

CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Report No. 14 of The Administration Committee, Clause No. 32b
Report No. 1 of The Administration Committee, Clauses Nos. 1a, 2a, 16a and 19a
Report No. 2 of The Administration Committee, Clause No. 3a and 27a
Report No. 1 of The Community Services Committee, Clause Nos. 2a
Report No. 2 of The Community Services Committee, Clause Nos. 7a
Report No. 10 of The Economic Development and Parks Committee, Clause No. 9b
Report No. 1 of The Policy and Finance Committee, Clause No. 24a
Report No. 1 of The Works Committee, Clause No. 9a
Report No. 1 of The Midtown Community Council, Clauses Nos. 31a, 32a and 33a

New Reports:

Report No. 3 of The Administration Committee
Report No. 3 of The Community Services Committee
Report No. 3 of The Economic Development and Parks Committee
Report No. 4 of The Planning and Transportation Committee
Report No. 5 of The Planning and Transportation Committee
Report No. 3 of The Policy and Finance Committee
Report No. 3 of The Works Committee
Report No. 2 of The Etobicoke Community Council
Report No. 3 of The Etobicoke Community Council
Report No. 3 of The Humber York Community Council
Report No. 3 of The Midtown Community Council
Report No. 3 of The North York Community Council
Report No. 3 of The Scarborough Community Council
Report No. 4 of The Toronto East York Community Council
Report No. 1 of The Audit Committee
Report No. 2 of The Board of Health
Report No. 3 of The Nominating Committee
Report No. 2 of The Striking Committee,

Notices of Motions and an additional matter, as adopted by the Council of the City of Toronto at its regular meeting held on April 14, 15 and 16, 2003.

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

DEFERRED CLAUSES FROM REPORT NO. 1 OF THE ADMINISTRATION COMMITTEE

Clause No. 1a - "Use of Communications Services and Resources During an Election Year".

The Clause was amended by amending the recommendations embodied in the report dated October 17, 2002, from the Commissioner of Corporate Services, as amended by the Administration Committee, so that they now read as follows:

"It is recommended that:

- (1) Members of Council may not use the services of any staff in the City of Toronto to assist in any communication activity related to the preparation or distribution of campaign related materials or events;
- (2) no photographic or video materials may be created by City staff for use in any campaign materials; and
- (3) consistent with the recommendations of the Administration Committee contained in Clause No. 2a of Report No. 1 of The Administration Committee, headed "Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year", as amended [see Page 3 of this Certificate], commencing September 25 and ending December 31 in a municipal election year:
 - (a) Members of Council will not distribute media releases using the City of Toronto media relations or departmental communications networks or distribution systems unless such a release is considered to be consistent with their duties as an elected official;
 - (b) no advertising paid for by the City of Toronto will contain the name of a Councillor or the Mayor unless consistent with their duties as an elected official;
 - (c) the City of Toronto logo will not be used in any campaign related materials;
 - (d) the City of Toronto media clippings package will be made available to the general public through copies provided for viewing at the central library and at the counter of all Civic Centres; and
 - (e) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them."

Clause No. 2a - “Use of Corporate Resources for Election Purposes Especially During a Municipal Election Year”.

The Clause was amended by amending the recommendations embodied in the report dated September 20, 2002, from the City Clerk, as amended by the Administration Committee, as follows:

- (i) deleting from Recommendation No. (5), the date “August 1”, and inserting in lieu thereof the date “September 25”;
- (ii) amending Part (d) of Recommendation No. (7) to now read as follows:
 - “(d) enter into joint ventures using City funds outside their existing wards from September 25 to Election Day, in the year of a municipal election, unless specifically approved by Council. At all other times a signed agreement between Ward Councillors is required;”;
- (iii) deleting Recommendation No. (8);
- (iv) inserting in Recommendation No. (9), the word “directly”, in front of the words “election-related”;
- (v) deleting from Recommendation No. (10), all of the words after the words “campaign material”;
- (vi) adding the following new Recommendation No. (13):
 - “(13) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.”; and
- (vii) renumbering the original recommendations accordingly,

so that such recommendations now read as follows:

“It is recommended that:

- (1) corporate resources and funding may not be used for any election-related purposes;
- (2) staff of Members of Council may not canvass or actively work in support of a municipal, provincial or federal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
- (3) Members of Council may not use their constituency office for any election-related purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election-related material in the office;

- (4) the Office Budgets for Members of Council for the period January 1 to Election Day in a municipal election year be restricted to 11/12ths of the approved global budget amount with the provision that subsequent to election day:
 - (a) new Members of Council be allocated a budget equal to 1/12th of the approved budget amount for the month of December; and
 - (b) re-elected Members of Council have available to them the balance of funds remaining as of Election Day;
- (5) the following be discontinued for Members of Council from September 25 in a municipal election year to Election Day:
 - (a) all forms of advertising, including in City publications;
 - (b) all printing, high speed photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by Council;
 - (c) the ordering of office furniture and furnishings, except those of an emergency nature, as well as no movement of furniture and furnishings; and
 - (d) the ordering of stationery;
- (6) Members of Council may not deliver any unsolicited material outside their existing ward where the printing and/or distribution costs are paid by the City. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only (with accommodation made for the normal spillage associated with Canada Post postal walks). This recommendation to be effective not only during an election year but at all times;
- (7) Members of Council may not:
 - (a) print or distribute any material paid by City funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;
 - (b) profile (name or photograph), or make reference to, in any material paid by City funds, any individual who is registered as a candidate in any election;
 - (c) print or distribute any material using City funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; and that Minutes of City Council and Committee meetings be exempt from this policy; and

- (d) enter into joint ventures using City funds outside their existing wards from September 25 to Election Day, in the year of a municipal election, unless specifically approved by Council. At all other times a signed agreement between Ward Councillors is required;
- (8) Members of Council are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. funded by the City for the operation of each Councillor's Office, is not directly election-related;
- (9) web sites or domain names that are funded by the City of Toronto may not include any election-related campaign material;
- (10) the City Clerk or her designate shall be responsible at all times for setting of committee agendas, in consultation with the Chair of the Standing Committee;
- (11) Members of Council may not use the City's voice mail system to record election related messages;
- (12) the above recommendations also apply to an acclaimed Member or a Member not seeking re-election; and
- (13) nothing in this Policy shall preclude a Member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them; and
- (14) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

Clause No. 16a - "External Human Rights Investigation".

The Clause was received.

DEFERRED CLAUSES FROM REPORT NO. 2 OF THE ADMINISTRATION COMMITTEE

Clause No. 3a - "Tenant Outreach Program 2003 Election Tenant Information Program".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 27a - "Other Items Considered by the Committee".

The Clause was received as information, subject to striking out and referring Item (c), entitled "Toronto Olympic Plebiscite", embodied therein, back to the Administration Committee for further consideration.

DEFERRED CLAUSE FROM REPORT NO. 1 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 2a - “Delegation of Authority to the City Solicitor to Commence Legal Proceedings to Recover Childcare Subsidy Overpayment”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the report dated March 18, 2003, from the City Solicitor, embodying the following recommendations:

‘It is recommended that:

- (1) Council ratify all legal steps taken to date in legal proceedings initiated to protect the interests of the City in recovering the childcare subsidy overpayment; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

DEFERRED CLAUSE FROM REPORT NO. 2 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 7a - “Child Care Occupancy Cost Agreements with the Boards of Education”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

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

Clause No. 24a - “Policy on Political Activities for Grant Recipients”.

The Clause was amended by deleting the recommendation of the Policy and Finance Committee and inserting in lieu thereof the following:

“It is recommended that Council adopt the report dated January 29, 2003, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations:

‘It is recommended that:

- (1) the revised policy on political activities contained in Appendix 1 of this report be approved and applied to all City grant programs;

- (2) the Commissioner of Community and Neighbourhood Services submit a report to the Grants Sub-Committee within a year on the impact of this policy, after consultation with stakeholders; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

DEFERRED CLAUSES FROM REPORT NO. 1 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 31a - “56 Haslemere Road – Removal of Two City-Owned Trees (Don Valley West - Ward 25)”.

The Clause was amended by striking out the Recommendation of the Midtown Community Council, and inserting in lieu thereof the following:

“It is recommended that Council approve the request for tree removal, subject to:

- (1) the applicant paying \$900.00 for the removal cost and \$425.00 for the replacement cost, for a total of \$1,325.00; and
- (2) the applicant planting two replacement trees, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.”

Clause No. 32a - “170 Dawlish Avenue - Removal of One City-Owned Tree (Don Valley West - Ward 25)”.

The Clause was amended by deleting Recommendation No. (i) of the Midtown Community Council, and inserting in lieu thereof the following:

- “(i) the applicant paying removal costs of \$350.00, replacement costs of \$428.00, and an additional \$428.00 for an additional tree, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism;”.

Clause No. 33a - “87 Heathcote Avenue - Request to Remove One City-Owned Tree (Don Valley West - Ward 25)”.

The Clause was amended by:

- (1) deleting Recommendation No. (1) of the Midtown Community Council, and inserting in lieu thereof the following:
 - “(1) the applicant paying \$2,200.00 towards the appraised tree value, and the applicant being responsible for the removal and replacement costs;”;
- (2) deleting Recommendation No. (2) of the Midtown Community Council; and
- (3) renumbering Recommendation No. (3) of the Midtown Community Council accordingly,

so that such recommendations now read as follows:

“The Midtown Community Council recommends the approval of the request for tree removal, subject to:

- (1) the applicant paying \$2,200.00 towards the appraised tree value, and the applicant being responsible for the removal and replacement costs; and
- (2) the applicant applying for and receiving a curb cut from the Commissioner of Works and Emergency Services.”

REPORT NO. 3 OF THE ADMINISTRATION COMMITTEE

Clause No. 1 - “Review of the Housing First Policy (All Wards)”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 8 - “Death Benefits Versus Severance Payments, Members of Council”.

The Clause was received.

Clause No. 13 - “Civic Centre Food Services - (City Hall - Ward 27 - Toronto Centre-Rosedale) (Metro Hall - Ward 20 - Trinity-Spadina) (East York - Ward 29 - Toronto-Danforth) (Etobicoke - Ward 3 - Etobicoke Centre) (North York - Ward 23 - Willowdale) (Scarborough – Ward 38 - Scarborough Centre) (York - Ward 12 - York South-Weston)”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendation of the North York Community Council, embodied in the communication dated April 4, 2003, from the City Clerk:

‘The North York Community Council recommends that City Council and the food service consultants be advised that the North York Community Council does not support the recommendations contained in the report (March 18, 2003) from the Commissioner of Corporate Services as it pertains to the North York Civic Centre cafeteria and that the existing cafeteria space should be retained for use by staff and visitors.’ ”

Clause No. 15 - “Surplus Land Declaration and Proposed Closing of a Portion of the Kenaston Gardens Road Allowance (Ward 24 - Willowdale)”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendation of the North York Community Council, embodied in the communication dated April 4, 2003, from the City Clerk:

‘The North York Community Council recommends the adoption of Recommendation No. (2) embodied in the joint report (March 7, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, viz.:

- “(2) that the North York Community Council recommend to Council, conditional upon Council’s approval of the recommendations to the Administration Committee set out herein that the Highway be declared surplus, that:
- (a) subject to compliance with the requirements of the Municipal Act, 2001, and following Council’s approval of a sale of the Highway, the Highway be permanently closed as a public highway;
 - (b) Notice of Completion be published in accordance with the requirements of the Municipal Class Environmental Assessment (‘Class EA’) for a Schedule ‘B’ project, at an estimated cost of \$2,500.00 to be paid by the applicant referred to herein, on the understanding that any such costs paid by the applicant will not be refunded to the applicant unless the Highway is closed and sold to a party other than the applicant, its successors or assigns;
 - (c) following Council’s approval of a sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the North York Community Council hear any member of the public who wishes to speak to this matter;
 - (d) following the closure of the Highway, easements be granted to any affected utility companies for the existing utilities plant located in the Highway or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies; and”.’ ”

- Clause No. 16** - **“Surplus Land Declaration and Proposed Closing of the Public Land Known as Roy’s Square, Extending Easterly from Yonge Street then Northerly to Bloor Street East (Ward 27 - Toronto Centre-Rosedale)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that Council adopt the following recommendations of the Toronto East York Community Council, as embodied in the communication dated April 4, 2003, from the City Clerk:

‘The Toronto East York Community Council recommends that:

- (1) subject to compliance with the requirements of the Municipal Act, 2001 and following Council’s approval of a sale of the Lane known as Roy’s Square, the Lane be permanently closed as public highway;
- (2) following Council’s approval of a sale of the Lane, notice be given to the public of a proposed by-law to permanently close the Lane, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and that the Toronto East York Community Council hear any member of the public who wishes to speak to this matter;
- (3) following the closure of the Lane, easements be granted to Bell Canada, Toronto Hydro, Rogers Cable and Enbridge to protect their respective existing services in the Lane, or, with the consent of the said utility companies, the services be removed from the Lane and/or relocated, at the sole cost of the purchaser of the Lane; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.’ ”

- Clause No. 25** - **“Declaration as Surplus - Parcel of Vacant Land - Northwest Corner of Islington Avenue and Muir Avenue (Ward 7 - York West)”**.

The Clause was amended to provide that Habitat for Humanity be offered the right of first refusal if the property is to be listed for sale.

- Clause No. 37** - **“2002 - 2003 Insurance Program Renewal”**.

The Clause was amended in accordance with the recommendations embodied in the confidential report dated April 11, 2003, from the Chief Financial Officer and Treasurer, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it concerns matters related to the security of property of the municipality.

Clause No. 48 - “Bill 210 - The New Electricity Legislation”.

Council adopted the following recommendations:

“It is recommended that:

- (i) the City of Toronto work in partnership with the Association of Municipalities of Ontario in preparing input into the Province’s new electricity legislation, at an approximate cost of \$2,000.00; and
- (ii) the joint report dated April 11, 2003, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Chief Administrative Officer and the City Solicitor seek clarification from the Ministry of Municipal Affairs and Housing on mechanisms to provide for consistent treatment of municipalities and their agencies by the Ontario government, both within Municipal Affairs and across other ministries, to avoid the issues created by the impact of the Bill 210 amendments on the City and its agencies, and report the outcome of those discussions to the ABC Ad Hoc Committee for its consideration; and
- (2) the Chief Financial Officer seek clarification from the Ministry of Energy on the details of the MPMR reimbursements expected to apply to City agencies, in particular the eligibility criteria, the formula to apply, and the effective and payment dates.’ ”

REPORT NO. 3 OF THE COMMUNITY SERVICES COMMITTEE

Clause No. 1 - “Toronto Emergency Medical Services Hospital Off-Loading Policy Changes”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Emergency Medical Services Chief and General Manager be requested to:
 - (a) direct Emergency Medical Services staff to report any instances where a hospital is not prepared to receive patients in accordance with the City’s policy; and

- (b) submit a report to the Community Services Committee on the feasibility of levying a charge against the respective hospital in each case, such charge to be equivalent to the charge levied against a patient for ambulance services, with the charge to be deducted prior to remitting these funds to the respective hospital; and
- (2) the Executive Director of the Toronto District Health Council be requested to submit a report to City Council, through the Community Services Committee, and to other stakeholders as appropriate, on the impacts of these policy changes six months after the changes have been implemented.”

Clause No. 7 - “Ontario Works Benefit Rates: Loss of Purchasing Power Since 1995”.

The Clause was struck out and referred back to the Community Services Committee for further consideration, together with the following Motion and the communication dated November 7, 2002, from Councillor Michael Walker:

“Proposal for a Two-Year Rent Freeze

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

‘WHEREAS between 1995 and 2001 the average rent for all CMA rental units across the City of Toronto has increased by 29 percent while Ontario’s Consumer Price Index (CPI) has increased by only 12.8 percent; and

WHEREAS little to no affordable rental housing has been constructed in the City of Toronto since the implementation of the Tenant Protection Act in 1998; and

WHEREAS 44 percent of tenant households spend more than 30 percent of their income on housing and 22 percent of tenant households spend more than 50 percent of their income on housing; and

WHEREAS visits to local food banks have reached all-time highs while over the last five to seven years donations have not increased correspondingly due to lack of discretionary income; and

WHEREAS a growing number of tenants, particularly seniors and single-parent families are consistently faced with the choice of rent or food; and

WHEREAS as a member of the Group of Eight nations, it is shameful that this situation continues and continues to get worse; and

WHEREAS the City of Toronto has advocated for a “costs no-longer borne” regulation, demolition controls, the restoration of real Rent Controls and a legislated Rent Roll Back; and

WHEREAS Tenants cannot afford to wait for a new provincial government to introduce fairer legislation while rents continue to spiral out of control and beyond their ability to pay; and

WHEREAS the New Democratic Party of Ontario advocates a two-year rent freeze to allow for a return to an updated Rent Control Act;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto petition the Provincial Government to freeze rents for two years until there has been a fair review of the Tenant Protection Act and a levelling of the playing field in landlord-tenant relations;

AND BE IT FURTHER RESOLVED THAT Toronto City Council continue to lobby the Provincial Government and the Opposition parties to adopt and publicly endorse this two-year rent freeze.’ ”

Clause No. 8 - **“Update on the Recommendations of the Coroner’s Inquest into the Death of Kimberly Rogers and the Provincial Zero Tolerance Policy for Social Assistance Fraud”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 11 - **“2003 Food and Hunger Action Fund Allocations and Appeals”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to:

- (1) submit a report to the Community Services Committee providing further details on the actual expenditures made by the recipients of Food and Hunger Action Fund grants, with respect to their administrative expenses versus food costs; and
- (2) enter into discussions with officials from the Toronto Atmospheric Fund regarding partnership initiatives.”

Clause No. 22 - **“Outstanding Hydro Charges – Various Non-Profit Agencies”.**

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 24 - **“Update Regarding the Status of Litigation with The Learning Enrichment Foundation”.**

The Clause was struck out and referred back to the Community Services Committee for further consideration, and the City Solicitor was requested to:

- (1) meet with the solicitor for the Learning Enrichment Foundation, and submit a report thereon to the next regular meeting of Council scheduled to be held on May 21, 2003; and
- (2) provide the Learning Enrichment Foundation's Statement of Claim and the City of Toronto's counterclaim to Members of Council upon request.

REPORT NO. 3 OF THE ECONOMIC DEVELOPMENT AND PARKS COMMITTEE

Clause No. 5 - "Enterprise Toronto - Annual Report on Small Business (All Wards)".

The Clause was deemed to have been received, having regard that it was submitted to Council for information and was not held by Council for further discussion or amendment.

Clause No. 11 - "The Boulevard Club, 1491 Lake Shore Boulevard West, Amended Lease Agreement (Ward 14 – Parkdale-High Park)".

The Clause was amended by inserting after the words "reconstruct the facility", in the fourth paragraph of Section 1 - General Terms, of Appendix "A", headed "Terms of Amended Lease Agreement", to the joint report dated February 28, 2003, from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Corporate Services, the following:

"with a project value of not less than \$5.0 million and subject to acceptable financing by The Boulevard Club, and",

so that such fourth paragraph now reads as follows:

"The Boulevard Club will within five (5) years of commencement of the agreement demolish and/or renovate the existing buildings or a portion thereof and reconstruct the facility, with a project value of not less than \$5.0 million and subject to acceptable financing by The Boulevard Club, and in accordance with plans and specifications approved by the City's Commissioner of Economic Development, Culture and Tourism or his designate (the 'Commissioner'), acting reasonably, at The Boulevard Club's sole expense and at no cost to the City whatsoever. The Boulevard Club shall provide letters of credit, Performance Bonds and other security as required by the Commissioner and in a form satisfactory to the City Solicitor."

