the Queens Quay Harbourfront and Korea Town Business Improvement Areas (BIAs) as set out in Attachment No. 2, and to reduce the number of members on the Wychwood Heights BIA Board of Management from 12 to 9, and reduce quorum from 6 to 5;*
- (3) Council approve the expenditure requests and levy requirements of the Queens Quay Harbourfront and Korea Town BIAs as follows:*

<i>Business Improvement Area</i>	<i>2005 Expenditure Estimates (\$)</i>	<i>2005 Levy Funds Required (\$)</i>
<i>Queens Quay Harbourfront</i>	<i>\$173,000.00</i>	<i>\$165,000.00</i>
<i>Korea Town</i>	<i>\$153,811.00</i>	<i>\$147,411.00;</i>

- (4) leave be granted for the introduction of the necessary bills in Council to give effect thereto; and*
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

**J(11) Ontario Municipal Board Hearing – 679 Gladstone Avenue (Ward 18, Davenport)**

**Moved by: Councillor Giambrone**

**Seconded by: Councillor Mihevc**

**“WHEREAS** at its meeting of December 16, 2004, the Committee of Adjustment refused application A0169/04T requesting relief from Zoning By-law 438-86 to allow a roof deck and stairs to the west side of the existing detached garage, in the rear yard of the property at 679 Gladstone Avenue; and

**WHEREAS** an appeal of the Committee of Adjustment decision to the Ontario Municipal Board has been filed by the property owner; and

**WHEREAS** the hearing date for the Ontario Municipal Board has been set for Friday, March 4, 2005; and



**WHEREAS** neighbours of 679 Gladstone Avenue, local Councillor Adam Giambrone and the City Planning Division of the Urban Development Services Department have expressed concerns with the proposal's impact on privacy, noise, green space and safety in the neighbourhood; and

**WHEREAS** City staff concur with the decision of the Committee of Adjustment that the variances are inappropriate;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council instruct the City Solicitor, and other appropriate City staff, to attend the Ontario Municipal Board hearing in opposition to the variances required in relation to application A0169/04T at 679 Gladstone Avenue.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(12) Force Main Sanitary Sewer Connection - 13 Brentwood Avenue (Ward 23 – Willowdale)**

**Moved by: Councillor Fillion**

**Seconded by: Councillor Moscoe**

“**WHEREAS** staff are seeking authority for the City to enter into an installation and maintenance agreement with the property owner of 13 Brentwood Avenue, to allow the owner to install and provide long-term maintenance of a force main sanitary sewer connection; and

**WHEREAS** there is an urgent need for the force main sanitary sewer connection because the construction of the house on the property is at a stage where water and sewer service connections are required; and

**WHEREAS** the Acting Commissioner of Works and Emergency Services has prepared a report dated January 25, 2005, requesting authority to enter into the proposed agreement on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services seeking authority for an agreement on the installation and maintenance of a sanitary force main connection and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(12), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 25, 2005, from the Acting Commissioner of Works and Emergency Services:*

*“It is recommended that:*

- (1) the Acting Commissioner of Works and Emergency Services be authorized to enter into an installation and maintenance agreement with the owner of 13 Brentwood Avenue to permit the installation and maintenance of a sanitary force main connection to the municipal sanitary sewer at the property owner’s expense on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor; and*
- (2) staff be authorized to take whatever action is necessary to give effect thereto.”*

**J(13) Receiving Canada Mortgage and Housing Corporation Funding for Rainwater Harvesting Workshop**

**Moved by: Deputy Mayor Pantalone**

**Seconded by: Councillor Pitfield**

**“WHEREAS** Canada Mortgage and Housing Corporation (‘CMHC’) has agreed to provide to the City of Toronto (the ‘City’) \$20,000.00 in funding (the ‘Funds’) to support a rainwater harvesting workshop (the ‘Workshop’); and

**WHEREAS** Toronto Water agreed, within existing budgets, to host, organize and provide logistical support for the Workshop for City staff and invited: public utility officials, regulatory stakeholders and private sector design and construction representatives; and

**WHEREAS** the Workshop is one of the City’s many initiatives in promoting sustainable urban living and environmental awareness; and

**WHEREAS** the Workshop will support the City’s Wet Weather Flow Management Master Plan implementation and is a follow-up to the successful Tree Symposium and the subsequent Stormwater Management Workshop, held in the fall of 2004; and

**WHEREAS** the Funds are to be used to pay the expenses for national/international experts in the field to speak and participate at the Workshop; and

**WHEREAS** CMHC requires that the City enter into a Funding Agreement which sets out the terms and conditions pursuant to which CMHC is prepared to provide the Funds generally addressing such matters as the term and scope of the agreement, the disbursement of the Funds, the ownership of copyright, confidentiality, termination, conflict of interest and indemnification; and

**WHEREAS** there is urgent need to conclude arrangements with CMHC, in order to meet scheduling deadlines for the Workshop, tentatively scheduled to be held in May 2005; and

**WHEREAS** staff are seeking Council approval to receive the Funds and authority for the Acting Commissioner of Works and Emergency Services to enter into the Funding Agreement with CMHC on terms and conditions satisfactory to the Acting Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider this matter and grant approval to receive the Funds and that the Acting Commissioner of Works and Emergency Services be authorized to enter into the Funding Agreement on terms and conditions satisfactory to him and in a form satisfactory to the City Solicitor and that staff be authorized to take whatever action is necessary to give effect thereto.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(14) Rescind “No Stopping” Prohibition - Gary Drive**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Ford**

“**WHEREAS** at its meeting of June 22, 2004, Toronto City Council adopted Toronto West Community Council Report 5, Clause 3, to prohibit stopping on the south side of Gary Drive, from the easterly limit of Deerhurst Avenue to a point 45.5 metres further east; and

**WHEREAS** this ‘No Stopping’ prohibition has caused a great deal of inconvenience and difficulties for the existing retail establishments, to the point where it has threatened their commercial viability;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto West Community Council Report 5, Clause 3, headed ‘Prohibition of Stopping on South Side of Gary Drive between Deerhurst Avenue and Lockerbie Avenue (Ward 11 - York South-Weston)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Schedule IX of By-law No. 31001 of the former City of North York be amended by rescinding the No Stopping Anytime prohibition on the south side of Gary Drive, from the easterly limit of Deerhurst Avenue to a point 45.5 metres further east;

**AND BE IT FURTHER RESOLVED THAT** authority be granted for the introduction of the necessary Bills in Council to give effect thereto.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, re-opened Toronto West Community Council Report 5, Clause 3, headed ‘Prohibition of Stopping on South Side of Gary Drive between Deerhurst Avenue and Lockerbie Avenue (Ward 11 - York South-Weston)’, for further consideration, and adopted the balance of the Motion, without amendment.*

**J(15) Municipal Housing Project Facility Agreement with NUC-TUCT Non-Profit Homes Corporation – 45 Cummer Avenue (Ward 24-Willowdale)**

**Moved by: Councillor Shiner**

**Seconded by: Deputy Mayor Feldman**

“**WHEREAS** NUC-TUCT Non-Profit Homes Corporation (‘NUC-TUCT’) has undertaken a project to construct a building at 45 Cummer Avenue which will include 53 units of new affordable housing (the ‘Project’); and