Clause No. 14 - "Assignment of Toronto Island Marina Lease (Ward 28 – Toronto Centre-Rosedale)".

The Clause was amended in accordance with the following recommendations:

"It is recommended that:

- (1) in addition to the requirements outlined in the March 24, 2003 recommendations of the Economic Development and Parks Committee, the assignment shall be conditional upon all prepaid mooring fees being transferred by the existing tenant to the City, such funds to be held in trust or in a separate account, as deemed appropriate by the Chief Financial Officer and Treasurer, all but \$100,000.00 of which shall be distributed to the assignees immediately following the effective date of the assignment;
- (2) the \$100,000.00 in prepaid mooring fees retained by the City shall be returned to the assignees in \$25,000.00 payments to be made monthly or at such times as the Commissioner of Economic Development, Culture and Tourism is satisfied that the required infrastructure repairs are being made to bring the marina to a safe operating condition, the last payment not to be released until the Commissioner is satisfied with the condition of the marina;
- (3) the existing obligations under the lease for the marina be maintained to require that, at the conclusion of the lease in October 2005, the marina must be left in a first class condition, and further that first class condition be clarified to mean that the marina is safe, meets all legislative and operational requirements as is necessary for the continued safe and prudent operation of the marina, to the satisfaction of the Commissioner;
- (4) Council confirm that staff should commence a proposal call process in the fall of 2004 for the operation of the Marina past October 2005; and
- (5) the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Corporate Services and the City Solicitor be requested to report to the Administration Committee on appropriate clauses to include in new leases to ensure that when lessors are in default of their obligations under their lease, their ability to influence the assignment of their lease is limited and that Council's option to re-tender such lease is secured."

REPORT NO. 4 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 5 - "Amendment to Municipal Code, Chapter 545, Licensing, Relative to Ambassador Taxicab Owner's Licences".

The Clause was amended by:

- (1) deleting the words "Toronto Licensing Tribunal" from Recommendation No. (2) of the Planning and Transportation Committee, and inserting in lieu thereof the words "Municipal Licensing and Standards Division, Urban Development Services", so that such recommendation now reads as follows:

“(2) Schedule 8 of By-law 574-2000 be amended to establish that hours of operation for Ambassador Taxicabs be a minimum of 36 hours during any seven-day period unless specifically exempted on a short term basis due to vacation or illness which has been reported to the Municipal Licensing and Standards Division, Urban Development Services within a two week period;” and

(2) adding thereto the following:

“It is further recommended that:

- (i) the report dated April 11, 2003, from the City Solicitor, be received; and
- (ii) the City Solicitor be requested to bring forward to Council, the relevant Bill to implement the previous decision of Council.”

Clause No. 6 - “Recommendations of the Towing Industry Working Group”.

The Clause was amended to provide that Recommendation No. (1) of the Licensing Sub-Committee be subject to implementation effective September 1, 2003.

Clause No. 7 - “York Rapid Transit Plan (YRTP) and the Quick Start Program”.

The Clause was amended by:

(1) deleting from Recommendation No. (3) of the Planning and Transportation Committee, the words “Premier of Ontario not support the Mayor’s” and inserting in lieu thereof the words “Prime Minister of Canada not support the Premier’s”, so that such recommendation now reads as follows:

“(3) should the Prime Minister of Canada not support the Premier’s request as outlined in Recommendation No. (2), then the Premier be requested to commit the Province of Ontario to return to 75 percent funding for TTC capital; and” and

(2) amending Recommendation No. (4) of the Planning and Transportation Committee to now read as follows:

“(4) the Premier of Ontario be advised of the City’s concerns regarding the Quick Start Program as proposed by York Region.”

REPORT NO. 5 OF THE PLANNING AND TRANSPORTATION COMMITTEE

Clause No. 1 - “Central Waterfront Secondary Plan ‘Making Waves’, the Proposed Secondary Plan for the Central Waterfront (Parkdale-High Park, Trinity-Spadina, Toronto Centre-Rosedale, Broadview-Greenwood, Toronto-Danforth, Beaches-East York, Wards 14, 19, 20, 28, 30 and 32)”.

The Clause was amended:

(1) in accordance with the following recommendations embodied in the report dated April 11, 2003, from the Commissioner of Urban Development Services:

“It is recommended that:

- (1) the proposed Secondary Plan for the Central Waterfront ‘Making Waves’ as attached to the report from the Commissioner of Urban Development Services dated March 12, 2003, as amended by the motions of the Planning and Transportation Committee at its meeting held on April 4, 2003, and as further amended by the recommendations of this report, attached as Appendix A and the accompanying maps be adopted as an amendment to the existing Official Plan for the former City of Toronto;
- (2) Council request the appropriate civic officials to take the necessary actions to modify the new City of Toronto Official Plan adopted by Council on November 26, 27, and 28, 2002, to reflect any changes resulting from the adoption of the Secondary Plan for the Central Waterfront; and
- (3) Council direct all City Departments, Agencies, Boards and Commissions and other related bodies owning, or managing land within the Central Waterfront Area to continue to manage their land holdings within the Central Waterfront in a manner which is consistent with the policies of the Secondary Plan and Council’s Reporting and Communications Protocol for Waterfront Revitalization.”,

subject to:

- (i) amending Map A, headed “Central Waterfront Secondary Plan - Roads Plan”, to show the line between the Don Roadway and the Turning Basin, as a dashed line; and
 - (ii) requesting the Commissioner of Urban Development Services to submit a report to the Planning and Transportation Committee on a strategy which will address the Toronto Film Media Complex in the Portlands, with respect to the final alignment of Basin Street;
- (2) in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, subject to amending the recommendation embodied therein to now read as follows:

“It is recommended that a 33-metre right-of-way be specified for the Front Street extension between Bathurst Street and a point 170 metres east of Strachan Avenue.”;

- (3) in accordance with the following recommendation embodied in the communication dated April 10, 2003, from the General Secretary, Toronto Transit Commission:

“The Toronto Transit Commission requests Toronto City Council to amend the Central Waterfront Secondary Plan by adding to Section 5: Making it Happen, of the report the following:

- (2) District-Specific Transit Implementation Schedule Required Before Development Can Proceed

Because of the area-wide, integrated, nature of developing an effective transit network, transit implementation must be managed on a broader area-planning basis. It cannot be managed effectively through precinct planning, or a sub-area planning process. To achieve the objectives of the Central Waterfront Plan, a high level of transit use is required in each of the four development areas, and it is essential that transit-oriented travel patterns be established from the outset. For this reason, the implementation of transit improvements will require a separate financial planning and approval process.

For each of the four development areas, a staged implementation schedule, and accompanying financial plan for the construction and operation of transit facilities, will be required before development can proceed in that development area. This will ensure that high-order transit services are constructed at an early stage in the development process and that the transit-oriented objectives of the plan are achieved from the outset.’ ”; and

- (4) by adding thereto the following:

“It is further recommended that:

- (a) Council reaffirm the principle that transit is a core element of the future redevelopment of the Waterfront;
- (b) the Commissioner of Urban Development Services be requested:
- (1) in consultation with the Chair of the Waterfront Reference Group, to work with the Toronto Waterfront Revitalization Corporation to develop a list of priority, quick start items, including an evaluation of the following ideas:
- (i) starting the naturalization and parks projects;
- (ii) starting the waters’ edge projects, including the proposed pedestrian/cycling bridge;
- (iii) starting to build the TTC facilities; and

- (iv) reviewing the IBI Group's proposal regarding the F.G. Gardiner Expressway; and
- (2) to submit a report, through the Waterfront Reference Group, on the status and timing of the precinct planning process by the end of 2003;
- (c) the appropriate staff from Urban Development Services be requested to meet with the Friends of the Spit to discuss mutual interests and concerns with respect to a potential isthmus at the entry of the Leslie Street Spit;
- (d) the following motions pertaining to uses in the development parcels of the Plan be referred to the Commissioner of Urban Development Services for consideration during the Precinct Plan:
 - (1) Moved by Councillor L. Jones:

'It is recommended that the City of Toronto commit to the inclusion of green industrial uses over the promotion of any further heavy industrial uses within the Central Waterfront Plan.'; and
 - (2) Moved by Councillor Korwin-Kuczynski:

'That the Clause be amended by amending Core Principles (P21) and (D25) contained in Appendix A to the report dated March 12, 2003, from the Commissioner of Urban Development Services, to now read as follows:

“(P21) Pedestrian and cycling routes will be safe, attractive, comfortable and generously landscaped. Easy and safe cycling and pedestrian access from residential communities to the waterfront are a priority along the entire waterfront.”; and

(D25) Exhibition Place, historically a place for celebration and exhibition, will expand into a dynamic area where people work and visit.” ’;
- (e) City Council recognize the efforts of Mayor Mel Lastman, who kick-started the Waterfront Plan initiative, and express its gratitude for this lasting legacy; and
- (f) staff from the City of Toronto and the Toronto Waterfront Revitalization Corporation be congratulated for a job well done in completing a Secondary Plan that achieved the City's objectives in a manner which has received widespread community support.”

REPORT NO. 3 OF THE POLICY AND FINANCE COMMITTEE

Clause No. 4 - "Provincial Policy for Secondary Uses in Hydro Corridors".

The Clause was amended by inserting the words "and commuter parking lots", after the words "park uses", in Recommendation No. (1) embodied in the report dated March 21, 2003, from the Chief Administrative Officer, so that such recommendation now reads as follows:

- "(1) request the Province of Ontario to amend its policy on secondary uses in hydro corridors to provide lands to municipalities for park uses and commuter parking lots without imposing the property tax pass-through;"

Clause No. 5 - "Temporary Media Signage for Canadian National Exhibition".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 6 - "2003 Caribana Festival (All Wards)".

The Clause was amended to provide that the 2003 funding of the Caribana Festival include clear provisions for the Junior Carnival at Scarborough Malvern.

Clause No. 15 - "Requests for Funding for Legal Fees for Certain Individuals Who Have Standing or Will Be Called as Witnesses at the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry".

The Clause was amended by:

- (1) adding the words "and Members of Council" after the words "City employees", in Recommendation No. (2), embodied in the joint report dated March 31, 2003, from the Chief Administrative Officer and the City Solicitor, so that such recommendation now reads as follows:

- "(2) confirm that funding for legal representation to City employees and Members of Council who will be called as witnesses will also be available to staff who leave their employment with the City before the completion of the Inquiry on the terms set out in this report."; and

- (2) adding thereto the following:

"It is further recommended that:

- (a) Council adopt the joint report dated April 11, 2003, from the Chief Administrative Officer and the City Solicitor, embodying the following recommendation:

‘It is recommended that City Council approve funding for legal representation for Brendan Power who has standing at the Inquiry, based on the terms set out in this report.’; and

- (b) the City Solicitor be requested to submit a report to Council, through the Policy and Finance Committee, with a list of current and former employees who have sought funding for legal fees, such report to include information on those who are being funded, those who are not, and the extent to which funding is, will or has been granted.”

Clause No. 16 - “Revised Budgets for the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be requested to submit a report to the Policy and Finance Committee on the feasibility of:

- (1) the cancellation of leases on unused computer licences that are not required by the City of Toronto; and
- (2) the selling of the more than 50 percent of the unused computer licences that were purchased for lease back to the City; and
- (3) applying any funds accruing from the sale of these licences towards the cost of the Inquiry.”

Clause No. 19 - “Other Items Considered by the Committee”.

The Clause was received as information, subject to:

- (1) referring a copy of Items (a) and (b), entitled “Chief Administrative Officer’s Workplan” and “Finance Department Workplan - 2003 - All Wards”, respectively, to the Administration Committee for information; and
- (2) referring a copy of Items (c) and (d), entitled “Comparison of Benefit Coverage - City of Toronto and Toronto Police Service” and “Merging of Benefit Carriers - City of Toronto and Agencies, Boards and Commissions”, respectively, to the Personnel Sub-Committee for information.

REPORT NO. 3 OF THE WORKS COMMITTEE

Clause No. 2 - “New and Emerging Technologies, Policies and Practices Status Report from Working Group and Recommendations for Next Steps”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee by September 30, 2003, on the results of the Request for Expressions of Interest, the proposed content and requirements of the Request for Qualifications, and the workplan and timeframe for the environmental assessment process; and
- (2) Councillor Laura Jones be appointed as a Member of the New and Emerging Technologies, Policies and Practices Working Group.”

Clause No. 3 - “Pay-As-You Throw Program for the Residential Sector”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 8 - “Long-Term Source Separated Organics Processing Strategy”.

The Clause was amended by adding thereto the following:

“It is further recommended that:

- (1) the Request for Proposals not preclude an option for the City to own and operate its own facility;
- (2) the Request for Proposals include an option for a proponent to build a facility that would be owned and operated by the City of Toronto; and
- (3) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as part of the 2004 budget process, on the costs and benefits of a City-owned and operated facility (or facilities).”

Clause No. 9 - “Amendment to Design-Build Contract for Dufferin Organics Processing Facility”.

The Clause was amended to provide that the Contract include a component which requires the operator to better control truck queuing on Vanley Crescent, and if necessary, to develop stacking lanes on the site itself to avoid blocking driveways and impeding other industrial traffic within this neighbourhood.

Clause No. 16 - “Identification and Directional Road Signage Policy”.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on a policy for maintaining ‘orphaned’ road signage, i.e. signage which is no longer associated with a business improvement area or a community association.”

Clause No. 17 - “Introduction of Photo Radar on City of Toronto Streets and Expressways”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

Clause No. 18 - “Disposal of Abandoned Shopping Carts”.

The Clause was amended:

- (1) to provide that the program for the disposal of abandoned shopping carts:
 - (a) in no way precludes continuation of existing arrangements for dealing with shopping carts abandoned in ravines and other locations; and
 - (b) include, as part of the public information campaign, the retrieval of shopping carts from ravines; and

- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit reports to the Works Committee:

- (a) in one year’s time, on the success of this partnership;
- (b) on other measures that retailers have undertaken to ensure that shopping carts are kept on-site as a preventative measure; and
- (c) on the feasibility of creating a by-law to ensure that shopping carts are kept on-site.”

Clause No. 23 - “Establishment of Kyoto Task Force”.

The Clause was amended by adding thereto the following:

“It is further recommended that Councillors Brian Ashton and Raymond Cho be added to the membership of the Kyoto Task Force.”

Clause No. 24 - “Protocol for the Control of Mosquito Larvae to Prevent and Control West Nile Virus”.

The Clause was amended:

- (1) by adding to Recommendation No. (2) of the Works Committee, the words “including stormwater management ponds if possible”, after the word “creeks”, so that such recommendation now reads as follows:

“(2) catch basin cleaning be implemented in those areas near rivers and creeks, including stormwater management ponds if possible, and that the use of a larvicide not be introduced if possible; and”;

- (2) in accordance with the report dated April 11, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the enhanced West Nile Virus public education program be approved for \$200,000.00 in 2003 subject to the Province of Ontario providing a maximum of \$100,000.00 towards the program in 2003;
 - (2) the Province of Ontario confirm in writing its funding for this initiative in 2004 and future years as required before the program continues in 2004 and beyond;
 - (3) the 2003 Operating Budget for Toronto Public Health be increased by \$200,000.00 gross and \$0.00 (zero) net;
 - (4) the 2003 Operating Budget for Water and Wastewater Services programs be increased by \$100,000.00 to be paid to Toronto Public Health as offset through a reduction of \$100,000.00 in the Contribution to Capital accounts;
 - (5) the 2003 Operating Budget for Works and Emergency Services Support Services be increased by \$200,000.00 gross and \$0.00 (zero) net for this initiative as will be charged to Toronto Public Health accounts as an Inter-Departmental Charge (IDC); and
 - (6) the appropriate City officials be authorized to take the necessary action to give effect thereto.”; and
- (3) by adding thereto the following:

“It is further recommended that:

- (a) the Toronto Board of Health be encouraged to request special funding from the Province of Ontario in order to undertake additional public education in this regard; and
- (b) the Public Health Department and other City Departments be requested to train employees in this area, and that students be used as an additional resource as required.”

- Clause No. 33** - **“Reduction of Speed Limit on Don Valley Parkway During Construction of Road Emergency Services Communications Unit (RESCU) System Expansion (Don Valley West, Toronto-Danforth, Don Valley East)”**.

The Clause was amended to provide that all occurrences of the words “Three Valley Drive” throughout the Clause be deleted, and the words “Three Valleys Drive” be inserted in lieu thereof.

- Clause No. 35** - **“Additional Expenditures - Mowing of Grass and Ancillary Litter Pick-Up on City of Toronto Roads, Don Valley Parkway and F.G. Gardiner Expressway - District 1 Area 1 – Contract No. 02D1-151TG, Tender Call No. 48-2002”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the feasibility of a similar program enhancement for the William R. Allen Road.”

- Clause No. 36** - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-101UT, Tender Call No. 343-2002 (Wards 31 and 32 - Beaches-East York)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

- Clause No. 37** - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-102TU, Tender Call No. 344-2002 (Wards 26, 29, 30 and 32)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

- Clause No. 38** - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-103TU, Tender Call No. 345-2002 (Wards 22, 25, 26, 27, 28 and 29)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 39 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-104TU, Tender Call No. 346-2002 (Wards 20, 27 and 28)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 40 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-105TU, Tender Call No. 347-2002 (Wards 19 and 20 - Trinity-Spadina)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 41 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1106TU, Tender Call No. 348-2002 (Wards 13, 14, 18 and 19)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 42 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-107TU, Tender Call No. 349-2002 (Wards 11, 13, 14, 17, 18, 19 and 27)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 43 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-108TU, Tender Call No. 350-2002 (Wards 11, 12, 15 and 17)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 44 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-109TU, Tender Call No. 351-2002 (Wards 15, 17 and 21)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 45 - **“Permanent Repairs to Utility Road Cuts in District 1 - Contract No. 03D1-110TU, Tender Call No. 352-2002 (Wards 16, 20, 21, 22, 25 and 27)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 46 - **“Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-100TU, Tender Call No. 10-2003 (Wards 3, 5 and 6)”.**

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 47 - **“Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-101TU, Tender Call No. 11-2003 (Wards 3, 4 and 5)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

Clause No. 48 - **“Permanent Repairs to Utility Road Cuts on Arterial and Local Roads, District 2 - Contract No. 03D2-102TU, Tender Call No. 4-2003 (Wards 1, 2 and 4)”**.

The Clause was amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services and the Auditor General, in consultation with the Director of Purchasing and Materials Management, be requested to continue to meet and submit a report to the Audit Committee and the Works Committee, in September 2003, on the reporting practices for contracts involving unit pricing.”

REPORT NO. 2 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 11 - **“Final Report - Application to Amend the Etobicoke Zoning Code - Princess Garden Management, 1137-1141 Royal York Road - File No. TA ZBL 2001 0002 (Ward 4 - Etobicoke Centre)”**.

The Clause was amended by striking out the recommendation of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that Council adopt the following Motion:

“**WHEREAS** City staff recommended that the application be approved with either a 17-storey height limit stepping down to 11 storeys, or a 14-storey height limit stepping down to 10 storeys (Option ‘C’); and

WHEREAS Etobicoke Community Council approved the application with the building footprint shown as Option ‘C’, but with a 10-storey height limit; and

WHEREAS the proposal for a 14-storey building, stepping down to a height of 10 storeys shown as Option 'C' is an appropriate use of the land;

NOW THEREFORE BE IT RESOVLED THAT Council adopt the recommendations embodied in the staff report dated February 24, 2003, from the Director, Community Planning, West District, to approve the development of a 14-storey building, stepping down to 10 storeys, using the footprint shown as Option 'C', subject to the following:

- (a) that all greenspace on the site be accessible to the residents of both the existing building and the new building;
- (b) before introducing the necessary Bills in Council for enactment, the City Solicitor shall be satisfied that the owner has provided a Letter of Understanding confirming the provision to the tenants of window coverings, and that there will be no flow through rent increases; and
- (c) before introducing the necessary Bills in Council for enactment, the Owner shall be required to enter into an agreement with the City of Toronto, respecting transportation improvements on Royal York Road and Royal York Court, a sidewalk on Royal York Court, and any other services deemed necessary by the Commissioner of Works and Emergency Services;

AND BE IT FURTHER RESOVLED THAT the following reports be received:

- (i) (December 18, 2002) from the Director, Community Planning, West District;
- (ii) (February 11, 2003) from the Director, Transportation Services, District 2; and
- (iii) (April 8, 2003) from the Commissioner of Urban Development Services."

REPORT NO. 3 OF THE ETOBICOKE COMMUNITY COUNCIL

Clause No. 1 - "Reduction of Speed Limit from 50 km/h to 40 km/h on Roads in the Community Bounded by Kipling Avenue, Eglinton Avenue West, Islington Avenue and Rathburn Road (Ward 4 - Etobicoke Centre)".

The Clause was amended by inserting the name "Princess Margaret Boulevard", after the name "Princess Anne Crescent", in Recommendation No. (1) of the report dated March 12, 2003, from the Director, Transportation Services, District 2, so that such recommendation now reads as follows:

“(1) the speed limit on Abilene Drive, Ashwood Crescent, Aylesbury Road, Ballantyne Court, Bemersyde Drive, Benedict Road, Blair Athol Crescent, Bournemouth Road, Byland Road, Cheviot Place, Evesham Court, Forfar Court, Friars Lane, Grimsby Court, Ireland Court, Kingsfold Court, Oldham Road, Orkney Crescent, Palace Arch Drive, Pheasant Lane, Plumbstead Court, Prince George Drive, Princess Anne Crescent, Princess Margaret Boulevard, Ravensbourne Crescent, Sir Williams Lane, Tettenhall Road, The Wynd, Thornbury Crescent, Thorncrest Road, Totteridge Road, Twyford Court, and Winterbourne Court be reduced from 50 km/h to 40 km/h as the requirements of the 40 km/h Speed Limit Warrant are achieved; and”.

Clause No. 6 - “Introduction of Newspaper Dispensing Boxes on Public Roads (Wards 1 - 6)”.

The Clause was amended to provide that the newspaper box located at the north-east side of the Royal York subway station be included in the Newspaper Dispensing Box Agreement.

REPORT NO. 3 OF THE HUMBER YORK COMMUNITY COUNCIL

Clause No. 29 - “Onslow Crescent - Introduction of Overnight On-Street Permit Parking and One-Hour Parking (Ward 15 – Eglinton-Lawrence)”.

The Clause was amended by adding thereto the following:

“It is further recommended that Council request the Toronto Parking Authority to examine the feasibility of installing parking meters on a portion of Onslow Crescent to accommodate the short-term visitor parking demand from adjacent residential property, as recommended by the President of the Toronto Parking Authority in his report dated April 9, 2003.”

Clause No. 50 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to striking out and referring Item (b), entitled “Preliminary Report – 1900 Lake Shore Blvd. West; Application to Amend the Official Plan and Zoning By-law of the Former City of Toronto; 1291547 Ontario Inc. and 1356071 Ontario Inc. (Ward 13 - Parkdale-High Park)”, embodied therein, back to the Humber York Community Council for further consideration.

REPORT NO. 3 OF THE MIDTOWN COMMUNITY COUNCIL

Clause No. 38 - **“Application to Amend the Official Plan and the Zoning By-law No. 7652, 45 York Mills Road, File No. TD ZBL 2002 0004 and TD OPA 2002 0001 and TD SPC 2002 0039 (Don Valley West - Ward 25)”.**

The Clause was amended in accordance with the following recommendation embodied in the report dated April 10, 2003, from the Commissioner of Works and Emergency Services:

“It is recommended that the City’s easement be reduced from 12 metres to 5 metres as shown on the attached plan, subject to the City obtaining appropriate compensation commensurate with the market value of the easement area being relinquished, as determined by the Director of Real Estate Services, as part of the development negotiations conducted by the Commissioner of Urban Development Services.”

Clause No. 39 - **“Rolph Road - School Bus Loading Zone (Don Valley West - Ward 26)”.**

Council adopted the report dated April 7, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) the existing ‘No Stopping 8:00 a.m. to 5:00 p.m., Monday to Friday’ regulation on the east side of Rolph Road, between Southvale Drive and Sutherland Drive, be rescinded;
- (2) a ‘School Bus Loading Zone’ be created on the east side of Rolph Road, from a point 79 metres north of Southvale Drive to a point 40 metres further north thereof;
- (3) a ‘Ten-Minute Maximum, 8:30 a.m. to 9:30 a.m., 11:00 a.m. to 1:30 p.m. and 3:30 p.m. to 4:30 p.m., Monday to Friday’ parking regulation be enacted on the east side of Rolph Road, between a point 9.0 metres north of Southvale Drive and a point 70 metres further north thereof and between a point 119.0 metres north of Southvale Drive and a point 71 metres further north thereof;
- (4) a ‘No Parking, 9:30 a.m. to 11:00 a.m., 1:30 p.m. to 3:30 p.m., Monday to Friday’ parking regulation be enacted on the east side of Rolph Road, between a point 9.0 metres north of Southvale Drive and a point 70 metres further north thereof and between a point 119.0 metres north of Southvale Drive and a point 71 metres further north thereof;
- (5) a ‘No Stopping, 8:00 a.m. to 5:00 p.m., Monday to Friday’ parking regulation be enacted on the west side of Rolph Road, from a point 79 metres north of Southvale Drive to a point 40 metres further north thereof; and

- (6) the appropriate City officials be authorized to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

Clause No. 40 - “Bloorview MacMillan Centre - 350 Rumsey Road (Don Valley West - Ward 26)”.

Council adopted the following recommendations:

“It is recommended that:

- (1) the Acting Director, Community Planning, North District, be requested to submit a report to the Midtown Community Council on the lifting of the Holding symbol with respect to this site, such report to provide for the enactment of the lifting by-law upon the registration of the Subdivision Agreement and the Plan of Subdivision, thereby creating the public road from Rumsey Road to Bayview Avenue; and
- (2) the City Clerk be requested to give Notice, in accordance with the provisions of the Planning Act, of Council’s intention to pass a by-law lifting the Holding symbol.”

REPORT NO. 3 OF THE NORTH YORK COMMUNITY COUNCIL

Clause No. 1 - “Lane Designation - Bishop Avenue at Yonge Street – Ward 23 - Willowdale”.

The Clause was amended by striking out the recommendations embodied in the report dated February 28, 2003, from the Director, Transportation Services, District 3, and inserting in lieu thereof the following:

“It is recommended that:

- (1) the northerly westbound lane on Bishop Avenue, from the easterly limit of Yonge Street to a point 30 metres easterly thereof, be designated for right turns only;
- (2) the southerly westbound lane on Bishop Avenue, from the easterly limit of Yonge Street to a point 30 metres easterly thereof, be designated for shared through and left turns only; and
- (3) the appropriate by-law(s) be amended accordingly.”

Clause No. 18 - “Final Report – Application to Amend the Official Plan and Zoning By-law 7625 - TB CMB 2002 0010 - 1379288 Ontario Corporation – 4691 Bathurst Street, 500 Ellerslie Avenue and 45-51 Farrell Avenue - Ward 23 – Willowdale”.

The Clause was amended in accordance with the following Motion:

“WHEREAS North York Community Council at its meeting of April 2, 2003, neither adopted the Final Report (March 17, 2003) from the Acting Director, Community Planning, North District, nor recommended refusal of the proposed project; and

WHEREAS a Pre-hearing Conference is scheduled before the Ontario Municipal Board on the appeal of the proposed Official Plan and Zoning By-law Amendments and Site Plan on April 24, 2003; and

WHEREAS it is necessary to provide instructions to the City Solicitor for the OMB Pre-hearing Conference with respect to the City’s position in regard to the proposed project;

NOW THEREFORE BE IT RESOLVED THAT the recommendations of the North York Community Council embodied in Clause No. 18 of Report No. 3 of The North York Community Council, be struck out and the following be substituted for them:

- (1) The proposal in its current form be refused and the applicant be requested to revise the proposal to widen all internal access roads to permit the possible pick up of garbage and removal of snow by the City Works and Emergency Services Department;
- (2) The City Solicitor be directed to defend the City’s position at the Ontario Municipal Board and to retain any necessary consultants to give evidence at the Board;
- (3) In the event the Ontario Municipal Board is inclined to approve this project, the City Solicitor be directed to request the Ontario Municipal Board to withhold its Order approving the Official Plan and Zoning By-law Amendments until the Owner enters into a Site Plan Agreement under Section 41 of the Planning Act, addressing the Site Plan Conditions attached to this Motion, these conditions to include:
 - (i) the Ellerslie Avenue access be restricted so that outbound left-turn movements are prohibited by the enactment of an appropriate by-law with signage and physical channelization of the access, to the satisfaction of the Commissioner of Works and Emergency Services at no cost to the City of Toronto;
 - (ii) revisions to the most easterly unit of Block A in the form of a corner “rounding” to provide improved transition between it and the existing houses to the east, similar to unit 1;

- (iii) revisions to Block F to accommodate a widened road with channelization island (as noted in Part (i) above) as well as a corner “rounding” of the most easterly unit of this block similar to unit 51; and
 - (iv) the owner be required to include a clause in all agreements for the purchase and sale or leases, in a form satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor, that the development may not be served by City garbage pick-up and snow removal and that all garbage pick-up and snow removal may be required to be done by a private contractor; and
- (4) The site plan conditions be amended where necessary to accommodate the widening of the internal roads as referred to in Recommendation No. (1) above.’ ”

Clause No. 20 - “Final Report - Application to Amend the Zoning By-law - TB ZBL 2002 0008 - Daniels Kenaston Gardens - 25-39 and 28-38 Kenaston Gardens - Ward 24 - Willowdale”.

The Clause was amended in accordance with the following Motion:

“WHEREAS Daniels Kenaston Gardens has made application TB ZBL 2002 0008 to amend Zoning By-law No. 7625 on the lands municipally known as 25-39 and 28-38 Kenaston Gardens in order to permit the construction of a 28-storey apartment building; and

WHEREAS on April 2, 2003, North York Community Council recommended the application be approved subject to the conditions outlined in the report from the Acting Director, Community Planning, North District, Urban Development Services dated March 13, 2003; and

WHEREAS City Council adopted the decision of North York Community Council; and

WHEREAS the Council decision includes a condition that requires the owner to obtain Site Plan approval under Section 41 of the Planning Act before introducing the Bill to Council for enactment; and

WHEREAS notice has been forwarded by the Acting Director, Community Planning, North District, advising that he is prepared to approve site plan application TB SPC 2002 0020 by April 22, 2003; and

WHEREAS due to timing issues the area Councillor has not had an opportunity to review the site plan application with staff; and

WHEREAS the applicant has requested the Zoning By-law be enacted at this session of City Council;

NOW THEREFORE BE IT RESOLVED THAT:

- (i) Recommendation No. (3)(iii) of the report from the Acting Director, Community Planning, North District, dated March 13, 2003, requiring the owner to obtain Site Plan approval under Section 41 of the Planning Act prior to the enactment of the Zoning By-law be deleted; and
- (ii) the Site Plan application be approved by the Acting Director, Community Planning, North District and the local Ward Councillor, following enactment of the Zoning By-law.”

Clause No. 22 - “Final Report – Application to Amend Zoning By-law 7625 - TB ZBL 2002 0003 – Talisker GP Inc. - 2233 Sheppard Avenue West - Ward 7 - York West”.

The Clause was amended by adding to the Recommendation of the North York Community Council, the following:

“subject to the negotiations currently taking place with Parks and Recreation staff respecting a 14-acre piece of land behind the property, and the preliminary resolution of these negotiations, being:

- (1) \$1.00 per month for the 14-acres of land; and
- (2) the Parks and Recreation Division covering the costs of the posts for the soccer field”,

so that such recommendation now reads as follows:

“The North York Community Council recommends the adoption of the report (March 4, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, subject to the negotiations currently taking place with Parks and Recreation staff respecting a 14-acre piece of land behind the property, and the preliminary resolution of these negotiations, being:

- (1) \$1.00 per month for the 14-acres of land; and
- (2) the Parks and Recreation Division covering the costs of the posts for the soccer field.”

Clause No. 26 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to striking out and referring Item (1), entitled “Preliminary Report – Application to Amend the Zoning By-law and Draft Plan of Subdivision - TB ZBL 2003 0002 & TB SUB 2003 0001 – Bombardier Inc./Dehavilland Limited – Beffort Road – Ward 9 – York Centre”, embodied therein, back to the North York Community Council for further consideration.

REPORT NO. 4 OF THE TORONTO EAST YORK COMMUNITY COUNCIL

Clause No. 4 - **“Draft By-laws - Official Plan Amendment and Rezoning/ Designation/Alterations to Heritage Property/Tree Removal and Injury - 100 Queen's Park (Royal Ontario Museum) (Trinity-Spadina, Ward 20)”**.

The Clause was amended by deleting from the recommendation of the Toronto East York Community Council, the preamble to Recommendation No. (6), and Part (a) thereof, and inserting in lieu thereof the following:

- “(6) a permit for removal of eight trees at 100 Queen’s Park be approved, subject to:
- (a) the trees in question not being removed until permitted construction and/or demolition related activities in accordance with plans approved under Rezoning and Site Plan Approval Application No. 202017 commence which warrant the destruction of the trees;”

Clause No. 6 - **“Supplementary Settlement Report - 22 Bathurst Street (St. Mary's Cement) (Trinity-Spadina, Ward 19)”**.

The Clause was amended in accordance with the report dated April 14, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:

“It is recommended that:

- (1) Attachment 1 to the March 18, 2003 supplementary settlement report respecting St. Mary’s Cement from the Director of Community Planning, South District, be replaced with Attachment 1 to this report; and
- (2) the draft Zoning By-law and Zoning By-law maps:
 - (a) set a minimum 7 metre height limit along Fort York Boulevard between the west property line of St. Mary’s and the 15-storey building facing Street ‘B’;
 - (b) set a minimum 20 metre height limit along Fort York Boulevard at the north end of the 15-storey building along Street ‘B’; and
 - (c) require building setbacks along Street ‘B’.”

Clause No. 21 - **“Ontario Municipal Board Hearing - 28 Rees Street (Trinity -Spadina, Ward 20)”**.

The Clause was amended by striking out the recommendation of the Toronto East York Community Council, and inserting in lieu thereof the following:

“It is recommended that Council adopt the confidential report dated April 14, 2003, from the City Solicitor, such report to remain confidential, in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information that is subject to solicitor/client privilege.”

Clause No. 39 - “The Infinity Public Art Plan - 185 Bremner Boulevard (Trinity-Spadina, Ward 20)”.

Council adopted the following recommendations:

“It is recommended that:

- (1) the report dated March 17, 2003, from the Commissioner of Urban Development Services, as contained in the Clause, be adopted; and
- (2) the Commissioner of Works and Emergency Services be requested to submit a report to the Toronto East York Community Council, for consideration at its meeting scheduled to be held on May 6, 2003, on the installation of bicycle lanes in the vicinity of this new development, including Lower Simcoe Street, between Bremner Boulevard and Queen’s Quay, and Bremner Boulevard between Spadina Avenue and Lake Shore Boulevard.”

Clause No. 67 - “Other Items Considered by the Community Council”.

The Clause was received as information, subject to amending Item (t), entitled “Ontario Municipal Board Appeal - 466-468 Brunswick Avenue (Trinity Spadina, Ward 20)”, embodied therein, notwithstanding the provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, by:

- (1) receiving the confidential report dated April 11, 2003, from the City Solicitor; and
- (2) issuing confidential instructions to staff,

such report and instructions to remain confidential, in their entirety, in accordance with the provisions of the Municipal Act, having regard that they are subject to solicitor/client privilege.

REPORT NO. 1 OF THE AUDIT COMMITTEE

Clause No. 9 - “SAP Financial and Human Resources/Payroll Information Systems - Post Implementation Review”.

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

REPORT NO. 2 OF THE BOARD OF HEALTH

Clause No. 1 - "Toronto's Environmental Tobacco Smoke (ETS) By-law - Designated Smoking Rooms".

The Clause was amended:

- (1) by adding to Recommendation No. (1) of the Board of Health, the words "and which employees are not required to access", so that such recommendation now reads as follows:

"(1) City of Toronto Municipal Code, Chapter 709 - Smoking, be amended immediately to further define a Designated Smoking Room as a room to which no patron under the age of 19 years is permitted and which employees are not required to access;"

- (2) by striking out and referring the following Board of Health Recommendations Nos. (2) and (3) and Recommendation No. (4) [only insofar as it pertains to Recommendations No. (2) and (3)], to the Economic Development and Parks Committee:

"The Board of Health recommends that:

- (2) City of Toronto Municipal Code Chapter 709 – Smoking be amended by deleting the exemption for existing Designated Smoking Rooms in workplaces and public places effective June 1, 2005;
- (3) no new applications be approved for Designated Smoking Rooms in workplaces and public places effective immediately;
- (4) the City Solicitor be given the authority to prepare and introduce a Bill in Council to give effect to Recommendations Nos. (2) and (3); and",

with a request that the Economic Development and Parks Committee:

- (i) hold discussions with industry representatives, such discussions to be limited specifically to the issue of how to implement the phase-out of Designated Smoking Rooms; and
- (ii) submit its recommendations in this regard to City Council by September 2003;
- (3) to provide that effective the date of the enactment of the amendment to the Smoking By-law, food preparation and liquor dispensing areas be excluded from any area to be used as a Designated Smoking Room; and
- (4) by adding thereto the following:

"It is further recommended that:

- (a) the Board of Health be requested to enter into discussions with industry representatives on how to implement the phase-out of Designated Smoking Rooms;
- (b) all Designated Smoking Rooms be fitted with devices that automatically close doors to these areas, and that they be fully operational and in good working order at all times;
- (c) Designated Smoking Rooms, in order to remain so designated, must pass an inspection by the Public Health Department to ensure that they are operating satisfactorily;
- (d) the City Solicitor be requested to apply for increased set fines for premises that fail to comply with Designated Smoking Room requirements, as defined in the Smoking By-law;
- (e) the appropriate City staff be authorized to use all the tools at their disposal, including exercising the authority to obtain court prohibition orders forcing bar and restaurant owners/operators to comply with the rules and spirit of the rules under the City of Toronto's by-law in the operation of Designated Smoking Rooms;
- (f) the City Solicitor be requested to submit a report to the appropriate Committee on ways in which the City of Toronto can obtain authority to close Designated Smoking Rooms in accordance with the rules or the spirit of the rules under the City of Toronto's by-law;
- (g) the Medical Officer of Health be requested to review any regulations pertaining to smoking on patios, and submit a report thereon to the Economic Development and Parks Committee; and
- (h) the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on whether the practice of distributing free cigarettes at City shelters should be discontinued."

Clause No. 2 - "Severe Acute Respiratory Syndrome (SARS)".

Consideration of the Clause was deferred to a special meeting of City Council to be held at the call of the Mayor.