**WHEREAS** at its meeting of October 3, 4 and 5, 2000, Council approved Community Services Committee Report 8, Clause 18, and thereby authorized the provision of a loan to NUC-TUCT in respect of the Project from the Capital Revolving Fund; and

**WHEREAS** NUC-TUCT is requesting that, pursuant to the City’s Municipal Housing Facility By-law No. 282-2002, the City enter into a Municipal Housing Project Facility Agreement with NUC-TUCT for fifty-three (53) new affordable housing units in a building to be built by NUC-TUCT at 45 Cummer Avenue, to establish the facility as a municipal capital facility, and to exempt the facility from taxation for municipal and school purposes; and

**WHEREAS** NUC-TUCT was designated as a pilot project under the Community Rental Housing Program in July 2003, and received confirmation of funding of \$1,431,000.00 from the Provincial Ministry of Municipal Affairs, under the Affordable Housing Program - Community Rental Funding, in February 2004; and

**WHEREAS** when Council first considered funding for this affordable housing development, exemption from taxation was not within its powers; and

**WHEREAS** the private mortgage lender that is providing a commercial first mortgage for this development requires the municipal tax exemption by-law to be in force before finalizing its mortgage documents; and

**WHEREAS** if Council considered the tax exemption at its April 2005 meeting it would delay the signing of the private mortgage documents and thereby delay construction start and potentially further add to construction costs; and

**WHEREAS** the financial assistance of the City is required to meet construction cost increases since the time project was first considered by Council and to make this affordable rental housing project economically viable on a long-term basis;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) authority be granted for the City to enter into a Municipal Housing Project Facility Agreement with NUC-TUCT Non-Profit Homes Corporation, pursuant to By-law No. 282-2002, establishing the Project as a municipal capital facility;
- (2) authority be granted for exempting the 53 new affordable housing units at the Project from taxation, for municipal and school purposes, for a period of 20 years; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bill necessary to give effect thereto.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

**J(16) Peacekeepers' Day**

**Moved by: Councillor Ashton**

**Seconded by: Councillor Ootes**

“**WHEREAS** Canadian peacekeepers have made, and continue to make, exceptional contributions to peace throughout the world; and

**WHEREAS** Canadians – following the example of Lester B. Pearson, Nobel Peace Prize recipient – are recognized throughout the world as committed proponents of peacekeeping; and

**WHEREAS** more than 100,000 Canadians have made a contribution to world peace and many have lost their lives in the service of peace; and

**WHEREAS** we recognize that their families, colleagues, friends and communities grieve the loss of lives in pursuit of peace, and

**WHEREAS** August 9, 1974, was a tragic day in the loss of life for Canadian peacekeepers and is, therefore, an appropriate day to recognize Canadian peacekeepers; and

**WHEREAS** Canada and its military has a proud history of peacekeeping and sets an international standard admired throughout the world;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto, in partnership with the Canadian Association of Veterans in United Nations Peacekeeping (CAVUNP), commemorate the contribution of our peacekeepers by providing an appropriate inscription on City memorial cenotaphs;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto, in co-operation with CAVUNP and other appropriate stakeholders and partners, review the feasibility of commemorating a new memorial honouring our Canadian peacekeepers;

**AND BE IT FURTHER RESOLVED THAT** every August 9th be designated as 'Peacekeepers' Day', to pay tribute to the sacrifices made by those who have died in service, to honour those who have returned from peacekeeping service, and to express our gratitude to those now in peacekeeping services."

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(17) Committee of Adjustment Decision Regarding 513 Brunswick Avenue**

**Moved by: Councillor Rae**

**Seconded by: Deputy Mayor Pantalone**

**“WHEREAS** at the November 10, 2004 hearing of the Committee of Adjustment (Toronto East York Panel), the Committee refused an application for a rear deck at 513 Brunswick Avenue (File Number A0103/04T); and

**WHEREAS** this decision has been appealed to the Ontario Municipal Board; and

**WHEREAS** the Ontario Municipal Board has scheduled a hearing for Friday, February 18, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct the City Solicitor and appropriate staff to attend the Ontario Municipal Board hearing, in order to defend the Committee of Adjustment's decision.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(18) Ontario Municipal Board Hearing – 295 Lee Avenue**

**Moved by: Deputy Mayor Bussin**

**Seconded by: Councillor Rae**

“**WHEREAS** the Committee of Adjustment, Toronto East York Panel, held a public hearing on November 3, 2004, to consider a request for the granting of a minor variance at 295 Lee Avenue with respect to the replacement of an existing detached garage with a new and larger garage; and

**WHEREAS** the Committee heard from a number of area residents opposed to the granting of this variance; and

**WHEREAS** the Committee of Adjustment refused to grant the requested variance on the basis that the proposal was not minor in nature, did not represent an appropriate development of the property and did not meet the general intent of the Zoning By-law; and

**WHEREAS** the applicant appealed this decision to the Ontario Municipal Board (OMB) and the Ontario Municipal Board has scheduled a hearing date of March 2, 2005; and

**WHEREAS** it is appropriate to consider this Notice of Motion at this Council meeting due to a legal deadline, namely because it is necessary to properly prepare for the OMB hearing on March 2, 2005;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision and to retain such consultants as deemed necessary to support the City’s position.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(19) Event of Municipal Significance for Liquor Licensing Purposes - Toronto Fashion Week**

**Moved by: Councillor Rae**

**Seconded by: Councillor McConnell**

“**WHEREAS** the Fashion Design Council of Canada (FDCC), which was formed in 1999, is a non-profit organization dedicated to promoting Canadian fashion design talent; and

**WHEREAS** the FDCC produces Toronto Fashion Week which is attended by fashion aficionados, buyers and media from around the world; and

**WHEREAS** the FDCC is requesting an endorsement from Toronto City Council to deem Toronto Fashion Week, which is being held from March 14 to 20, 2005, an event of municipal significance for liquor licensing purposes, as required by the Alcohol and Gaming Commission of Ontario;

**NOW THEREFORE BE IT RESOLVED THAT** City Council, for liquor licensing purposes, declare Toronto Fashion Week which is scheduled to be held on March 14-20, 2005, to be an event of municipal/community significance and advise the Alcohol and Gaming Commission of Ontario that it has no objection to its taking place or to the extension of the liquor licence to 4:00 a.m. for the duration of the event for the official hospitality facility, Sassafras, 100 Cumberland Street.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(20) Opposition to Application for Liquor Licence – Dilan Coffee – 2915 Dufferin Street**

**Moved by: Councillor Moscoe**

**Seconded by: Councillor Mihevc**

“**WHEREAS** the operators of Dilan Coffee (formerly known as Sizin Café and JJ’s Upper Level) at 2915 Dufferin Street have submitted an application to the Alcohol and Gaming Commission to allow liquor to be served; and

**WHEREAS** when the establishment operated as JJ’s Upper Level, numerous complaints were received from residents in the community regarding this location with respect to noise and misconduct of its patrons; and

**WHEREAS** on June 4, 2003, a meeting was held with the operators, police and staff of the Alcohol and Gaming Commission to attempt to deal with these concerns; and