In addition, Council requested the Commissioner of Community and Neighbourhood Services to submit a report to the next meeting of the Community Services Committee, scheduled to be held on May 1, 2003, on the actions that have been taken to address Severe Acute Respiratory Syndrome (SARS) in the drop-in and shelter systems.

REPORT NO. 3 OF THE NOMINATING COMMITTEE

Clause No. 1 - "Vacancy on the Toronto Licensing Tribunal".

The Clause was amended by adding thereto the following:

"It is further recommended that the citizens appointed to the Toronto Licensing Tribunal be requested to submit annual reports to the Planning and Transportation Committee, in accordance with Council's policy in this regard."

Clause No. 2 - "Resignations from and Appointment to Community Advisory Committees on Access and Equity".

The Clause was amended by inserting the following new Part (d) in Recommendation No. (1) of the Nominating Committee:

"(d) from the Status of Women Committee, Marie Simpson;"

REPORT NO. 2 OF THE STRIKING COMMITTEE

Clause No. 1 - "Appointments of Members of Council to the Special Committee to Structure a Five-Year Fiscal Plan".

The Clause was amended:

- (1) to provide that Councillor Tziretas be appointed as the seventh Member of the Special Committee to Structure a Five-Year Fiscal Plan; and
- (2) by adding thereto the following:

"It is further recommended that Council adopt the report dated April 10, 2003, from the Chief Administrative Officer, embodying the following recommendations:

'It is recommended that:

- (1) the Terms of Reference for the Ad Hoc Committee for a Five-Year Fiscal Plan as listed in Appendix 1 be adopted; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.' "

Clause No. 2 - "Appointment of a Member of Council to the Toronto Transit Commission".

Consideration of the Clause was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

ADDITIONAL MATTER

Council directed that a Special Meeting of City Council be held at the call of the Mayor in order to consider various matters related to Severe Acute Respiratory Syndrome (SARS).

NOTICES OF MOTION APPEARING UNDER ITEM F

(1) **Proposed ‘Super Hospital’ – Keele Street and Sheppard Avenue**

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

“**WHEREAS** the Humber River Regional Hospital has put forward a proposal to build a new ‘Super Hospital’ at Keele Street and Sheppard Avenue, on the former DND lands in Downsview, to replace services currently provided at the Church Street and Finch Avenue sites and at the former Northwestern General Hospital; and

WHEREAS the Toronto District Health Council has, at the Ontario Provincial Government’s request, reviewed this proposal and rejected it as not being in the best interest of the Community; and

WHEREAS the closure of Northwestern General Hospital has resulted in above average time in the transfer of patients by the Toronto EMS paramedics to the Church Street and Finch Avenue sites; and

WHEREAS despite the rejection of this proposal by the Toronto District Health Council, the Ontario Provincial Government appears set to proceed with this proposal, without having conducted appropriate public consultations on the impact of the delivery of Health Care and of this development on the communities affected;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council formally request the Ontario Provincial Government to commit to a public consultation process on this proposal, prior to any formal decisions being made;

AND BE IT FURTHER RESOLVED THAT the Ontario Provincial Government be requested to commit to public disclosure of all information relevant to this proposal and of all correspondence between the Minister of Health and the Humber River Regional Hospital.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

(2) **Support to Defend Against the Appeal With Respect to the Sale of Hydro One**

Moved by: Councillor Chow

Seconded by: Councillor Miller

“WHEREAS City Council on April 16, 17 and 18, 2002, adopted a number of motions as part of Policy and Finance Committee Report No. 6, Clause No. 1, headed ‘Implications of the Sale of Hydro One for the City of Toronto’, calling on the Provincial Government to stop the sale of Hydro One because of the many negative impacts such a sale could have on Torontonians; and

WHEREAS City Council on April 16, 17 and 18, 2002, adopted a motion stating ‘that the Mayor and Members of the Toronto City Council ask the Provincial Government and the new Premier of Ontario, Ernie Eves, to cancel the decision to privatize Hydro One and deregulate the energy market’; and

WHEREAS the Province is appealing the Superior Court decision made on April 19, 2002, that stopped the sale of Hydro One; and

WHEREAS the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees are defending against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS given City Council’s position on the sale of Hydro One, it is in the interest of the City to help the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defence against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One; and

WHEREAS timely support by the City to the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees in their defence against the appeal launched by the Ontario Government will greatly improve their ability to launch a successful defence;

NOW THEREFORE BE IT RESOLVED THAT the City support the action of the Communications, Energy and Paperworkers Union of Canada and the Canadian Union of Public Employees as they defend against the appeal launched by the Ontario Government with regards to the April 19, 2002 Superior Court decision to stop the sale of Hydro One at the Ontario Court of Appeal and that this support be 25 percent (or up to a maximum of \$40,000.00) of the legal fees;

AND BE IT FURTHER RESOLVED THAT funds be drawn for this purpose from the Legal Department Account for outside legal advice;

AND BE IT FURTHER RESOLVED THAT the Association of Municipalities of Ontario and Ontario cities with population over 50,000 be requested to consider joining the City of Toronto in providing financial support.”

Disposition: *Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.*

(3) **City Employees Strike - Summer of 2002**

Moved by: Councillor Bussin

Seconded by: Councillor Jones

“WHEREAS it has become abundantly clear, in light of the recent decision of the Provincial Arbitrator, Tim Armstrong, that the City employees strike of last summer was eminently avoidable and completely unnecessary, evident in his awarding of the City employees’ wage and job security provisions rejected by City management; and

WHEREAS the 16-day strike caused the withdrawal of important City services from the citizens of Toronto resulting in the closure of pools, cancelled summer camps, streets filled with garbage and the loss of public confidence in the City to properly administer its affairs; and

WHEREAS Mr. Armstrong, in his decision, recognized the need for greater co-operation between the City and its Unions, stating in his report: ‘The good news is that there is considerable intelligence and talent on both sides... The challenge is to mobilize this talent to work co-operatively and move in constructive directions. But this is unlikely to happen without openly expressed support and encouragement from the most senior levels – bureaucratic/administrative and political.’ – clearly placing the onus on the City to ‘get its labour relations in order’;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council acknowledge and devise strategies on the need to improve its labour relations with City unionized staff to avoid the possibility of future withdrawal of services; and
- (2) City Council also acknowledge that last summer’s strike was unnecessary and affirm that it is the dedication and professionalism of City workers that, in large measure, make Toronto ‘*the greatest City in the World*’.”

Disposition: *Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.*

(4) **Proposal for a Two-Year Rent Freeze**

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

“WHEREAS between 1995 and 2001 the average rent for all CMA rental units across the City of Toronto has increased by 29 percent while Ontario’s Consumer Price Index (CPI) has increased by only 12.8 percent; and

WHEREAS little to no affordable rental housing has been constructed in the City of Toronto since the implementation of the Tenant Protection Act in 1998; and

WHEREAS 44 percent of tenant households spend more than 30 percent of their income on housing and 22 percent of tenant households spend more than 50 percent of their income on housing; and

WHEREAS visits to local food banks have reached all-time highs while over the last five to seven years donations have not increased correspondingly due to lack of discretionary income; and

WHEREAS a growing number of tenants, particularly seniors and single-parent families are consistently faced with the choice of rent or food; and

WHEREAS as a member of the Group of Eight nations, it is shameful that this situation continues and continues to get worse; and

WHEREAS the City of Toronto has advocated for a ‘costs no-longer borne’ regulation, demolition controls, the restoration of real Rent Controls and a legislated Rent Roll Back; and

WHEREAS Tenants cannot afford to wait for a new provincial government to introduce fairer legislation while rents continue to spiral out of control and beyond their ability to pay; and

WHEREAS the New Democratic Party of Ontario advocates a two-year rent freeze to allow for a return to an updated Rent Control Act;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto petition the Provincial Government to freeze rents for two years until there has been a fair review of the Tenant Protection Act and a levelling of the playing field in landlord-tenant relations;

AND BE IT FURTHER RESOLVED THAT Toronto City Council continue to lobby the Provincial Government and the Opposition parties to adopt and publicly endorse this two-year rent freeze.”

Disposition: The Motion was considered with Clause No. 7 of Report No. 3 of The Community Services Committee, headed “Ontario Works Benefit Rates: Loss of Purchasing Power Since 1995”, and referred to the Community Services Committee for further consideration. (See Page 12.)

(5) **Establishment of Four Community Councils**

Moved by: Councillor Moscoe

Seconded by: Councillor Holyday

“**WHEREAS** on October 3, 2000, Council elected to retain six (6) Community Councils; and

WHEREAS on November 6, 7 and 8, 2001, Council adopted, without amendment, Clause No. 10 of Report No. 16 of The Administration Committee, headed 'Four District Model for City Public Services (All Wards)'; and

WHEREAS on July 30 and 31 and August 1, 2002, Council adopted, as amended, Clause No. 2 of Report No. 10 of The Administration Committee, headed 'Four District Model for City Public Services (All Wards)', wherein the Chief Administrative Officer was requested to include in her review of the Council-Committee structure, a review of options for the relationship between Community Councils and service districts; and

WHEREAS the attempt to run six political divisions through four administrative districts has created a significant administrative challenge, particularly in those Wards that fall into more than one administrative zone; and

WHEREAS this has created a dysfunctional structure which is becoming more remote from the citizens it serves; and

WHEREAS the present groupings of some of the Community Councils are artificial constructs that bear little resemblance to the historic communities that existed prior to amalgamation; and

WHEREAS it would be desirable to rationalize the political and administrative boundaries into more functional units;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Administration Committee Report No. 10, Clause No. 2, headed 'Four District Model for City Public Services (All Wards)', be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council elect to establish a four Community Council model to come into effect immediately following the next municipal election;

AND BE IT FURTHER RESOLVED THAT staff, after discussion with individual Councillors, particularly those who have dysfunctional Wards, propose alternative Community Council groupings for consideration by the Administration Committee;

AND BE IT FURTHER RESOLVED THAT staff further refine the administrative districts to match the political divisions selected.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

NOTICES OF MOTION APPEARING UNDER ITEM I

- (1) **Request for A Status Report on the Legal Dispute with the Toronto Port Authority at the Special Council Meeting on February 24, 25, 26, 27 and 28, 2003**

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Moscoe

“**WHEREAS** the Aerospace industry is one of the key economic clusters in the City of Toronto and Bombardier Aerospace, as the largest employer, is the anchor company for this industry in Toronto; and

WHEREAS, like other high wage manufacturing companies, Bombardier has a high economic multiplier effect; and

WHEREAS any significant slowdown or layoffs at Bombardier will have impacts on companies and employees that supply, distribute and otherwise support production at Bombardier and on the businesses where Bombardier employees purchase services and products; and

WHEREAS, as the result of a global slowdown in new airline purchases, the Bombardier Aerospace Plant which employs 3,000 people is currently at a risk of having to lay off a large number of employees; and

WHEREAS resolution of the legal dispute between the City of Toronto and the Toronto Port Authority is one of the conditions for enhanced operations at Toronto City Centre Airport which, in turn, will initiate an order for the purchase and production of fifteen new turboprop aircraft to be manufactured at Bombardier’s Downsview plant in Toronto; and

WHEREAS the negotiations and resolution of the terms of agreement have not been finalized and a report will not be available at this Council meeting; and

WHEREAS the next regular meeting of Council will take place on April 14, 15 and 16, 2003; and

WHEREAS Council is holding a special meeting on February 24, 25, 26, 27 and 28, 2003, for budget purposes;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council also add to the Special Council Meeting an opportunity for the CAO to bring forward a report on this matter.”

Disposition: The Motion was withdrawn.

(2) **Establishing a Toll Pilot Project**

Moved by: Councillor Moscoe

Seconded by: Councillor Flint

“**WHEREAS** Council, by adopting the new Official Plan, made a long term commitment to public transit; and

WHEREAS, to support that commitment, the City of Toronto should be expanding and enhancing TTC services and encouraging drivers to favour the use of public transit over cars; and

WHEREAS the only operating tax money that the public transit system receives comes from property taxes collected within the City of Toronto; and

WHEREAS commuters who opt to drive into Toronto from the 905 areas, rather than take the public transit system, place an inordinate burden on the property tax base of Toronto, without contributing to the public transit system; and

WHEREAS the City of London, England, has recently introduced a toll system, in order to encourage commuters to abandon their cars in favour of public transit;

NOW THEREFORE BE IT RESOLVED THAT the City establish a tolling pilot project;

AND BE IT FURTHER RESOLVED THAT it consist of a toll for inbound cars at the Mimico Creek boundary, on the centre core lanes only, of the Queen Elizabeth Highway;

AND BE IT FURTHER RESOLVED THAT the tolls be in place during the hours of 7:00 a.m. to 6:00 p.m. weekdays;

AND BE IT FURTHER RESOLVED THAT the toll be established at the level of the average ‘GO’ fare and the estimated \$1 million a day that this would raise, after expenses, be directed to support public transit in Toronto;

AND BE IT FURTHER RESOLVED THAT this matter be forwarded to the Chief Administrative Officer, with a request that she report on the operational and policy aspects of this matter to the Planning and Transportation Committee.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

(3) **Request for Legislative Authority to Levy Tolls**

Moved by: Councillor Mihevc

Seconded by: Councillor Moscoe

“**WHEREAS** the City of Toronto will have capital shortfalls in coming years; and

WHEREAS the City of Toronto needs to develop revenues other than property taxes; and

WHEREAS other municipalities have authority to levy tolls on highways (London, England);

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request the Province of Ontario for legislative authority to develop these rights to tax;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer, in consultation with the City Solicitor, be requested to prepare a private Bill for presentation to Provincial parliament;

AND BE IT FURTHER RESOLVED THAT the Mayor’s office be requested to develop a special task force of Members of Council and residents to pursue these initiatives;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer be requested to prepare a report on these matters to be presented to the Policy and Finance Committee.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

NOTICES OF MOTION APPEARING UNDER ITEM J

(1) Notification of Applications for Liquor Licences

Moved by: Councillor Moscoe

Seconded by: Councillor Nunziata

“**WHEREAS** the Alcohol and Gaming Commission of Ontario notifies Councillors’ offices of applications for liquor licences; and

WHEREAS Councillors frequently contact the local Division of the Toronto Police Service in reviewing applications for licences; and

WHEREAS the local Division of the Toronto Police Service are not notified by the Alcohol and Gaming Commission of these applications; and

WHEREAS at a public meeting in the Eglinton-Lawrence area, the Toronto Police Service expressed an interest in being made aware of pending applications;

NOW THEREFORE BE IT RESOLVED THAT Council request the Alcohol and Gaming Commission to routinely notify the staff inspector of each Division of the Toronto Police Service of applications for liquor licences that are pending.”

Disposition: The Motion was adopted, subject to amending the Operative Paragraph by inserting, after the word “notify”, the words “Members of City Council and”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT Council request the Alcohol and Gaming Commission to routinely notify Members of City Council and the staff inspector of each Division of the Toronto Police Service of applications for liquor licences that are pending.”

(2) **Request for Removal of Snow on Donwoods Lane**

Moved by: Councillor Flint

Seconded by: Councillor Mihevc

“WHEREAS Donwoods Lane is the name of a sub-standard, unimproved, narrow City laneway that is officially classified as a road under the Highway Traffic Act; and

WHEREAS Donwoods Lane provides the only vehicle access to four, single-family residential properties; and

WHEREAS it is impossible to provide alternate vehicle access to the residents living there; and

WHEREAS Donwoods Lane curves up a steep hill; and

WHEREAS Donwoods Lane has been in existence for well over 70 years; and

WHEREAS it has been the custom for snow on Donwoods Lane to be removed for safety reasons and because there is very little room to store snow; and

WHEREAS Donwoods Lane is located within a Ravine Protection Area and the use of salt should be minimal;

NOW THEREFORE BE IT RESOLVED THAT the Works and Emergency Services Department be instructed to remove the snow from Donwoods Lane when there is an accumulation of more than 10 centimetres.”

Disposition: The Motion was withdrawn.

(3) **Insert in Either the Water or Tax Bill Regarding Metropolitan Property Tax Consultants**

Moved by: Councillor Moscoe

Seconded by: Councillor Mihevc

“**WHEREAS** a company calling itself Metropolitan Property Tax Consultants is using individualized assessment data to contact residents by mail; and

WHEREAS the Municipal Property Assessment Corporation (MPAC) has refused to provide this data to Councillors and to commercial companies; and

WHEREAS Metropolitan Property Tax Consultants is charging people \$80.25 to review their assessments and launch an appeal, at the company’s discretion, on behalf of the individual ratepayer; and

WHEREAS the company will only appeal those assessments that they deem to be able to win; and

WHEREAS the residents will be beholden to the company to pay them half of the assessment reduction; and

WHEREAS this company’s material is so structured as to appear to be issued on behalf of the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the City place an insert, in either the water or tax bill, advising residents that this company has no connection whatsoever with the City of Toronto;

AND BE IT FURTHER RESOLVED THAT this notice explain to residents how they can launch an assessment appeal on their own and secure 100 percent of any assessment reduction without the help of a tax agent.”

Disposition: *The Motion was adopted, subject to amending the first Operative Paragraph to now read as follows:*

“NOW THEREFORE BE IT RESOLVED THAT *the City place an insert, on an annual basis, in either the water or tax bill, at the same time as the annual assessment impacts are issued by the Municipal Property Assessment Corporation, advising residents that tax appeal companies have no connection whatsoever with the City of Toronto;*”.

(4) **Grants to the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway**

Moved by: Councillor Walker

Seconded by: Councillor Milczyn

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

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

WHEREAS the Tenants' Associations of 1305 Wilson Avenue and 34 Riverwood Parkway applied for an additional grant, under the Tenant Support Grant Program in May 2002, to appeal to the Divisional Court of the Ontario Superior Court of Justice on an Order issued by the Ontario Rental Housing Tribunal approving the landlord's application for an above-guideline rent increase (AGI) based on a one-time spike in heating costs; and

WHEREAS the appeal hearing for 1305 Wilson Avenue was completed on June 28, 2002, and a decision was released by the Divisional Court on August 26, 2002, ordering that the appeal be dismissed and that costs of \$2,500.00 be paid by the tenants to the landlord; and

WHEREAS despite the decision to dismiss the Wilson Avenue tenants' appeal, the judges who presided over the hearing expressed sympathy for the tenants and suggested that the Minister of Municipal Affairs and Housing review the provisions in the Tenant Protection Act (TPA) relating to applications for above-guideline rent increases based on extraordinary utility costs; and

WHEREAS the Tenants' Association of 1305 Wilson Avenue further made an application for Leave to Appeal to the Ontario Court of Appeals on the Divisional Court decision and requested a further grant of \$10,000.00 for the legal costs of the second appeal and an additional \$2,500.00 to cover the costs awarded against them by the Divisional Court; and

WHEREAS the same solicitor also performed preparatory work to file an application for Leave to Appeal for the Tenants' Association of 34 Riverwood Parkway; and

WHEREAS the report (dated November 8, 2002) from the Commissioner of Community and Neighbourhood Services did not recommend the approval of further funding to the Tenants' Associations, as a second appeal is beyond the mandate of Tenant Support Grant Program; and

WHEREAS on December 12, 2002, the Wilson Avenue tenants' application for Leave to Appeal was denied by the Ontario Court of Appeals and the tenants were ordered to pay \$1,000.00 to the landlord for legal costs; and

WHEREAS at an informal meeting of the Tenant Defence Sub-Committee on March 4, 2003, the matters were discussed and the solicitor for the Wilson Tenants' Association requested \$3,500.00 to cover the total legal costs the two courts had ordered the Tenants' Association to pay to the landlord; and

WHEREAS the Tenant Defence Sub-Committee requested the solicitor to provide staff with further documentation regarding the costs associated with these cases; and

WHEREAS the solicitor has identified a further \$2,675.00 expenditure in his appeal preparation for the 34 Riverwood Parkway Tenants' Association; and

WHEREAS section 113 of the Municipal Act provides that the council of every municipality may, subject to section 111 of the Municipal Act, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind or any purpose that, in the opinion of the council, is in the interests of the municipality; and

WHEREAS the issues raised by the Tenants' Association of 1305 Wilson Avenue in the courts may precipitate a review of the TPA by the provincial government that could have a significant impact on other tenants in Toronto and is, therefore, in the interests of the City; and

WHEREAS there are sufficient funds in the 2003 Tenant Support Grants Program to provide a grant to the Tenants' Association of 1305 Wilson Avenue to assist them with paying the legal costs to the landlord as ordered by the Courts; and

WHEREAS there are also sufficient funds in the Program to assist the Tenants' Association of 34 Riverwood Parkway to pay their solicitor's fees for his work in preparing the application for Leave to Appeal;

NOW THEREFORE BE IT RESOLVED THAT City Council grant \$3,500.00 to the Tenants' Association of 1305 Wilson Avenue for payment of the legal costs ordered by the Courts and \$2,675.00 to the Tenants' Association of 34 Riverwood Parkway for its outstanding legal fees, to be allocated from the 2003 Tenant Support Grant Program, and deem such grant to be in the municipal interest."