**WHEREAS**, although the operators of JJ’s Upper Level vacated the premises, a charge was laid by Toronto Police 13 Division against Sizin Café for serving alcohol without a licence; and

**WHEREAS**, based on the history at this location, granting a liquor licence would not be in the public interest;



**NOW THEREFORE BE IT RESOLVED THAT** City Council request the City Solicitor and any appropriate City staff to attend any anticipated Alcohol and Gaming Commission Liquor Licence Application Hearing in opposition to the granting of this application.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(21) Support for Louise Russo 5K Walk, Roll or Run**

**Moved by: Councillor Mammoliti**

**Seconded by: Councillor Stintz**

“**WHEREAS** on April 21, 2004, Louise Russo was left paralyzed by a stray bullet, becoming a tragic victim of crime; and

**WHEREAS** many individuals and companies around the Greater Toronto Area have donated their time and specified skills in an attempt to aid the Russo family; and

**WHEREAS** the City of Toronto should do its part to aid the Russo family; and

**WHEREAS** the Toronto District Catholic School Board, the H.S. East Wing Management Board and Councillor Mammoliti’s office are organizing the ‘Louise Russo 5K WALK, ROLL OR RUN’ fundraising event; and

**WHEREAS**, for this event to be successful, the City of Toronto must be become a partner;

**NOW THEREFORE BE IT RESOLVED THAT** the ‘Louise Russo 5K WALK, ROLL OR RUN’ event be given special event status by the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** this Council waive any and all City-related fees;

**AND BE IT FURTHER RESOLVED THAT** the event receive any and all resources necessary from all City departments, agencies, boards and commissions, including but not limited to, Economic Development, Culture and Tourism, Urban Development Services, Works and Emergency Services, Toronto Police Service, Toronto Fire Services and E.M.S., etc.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, subject to:*

- (1) *adding to the first Operative Paragraph, the words “and that it be approved in principle”, so that such Operative Paragraph shall now read as follows:*

*“NOW THEREFORE BE IT RESOLVED THAT the ‘Louise Russo 5K WALK, ROLL OR RUN’ event be given special event status by the City of Toronto, and that it be approved in principle;”;* and

- (2) *adding the following new Operative Paragraph:*

*“AND BE IT FURTHER RESOLVED THAT a copy of this Motion be referred to the Chief Administrative Officer, with a request that she report to the Policy and Finance Committee on the impact of this Motion, and whether it sets a precedent.”*

**J(22) Request for Authority to Approve a Loan from the City’s Capital Revolving Fund (CRF) to The MUC Shelter Corporation for its Housing Development at 101 Ontario Street (Ward 28 - Toronto Centre-Rosedale)**

**Moved by: Councillor McConnell**

**Seconded by: Councillor Rae**

**“WHEREAS** City Council approved \$3 million in federal Supporting Communities Partnership Initiative (SCPI) funding to The MUC Shelter Corporation at its meeting of November 26, 27 and 28, 2002, for the development of 52 units of transitional housing and 50 shelter beds for refugees at 101 Ontario Street; and

**WHEREAS** the project was delayed until August 2004, due to an appeal to the Ontario Municipal Board and a court challenge of the issuance of a building permit; and

**WHEREAS** the delay resulted in increased costs of approximately \$2.4 million, largely due to the increased costs of construction; and

**WHEREAS** The MUC Shelter Corporation attempted to renegotiate its first mortgage to accommodate these increases; and

**WHEREAS** refinancing has resulted in a shortfall of \$482,000.00 necessary to meet all capital costs in order to proceed with the project; and

**WHEREAS** the construction tender price can be held only until February 11, 2005, after which a penalty will ensue; and

**WHEREAS** no other second mortgage money is available on short notice; and

**WHEREAS** the Capital Revolving Fund Advisory Committee has approved a loan of up to \$482,000.00 to The MUC Shelter Corporation;

**NOW THEREFORE BE IT RESOLVED THAT** the staff recommendations in the Recommendations Section of the attached report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services, be adopted.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(22), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations Section of the report dated January 31, 2005, from the Commissioner of Community and Neighbourhood Services:***

***“It is recommended that, for the purposes of securing 52 units of transitional housing at 101 Ontario Street (Ward 28):***

- (1) Council approve a loan of up to \$482,000.00 from the Capital Revolving Fund to The MUC Shelter Corporation, operating as Sojourn House, or another entity associated and controlled by The MUC Shelter Corporation and acceptable to the Commissioner of Community and Neighbourhood Services for the transitional housing at this site;***
- (2) the City enter into an agreement to amend the Supporting Communities Partnership Initiative Agreement between the City and The MUC Shelter Corporation to implement Recommendation (1), above, which agreement shall include the terms and conditions summarized in Appendix A and any other terms and conditions deemed appropriate by the Commissioner of Community and Neighbourhood Services;***
- (3) authority be granted for the Commissioner of Community and Neighbourhood Services to execute the amending agreement as noted in Recommendation (2), above, on behalf of the City;***
- (4) the 2005 EMT recommended Operating Budget for Shelter Housing and Support be increased by \$482,000.00 gross and 0 net; and***
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.”***

**J(23) 261 Jarvis Street – RFP for Development and Use of Recreational Property**

**Moved by: Councillor Rae**

**Seconded by: Councillor Ashton**

“**WHEREAS** City Council, by the adoption of Administration Committee Report 2, Clause 11 (the ‘Report’), at its meeting on February 4, 5 and 6, 2003, approved the release of the Toronto Community Housing Corporation (‘TCHC’) from its obligation to convey the recreational facility and ancillary facilities located at 261 Jarvis Street (collectively, the ‘Property’) to the City, and authorized a lease agreement and certain ancillary transactions between the City of Toronto and 1433838 Ontario Limited for the lease of the recreational facility; and

**WHEREAS** the Lease Agreement and ancillary transactions that were authorized by City Council could not be completed on the terms provided for in the Report; and

**WHEREAS** pending completion of the transaction that will release TCHC from its obligation to convey the Property to the City, it is desirable to invite proposals for the development and use of the Property through the issuance of an RFP; and

**WHEREAS** on completion of the transaction that will release TCHC from its obligation to convey the Property to the City, the Property will remain in the hands of TCHC, and it is appropriate for TCHC to initiate and manage the RFP process;

**NOW THEREFORE BE IT RESOLVED THAT** City Council permit the issuance by TCHC of an RFP in respect of the development and use of the Property, and that City staff be authorized and directed to assist TCHC in the preparation and issuance of the RFP and to report back to the appropriate standing Committee on the results of the RFP process.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(24) Request of the Ontario Ministers of Public Infrastructure Renewal and Education and the Toronto School Boards to Ensure that Appropriate School Capacity is Provided in Support of Planned Urban Intensification**

**Moved by: Councillor Altobello**

**Seconded by: Councillor Walker**

“**WHEREAS** the City of Toronto supports urban intensification in proximity to transit stations and in planned urban centres; and

**WHEREAS** the Province of Ontario's discussion paper, 'Places to Grow', clearly promotes intensification near subway stations and in areas where schools, transit and infrastructure capacity already exist and can accommodate further growth; and

**WHEREAS** through Bill 136, '*An Act respecting the Establishment of Growth Areas and Growth Plans*', the Government of Ontario recognizes that an integrated and co-ordinated approach to making decisions about growth across all levels of government will contribute to maximizing the values of public investment; and

**WHEREAS** the stated purposes of Bill 136 (*the Act*) include: 'to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation; to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure'; and

**WHEREAS** Bill 136 (*the Act*) further states that a proposed growth plan may contain policies, goals and criteria in relation to intensification and density, infrastructure development and the location of infrastructure and institutions, growth-related capital spending and financing, and community design; and

**WHEREAS** current Provincial funding arrangements and financial tools prevent Toronto's school boards from providing new or expanded school facilities to serve areas of growth and intensification; and

**WHEREAS** the current financial framework leaves busing to other schools that are remote from developing areas, as the only option; and

**WHEREAS** the practice of accommodating population growth, through the busing of students is unacceptable as a large scale, long-term practice;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Ontario Minister of Public Infrastructure Renewal and the Minister of Education to bring forward appropriate policies, tools, and funding mechanisms to allow the school boards in the City of Toronto to respond to planned urban intensification in Toronto and provide an appropriate level of school facilities to serve students in the neighbourhood where they live;

**AND BE IT FURTHER RESOLVED THAT** Council request the Toronto District School Board and the Toronto Catholic District School Board to advise the City of Toronto what is needed to be able to respond to planned urban intensification in Toronto, and provide an appropriate level of school facilities to serve students in the neighbourhood where they live, so that the City of Toronto may assist in encouraging the Province of Ontario in providing appropriate policies, tools, and funding mechanisms."

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

**J(25) Ontario Municipal Board Appeal Settlement – 4 Garrow Avenue**

**Moved by: Councillor Nunziata**

**Seconded by: Councillor Palacio**

**“WHEREAS** on September 21, 2004, the Humber York Panel of the Committee of Adjustment approved minor variance Application No. A234/04HY, related to 4 Garrow Avenue, to permit the construction of a two-storey, three unit, residential building at the rear of and connected to an existing two-storey residential building containing three dwelling units; and

**WHEREAS** City Planning staff recommended refusal of the application; and at its meeting on September 28, 29, 30 and October 1, 2004, Council directed the City Solicitor to appeal the decision of the Committee of Adjustment; and

**WHEREAS** the City Solicitor appealed the decision within the required appeal period; and

**WHEREAS** Council also directed the City Solicitor and applicable City staff to attend at the Ontario Municipal Board in support of the appeal and to oppose minor variance Application No. A234/04HY; and

**WHEREAS**, at a community meeting that took place on January 27, 2005, the applicant outlined a revised proposal which included reducing the number of proposed units by one, and agreeing not to situate any balconies or windows on the west side of the building; and

**WHEREAS** the majority of residents in attendance at the meeting advised that the applicant’s revised proposal was acceptable;

**NOW THEREFORE BE IT RESOLVED** that the City Solicitor be directed to attend at the Ontario Municipal Board and request that the Board impose the following conditions:

- (1) prior to the issuance of a building permit, the Owner shall be required to obtain Site Plan Approval to the satisfaction of the Commissioner of Urban Development Services;
- (2) prior to the issuance of a building permit, the following conditions shall be fulfilled, to the satisfaction of the Toronto and Region Conservation Authority;
  - (a) the Owner shall be required to apply for an Ontario Regulation 158 permit;
  - (b) the Owner shall be required to submit a topographical survey indicating spot elevations of the subject property; and

- (c) the Owner shall be required to submit plans which indicate that all openings of the structures will be flood-proofed to the Regional Storm Elevation;
- (3) prior to the issuance of a building permit, the Owner shall submit a stamped engineering and geotechnical report to the satisfaction of the Commissioner of Urban Development Services;
- (4) the site shall not be used as a rooming house;
- (5) there shall be no new windows or balconies on the west elevation; and
- (6) the site shall be limited to 5 units.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

**J(26) Section 37 Agreement – Block Bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue**

**Moved by: Councillor Fillion**

**Seconded by: Councillor Moscoe**

**“WHEREAS** City Council at its meeting on November 30, December 1 and 2, 2004, adopted North York Community Council Report 9, Clause 34, entitled ‘Final Report – OPA and Rezoning Application – 03 193501 NNY 23 OZ – Site Plan Application 03 193513 NNY 23 SA – Michael Draljevic, Deltera Inc. – Rafael & Bigauskas Architects – Block bounded by Finch Avenue West, Duplex Avenue, Hendon Avenue and Greenview Avenue; and North York Centre Secondary Plan’, as amended, and further amended the report to permit an amendment to the North York Centre Secondary Plan and enactment of the necessary bill, and further required that a monetary contribution toward the cost of land acquisition for the North York Centre Service Road and/or toward the cost of constructing and furnishing a Public Recreation Centre serving the North York Centre, in accordance with the provisions of the proposed general Official Plan Amendment, with the required monies to be paid to the City in a form satisfactory to the Chief Financial Officer and Treasurer, prior to the introduction of the necessary site-specific bills to City Council for enactment; and

**WHEREAS** the required monies are to be paid to the City, prior to the introduction of the necessary site-specific bills to City Council for enactment; and

**WHEREAS** the monetary contribution for the proposed density incentive of 14,412 square metres (155,134 square feet) has been established;

**NOW THEREFORE BE IT RESOLVED THAT** City Council receive the report dated February 1, 2005, from the Commissioner of Corporate Services, for information.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment, and, in so doing, received the report dated February 1, 2005, from the Commissioner of Corporate Services, for information.*

**J(27) Support for International Car Free Day**

**Moved by: Councillor Giambrone**

**Seconded by: Councillor Fletcher**

“**WHEREAS** International Car Free Day is an annual event celebrated by 100 million people on every continent and supported by the European Union, the United Nations, the Government of Canada and the leaders of 1,500 Cities around the world; and

**WHEREAS** Car Free Day street events and forums highlight the many problems caused by our dependence on the private automobile, including air pollution, global warming, stress and safety issues; and

**WHEREAS** it emphasizes the rights of pedestrians and cyclists, the need for more and better public transit, and helps people rediscover their local community, outside the confines of their vehicle; and

**WHEREAS** Car Free Day began in Canada on September 22, 2001, when Toronto became the first Canadian and North American City to officially host a Car Free Day; and

**WHEREAS** in July 2004, Dr. Barbara Yaffe, Toronto’s Acting Medical Officer of Health, released a study estimating that five common air pollutants contribute to about 1,700 premature deaths and 6,000 hospital admissions in Toronto each year;

**NOW THEREFORE BE IT RESOLVED THAT** City Council express its support for International Car Free Day;

**AND BE IT FURTHER RESOLVED THAT** City Council strongly affirm its support for Car Free Day festivities in Toronto.”

*Disposition:*

*Notice of this Motion was given to permit consideration at the next regular meeting of City Council on February 16, 2005.*



**J(28) Instructions to Execute a Section 37 Agreement, Prepare By-laws and take the Necessary Action to Implement the Decision of the Ontario Municipal Board re 150 Roehampton Avenue**