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

(5) **Request to Provincial Government to Abandon Electricity Deregulation and Privatization**

Moved by: Councillor Walker

Seconded by: Councillor Moscoe

“**WHEREAS** City Council at its meeting held on February 4, 5, and 6, 2003, adopted, without amendment, Policy and Finance Committee Report No. 1, Clause No. 9, headed ‘For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002’; and

WHEREAS the Ontario government’s electricity deregulation and privatization policy has clearly been a disaster; and

WHEREAS the various electricity policies implemented by this provincial government over the past six years have imposed hundreds of millions of dollars of additional costs on local distribution companies and their customers; and

WHEREAS the government has now enacted Bill 210, The Electricity Pricing, Conservation and Supply Act, 2002 (the ‘Act’), which requires each municipality to decide whether to continue to operate its local distribution utility as a for-profit corporation (as required by previous legislation) or allow it to become a zero-return on equity corporation with various additional restrictions (the so-called ‘non-profit’ status); and

WHEREAS the Act gives only an appearance of choice for citizens and their elected municipal representatives, because it places onerous and punishing financial consequences on the local distribution company (LDC) and the municipal shareholder if it opts for the ‘non-profit’ model; and

WHEREAS this false choice seems only to serve as an attempt to scapegoat municipalities and their local distribution companies (LDC) for the provincial government’s disastrous electricity policies; and

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Policy and Finance Committee Report No. 1, Clause No. 9, headed ‘For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT City Council call on the Government of Ontario to rescind Bill 210, to abandon plans for deregulation and privatization of Ontario’s electricity in accord with the wishes of the people of Ontario, to develop and implement a renewed vision for public power in Ontario, and to:

- (1) stop the sell-off of public generating stations and local hydro utilities;
- (2) stop paying higher deregulated prices to electricity producers; and
- (3) implement genuine energy conservation policies and expand clean, renewable energy sources;

AND BE IT FURTHER RESOLVED THAT this Resolution be sent for action to: the Honourable Ernie Eves, Premier, and the Honourable John Baird, Ontario Minister of Energy; and for information to: Dalton McGuinty, MPP; Howard Hampton, MPP; Shelly Martel, MPP; Michael Bryant, MPP; and for endorsement to: the Association of Municipalities of Ontario, and to all Ontario municipalities with populations greater than 50,000.”

Disposition: Council re-opened Policy and Finance Committee Report No. 1, Clause No. 9, headed “For-Profit Status of Toronto Hydro-Electric System Limited – Bill 210, Electricity Pricing, Conservation and Supply Act, 2002”, for further consideration, and deferred consideration of the balance of the Motion to the next regular meeting of City Council scheduled to be held on May 21, 2003.

(6) **Declaration as a Municipal Capital Facility – Community Space Within the Yorkdale Shopping Centre**

Moved by: Councillor Moscoe

Seconded by: Councillor Feldman

“**WHEREAS** there is a shortage of community space in Eglinton-Lawrence; and

WHEREAS there has been a site plan application from Yorkdale Shopping Centre; and

WHEREAS Yorkdale Shopping Centre has agreed to provide a minimum of 2,000 square feet of finished community space; and

WHEREAS the City would be responsible for only the cost of utilities, maintenance and taxes; and

WHEREAS the City, under the provisions of the Municipal Act, 2001 has the ability to declare this space to be a municipal capital facility and thereby avoid the some \$8.00 a square foot in property taxes that would otherwise be paid by this facility; and

WHEREAS elimination of the property taxes would, because of the downloading of the education portion to the Province of Ontario, result in net savings to the City;

NOW THEREFORE BE IT RESOLVED THAT the matter of the taxes and operation of this space be referred to the Chief Administrative Officer, the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Economic Development, Culture and Tourism for a joint report to the Economic Development and Parks Committee.”

Disposition: The Motion was adopted, without amendment.

(7) **Appointment to the Board of Management – Yonge-Dundas Square**

Moved by: Councillor Rae

Seconded by: Councillor Minnan-Wong

“**WHEREAS** City Council at its meeting held on December 4, 5 and 6, 2001, adopted, as amended, Policy and Finance Committee Report No. 16, Clause No. 27, headed ‘Yonge/Dundas Square - Operations Resulting from Urban Development Services Capital Project and Governance Model (Ward 27 - Toronto Centre)’, and, in so doing, charged the Board of Management of Yonge-Dundas Square with the responsibility for managing the Yonge-Dundas Square; and

WHEREAS the Board of Management has the authority to recommend members to Council for appointment to the Board; and

WHEREAS the Board of Management includes four representatives from the Downtown Yonge BIA; and

WHEREAS Clive Baxter, a Downtown Yonge BIA representative, has left the Board; and

WHEREAS the Board has appointed Anita Cortese, from Brookfield Properties/Atrium on Bay, who is a member of the Downtown Yonge BIA and is willing to serve on the Board of Management until the expiration of the term of Council and until her successor is appointed;

NOW THEREFORE BE IT RESOLVED THAT City Council appoint Anita Cortese, from Brookfield Properties/Atrium on Bay, to the Board of Management of Yonge-Dundas Square, to serve on the Board of Management, until the expiration of the term of Council and until her successor is appointed.”

Disposition: The Motion was adopted, without amendment.

(8) **Public Meeting to Consider a Proposed Change to the Taxi By-law Respecting Printable Receipts**

Moved by: Councillor Moscoe

Seconded by: Councillor Minnan-Wong

“**WHEREAS** in 1999 as a part of the taxicab reform package, the City mandated that taxis be required to have meters that provided printable receipts; and

WHEREAS these meters are universally disliked by the entire taxicab industry; and

WHEREAS customers consistently request traditional written receipts from taxicab drivers and refuse, in most cases, to accept the printable receipts; and

WHEREAS drivers are required to pay for rolls of paper for their receipt meters that nobody needs or wants; and

WHEREAS the City will shortly be in a position to test and reread all taxicab meters, as a result of the upcoming fare increase being proposed to Council;

NOW THEREFORE BE IT RESOLVED THAT the Planning and Transportation Committee hold a public meeting to give consideration to amending Toronto Municipal Code Chapter 545, Licensing, to eliminate the requirement for a taxicab to have a meter that provides printable receipts and to restore the former requirement that taxicab owners may choose from a variety of meter types that have been approved by the Municipal Licensing and Standards Division;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to prepare a draft By-law for consideration at the public meeting;

AND BE IT FURTHER RESOLVED THAT notice of the proposed By-law be given in accordance with Toronto Municipal Code Chapter 162, Notice, Public, and s.150(4) of the Municipal Act, 2001.”

Disposition: The Motion was adopted, without amendment.

(9) **Support for Falun Dafa Practitioners**

Moved by: Councillor Walker

Seconded by: Councillor Korwin-Kuczynski

“**WHEREAS** the City’s Legal Services is of the opinion that the human rights issue surrounding Falun Dafa is not ultra vires to City Council, in light of the fact that, on September 5, 2001, Mayor Mel Lastman wrote Prime Minister Jean Cretien requesting his attention to the plight of 130 Falun Dafa practitioners engaged in a hunger strike in Shenyang City; and

WHEREAS Falun Dafa is a peaceful and non-violent form of personal belief and practice with tens of millions of practitioners in China, Canada and over fifty-five (55) countries around the world; and

WHEREAS presently there are over twelve (12) family members of Toronto residents being persecuted in China for being practitioners of Falun Dafa; and

WHEREAS MPP and past City Councillor, Michael Prue, on July 16, 2002, said ‘I have to say, looking down the list of Canadian citizens and permanent residents who are detained in China, it is readily apparent that most of those people are from the Toronto, Ontario area’; and

WHEREAS since July 20, 1999, the Government of the People’s Republic of China has forbidden Falun Dafa practitioners to practice their beliefs and has systematically attempted to eradicate the practice and those who follow it; and

WHEREAS China's Government policy violates the Constitution of the People's Republic of China, as well as the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights; and

WHEREAS Amnesty International has proclaimed Falun Dafa practitioners 'Prisoners of Conscience' because they continue to refuse to entertain the prospect of violent retaliation, even while under extremely violent conditions, similar to the actions and traditions of Mahatma Gandhi; and

WHEREAS in 2001 and 2002 the founder of Falun Dafa, Mr. Li Hongzhi, was nominated for the Nobel Peace Prize; and

WHEREAS the Government of the People's Republic of China, has created notorious government '610' offices throughout the People's Republic of China with the special task of overseeing the persecution of Falun Dafa practitioners through organized brainwashing, torture, and murder; and

WHEREAS propaganda from state-controlled media in the People's Republic of China has inundated the public, in an attempt to breed hatred and discrimination; and

WHEREAS women, in particular, have been the target of numerous forms of sexual violence, including rape, sexual assault and forced abortion; and

WHEREAS the campaign of persecution that has been generated by the Chinese government is carried out by government officials and state police, and has permeated every village and every level of government in China; and

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

WHEREAS between July 20, 1999, and December 1, 2001 – in under a year and a half -- more than 500 practitioners were sentenced to long prison terms; more than 1,000 practitioners were illegally imprisoned in 43 psychiatric hospitals; over 20,000 practitioners were sent to labour camps without trial; at least 100,000 practitioners were arrested and detained; and at least 319 Falun Dafa practitioners were persecuted to death- this is an average of 20 deaths per month; and

WHEREAS on October 8, 1999, in Beijing, China, a Secret Press Conference was held by Falun Dafa practitioners to appeal through the world media to other countries for help; and

WHEREAS in April 2002, an official document calling for large-scale assault on Falun Dafa practitioners, including a suggestion to use the death sentence, was distributed to middle level officials of some government agencies in Shenyang City, Liaoning Province, China; and

WHEREAS the Mayor of Ottawa, Bob Chiarelli, proclaimed January 24, 2001, 'Falun Dafa Day'; and

WHEREAS nine (9) municipalities in Ontario have proclaimed Falun Dafa week, namely: Orillia, Elliot Lake, Ajax, Aurora, East Gwillimbury, Spring Water, New Tecumseth, Whitby and Uxbridge; and

WHEREAS on July 19, 2002, nearly the third anniversary of the ongoing Chinese government campaign of persecution, the Councils of six (6) Canadian municipalities passed Resolutions condemning the persecution of Falun Dafa practitioners in China, namely: the Township of Carling, the Town of Harbour Brenton, the Town of Torbay, the Township of Coleman, the Municipality of the County of Richmond and the Town of Burin; and

WHEREAS on July 23, 2002, the U.S. Congress unanimously passed Bill 188 condemning China for its persecution of Falun Dafa practitioners; and

WHEREAS on November 6, 2002, Chicago City Council unanimously passed a Resolution condemning China for its persecution of Falun Dafa practitioners;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the Federal Government to request the Government of the People's Republic of China to cease its persecution of Falun Dafa practitioners and its representatives in Toronto, to cease their harassment of citizens and residents of Toronto who practice Falun Dafa and to cease their attempts to put pressure on officials of multiple levels of governments in Canada to refuse or withdraw support for Falun Dafa and its practitioners;

AND BE IT FURTHER RESOLVED THAT Toronto City Council and the Federal Government use every appropriate public and private forum to urge the Government of the People's Republic of China:

- (a) to release from detention all Falun Dafa practitioners and put an end to the practices of torture and other cruel, inhumane, and degrading treatment against them and other prisoners of conscience; and
- (b) to abide by the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights, by allowing Falun Dafa practitioners to pursue their beliefs;

AND BE IT FURTHER RESOLVED THAT Toronto City Council proclaim May 13, 2003, 'Falun Dafa Day' in remembrance of the 11th anniversary of the public practice of Falun Dafa;

AND BE IT FURTHER RESOLVED THAT Toronto City Council support those who practice Falun Dafa and feel that what they are teaching and what they are practicing is a positive thing and would like the Chinese government to look at Toronto and see what a good thing Falun Dafa has been to Toronto and to believe that just as there is room for everyone in this City, so there should be room for everyone in a large and increasingly prosperous country like China;

AND BE IT FURTHER RESOLVED THAT Toronto City Council request the Federal Government and its appropriate agencies to investigate allegations of illegal activities in Canada of the Government of the People’s Republic of China and its representatives and agents, including allegations of unlawful harassment of Canadian citizens and residents who practice Falun Dafa and of officials of Provincial and local governments in Canada who support Falun Dafa, and take appropriate action, including but not limited to enforcement of the immigration laws, against any such representatives or agents who engage in such illegal activities;

AND BE IT FURTHER RESOLVED THAT a certified copy of this Resolution be forwarded to the Honourable Jean Cretien, Prime Minister of Canada, the Honourable John Manley, Deputy Prime Minister of Canada, the Honourable Bill Graham, Minister of Foreign Affairs, the Honourable Kofi Annan, General-Secretary of the United Nations, Mr. Hu Jintao, President of China, Mr. Wen Jiabao, Prime Minister of China, Mr. Jiang Zemin, Chairman of China’s Central Military Commission, and Mr. Ping Mei, Chinese Ambassador in Canada.”

Disposition: The Motion was withdrawn.

(10) **Options for Filling the Vacancy in the Office of Councillor, Ward 17 – Davenport**

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** Council has previously declared the office of Councillor, Ward 17 – Davenport to be vacant; and

WHEREAS subsection 263(5) of the Municipal Act, 2001, as amended, provides that Council shall, within 60 days after the day the office is declared vacant, decide whether to fill the vacancy by appointment or through the conduct of a by-election; and

WHEREAS the City Clerk has submitted the attached report dated April 7, 2003, outlining options to fill the vacancy;

NOW THEREFORE BE IT RESOLVED THAT Council consider the report dated April 7, 2003, from the City Clerk, and decide upon a method to fill the vacancy in the office of Councillor, Ward 17 – Davenport.”

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

“AND BE IT FURTHER RESOLVED THAT such report be adopted, with Council approving Option 1(a) - Appointment With Deputations at the Humber York Community Council and Council, embodied therein, so that the recommendations adopted by Council shall now read as follows:

'It is recommended that:

- (1) (a) *Option 1(a) – Appointment – With deputations at the Humber York Community Council and Council:*
 - (i) *the Humber York Community Council consider deputations from the candidates at its meeting on May 6, 2003, and make a recommendation to Council on a nominee to fill the vacancy;*
 - (ii) *Council consider deputations from the candidates and fill the vacancy by means of an appointment at a Special Meeting of Council to be held at 5:00 p.m., May 22, 2003; and*
 - (iii) *Council adopt the process for the appointment as set out in Appendix “A” to this report;*
 - (2) *the necessary funds for the chosen option be included in the City Clerk’s 2003 election budget; and*
 - (3) *in the interim, the current staff of former Councillor Disero continue to serve the constituents of Ward 17 – Davenport, until the new Councillor is appointed or elected and a decision is made by Council or the new Councillor with respect to staffing.’ ”*
- (11) **2003 Education Levy By-law and 2003 Commercial, Industrial and Multi-Residential Clawback By-law**

Moved by: Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS City Council at its Special Meetings held on February 24, 25, 26, 27 and 28, 2003, and March 3, 2003, adopted, as amended, Policy and Finance Committee Report No. 2, Clause No. 3, headed ‘2003 Tax Levy By-laws’; and

WHEREAS, in adopting the Clause, as amended, Council authorized the Chief Financial Officer and Treasurer to report directly to Council at its April 14, 2003 meeting with respect to the education levy by-law and the claw back by-law, and the Chief Financial Officer and Treasurer has submitted the attached report dated April 7, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the report dated April 7, 2003, from the Chief Financial Officer and Treasurer and that such report be adopted.”

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

“AND BE IT FURTHER RESOLVED THAT Council adopt the following motion:

‘Moved by: Councillor Shiner

Seconded by: Councillor Di Giorgio

“WHEREAS 69 percent of education funding is raised from the property tax base and only 31 percent of education funding is a Provincial contribution in Toronto; and

WHEREAS in some other Greater Toronto Area municipalities, such as Durham, only 32 percent of the education funding is provided by the property tax base and 68 percent is a Provincial contribution; and

WHEREAS the GTA average contribution is 46 percent from the property tax base and 54 percent as a Provincial contribution; and

WHEREAS the City of Toronto’s property tax funding for residential education taxes would be reduced by \$550 million, if the Provincial average was utilized in the City of Toronto; and

WHEREAS, in 2003, the Residential Provincial Education Tax Levy is increasing by 3 percent in Toronto; and

WHEREAS this generates an additional \$18.7 million for the Provincial Government;

NOW THEREFORE BE IT RESOLVED THAT the Provincial Government be requested to allocate this additional amount of \$18.7 million to the Toronto School Boards to assist in their current financial funding shortfalls;

AND BE IT FURTHER RESOLVED THAT the chart, entitled ‘Share of Education Funding Raised from the Property Tax Base versus Provincial Contribution, GTA Region, 2001/02 School Year’, together with an explanation to be provided by the Chief Financial Officer and Treasurer indicating the funding, be included with the final 2003 property tax bill.”