**Moved by: Councillor Walker**

**Seconded by: Councillor Jenkins**

**“WHEREAS** the Ontario Municipal Board in a decision issued October 27, 2004, approved the owner’s appeals for an official plan amendment and zoning by-law for a proposed 16 storey condominium tower at 150 Roehampton Avenue; and

**WHEREAS** Council at its meeting of June 24, 25 and 26, 2003, (Midtown Community Council Report 5, Clause 33) refused the application and directed the City Solicitor to retain outside consultants and oppose the application at the Ontario Municipal Board, notwithstanding the Commissioner of Urban Development Services, in a report dated April 22, 2003, recommended a draft official plan, zoning by-law, Section 37 agreement, site plan approval and the removal of two street trees; and

**WHEREAS** the decision of Ontario Municipal Board states that the Board’s Order regarding the official plan and zoning by-law amendments will be withheld pending the resolution of a Section 37 agreement and receipt of an executed site plan between the appellant and the City; and

**WHEREAS** the report dated April 22, 2003, from the Commissioner of Urban Development Services, includes the provisions for the by-laws, Site Plan Undertaking and Section 37 agreement including a contribution of \$287,000.00 (as indexed) for improving neighbourhood community facilities; and

**WHEREAS** it is appropriate for the City to receive the above Section 37 benefits and authorize the City officials to prepare the by-laws and agreements (Undertaking) and execute such agreements (Undertaking) and authorize removal of two street trees and a by-law permission for a temporary on-site sales office within the existing building for the proposed condominium units; and

**WHEREAS** there is urgency in this matter in order to receive the Order of the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the appropriate City Officials prepare the by-laws and agreements (Undertaking) substantially as set out in the report dated April 22, 2003, from the Commissioner of Urban Development Services, including a by-law permission for a temporary sales office as set out above;
- (2) authority be granted to remove two street trees as set out in Recommendation (4) of the report dated April 22, 2003, from the Commissioner of Urban Development Services; and

- (3) the appropriate City officials execute such agreements (Undertaking) and take all necessary action to implement the decision of the Ontario Municipal Board as set out above.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

**J(29) 340 Front Street West – Instructions Respecting a Proposed Revised Settlement**

**Moved by: Councillor Rae**

**Seconded by: Deputy Mayor Pantalone**

“**WHEREAS** the City Solicitor has prepared a confidential report dated January 31, 2005, seeking instructions respecting a proposed revised settlement and an upcoming Committee of Adjustment hearing respecting a variance application by the owner of 340 Front Street West; and

**WHEREAS** consideration of this matter by Council is required on an urgent basis, as the Committee of Adjustment hearing will commence on February 9, 2005; and

**WHEREAS** the owner of the lands in question has agreed to request the Committee of Adjustment to impose the condition set out below on the variance;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the attached confidential report dated January 31, 2005, from the City Solicitor, approve the revised terms of settlement and provide instruction as set out in staff Recommendation (1) in the Recommendations Section of the report, subject to requiring, as a condition of granting the variance, that the owner agree to pay to the City an additional sum of \$15,000.00 toward the improvement of local parks in the immediate area of 340 Front Street West, within 30 days of the Committee of Adjustment decision becoming final, such sum to be additionally secured by an agreement pursuant to Section 45 of the *Planning Act*, to the satisfaction of the City Solicitor.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(29), without amendment, Council adopted staff Recommendation (1) contained in the Recommendations Section of the confidential report dated January 31, 2005, from the City Solicitor, subject to requiring, as a condition of granting the variance, that the owner agree to pay to the City an additional sum of \$15,000.00 toward the improvement of local parks in the immediate area of 340 Front Street West, within 30 days of the Committee of Adjustment decision becoming final, such sum to be additionally secured by an agreement pursuant to Section 45 of the Planning Act, to the satisfaction of the City Solicitor. The following Recommendation (1) is public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information that is subject to solicitor-client privilege:***

*“It is recommended that:*

- (1) *the City Solicitor be instructed to advise the owner of City Council’s decision to revise the Settlement, which if allowed by the Committee of Adjustment or Ontario Municipal Board appeal would result in the following changes to the development permission for the site:*
  - (a) *the maximum permitted height of 55.0 metres could be exceeded by up to 1.3 metres;*
  - (b) *the maximum permitted height of 59.0 metres could be exceeded by up to 1.0 metre and 3.0 metres;*
  - (c) *the maximum permitted height of 67.0 metres could be exceeded by up to 2.5 metres; and*
  - (d) *the maximum permitted height of 69.0 metres could be exceeded by up to 5.0 metres;*

*and the City Solicitor and other City staff be instructed to take all other steps and execute such agreements as may be required to implement the settlement as revised.”*

**J(30) Ratification of Legal Action Against James Wilson, Wilson Transportation and Leasing Group (Canada) Inc., and Wilson Logistics Inc.**

**Moved by: Councillor Pitfield**

**Seconded by: Deputy Mayor Bussin**

**“WHEREAS** the City’s waste is hauled to Michigan under the City’s contract with Wilson Logistics (which hauls the waste) and Republic Services of Canada Inc. (which disposes of the waste); and

**WHEREAS** late in 2004, Wilson Logistics failed to renew its Performance Bond under the Agreement; and

**WHEREAS** City staff and Republic Services of Canada Inc. became concerned that Wilson Logistics may default under its contract to transport the City’s waste; and

**WHEREAS** the City’s outside legal counsel recommended that the City commence an action against Wilson Logistics;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached confidential report dated February 1, 2005, from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(30), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 1, 2005, from the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.*

**J(31) Litigation Commenced by Harbour Remediation & Transfer Inc. (“HR&T”), Costa Trucking and Contracting Ltd. (“Costa Trucking”) and Related Claim of Mr. Fred Dominelli and 939923 Ontario Limited (“939923”)**

**Moved by: Councillor Pitfield**

**Seconded by: Deputy Mayor Bussin**

“**WHEREAS** City Council at its meeting of October 26, 27 and 28, 2004, adopted Works Committee Report 8, Clause 9a, entitled ‘Harbour Remediation and Transfer Inc. - Claim and Related Third Party Claim of Fred Dominelli’; and

**WHEREAS** the City Solicitor has prepared a report on the status of the litigation and to receive instructions with respect to the claim;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached confidential report dated January 25, 2005, from the City Solicitor, and that the staff recommendation in the Recommendation Section of the report be adopted.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(31), without amendment, Council adopted, without amendment, the staff recommendation contained in the Recommendation Section of the confidential report dated January 25, 2005, from the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.*

**J(32) Amendments to the *Employment Standards Act, 2000* (Bill 63)**

**Moved by: Mayor Miller**

**Seconded by: Councillor Walker**

“**WHEREAS** amendments to the *Employment Standards Act, 2000* (Bill 63) received Royal Assent on December 9, 2004; and

**WHEREAS** the amendments to the *Act* take effect March 1, 2005; and

**WHEREAS** the City Solicitor and the Commissioner of Corporate Services have prepared a report highlighting the implications for the implementation of the *Employment Standards Act, 2000* (Bill 63);

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached confidential report dated January 26, 2005, from the City Solicitor and the Commissioner of Corporate Services, and that the recommendations in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(32), without amendment, Council adopted, without amendment, the staff recommendation contained in the Recommendation Section of the confidential report dated January 26, 2005, from the Commissioner of Corporate Services and the City Solicitor. The following recommendation is now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information related to labour relations or employee negotiations:***

***“It is recommended that the Province be requested to extend the time for complying with the Act to June 30, 2005, and that the letter sent by the Chief Administrative Officer to the Cabinet Secretary (January 26, 2005) for this purpose be confirmed.”***

**J(33) 650-672 Sheppard Avenue East – Ontario Municipal Board Decision No. 0150 – Ward 24 (Willowdale)**

**Moved by: Councillor Shiner**

**Seconded by: Councillor Stintz**

“**WHEREAS** on January 25, 2005, the Ontario Municipal Board issued its Decision/Order No. 0150 whereby it exempted from the calculation of ‘Gross Floor Area’ all below grade areas and all mechanical areas for the proposed development at 650-672 Sheppard Avenue East; and

**WHEREAS** the City Solicitor wishes to report upon the Board's Decision and obtain directions from City Council; and

**WHEREAS** it is appropriate to consider the report of the City Solicitor at this meeting, as it is a time sensitive matter; and

**WHEREAS** it is appropriate to consider the report of the City Solicitor in camera, as it relates to matters of solicitor-client privilege;

**NOW THEREFORE BE IT RESOLVED THAT** Council adopt the staff recommendations in the Recommendations Section of the attached confidential report dated January 31, 2005, from the City Solicitor."

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(33), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated January 31, 2005, from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information which is subject to solicitor-client privilege:*

*"It is recommended that City Council:*

- (1) direct the City Solicitor to seek leave to appeal OMB Decision/Order No. 0150, issued on January 25, 2005, to the Divisional Court, and if leave is granted, to appeal the said Decision/Order to the Court; and*
- (2) authorize and direct the appropriate City Officials to take the necessary action to give effect thereto."*

**J(34) Liquid Chlorine Contracts – Competition Act Charges – Possible Civil Action**

**Moved by: Councillor Holyday**

**Seconded by: Councillor Stintz**

**"WHEREAS** at its special meeting held on July 30, 31 and August 1, 2002, City Council adopted Audit Committee Report 7, Clause 5, headed 'Competition Bureau Investigation - Supply of Liquid Chlorine'; and

**WHEREAS** the City Solicitor has prepared a confidential report dated February 1, 2005, advising Council of the status of criminal proceedings brought against companies and individuals charged with offences under the *Competition Act* with respect to the supply of liquid chlorine to the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider the attached confidential report dated February 1, 2005, from the City Solicitor, and that the staff recommendations contained in the Recommendations Section of the report be adopted.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.***

***In adopting Motion J(34), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 1, 2005, from the City Solicitor. The following recommendations are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation:***

***“It is recommended that:***

- (1) the City not continue its civil action against Welland Chemical Ltd., William Rowe, Brenntag Canada Inc., formerly Stanchem Inc., Univar Canada Ltd., formerly Vopak Canada Ltd., formerly Van Waters & Rogers Ltd. and Terry Neal; and***
- (2) City staff take all necessary steps to give effect thereto.”***

**J(35) Waiving of fees for Community Festivals on St. Clair Avenue West**

**Moved by: Councillor Mihevc**

**Seconded by: Councillor Moscoe**

**“WHEREAS** City Council at its meeting on September 28, 29, 30 and October 1, 2004, approved Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St.Paul’s, Davenport, York South-Weston)’; and

**WHEREAS** the report resolved that ‘City departments waive fees related to hosting community festivals on St. Clair Avenue West from 2005 to 2007 (the construction period and immediately thereafter)’; and

**WHEREAS** City staff interpretation of the wording contained in the aforementioned report limits the waiving of fees and charges to City departments; and

**WHEREAS** the revitalization of St. Clair Avenue West and the strengthening of the local small business community, including supporting community events and festivals on the street, remain high priorities of the City of Toronto; and

**WHEREAS** City staff have been consulted in writing this Motion;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair Avenue West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St.Paul’s, Davenport, York South-Weston)’, be re-opened for further consideration, only as it pertains to the waiving of fees for Community Festivals on St. Clair Avenue West;

**AND BE IT FURTHER RESOLVED THAT** City Council clarify the intent of Policy and Finance Committee Report 7, Clause 1, headed ‘St. Clair West Transit Improvements Environmental Assessment – Yonge Street to Gunns Road (just west of Keele Street) (St. Paul’s, Davenport, York South-Weston)’, only as it pertains to the waiving of fees and costs for community festivals on St. Clair West from 2005 to 2007, by approving that all necessary barricades, non-departmental permit fees for community festivals on St. Clair Avenue West from 2005 to 2007 are to paid for by the City;

**AND BE IT FURTHER RESOLVED THAT** City Council request that the Toronto Transit Commission and the Toronto Police Service waive costs for Community Festivals on St. Clair Avenue West, from 2005 to 2007;

**AND BE IT FURTHER RESOLVED THAT** this Resolution be forwarded to the Toronto Transit Commission and Toronto Police Services Board for their consideration and endorsement.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, deferred consideration of this Motion to its next regular meeting on February 16, 2005.*

**J(36) Children’s Mental Health Ontario**

**Moved by: Councillor Ashton**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** Children’s Mental Health Ontario promotes, supports and strengthens a sustainable system of mental health services for children, youth and their families; and

**WHEREAS** last year, treatment for thousands of children was disrupted and compromised because children’s mental health agencies in Ontario lost 212.6 FTE positions due to funding constraints; and

**WHEREAS** a one-time injection of 3 percent to base budgets in new support, though appreciated after 12 years of no increases, is simply not adequate to enable agencies to maintain existing staff or services; and



**WHEREAS** it is important that children in treatment be able to create and sustain trusting relationships with their child and youth workers, social workers, psychologists and other treatment team members, and

**WHEREAS** any reform efforts will fail unless there is more funding for existing core services;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto request the Province of Ontario to secure further funding for that purpose.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(37) Request for Variances from the Former City of North York Sign By-law No. 30788, as amended, for the Erection of One Illuminated Pylon Sign at 1765 Eglinton Avenue East**

**Moved by: Councillor Minnan-Wong**

**Seconded by: Deputy Mayor Feldman**

“**WHEREAS** the building at 1765 Eglinton Avenue East is located in an industrial zone [MC(75)] and is within the Ontario Hydro transmission corridor; and

**WHEREAS** the site was previously occupied by a Ford dealership and a variance (00-151063) was granted on August 13, 2002, to permit the erection of a 9.34 metres (30 ft.- 8 in.) high pylon sign, and this sign was erected to serve the Ford dealership; and

**WHEREAS** Golden Mile Motors has now moved into the building, the existing Ford pylon sign was removed and the new occupant of the building now wishes to erect one, new pylon sign to advertise its new location and business;

**NOW THEREFORE BE IT RESOLVED THAT** the City allow for the erection of a ground sign at the west boundary of the property (see attached map) at a height not to exceed 8.53 metres (28 feet).”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(38) Technical Amendments re: Parking Prohibitions – Yonge Boulevard (Ward 16 - Eglinton-Lawrence)**