Council, by its adoption of Motion J(11), as amended, adopted, without amendment, the report dated April 7, 2003, from the Chief Financial Officer and Treasurer, embodying the following recommendations:

“It is recommended that:

- (1) the tax rates for school purposes set out in the draft by-law attached hereto as Appendix ‘A’, and as prescribed by O. Reg. 74/03, be levied for 2003;***
- (2) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix ‘A’, be enacted to levy and collect taxes for school purposes for 2003;***
- (3) tax decreases for the 2003 taxation year on properties in the commercial, industrial and multi-residential property classes be reduced by the percentage of the tax decrease set out in Column II of Chart 2 embodied in this report, in order to recover the revenues foregone as a result of capping;***
- (4) a by-law in the form, or substantially in the form of the draft by-law attached hereto as Appendix ‘B’, be enacted to establish the percentage reductions in tax decreases referred to in Recommendation No. (3) for the 2003 taxation year; and***
- (5) authority be granted for the introduction of the necessary bills in Council.”***

(12) **“Sounds of the Danforth” and the “Taste of the Danforth” Events of Municipal and/or Community Significance**

Moved by: Councillor Ootes

Seconded by: Councillor L. Jones

“WHEREAS the Greektown on the Danforth Business Improvement Area (BIA) has requested City Council to declare the ‘Sounds of the Danforth’ to be held on June 14 and 15, 2003, and July 5 and 6, 2003, and the Krinos Foods Taste of the Danforth’ to be held on August 8 to 10, 2003, events of municipal and/or community significance; and

WHEREAS the Greektown on the Danforth BIA has requested that the restaurants participating in the ‘Sounds of the Danforth’ and the ‘Taste of the Danforth Event’ be permitted to serve alcohol on their extended patios for the same hours as already existing patios on Danforth Avenue only; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires at least 30 days advance notice to issue a liquor licence and refuses to issue any permit for Business Improvement Areas with less than 30 days notice; and

WHEREAS the next City Council meeting is scheduled to be held on May 21, 22 and 23, 2003, which would not leave sufficient time for the City of Toronto to notify the Alcohol and Gaming Commission of Ontario and have the application processed;

NOW THEREFORE BE IT RESOLVED THAT the ‘Sounds of the Danforth’ be declared an event of municipal and/or community significance, taking place on June 14, 2003, from 2 p.m. to 12:00 a.m., and June 15, 2003, from 2:00 p.m. to 10:00 p.m., July 5, 2003, from 2:00 p.m. to 12:00 a.m., and July 6, 2003, from 2:00 p.m. to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the ‘Krinos Foods Taste of the Danforth’ be declared an event of municipal and/or community significance, taking place on August 8, 2003, from 6:00 p.m. to 2:00 a.m., August 9, 2003, from noon to 2:00 a.m. and August 10, 2003, from noon to 10:00 p.m.;

AND BE IT FURTHER RESOLVED THAT the patio extensions be permitted to serve alcohol until 12:00 a.m. on June 14, 2003, and July 5, 2003, and until 10:00 p.m. on June 15, 2003, and July 6, 2003, and until 2:00 a.m. on August 8, 2003, and August 9, 2003, and until 10:00 p.m. on Sunday, August 10, 2003, and that the Alcohol and Gaming Commission be so advised and;

AND BE IT FURTHER RESOLVED THAT the Alcohol and Gaming Commission of Ontario also be advised that the designation of municipal and/or community significance be extended to the Danforth BIA in order to operate their Ontario Wine Garden for the ‘Krinos Taste of the Danforth’ taking place on August 8, 2003, from 6:00 p.m. to 2:00 a.m., August 9, 2003, from noon to 2:00 a.m., and August 10, 2003, from noon to 10:00 p.m..”

Disposition: The Motion was adopted, without amendment.

(13) **Appointment of the Fire Chief**

Moved by: Councillor Chow

Seconded by: Councillor Ootes

“**WHEREAS** the Chief Administrative Officer has submitted a confidential report dated April 9, 2003, with respect to a personnel matter pertaining to the appointment of a Fire Chief;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the attached confidential report dated April 9, 2003, from the Chief Administrative Officer, and that such confidential report be adopted.”

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

“AND BE IT FURTHER RESOLVED THAT:

- (1) *the performance review of the Fire Chief, to be conducted annually by the Commissioner of Works and Emergency Services, include an assessment of whether improvements are being made in the labour relations between the Fire Chief and the Toronto Professional Fire Fighters Association, and the Commissioner of Works and Emergency Services be requested to report thereon to the Personnel Sub-Committee, after consultation with the Toronto Professional Fire Fighters Association;*
- (2) *the Commissioner of Works and Emergency Services, together with the City’s Director of Employee and Labour Relations, be requested to submit reports to the Administration Committee, in six and twelve months’ time, through the Personnel Sub-Committee, after consultation with the Toronto Professional Fire Fighters Association, on labour relations issues in the Toronto Fire Service and a strategy to improve them; and*
- (3) *in future competitions that require Council approval, the process for such competitions be approved by City Council prior to commencement.”*

Council, by its adoption of Motion J(13), as amended, adopted, without amendment, the confidential report dated April 9, 2003, from the Chief Administrative Officer, embodying the following recommendations, such report now public in its entirety, with the exception of the attachments thereto, such attachments to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they contain personal information about an identifiable individual:

“It is recommended that:

- (1) William A. Stewart be appointed to the position of Fire Chief and that such appointment be effective May 1, 2003;*
- (2) the Commissioner of Works and Emergency Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment contract provisions previously approved and consistent with other third level senior management of the City;*
- (3) following successful conclusion of the negotiations authorized by Recommendation No. (2), the City be authorized to enter into an employment contract with William A. Stewart as Fire Chief, based on the terms and conditions of employment negotiated by the Commissioner, such contract to have contents satisfactory to the Chief Administrative Officer and otherwise in the interests of the City and to be in a form acceptable to the City Solicitor;*
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of the necessary Bill to appoint William A. Stewart as Fire Chief under the Fire Protection and Prevention Act, 1997; and*
- (5) By-law No. 6-1998, which appointed Mr. Alan Speed to the office of Fire Chief for the City of Toronto, be repealed effective at the end of April 30, 2003.”*

(14) **Approval of Variances from Chapter 297, Signs – Sobeys’ Grocery Store, 77 St. Clair Avenue East**

Moved by: Councillor Walker

Seconded by: Councillor Rae

“**WHEREAS** the closing of the Dominion Store location at 77 St. Clair Avenue East has caused major inconvenience to the many residents and, in particular, the seniors citizens that live in the vicinity of the intersection of Yonge Street and St. Clair Avenue; and

WHEREAS a new Sobeys’ store has leased, renovated and expanded this store and it is scheduled to open to the public on May 7, 2003; and

WHEREAS a delay in the adoption of the report from Urban Development Services, which recommends approval will cause hardship to the owners of this highly desired new grocery store;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council consider the attached report dated April 9, 2003, from the Commissioner of Urban Development Services, entitled ‘Request for Approval of Variances from Chapter 297, Signs, of the former City of Toronto Municipal Code to Permit, for Identification Purposes, Seven Illuminated Fascia Signs at 77 St. Clair Avenue East’, and such report be adopted.”

Disposition: *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated April 9, 2003, from the Commissioner of Urban Development Services, embodying the following recommendations:*

“It is recommended that:

(1) the request for variances to permit, for identification purposes, seven illuminated fascia signs at 77 St. Clair Avenue East be approved, on condition that the signs be dimmed between the hours of 11:00 p.m. to 7:00 a.m. by means of an automated dimming device; and

(2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits from the Commissioner of Urban Development Services.”

(15) **Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street**

Moved by: Councillor Mihevc

Seconded by: Councillor Flint

“WHEREAS City Council at its meeting held on June 18, 19 and 20, 2002, adopted Midtown Community Council Report No. 6, Clause No. 17, headed ‘Proposed Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street (St. Paul’s, Ward 21)’; and

WHEREAS this Clause authorized the installation of six speed bumps in the public lane between Peveril Hill North and Bathurst Street, running between Dewbourne Avenue and Peveril Hill North; and

WHEREAS City Council enacted By-law No. 923-2002 to give effect thereto and the speed bumps were installed shortly thereafter; and

WHEREAS Councillor Mihevc has subsequently advised that residents abutting the subject lane are concerned about the number of speed bumps installed in the lane and have requested that four of the six speed bumps be removed;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Midtown Community Council Report No. 6, Clause No. 17, headed ‘Proposed Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the recommendations in the aforesaid Clause be struck out and replaced with the following new recommendations:

‘It is recommended that:

- (1) the installation of speed bumps in the public lane between Peveril Hill North and Bathurst Street, running between Dewbourne Avenue and Peveril Hill North, of the type and design noted and at the locations shown on Drawing No. 421F-6739 dated December 2002, be approved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that are required.’;

AND BE IT FURTHER RESOLVED THAT By-law No. 923-2002 be amended by deleting reference to Drawing No. 421F-6487, dated May 2002, and replacing it with Drawing No. 421F-6739, dated December 2002.”

Disposition: ***Council re-opened Midtown Community Council Report No. 6, Clause No. 17, headed “Proposed Installation of Speed Bumps in the Public Lane Between Peveril Hill North and Bathurst Street”, for further consideration, and adopted the balance of the Motion, without amendment.***

(16) **Installation of Speed Humps – Northcliffe Boulevard**

Moved by: Councillor Moscoe

Seconded by: Councillor Nunziata

“**WHEREAS** residents of Northcliffe Boulevard have expressed concern with regard to the vehicle speeds on the roadway between Rogers Road and Gibson Street; and

WHEREAS residents of Northcliffe Boulevard have expressed concern with regard to the volume of traffic on the roadway between Rogers Road and Gibson Street, and have requested the installation of speed humps;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be requested to conduct a poll, translated into Italian and Portuguese, of eligible residents on Northcliffe Boulevard, between Rogers Road and Gibson Street, in accordance with the traffic calming policy, to determine if the residents of the roadway support the installation of speed humps on the roadway;

AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to convey the results of the survey to the respondents;

AND BE IT FURTHER RESOLVED THAT a bylaw be prepared and public notice be given pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for the alteration of Northcliffe Boulevard for the installation of speed humps;

AND BE IT FURTHER RESOLVED THAT pursuant to the requirements of the Municipal Class Environmental Assessment Act, Schedule B, that a notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and the Toronto Police Service and, upon approval of a by-law by Council, Notice of Completion be issued;

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.”

Disposition: The Motion was adopted, without amendment.

(17) **Liability Insurance for Establishments Licensed for the Sale of Alcoholic Beverages**

Moved by: Councillor Sutherland

Seconded by: Mayor Lastman

“**WHEREAS** on the night of February 17, 2003, 21 people perished in a night club in Chicago, Illinois, due to overcrowding; and

WHEREAS on the night of February 20, 2003, 95 people perished in a night club fire in West Warwick Rhode Island; and

WHEREAS on February 22, 2003, a shooting at a Yorkville night club left one 19-year-old man dead and two other men in hospital with gunshot wounds; and

WHEREAS in 2002, the Alcohol and Gaming Commission of Ontario took action against fifteen establishments licensed for the sale of liquor, in Toronto, for exceeding the permitted occupancy of the establishment, resulting in thirteen suspensions and two revocations of liquor licences;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to review the City's business licence issuance and renewal procedure for eating and drinking establishments operating in the manner of a night club, in Toronto, and submit a report to the Planning and Transportation Committee on the possibility of linking licence approvals and renewals with a requirement for liability insurance for each licensed establishment."

Disposition: The Motion was adopted, without amendment.

- (18) **Proposed Change to Conditions of Enactment of Official Plan Amendment and Zoning Code Amendment – Fogh Sails Holdings Limited, 2242 and 2246 Lake Shore Boulevard West, File No. TA CMB 2001 0017 – Ward 6 – Etobicoke-Lakeshore**

Moved by: Councillor I. Jones

Seconded by: Councillor Milczyn

“WHEREAS City Council at its meeting held on February 4, 5 and 6, 2003, by adopting Clause No. 19 of Report No. 1 of The Etobicoke Community Council, required, as a condition of enactment of Official Plan and Zoning Code amendments in relation to application No. TA CMB 2001 0017, the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection at the earliest practical opportunity, once the building permits have been issued; and

WHEREAS the applicant has agreed, in the development agreement entered into in relation to the proposal, to provide security to fund the installation of the traffic control signals at the time of site plan approval, which will make funds available prior to the issuance of building permits;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 19 of Report No. 1 of The Etobicoke Community Council, headed ‘Condition to Enactment of By-law - Fogh Sails Holdings Limited, 2242 and 2246 Lake Shore Boulevard West, File No. TA CMB 2001 0017 - Ward 6 - Etobicoke-Lakeshore’, be re-opened for further consideration, only insofar as it pertains to the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection;

AND BE IT FURTHER RESOLVED THAT Council authorize the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection, at the earliest practical opportunity, once funds become available from the development applicant.”

Disposition: Council re-opened Clause No. 19 of Report No. 1 of The Etobicoke Community Council, headed “Condition to Enactment of By-law - Fogh Sails Holdings Limited, 2242 and 2246 Lake Shore Boulevard West, File No. TA CMB 2001 0017 - Ward 6 - Etobicoke-Lakeshore’, for further consideration, only insofar as it pertains to the installation of traffic control signals at the Legion Road and Lake Shore Boulevard West intersection, and adopted the balance of the Motion, without amendment.

(19) **Proposed Reduction in Speed Limit on Bellamy Road North**

Moved by: Councillor Duguid

Seconded by: Councillor Moeser

“**WHEREAS** three sections of Bellamy Road North are designated 50 kilometres per hour and the remaining sections are designated as 60 kilometres per hour; and

WHEREAS numerous traffic collisions have occurred on Bellamy Road North, some involving serious injury and others involving fatalities; and

WHEREAS Bellamy Road North is lined by single-family, residential homes with three schools located on or off Bellamy Road North; and

WHEREAS community residents have consistently requested a lowering of the speed limit along Bellamy Road North;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to investigate concerns about speeding on Bellamy Road North and submit a report thereon to the Scarborough Community Council, such report to include:

- (a) the advisability of lowering the speed limit on Bellamy Road North to 50 kilometres per hour; and
- (b) the lowering of the speed limits in school zones along Bellamy Road North.”

Disposition: The Motion was adopted, without amendment.

(20) **Proposed Traffic Study of the Intersection of Brimley Road and Ellesmere Road**

Moved by: Councillor Duguid

Seconded by: Councillor Moeser

“**WHEREAS** numerous traffic collisions have occurred at the intersection of Brimley Road and Ellesmere Road, in particular, since the construction of the commercial site on the south-east corner; and

WHEREAS the presence of the Tim Horton’s Drive-Through has created considerable traffic congestion at this intersection; and

WHEREAS numerous complaints have been registered regarding the operations of this intersection;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Scarborough Community Council on the possibility of expanding the queuing lane for vehicles heading south on Brimley Road and turning into the commercial site on the south-east corner of Brimley Road and Ellesmere Road;

AND BE IT FURTHER RESOLVED THAT, with the intention of encouraging traffic to avoid the Brimley Road entrance to the commercial site and utilizing the Ellesmere Road entrance instead, staff review the current signalization system at the Brimley Road and Ellesmere Road intersection and consider potential adjustments, such as installing a 24-hour advance green for traffic traveling south on Brimley Road and turning east onto Ellesmere Road.”

Disposition: The Motion was adopted, without amendment.

(21) **Authorization to Prepare a Community Improvement Plan for Danforth Avenue, from Victoria Park Avenue to the CNR Right-of-Way, and Danforth Road, from Danforth Avenue to East of Warden Avenue**

Moved by: Councillor Altobello

Seconded by: Councillor Berardinetti

“**WHEREAS** the Official Plan of the former City of Scarborough designated Community Improvement Areas; and

WHEREAS the southwestern portion of the former City of Scarborough has been identified as a Community Improvement Area, with the Oakridge Community specifically identified as the highest priority; and

WHEREAS Danforth Avenue and Danforth Road, as outlined above, falls within the Oakridge Community; and

WHEREAS the Toronto Official Plan 2002 recognizes the Community Improvement Area designation and the preparation of Community Improvement Plans as a financial incentive tool that can be used to stimulate the reinvestment and revitalization of communities; and

WHEREAS Danforth Avenue, from Victoria Park Avenue to Warden Avenue, has been designated as an Employment Revitalization Area by the Economic Development, Culture and Tourism Department;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council direct the Commissioner of Urban Development Services, East District Community Planning staff, in consultation with local businesses and other stakeholders, to undertake the preparation of a Community Improvement Plan for Danforth Avenue, from Victoria Park Avenue to the CNR Right-of-Way, and for Danforth Road, from Danforth Avenue to east of Warden Avenue.”

Disposition: The Motion was adopted, without amendment.

(22) **Confirmation for Re-Issuance of the Request for Proposals for the Guild Inn**

Moved by: Councillor Soknacki

Seconded by: Councillor Ashton

“**WHEREAS** the City failed to receive any compliant proposals in response to the recent Request for Proposals for the restoration, redevelopment and operation of the Guild Inn; and

WHEREAS a revised Request for Proposals (‘RFP’) for the adaptive re-use and operation of the Guild Inn will be ready to be re-issued in the near future; and

WHEREAS further Council approval will be required to select and authorize negotiations with a preferred proponent; and

WHEREAS, at its meeting on February 4, 5 and 6, 2003, Council adopted, as amended, Clause No. 1a of Report No. 14 of The Administration Committee and, in so doing, directed that no further proposals in the nature of the Union Station RFP be considered until after the Chief Administrative Officer has submitted a report on the approach and process for the issuance of such proposals; and

WHEREAS the potential application of the Council direction is unclear; and

WHEREAS confirmation is required that the issuance of the Guild Inn RFP is not caught by the Council direction;

NOW THEREFORE BE IT RESOLVED THAT Council approve the re-issuance of a Request for Proposals for the adaptive re-use and operation of the Guild Inn, notwithstanding the Council direction contained in Clause No. 1a of Report No. 14 of The Administration Committee, adopted, as amended, by Council at its meeting on February 4, 5, and 6, 2003, that no further proposals in the nature of the Union Station RFP be considered until after the Chief Administrative Officer has submitted a report on the approach and process to be used in connection with such proposals; and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

Disposition: The Motion was adopted, without amendment.

(23) **Installation of Pedestrian Crossover – McCaul Street**

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

“**WHEREAS** representatives PCL Constructors Canada Inc., on behalf of the Ontario College of Art and Design (OCAD), met with staff of my office and Transportation Services on March 27, 2003, and requested that a pedestrian crossover be installed on McCaul Street at a point approximately 112 metres north of Grange Road, in connection with the establishment of a construction staging area at OCAD Premises No. 100 McCaul Street; and

WHEREAS PCL Constructors Canada Inc. have agreed to pay all costs associated with the installation, maintenance and removal of the requested pedestrian crossover; and

WHEREAS public consultation with residents of ‘Village by the Grange’ regarding this proposal did not meet with any objection; and

WHEREAS Staff of Transportation Services recognize that this installation is critical to the establishment of the construction staging area required to facilitate the construction of new buildings at Premises No. 100 McCaul Street, and are also aware of the urgency of this matter as it relates to the constraints of the construction schedule of PCL Constructors Canada Inc. and the Ontario College of Art and Design;

NOW THEREFORE BE IT RESOLVED THAT a pedestrian crossover be installed on McCaul Street, at a point approximately 112 metres north of Grange Road, to facilitate the establishment of a construction staging area at Premises No. 100 McCaul Street;

AND BE IT FURTHER RESOLVED THAT the pedestrian crossover be removed as the construction staging area is removed from the west side of McCaul Street at the conclusion of this construction at OCAD Premises No. 100 McCaul Street;

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

Disposition: The Motion was adopted, without amendment.

(24) **Contract with Republic Services of Canada Inc.**

Moved by: Councillor Duguid

Seconded by: Councillor Pitfield

“WHEREAS City Council at its meeting held on November 26, 27 and 28, 2002, adopted, as amended, Clause No. 29 of Report No. 12 of The Works Committee, headed ‘Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307’, and, in so doing, granted the authority to negotiate and enter into an agreement with Republic Services of Canada, Inc., to provide the required haulage and disposal services for wastewater system by-products for the City of Toronto commencing January 1, 2003; and

WHEREAS the disposal of the wastewater system by-products will take place at the Carleton Farms landfill in the United States or other licensed and permitted solid waste disposal facilities, and it is in the interest of the City that the agreement be modelled on the City’s Waste Transport and Disposal Agreement, dated October 25, 2000, in relation to the disposal of the City’s solid waste, including the addition of parties; and

WHEREAS there are no financial impacts associated with this Motion;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 29 of Report No. 12 of The Works Committee, headed ‘Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Council consider the attached report dated April 14, 2003, from the Commissioner of Works and Emergency Services and that such report be adopted.”

Disposition: ***Council re-opened Clause No. 29 of Report No. 12 of The Works Committee, headed “Haulage and Disposal of Wastewater System By-Products - Request for Proposals No. 9155-02-7307”, for further consideration, and adopted the balance of the Motion, without amendment.***

In so doing, Council adopted, without amendment, the report dated April 14, 2003, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) authority be granted for the City of Toronto to enter into an agreement with Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC (doing business as Carleton Farms) and Wilson Logistics Inc. to***

provide the required haulage and disposal services in respect of wastewater system by-products effective January 1, 2003 to the Carlton Farms Landfill in Michigan or other licensed and permitted solid waste disposal facilities, on the terms and conditions set out in this report and otherwise on terms and conditions satisfactory to the Commissioner of Works and Emergency Services to protect the interests of the City and in a form satisfactory to the City Solicitor;

- (2) *in addition to the previously authorized prices for haulage and disposal as set out in Clause No. 29 of Report No. 12 of The Works Committee, as adopted by City Council at its meeting held on November 26, 27 and 28, 2002, authority be granted to pay Wilson Logistics Inc. the sum of \$90.00 for the haulage and disposal of each trailer load in circumstances where, in order to make up its full 12 tonne load capacity for Type 1 waste (i.e., capacity of one roll-off box) or 34 tonnes of Type 2 or Type 4 waste, a trailer is required to attend at an additional location as authorized by the Commissioner of Works and Emergency Services to pick up material; and*
- (3) *the appropriate City officials be directed to take the necessary action to give effect thereto.”*

(25) **Bloor West Village Ukrainian Festival – Request for Liquor Licence**

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“WHEREAS the Bloor West Village Ukrainian Festival will hold their Street Festival on August 22, 2003, to August 23, 2003, from 6:00 p.m. to 12:00 midnight and from 12:00 noon to 12 midnight, respectively; and

WHEREAS the Bloor West Village Ukrainian Festival and the Bloor West Village BIA have requested that a liquor licence for a beer tent on a section of Bloor Street West, closed to vehicular traffic and encompassing the centre two lanes between Beresford Avenue where it meets the north side of Bloor Street West and Durie Street where it meets the south side of Bloor Street West, be approved; and

WHEREAS I, as Ward Councillor, have received this formal request from the Bloor West Village Ukrainian Festival;

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

Disposition: The Motion was adopted, without amendment.

(26) **38 St. Lawrence Street – Habitat for Humanity**

Moved by: Councillor McConnell

Seconded by: Councillor Pitfield

“**WHEREAS** 38 St. Lawrence Street is identified in Appendix B of the staff report embodied in Clause No. 1 of Report No. 3 of The Administration Committee, as an active, allocated site under the Property Management Committee process; and

WHEREAS this site is adjacent to 30 St. Lawrence Street and was part of a community commitment to provide affordable home ownership on these sites; and

WHEREAS Metropolitan Habitat for Humanity has submitted a proposal for ten volunteer-built homes; and

WHEREAS the City of Toronto has previously sold three single lots at below-market value to Metropolitan Habitat for Humanity and those units have been constructed and occupied;

NOW THEREFORE BE IT RESOLVED THAT 38 St. Lawrence Street be sold at below-market value to Metropolitan Habitat for Humanity for the construction of ten housing units and that at least 50 percent of the purchasers be selected from the City’s Social Housing Waiting List;

AND BE IT FURTHER RESOLVED THAT authority be granted to the Commissioner of Community and Neighbourhood Services to enter into negotiations with Metropolitan Habitat for Humanity and to report back to the Community Services Committee on the results of such negotiations.”

Disposition: The Motion was adopted, subject to:

(1) *deleting from the first Operative Paragraph, the words “at least 50 percent”, and inserting in lieu thereof the word “all”; and*

(2) *adding to the second Operative Paragraph, the words “for approval by Standing Committee and Council”;*

so that the Operative Paragraphs embodied in such Motion shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT 38 St. Lawrence Street be sold at below-market value to Metropolitan Habitat for Humanity for the construction of ten housing units and that all of the purchasers be selected from the City’s Social Housing Waiting List;

AND BE IT FURTHER RESOLVED THAT authority be granted to the Commissioner of Community and Neighbourhood Services to enter into negotiations with Metropolitan Habitat for Humanity and to report back to the Community Services Committee on the results of such negotiations for approval by Standing Committee and Council.”

(27) **Withdrawal of Notice of Intention to Designate Under Part IV of the Ontario Heritage Act – 35 Church Street.**

Moved by: Councillor Nunziata

Seconded by: Councillor Moscoe

“WHEREAS City Council, by its adoption, without amendment, of Motion J(37), moved by Councillor Nunziata, seconded by Councillor Milczyn, on February 4, 5 and 6, 2003, gave notice of its intention to designate the property at 35 Church Street under Part IV of the Ontario Heritage Act for architectural reasons, provided the Toronto Preservation Board endorsed the designation; and

WHEREAS the Toronto Preservation Board, at its February 19, 2003 regular meeting, endorsed the designation of the property located at 35 Church Street; and

WHEREAS the owner of 35 Church Street has objected to the proposed designation of the property under Part IV of the Ontario Heritage Act; and

WHEREAS the owner of 35 Church Street has an engineer’s report stating that the building at 35 Church Street is considered unfit, unsafe; and that the efforts to repair the building are excessive if the nature of the building is to be maintained and, therefore, recommending complete demolition of the building; and

WHEREAS the owner of 35 Church Street, in consultation with the Community, has designed a building that incorporates many of the architectural features of the existing building; and

WHEREAS the owner of 35 Church Street has withdrawn his objection to the proposed designation of the property under Part IV of the Ontario Heritage Act; and

WHEREAS the objection period has expired and there are no other objections to the proposed designation;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(37), moved by Councillor Nunziata, seconded by Councillor Milczyn, entitled 'Intention to Designate Under Part IV of the Ontario Heritage Act – 35 Church Street', adopted, without amendment, by City Council at its meeting held on February 4, 5 and 6, 2003, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the Council of the City of Toronto withdraw the Notice of Intention to Designate 35 Church Street under Part IV of the Ontario Heritage Act;

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

Disposition: Council re-opened Motion J(37), moved by Councillor Nunziata, seconded by Councillor Milczyn, entitled "Intention to Designate Under Part IV of the Ontario Heritage Act – 35 Church Street", adopted, without amendment, by City Council at its meeting held on February 4, 5 and 6, 2003, for further consideration, and adopted the balance of this Motion, without amendment.

(28) **Establishment of Heritage Conservation District for Blythwood Road Area and Acceptance of Donations**

Moved by: Councillor Flint

Seconded by: Councillor I. Jones

WHEREAS Council has agreed to initiate the process to establish a Heritage Conservation District Study for the Blythwood Road area, once funding to hire consultants to conduct the study has been secured; and

WHEREAS the cost of this study will be determined when various Heritage consulting firms respond to the Request for Proposals; and

WHEREAS there are several residents in the Blythwood Road area who would be willing to contribute to the cost of the study, if they were able to obtain an income tax receipt; and

WHEREAS the South Rosedale Heritage Conservation District Study provides a successful model for such as scheme;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council authorize the acceptance of donations up to December 31, 2003, to be used for the Blythwood Road Area Heritage Conservation District Study;
- (2) all donations received be held in a separate account designated for this purpose;

- (3) City Council authorize that donations collected for the purpose of completing the Blythwood Road Heritage Conservation District Study be used to hire consultants under the direction of the City of Toronto's Culture Division;
- (4) the Chief Financial Officer and Treasurer be authorized to issue an income tax receipt to the donor for funds donated in the amount of \$20.00 or more; and
- (5) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto."

Disposition: *The Motion was adopted, without amendment.*

- (29) **Offer of Settlement to 300 Borough Drive (The Scarborough Town Centre Shopping Mall) - Appeal to the Ontario Municipal Board of By-law No. 781-2002 (Drive-Through By-law)**

Moved by: **Councillor Duguid**

Seconded by: **Councillor Berardinetti**

“WHEREAS City Council, at its meeting held on October 1, 2, and 3, 2002, adopted, as amended, Planning and Transportation Committee Report No. 10, Clause No. 1, headed ‘By-law Amendment to Regulate Drive-Through Facilities in the City of Toronto’, and, in so doing, passed city-wide zoning amendments specifying where drive-through facilities may be permitted; and

WHEREAS OMERS Realty Holdings have appealed to the Ontario Municipal Board the provisions of By-law No. 781-2002, as it applies to 300 Borough Drive (The Scarborough Town Centre Shopping Mall); and

WHEREAS the Ontario Municipal Board hearing has scheduled a Pre-hearing Conference on the appeals to the Drive-through By-laws for May 1, 2003; and

WHEREAS direction to the City Solicitor with respect to this matter is required, prior to attending the Ontario Municipal Board Pre-hearing Conference;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 4, 2003, from the City Solicitor and that such report be adopted.”

Disposition: *The Motion was adopted, without amendment, and, in so doing, Council adopted, without amendment, the confidential report dated April 4, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendation embodied therein:*

“It is recommended that the City settle the appeal to By-law No. 781-2002, with respect to 300 Borough Drive, on the basis set out in Attachment ‘1’ to this report.”

(30) **Let’s Build Affordable Housing Project - Request to Review Score Cards In Camera**

Moved by: Councillor Milczyn

Seconded by: Councillor Nunziata

“**WHEREAS** City Council at its regular meeting held on February 4, 5 and 6, 2003, and its special meetings held on February 7, 10 and 11, 2003, in adopting, as amended, Clause No. 21 of Report No. 1 of The Policy and Finance Committee, headed ‘Proposal for Affordable Housing and Childcare Centre on the City-owned Bergamot Avenue Property and Results of a Community Meeting (Ward 2 – Etobicoke North)’, directed that the scorecards related to this Request for Proposals be released immediately in camera; and

WHEREAS, despite this direction, Council did not recess to meet privately to consider the release of the scorecards prior to adjourning its meeting; and

WHEREAS the Commissioner of Community and Neighbourhood Services has prepared a confidential report dated April 11, 2003, in response to Council’s direction regarding the release of the scorecards;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services, and that such report be received for information.”

Disposition: The Motion was adopted, without amendment, and, in so doing, Council received the confidential report dated April 11, 2003, from the Commissioner of Community and Neighbourhood Services, for information, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of the property of the municipality.

(31) **2446-2448 Bloor Street West – “The Fan”, “Billy Bob’s” and “Wedgewood Restaurant”; Application for a Roof Top Patio Liquor Licence, Parkdale-High Park, Ward 13**

Moved by: Councillor Miller

Seconded by: Councillor Di Giorgio

“**WHEREAS** the establishment at 2446-2448 Bloor Street West, known as ‘The Fan’, ‘Billy Bob’s’ and ‘Wedgewood Restaurant’, applied to the Alcohol and Gaming Commission of Ontario for a liquor licence for a roof top patio; and

WHEREAS City Council at its meeting held on October 1, 2 and 3, 2002, adopted Clause No. 54 of Report No. 11 of The Humber York Community Council requesting that the Alcohol and Gaming Commission not grant any additional liquor licences, or expansion of existing licences, for the establishment at 2446-2448 Bloor Street West, unless the community interests are fully and clearly addressed; and

WHEREAS the owner of the establishment at 2446-2448 Bloor Street West has approached the City Solicitor with a list of proposed conditions to the licence that he feels will address the community interests;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 10, 2003, from the City Solicitor.”

Disposition: The Motion was adopted, subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the settlement proposal referred to in the confidential report dated April 10, 2003, from the City Solicitor, be refused, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to liaise with the local Division of the Toronto Police Service with respect to the issues contained in the confidential report dated April 10, 2003, from the City Solicitor.”

(32) **1015 Lake Shore Boulevard East - Canadian Tire Real Estate Application for Official Plan Amendment and Rezoning**

Moved by: Councillor L. Jones

Seconded by: Councillor Pantalone

“WHEREAS Canadian Tire Real Estate applied to the City for an Official Plan Amendment and Rezoning on April 25, 2002, to permit a large scale retail store, office building and related retail units at the southwest corner of Lake Shore Boulevard East and Leslie Street;

WHEREAS following City Council’s adoption of the report of the Commissioner of Urban Development Services dated May 21, 2002, refusing such application, the applicant and City Planning and Legal staff held a series of meetings to determine whether mutually acceptable design modifications could be arrived at, pending the commencement of an Ontario Municipal Board hearing in this matter on May 26, 2003; and

WHEREAS the Commissioner of Urban Development Services and the City Solicitor have submitted a joint confidential report dated April 11, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the joint confidential report dated April 11, 2003, from the Commissioner of Urban Development Services and the City Solicitor, and such report be adopted.”

Disposition: The Motion was adopted, subject to adding to the Operative Paragraph, the following words:

“subject to:

- (1) adding to Recommendation No. (3), the words ‘including an appropriate landscape treatment which reflects the gateway characteristics of the site and including consideration of a bike path along the perimeter of the site’; and*
- (2) adding the following new Recommendation No. (4):*
 - ‘(4) Canadian Tire be requested to implement environmentally-friendly practices to the overall development of the site, including stormwater management, waste reduction techniques and overall energy efficient methods.’ ”*

Council, by its adoption of Motion J(32), as amended, adopted, as amended, the confidential joint report dated April 11, 2003, from the Commissioner of Urban Development Services and the City Solicitor, such report now public in its entirety, the recommendations embodied therein, as amended by City Council, to now read as follows:

“It is recommended that:

- (1) Council endorse the terms of settlement as outlined in the staff report;*
- (2) Council authorize the City Solicitor to present the terms of settlement to the Ontario Municipal Board at the upcoming hearing scheduled for May 27, 2003, and to prepare the necessary Official Plan Amendments and draft Zoning By-law Amendments to implement same;*

- (3) *Council authorize the execution of a Section 37 Agreement containing the terms outlined in the body of this report, and any other agreements required to implement the proposed development, including an appropriate landscape treatment which reflects the gateway characteristics of the site and including consideration of a bike path along the perimeter of the site; and*
- (4) *Canadian Tire be requested to implement environmentally-friendly practices to the overall development of the site, including stormwater management, waste reduction techniques and overall energy efficient methods.”*

(33) **Planning and Future Development of the Village of Yorkville**

Moved by: Councillor Milczyn

Seconded by: Councillor Rae

“**WHEREAS** City Council has recently approved, in principle, a mixed-use development at 76, 88R, 92 and 100 Yorkville Avenue and 95, 115, 119 and 121R Scollard Street (File No. 202008 TE ZBL 2002 006); and

WHEREAS this development includes an eighteen (18) storey building within the heart of the Village of Yorkville; and

WHEREAS tall tower development within this area is precluded by the current Zoning By-laws, Official Plan policies and guidelines of the Village of Yorkville Area of Special Identity; and

WHEREAS the Village of Yorkville is one of the City’s most unique neighbourhoods, as defined by its architecture, heritage, mix of uses, scale of buildings and tourism facilities; and

WHEREAS the Village of Yorkville plays an important role in tourism attraction to the City of Toronto; and

WHEREAS the future of the Village of Yorkville is of City-wide interest and importance;

NOW THEREFORE BE IT RESOLVED THAT the Commissioners of Urban Development Services and Economic Development Culture and Tourism be requested to report jointly to both the Planning and Transportation Committee and the Economic Development and Parks Committee, at their meetings scheduled to be held on April 28, 2003, and May 5, 2003, respectively, on the planning framework in place to protect the future architectural, urban, and heritage fabric of Yorkville, and on the role that Yorkville plays in the economic and tourism development of the City and the impact that changes

in the character of Yorkville may have on the area's viability, and recommend which actions, if any, should be taken to safeguard the future of the Village of Yorkville;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on April 28, 2003, on the implementation of the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning + Urban Design Consultants."

Disposition: The Motion was adopted, subject to:

- (1) *deleting from the first Operative Paragraph the words "to be held on April 28, 2003, and May 5, 2003, respectively," and inserting in lieu thereof the words "to be held on June 3, 2003, and June 9, 2003, respectively,"; and*
- (2) *deleting from the second Operative Paragraph, the date "April 28, 2003", and inserting in lieu thereof the date "June 3, 2003";*

so that such Operative Paragraphs shall now read as follows:

"NOW THEREFORE BE IT RESOLVED THAT the Commissioners of Urban Development Services and Economic Development Culture and Tourism be requested to report jointly to both the Planning and Transportation Committee and the Economic Development and Parks Committee, at their meetings scheduled to be held on June 3, 2003, and June 9, 2003, respectively, on the planning framework in place to protect the future architectural, urban, and heritage fabric of Yorkville, and on the role that Yorkville plays in the economic and tourism development of the City and the impact that changes in the character of Yorkville may have on the area's viability, and recommend which actions, if any, should be taken to safeguard the future of the Village of Yorkville;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled to be held on June 3, 2003, on the implementation of the Bloor-Yorkville Urban Design Guidelines, as contained in the study prepared by Brook McIlroy Planning + Urban Design Consultants."

(34) **Street Occupation Permit for Construction Staging Area – Dalhousie Street – Ryerson Polytechnic University**

Moved by: Councillor Rae

Seconded by: Councillor Chow

“**WHEREAS** Ryerson Polytechnic University is constructing a new Engineering Building at 43 Church Street, in order to accommodate the impending double cohort; and

WHEREAS the University needs a street occupation permit for Dalhousie Street, in order to construct the building; and

WHEREAS Transportation Staff have evaluated the application and are supportive of the proposal; and

WHEREAS construction must start in the first week of May 2003, in order to meet the timelines of the double cohort;

NOW THEREFORE BE IT RESOLVED THAT a street occupation permit be issued for this construction project and that Dalhousie Street operate one-way northbound, from Dundas Street East to Gould Street; that a staging area be established on the west sidewalk and lane of Dalhousie Street, from a point approximately 35 metres north of Dundas Street East to Gould Street; that stopping be prohibited on Dalhousie Street on the same section; that these regulations be rescinded upon completion of construction of 43 Church Street and that Ryerson University/Aecon be responsible for all costs associated with the implementation of this permit.”

Disposition: The Motion was adopted, without amendment.

(35) **Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road – Ward 23 - Willowdale**

Moved by: Councillor Filion

Seconded by: Councillor Minnan-Wong

“**WHEREAS** City Council by its adoption, without amendment, of Clause No. 14 of Report No. 1 of The North York Community Council, headed ‘Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road – Ward 23 - Willowdale’, at its meeting held on February 4, 5 and 6, 2003, approved the following Recommendation No. (4) embodied in the joint report dated January 20, 2003, from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, as amended by the North York Community Council:

- ‘(4) the Highway be declared surplus to the City’s requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner to the west on the basis that the current application is revised to include the Highway at the current density

of 2.5 FSI and that any sale shall be conditional upon the development application for the north portion of Block 4 being approved by City Council and becoming final and binding and if, in the opinion of staff, no recommendable offer is received, then the Highway be listed for sale on the open market;’; and

WHEREAS the abutting property owner to the west has now purchased the Bales Estates lands to the east of the Highway;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Clause No. 14 of Report No. 1 of The North York Community Council, headed ‘Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road - Ward 23 - Willowdale’, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT Recommendation No. (4) embodied in the joint report dated January 20, 2003, from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, as amended by the North York Community Council, be further amended to now read as follows:

- ‘(4) the Highway be declared surplus to the City requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the abutting property owner to the west on the basis that any application that includes these lands, the density of these lands be 2.5 FSI, and that any sale shall be conditional upon the development application that includes these lands being approved by City Council and becoming final and binding and if, in the opinion of staff, no recommendable offer is received, then the Highway be listed for sale on the open market.’”