**Moved by: Councillor Stintz**

**Seconded by: Councillor Shiner**

“**WHEREAS** City Council at its meeting held on October 26, 27 and 28, 2004, adopted North York Community Council Report 8, Clause 16, headed ‘Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)’; and

**WHEREAS** staff Recommendations (1) and (2) in the Recommendations Section of the report dated September 21, 2004, from the Director, Transportation Services, North District, Works and Emergency Services, as contained in the Clause, contain technical errors with respect to the times of existing parking regulations on Yonge Boulevard;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, North York Community Council Report 8, Clause 16, headed ‘Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** staff Recommendation (1) be amended by deleting the time ‘6:00 p.m.’, and inserting instead the time ‘6:30 p.m.’, and by inserting the words ‘except public holidays’ after the words ‘Monday to Friday’, so that Recommendation (1) shall now read as follows:

- ‘(1) Schedule XXIII of Chapter 400 of the former City of Toronto Municipal Code be amended by deleting the No Parking 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:30 p.m., Monday to Friday, except public holidays, prohibition on the east side of Yonge Boulevard, from Yonge Street to the north City limit’;

**AND BE IT FURTHER RESOLVED THAT** staff Recommendation (2) be amended by deleting the reference to ‘9:00 a.m. to 4:00 p.m.’, and inserting instead the times ‘9:30 a.m. to 4:30 p.m.’, so that staff Recommendation (2) shall now read as follows:

- ‘(2) Schedule XXV of Chapter 400 of the former City of Toronto Municipal Code be amended by deleting the 60 Minute Permitted Parking, 9:30 a.m. to 4:30 p.m., Monday to Friday, on the east side of Yonge Boulevard, from Yonge Street to the north City limit’.”

***Disposition:***

***City Council on February 1, 2 and 3, 2005, re-opened North York Community Council Report 8, Clause 16, headed ‘Parking Prohibitions – Yonge Boulevard (Ward 16 – Eglinton-Lawrence)’, for further consideration, and adopted the balance of this Motion, without amendment.***

**J(39) Authority to Enter into Agreements with Zurich Insurance Company (“Zurich”) to Address Outstanding Lien Claims Arising as a Result of the Default of 961488 Ontario Limited operating as Sanan Construction (“Sanan”) and Other Related Companies on Several Projects with the City of Toronto**

**Moved by: Councillor Pitfield**

**Seconded by: Deputy Mayor Bussin**

“**WHEREAS** the City of Toronto entered into a number of contracts with Sanan with respect to various projects; and

**WHEREAS** Zurich Insurance Company issued bonds for many of these contracts; and

**WHEREAS** on November 26, 2004, Sanan went into interim receivership; and

**WHEREAS** Sanan delivered notices of default on various of its projects to the City; and

**WHEREAS** the City Solicitor has prepared a confidential report requesting authority to enter into agreements with Zurich to address outstanding lien claims as a result of the default;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider and adopt the confidential report dated February 3, 2005, from the City Solicitor, as it is a time-sensitive matter, to avoid incurring unnecessary costs.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

*In adopting Motion J(39), without amendment, Council adopted, without amendment, the staff recommendations contained in the Recommendations Section of the confidential report dated February 3, 2005, from the City Solicitor. This report remains confidential, in its entirety, in accordance with the provisions of the Municipal Act, 2001, as it contains information pertaining to litigation or potential litigation.*

**J(40) Appointments to the Film Board**

**Moved by: Deputy Mayor Feldman**

**Seconded by: Councillor Shiner**

“**WHEREAS** City Council on November 30 and December 1 and 2, 2004, by adopting Policy and Finance Committee Report 9 Clause 2, established the Film Board, to be comprised of 18 members selected by the Mayor, and drawn from the wide range of industry representatives, Members of Council (who are appointed) and interested parties; and

**WHEREAS** industry members are to be selected by the Mayor and appointed by Council;

**NOW THEREFORE BE IT RESOLVED THAT** Council appoint the following industry members, selected by the Mayor, for a term of office ending November 30, 2006:

Susan Murdoch	Vice-President, Producer, Pebblehut Too, Inc.,
Maxine Bailey	Director, Public Affairs, Toronto International Film Festival,
Christina Buchli	Entertainment Lawyer, Heenan-Blakie,
Jack Blum	Writer, Actor, Filmmaker, Writer's Guild of Canada,
Don Carmody	Producer, Silent Hill/DCP Inc.,
Sheldon Fainer	Owner, Designer Fabric Outlet,
Ken Ferguson	CEO, Toronto Film Studios,
Ron Haney	ED & CEO, Directors Guild of Canada – Ontario,
Sarha Ker-Hornell	Managing Director, Film Ontario,
Gabriella Martinelli	President, Capri Films,
Brian Topp	Executive Director, Alliance of Canadian Cinema, Television and Radio Artists (ACTRA),
Tonya Lee Williams	President & Founder, Reel World Film Festival & Foundation, and
Mimi Wolch	International VP, Business Agent, IATSE.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**J(41) City of Toronto Representatives on the Scarborough Hospital Board**

**Moved by: Councillor De Baeremaeker**

**Seconded by: Councillor Del Grande**

“**WHEREAS** Councillor De Baeremaeker has been the City of Toronto representative on the Scarborough Hospital Board and Councillor Del Grande has been the City of Toronto alternate on the Board; and

**WHEREAS** the Scarborough Hospital Board constitution does not allow the alternate to vote;

**NOW THEREFORE BE IT RESOLVED THAT** Council now appoint Councillor Del Grande as the City of Toronto representative on the Scarborough Hospital Board and Councillor De Baeremaeker as the City of Toronto's alternate on the Board.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion, without amendment.*

**CONDOLENCE MOTIONS**

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

**Seconded by: Deputy Mayor Pantalone**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Joyce Winnifred Mitchell, beloved mother of Councillor Suzan Hall, on January 22, 2005, in her 85th year;

**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 Hall and her family.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

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

**Seconded by: Deputy Mayor Pantalone**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Helen Mary Walker, beloved mother of Councillor Michael Walker, on December 9, 2004, in her 101st year;

**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 Walker and his family.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

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

**Seconded by: Councillor Rae**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Margaret (Dixie) Jewison, college sweetheart and devoted wife of 52 years to Mr. Norman Jewison; and

**WHEREAS** Margaret (Dixie) Jewison was a woman of extraordinary talents, working beside her husband Norman as they set up the Norman and Margaret Jewison Charitable Foundation to benefit such causes as AIDS research, the culture of the people of the First Nations of Canada, as well as the arts; and

**WHEREAS** Margaret (Dixie) Jewison was extremely dedicated to her work with the Spinal Research Foundation and a strong supporter of the Canadian Film Centre; and

**WHEREAS** Margaret (Dixie) Jewison was a caring and loving mother to her children, Kevin, Michael and Jenny and was adored by her many grandchildren; and

**WHEREAS** Margaret (Dixie) Jewison had a most wonderful sense of humor, which, coupled with her deep commitment to her family and her friends, will leave a void in the lives of many people; and

**WHEREAS** Margaret (Dixie) Jewison's gracious, compassionate and friendly manner touched the hearts of all who knew her; and

**WHEREAS** it is often said that behind every successful man there stands a good woman, Margaret (Dixie) Jewison surely stood behind hers, even though she was, according to Norman, still the only person that he could never direct;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be asked to convey, on behalf of Members of City Council, our sincere sympathy to her husband, Norman, her children, Kevin, Michael and Jenny and their families."