Disposition: *Council re-opened Clause No. 14 of Report No. 1 of The North York Community Council, headed “Surplus Land Declaration and Proposed Closing and Sale of Part of Terlean Road - Ward 23 - Willowdale”, for further consideration, and adopted the balance of the Motion, without amendment.*

- (36) **150 College Street – Committee of Adjustment Appeal – Leslie Dan Faculty of Pharmacy Building (University of Toronto)**

Moved by: Councillor Chow

Seconded by: Councillor Pantalone

“**WHEREAS** at its meeting held on February 4, 5 and 6, 2003, City Council adopted the recommendations of the Toronto East York Community Council as contained in Clause No. 19 of Report No. 1, headed ‘Committee of Adjustment Appeal - Leslie Dan Faculty of Pharmacy Building (University of Toronto) - 150 College Street (Trinity-Spadina, Ward 20)’; and

WHEREAS staff were instructed to appeal the decision of the Committee of Adjustment to the Ontario Municipal Board; and

WHEREAS the Board encouraged the parties to settle the matter without the need for a hearing; and

WHEREAS the City Solicitor had submitted a confidential report dated April 14, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 14, 2002, from the City Solicitor, and such report be adopted.”

Disposition: The Motion was adopted, subject to adding to the Operative Paragraph, the words “subject to adding to Recommendation No. (2), embodied therein, the words ‘subject to the execution of the University of Toronto Greenhouse Relocation Agreement’ ”, so that such Operative Paragraph shall now read as follows:

“NOW THEREFORE BE IT RESOLVED THAT Council consider the attached confidential report dated April 14, 2002, from the City Solicitor, and such report be adopted, subject to adding to Recommendation No. (2), embodied therein, the words ‘subject to the execution of the University of Toronto Greenhouse Relocation Agreement’.”

Council, by its adoption of Motion J(36), as amended, adopted, as amended, the confidential report dated April 14, 2003, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to solicitor-client privilege, save and except the following recommendations embodied therein, as amended by City Council:

“It is recommended that:

- (1) authority be granted for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the University of Toronto, using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Manager, Heritage Preservation Services, and subject to the following specific amendments:**

- (a) *the City and Owner are to act reasonably with respect to all rights and powers granted to them under the Heritage Easement Agreement, as further described in this report, provided that in respect of requests for approval by the Owner, the City's obligation to act reasonably shall only apply where the request is for the University's institutional purposes;*
 - (b) *where the Owner requires the City's approval, at any time prior to City Council making a decision in the matter, the Owner may make representations to Council, a Community Council and/or the Heritage Preservation Board involving the provision of one or more expert reports prepared by experts selected by the Owner, at the Owner's expense;*
 - (c) *Letters of Credit will not be required; and*
 - (d) *certain provisions respecting the cutting of trees and landscaping have been deleted;*
- (2) *the City Solicitor be authorized to withdraw the City's appeal to the Ontario Municipal Board in this matter, upon the execution and registration of a satisfactory Heritage Easement Agreement respecting the Fitzgerald Building at 150 College Street with the City, as described in Recommendation No. (1), above, as a first charge against the lands, subject to the execution of the University of Toronto Greenhouse Relocation Agreement; and*
- (3) *the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."*
- (37) **685 and 687 Oriole Parkway – Appeal of Committee of Adjustment Decision at Ontario Municipal Board**

Moved by: Councillor Miller

Seconded by: Councillor Flint

“**WHEREAS** 1483831 Ontario Limited applied to the Committee of Adjustment for a consent to sever and variances, including lot frontage, gross floor area, side yard setbacks, permission for an integral garage and height for the properties known as 685 and 687 Oriole Parkway (Ward 16); and

WHEREAS on January 16, 2003, the Committee of Adjustment refused the application by 1483831 Ontario Limited with the intent to sever and associated variances; and

WHEREAS the Ontario Municipal Board will be considering an appeal by 1483831 Ontario Limited with respect to this decision by the Committee of Adjustment for residential development at 685 and 687 Oriole Parkway;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council authorize the City Solicitor and appropriate City staff to appear at the Ontario Municipal Board to defend the decision of the Committee of Adjustment.”

Disposition: The Motion was adopted, without amendment.

(38) **Impact of Severe Acute Respiratory Syndrome (SARS) on Employment and the Economy**

Moved by: Councillor Miller

Seconded by: Councillor Chow

“**WHEREAS** the Commissioner of Economic Development, Culture and Parks, in conjunction with the Toronto Chinese Business Association and other interested organizations and Councillors should be given the authority to implement a plan that would promote shopping and dining locally; and

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

WHEREAS SARS is a Provincial, as well as a local issue; and

WHEREAS the best mechanism to prevent the spread of SARS is by quarantining people who have been in direct contact with a SARS case and by those people strictly adhering to their quarantine;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto request that the Ministry of Labour communicate to all employers and unions in the province that people in quarantine must stay home for the full duration of their quarantine and that their jobs will not be in jeopardy as a result of not being at work for this period;

AND BE IT FURTHER RESOLVED THAT the Ministry of Labour be requested to remind employers of their legal obligation to provide appropriate compensation for people who need to be quarantined;

AND BE IT FURTHER RESOLVED THAT the Federal and Provincial Governments be requested to determine the possibilities for compensation for affected businesses;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Parks, together with Tourism Toronto develop an immediate action plan to encourage international visitors to our safe and vibrant City.”

Disposition: Consideration of the Motion was deferred to a special Meeting of City Council to be held at the Call of the Mayor.

- (39) **Ontario Municipal Board Case No. PL021072 – Notice of Prehearing Conference - TDL Group Ltd., Canadian Tire Real Estate Limited, Ontario Restaurant Hotel & Motel Association, Cara Operations Limited - Appeal to the Ontario Municipal Board Under Subsection 34(19) of the Planning Act, R.S.O. c. P.13, as amended, against Zoning By-law Nos. 776-2002 to 811-2002, inclusive, of the City of Toronto – O.M.B. File Nos. R020240 to R020275 – Drive-Through Facilities**

Moved by: Councillor Pitfield

Seconded by: Councillor Mihevc

“**WHEREAS** the Toronto Pedestrian Committee had before it an Ontario Municipal Board Notice of Pre-hearing Conference to be held at City of Toronto – North York Civic Centre, Committee Room No. 4, 5100 Yonge Street, Lower Floor, Toronto, on Thursday, May 1, 2003, at 10:00 a.m., with respect to the above appeal relating to the City of Toronto Zoning By-law Nos. 776-2002 to 811-2002, inclusive; which by-laws amend the various municipal Zoning by-laws and Zoning Code, by adding definitions for drive-through facilities and staking lanes and by adding general provisions to regulate where drive-through facilities may or may not be permitted; and

WHEREAS the Toronto Pedestrian Committee has been an interested party with respect to this matter from 2001, and was instrumental in requesting that City Council direct staff to review the Zoning By-law for the former City of Toronto and prepare development standards to address the issues raised by drive-through facilities in all parts of the City; and

WHEREAS the pre-hearing is scheduled by the Ontario Municipal Board prior to the next City Council meeting of May 21, 22 and 23, 2003, which would not allow time for the Toronto Pedestrian Committee to report through its normal channel to Works Committee, thus making this matter time sensitive and urgent;

NOW THEREFORE BE IT RESOLVED THAT Council permit the Toronto Pedestrian Committee to apply for observer status at the Pre-hearing Conference in support of the City of Toronto By-law Nos. 776–2002 to 811-2002, to be held on May 1, 2003, and further that the Co-Chairs of the Toronto Pedestrian Committee, or their representatives, attend on behalf of the Toronto Pedestrian Committee at this Pre-hearing Conference and any other hearing with respect to this matter.”

Disposition: The Motion was adopted, without amendment.

(40) **Study of the Coulter Avenue/King Street Area and the King Street Crescent/Little Avenue Area in the Former City of York**

Moved by: Councillor Nunziata

Seconded by: Councillor Di Giorgio

“WHEREAS residents in the residential areas zoned R2 – Residential District (R2) in the Weston Community, in the former City of York, have expressed concerns regarding the ability of the existing R2 zoning provisions to protect the character of their neighbourhoods from infill development or redevelopment; and

WHEREAS the concerns of area residents have been heightened by recent Committee of Adjustment applications for minor variances to the zoning regulations for residential infill development or redevelopment in the neighbourhood; and

WHEREAS the residents are concerned that such residential infill development and redevelopment applications are not in keeping with the character of the area as reflected by existing development and that such development and redevelopment will continue to be proposed unless zoning standards are reviewed and changed; and

WHEREAS area residents have petitioned that a review of the existing R2 zoning should be undertaken in R2 zoned areas with a view to:

- preserving areas developed predominantly with older, single detached dwellings with zoning regulations that will reflect the existing single detached dwelling house development of those areas; and
- preserving areas developed predominantly with a mix of semi-detached, duplex, or single detached dwellings with zoning regulations that reflect the existing mixed residential built form of those areas; and

WHEREAS the R2 zoned areas that should be studied should include the residential area bounded by Coulter Avenue, the Canadian National Railway line, King Street West and Weston Road and the residential area bounded by the north limit of properties fronting onto King Street Crescent, between Weston Road and the Humber River, the Humber River, Lawrence Avenue West and Weston Road (the Study Areas) as shown on the attached map; and

WHEREAS the Commissioner of Urban Development Services has submitted the attached report dated April 15, 2003, in this regard;

NOW THEREFORE BE IT RESOLVED THAT as recommended in the attached report dated April 15, 2003, from the Commissioner of Urban Development Services, and in consideration of the concerns of the residents, the Commissioner of Urban Development Services be directed to review the present R2 zoning within the Study Areas, with a view to preserving the existing character of development and report on the review within a one year timeframe;

AND BE IT FURTHER REOLVED THAT Council grant authority to impose, for a period of one year from passage, interim control restrictions and to enact an Interim Control By-law to give effect hereto and that authority be granted for the introduction of the necessary Bill in Council to give effect hereto.”

Disposition: The Motion was adopted, without amendment.

Council subsequently enacted By-law No. 189-2003.

(41) **OMB Appeal of Committee of Adjustment Decision, 32 Saunders Road (Ward 36)**

Moved by: Councillor Ashton

Seconded by: Councillor McConnell

“**WHEREAS** the Committee of Adjustment for the City-approved minor variance application A29-03SC for 32 Saunders Road which allows an accessory building with a height of 7.3 metres (24 feet) and a total height of 9.4 metres (31 feet); and

WHEREAS the Scarborough Village Zoning By-law permits a maximum height (measured from the floor to the eaves) of 3.6 metres (11.8 feet) for an accessory building; and

WHEREAS the Council feels that this structure is out of character with the neighbourhood, will have a negative impact on the neighbouring properties and is not appropriate development for the property; and

WHEREAS the variance is not minor, does not support appropriate development of the lands and does not maintain the general intent and purpose of the Official Plan or the Zoning By-law; and

WHEREAS the last date of appeal is April 15, 2003;

NOW THEREFORE BE IT RESOLVED THAT Council appeal the decision of the Committee of Adjustment and direct the City Solicitor, and appropriate staff, to appear at the Ontario Municipal Board in opposition to the decision.”

Disposition: The Motion was adopted, without amendment.

(42) **Increasing Fines for Illegal Dumping and Littering**

Moved by: Councillor Cho

Seconded by: Councillor Miller

“**WHEREAS** the City of Toronto has set fines under Municipal Code Chapter 841 and Chapter 844 for illegal dumping and littering; and

WHEREAS illegal dumping, littering and garbage at the curb on wrong collection days continues to be a problem across the City; and

WHEREAS the current set fines for illegal dumping, littering and garbage not stored on private property should be reviewed, in order to ensure maximum effectiveness;

NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, as soon as possible, on a review of the current set fines for illegal dumping, littering and garbage not stored on private property, such report to identify where such fines may be increased while continuing to maintain maximum effectiveness;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services also be requested to submit a report to the Works Committee on a strategy to encourage property owners to keep the public property, adjacent to their private property, clean, and to restore pride in the cleanliness of our City.”

Disposition: Consideration of the Motion was deferred to the next regular meeting of City Council scheduled to be held on May 21, 2003.

(43) **City of Toronto Initiative to Counter the Negative Perception of Toronto as a Tourist Destination and to Stimulate Local Business Development**

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Chow

“**WHEREAS** the City of Toronto is Canada’s leading tourist destination, receiving over 16 million visitors annually; and

WHEREAS the tourism industry in Toronto generates over \$7.2 billion in economic impact and supports 95,000 jobs; and

WHEREAS the tourism industry in Toronto has suffered direct economic losses of revenues and hotel sector employees are being laid off, as a direct result of the impact of Severe Acute Respiratory Syndrome (SARS); and

WHEREAS local businesses, including restaurants, theatres and retail operations across the City of Toronto, are also negatively impacted; and

WHEREAS the Centre for Disease Control and Prevention in Atlanta and the World Health Organizations are not warning against travel to Toronto, but do warn about travelling to certain Asian countries where SARS is a more immediate public health issue; and

WHEREAS the epidemiology of SARS in Canada is significantly different than in Asia, with regard to community transmission; and

WHEREAS the period of May through September is the peak season for visitation and revenue generation for the tourist industry; and

WHEREAS Toronto attracts close to two million visitors annually from the border state region of the United States of America and the months of May and June are the key months in the vacation decision making process of Border States travellers;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the Commissioner of Economic Development, Culture and Tourism, the Chief Administrative Officer and the Chief Financial Officer and Treasurer, in consultation and collaboration with key stakeholders, including Tourism Toronto, the Ontario Tourism Marketing Partnership Corporation and the Canadian Tourism Commission, to engage the services of a communications agency to initiate a program that will counter the negative perception of Toronto and endeavour to preserve tourism revenues from key US Border States and stimulate the local market;

AND BE IT FURTHER RESOLVED THAT City Council authorize expenditures, in an amount up to \$500,000.00 for this initiative, and that Federal and Provincial partners be requested to contribute at least an equivalent amount for this initiative;

AND BE IT FURTHER RESOLVED THAT the local and national print, radio and TV media partners of the City of Toronto be invited to participate in this civic initiative, through public service announcements and other contributions;

AND BE IT FURTHER RESOLVED THAT, in conjunction with the Toronto Chinese Business Association, other interested organizations and Councillors, a plan be implemented that would promote shopping and dining locally;

AND BE IT FURTHER RESOLVED THAT the Budget Advisory Committee, in consultation with the Chief Financial Officer and Treasurer, recommend the source of funding for this initiative;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be requested to report back to Council, through the Economic Development and Parks Committee, on the actions and results.”

Disposition: Consideration of the Motion was deferred to a special Meeting of City Council to be held at the Call of the Mayor.

(44) **Juno Beach Memorial and the Juno Beach Centre Association**

Moved by: Councillor Kelly

Seconded by: Councillor Ootes

“**WHEREAS** Toronto’s contribution in troops and material to Canada’s Second World War effort was considerable and significant; and

WHEREAS Toronto is Canada's largest City and, last year, contributed \$10,000.00 towards the Juno Beach Centre, currently under construction in Normandy, France; and

WHEREAS other, smaller municipalities in Canada have contributed amounts equal to Toronto; and

WHEREAS Toronto's recognition of its veterans who defended our freedoms does not appear to be proportional to the significance of Toronto and its contributions to the war effort; and

WHEREAS the Juno Beach Centre Association has requested a larger commitment from Toronto;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Motion J(40), moved by Councillor Korwin-Kuczynski, seconded by Deputy Mayor Ootes, adopted, as amended, by City Council on November 26, 27 and 28, 2002, be re-opened for further consideration;

AND BE IT FURTHER RESOLVED THAT the City of Toronto increase its contribution to the Juno Beach Centre by an additional \$20,000.00;

AND BE IT FURTHER RESOLVED THAT the Budget Advisory Committee, in consultation with the Chief Financial Officer and Treasurer, be requested to recommend the source of funding for this initiative."

Disposition: The Motion was adopted, subject to deleting the third Operative Paragraph and inserting in lieu thereof the following:

“AND BE IT FURTHER RESOLVED THAT this initiative be funded from under-expenditures in the Councillors' 2003 budget.”

CONDOLENCE MOTIONS

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

Seconded by: Councillor Ootes

“WHEREAS the death of Gerald Emmett Cardinal Carter has saddened our nation and our City of Toronto. He was a strong and proud leader whose contributions to the community transcended his own faith; and

WHEREAS Cardinal Carter was spiritual leader of Canada's largest English-speaking diocese; an educator, author, papal adviser, Companion of the Order of Canada and a founder of the Cardinal's Dinner; and

WHEREAS Cardinal Carter played an instrumental role in helping create a housing program for the homeless and was a tireless fighter for both race relations in the community and the educational rights of Catholics; and

WHEREAS Cardinal Carter will always be remembered as a decent, wonderful man who was always there for people in need;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to the family of Cardinal Carter.”

Disposition: The Motion was adopted unanimously.

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

Seconded by: Councillor Kelly

“**WHEREAS** the Members of City Council are deeply saddened to learn that Bob Watson passed away on Tuesday, March 25, 2003, at the age of 81; and

WHEREAS Bob Watson was a pioneer in the local newspaper business, as a founder of the Agincourt News in 1951, which later expanded into Wexford and the rest of Scarborough in 1953, and later culminated in his creation of the West Hill Times in 1966, and subsequently the Scarborough News; and

WHEREAS Bob was heavily involved in community activities, by playing an instrumental role in organizing the Scarborough-Indianapolis Peace Games and serving on its committee for many years, and as a veteran of World War II, he was a key promoter of veterans’ activities;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to his wife Irene, his three children and ten grandchildren.”

Disposition: The Motion was adopted unanimously.

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

Seconded by: Councillor Feldman

“**WHEREAS** the City of Toronto has had a severe shortage of rental housing and affordable housing and Council has taken significant and innovative steps to address this challenge; and

WHEREAS Dr. Ross Paterson, a principal planner and manager of the Policy and Research Section of City Planning, Urban Development Services, who passed away in March of this year, was instrumental in developing and implementing initiatives to assist Council in responding to that challenge; and

WHEREAS the City of Toronto adopted a by-law to permit second suites throughout the City, to improve the supply of such new affordable rental units and successfully defended its by-law before the Ontario Municipal Board; and

WHEREAS the City of Toronto adopted a Rental Housing Action Plan which identified barriers to development of new rental housing and has made important strides towards removing those barriers; and

WHEREAS the City of Toronto adopted a housing policy framework which seeks to preserve the existing supply of rental housing and to ensure that such housing is replaced when redevelopment occurs and that tenants are treated fairly; and

WHEREAS the City of Toronto recently approved a new Official Plan which includes a range of housing policies which seek to ensure that there is a good range of housing, of all types, for current and future residents of our City; and

WHEREAS all of these actions have contributed positively to our City and will continue to do so for many years to come;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, our sincere sympathy to his family, acknowledging the contribution that Dr. Paterson has made to this Council and to the citizens of Toronto. Ross cared passionately about the people of Toronto, especially those that no one else seemed to care about. He had a lifelong commitment to ushering the day when everyone in Toronto could enjoy decent shelter and this commitment is evident in the achievements made possible by his dedication and efforts. Ross' work has made a difference, and we have benefited greatly from his contributions. He will be missed."

Disposition: ***The Motion was adopted unanimously.***

Toronto, Ontario
April 23, 2003

City Clerk