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

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

**Seconded by: Councillor Walker**

**“WHEREAS** on Sunday, December 12, 2004, citizens of Toronto awoke to the horrible news of the tragic death of 18-year old Wesley Tanner Telford McElheron Hopkins who was stabbed to death in the driveway of his home while trying to prevent a group of young people from entering; and

**WHEREAS** Tanner was a well-loved young man with great academic potential, dreams and goals; and

**WHEREAS** Tanner's actions to protect his family the night of December 11th reflected his deep-rooted moral values for family and community; and

**WHEREAS** the community at-large is mourning the loss of this young man; and

**WHEREAS** it is of grave concern to Members of City Council and the citizens of our City that violent youth crime is on the increase and all efforts to reduce these senseless acts should be encouraged and supported;

**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 the family of Tanner Hopkins, his parents, Robert and Charryn, sister Caitlin, brother Cameron, grandparents Jacqui and Peter McElheron and Betty Hopkins and Bob Ballantyne and his soul mate Sarah Gierusz.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

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

**Seconded by: Councillor Ootes**

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Eugene Wazny on January 1, 2005, at the age of 78; and

**WHEREAS** Gene, a long time resident of East York and Sergeant Major of Branch 10’s Colour Guard, was known for his dedication to his community and to his fellow veterans; and

**WHEREAS** Gene was born in 1926 in Doliny, Poland and escaped to Canada with his family to start a new life; and

**WHEREAS**, as a member of the Hamilton Light Infantry during the Second World War, he saw front line action in Italy, France and Holland; and joined the 2nd Battalion of the Royal Canadian Regiment during the Korean War and was in the reserve forces that defended Kapyong; and

**WHEREAS** he worked tirelessly and selflessly to ensure that the lives of all veterans were the best they could possibly be by founding and participating in the Sunnybrook Hospital’s K-Wing Veterans transportation program and a monthly visitor program for those veterans residing in the K-Wing; and

**WHEREAS** he was determined to ensure that no one was forgotten – be it delivering lilies at Easter, poinsettias at Christmas and chocolates ‘just because’; and

**WHEREAS** he took his efforts into the local schools to speak on the value of the contributions made by all veterans and the importance of remembering them; and

**WHEREAS** he never missed a CNE Parade, even this past year when he received leave from the hospital to attend; and

**WHEREAS** he achieved the top volume of sales during his last three poppy campaigns; and

**WHEREAS** as a member of the United Electrical Union for the former Canada Wire Company in Leaside, having served as the Chief Steward and Safety Steward, he introduced one of the first drug/alcohol programs with the assistance of the Renaissance Centre; and

**WHEREAS** he will always be remembered as a charismatic East York Hero;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of Members of City Council, our sympathy to his loving wife of 51 years, Norma, his daughters Sara Wazny and Maureen Gibson, his grandchildren Tara, Lisa, Krista, Michelle, Jacob and Cheryl and one great-grandson Bryden.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

(6) **Moved by: Deputy Mayor Bussin**

**Seconded by: Mayor Miller**

“**WHEREAS** the Members of City Council are saddened to learn of the passing of Margaret R. (Peg) Lush, peacefully at her home in the Beaches in the care and presence of her family; and

**WHEREAS** the Beaches community lost one its local heroes on Sunday, January 30 with the passing of Peg Lush - a personal friend and ally in many community improvement initiatives over the years; and

**WHEREAS** Peggy was a tireless advocate for social and environmental causes in Toronto and the Beaches; and

**WHEREAS** Peg was in many ways typical of local activists who worked quietly and conscientiously over many years to enhance the quality of our community life; and

**WHEREAS** Peg neither sought recognition or reward for attending and contributing to hundreds of community and City Hall committee meetings on issues as far ranging as homelessness, economic injustice, world peace, the environment and public health; and

**WHEREAS** Peg was motivated by her deep regard for her neighbours and City, satisfied in the knowledge that her activism did make a difference; and



**WHEREAS** Peggy worked with me on many local environmental issues including the successful ending of incineration of sewage sludge at Ashbridges Bay Sewage Treatment Plant over two years ago, and at the time of her death, Peggy was a current member of the Toronto Safe Sewage Committee and the Toronto Pedestrian Committee;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be asked to convey, on behalf of Members of City Council, our sincere sympathy to her daughter Susan Surette and husband Richard of Brigham, Quebec, son James and wife Rev. Elaine of Toronto, son Stuart and wife Kathleen Cooper of Lindsay, Ontario, brother (Hon.) Thomas R. Wheler, Wing Commander (Retd.) of West Hill, Ontario, and grandchildren Soleil (Patrick Griffiths), Amun, Akycha, Sarah, Kate, Jocelyn and Merryn.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

(7) **Moved by:** Councillor Nunziata

**Seconded by:** Councillor Saundercook

“**WHEREAS** the Members of City Council are saddened to learn of the sudden passing of Aileen Coughtry, a former City of York employee with a dedicated record of public service of more than 25 years, most recently with firefighter testing of Toronto’s Emergency Medical Services;

**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 the family of AileenCoughtry.”

*Disposition:*

*City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.*

(8) **Moved by:** Councillor McConnell

**Seconded by:** Councillor Rae

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Mary Graham; and

**WHEREAS** Mary Graham was a longstanding employee of the City of Toronto, working in many different divisions beginning in 1987 as a Training and Development consultant moving to Parks and Recreation in 1996 and finally becoming Director of Support Services in Toronto Public Health; and

**WHEREAS**, in Training and Development, Mary contributed her rich background in adult education, community development and a strong commitment to equity issues in the workplace and quickly rose to become Manager of Training and Development where she provided energetic leadership to develop a well respected consulting team; and

**WHEREAS** under Mary's guidance, the City's first dedicated training centre was established and many innovative management and employee development programs were launched, as a result of her work; and

**WHEREAS** in Parks and Recreation, Mary brought her humanitarian spirit and strong initiative skills to tackle a range of community and operational challenges. Her courage and astute decision-making provided a model of sound leadership that inspired her staff and fellow managers; and

**WHEREAS** Mary went to Toronto Public Health as Director of Support Services, at a time of great upheaval, uncertainty and overwhelming change, where she had a large presence, a strength of purpose and a work ethic that promoted positive change; and

**WHEREAS** Mary always brought a fresh approach to handling intricate problems and challenges. She put service to the public first and always ensured that her staff were well supported; and

**WHEREAS** Mary was most loved and respected for her ability to 'think outside the box' - to always be innovative in solving the numerous problems that came across her desk every day. Her extraordinary sense of humour and intelligence kept her colleagues and staff on their toes; reminding everyone to never forget to laugh, to be bold and to care about their work and each other;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey on behalf of Members of City Council, our sincere sympathy to her partner George Tsapoytas, her parents June and Ed Graham and family members Bob and Patti Graham, Amy and Taylor."

***Disposition:***

***City Council on February 1, 2 and 3, 2005, adopted this Motion unanimously.***

Toronto, Ontario  
February 7, 2005

City Clerk