

## CERTIFICATE OF AMENDMENTS

Certified to be a true copy of amendments to:

Deferred Clauses:

Planning and Transportation Committee Report 3, Clause 2a  
Works Committee Report 3, Clauses 8a and 17a  
Toronto North Community Council Report 4, Clause 20a  
Toronto South Community Council Report 4, Clause 19a  
Toronto West Community Council Report 3, Clause 16b

New Reports:

Administration Committee Report 4  
Community Services Committee Report 4  
Economic Development and Parks Committee Report 4  
Planning and Transportation Committee Report 4  
Policy and Finance Committee Report 5  
Works Committee Report 4  
Works Committee Report 5  
Toronto East Community Council Report 5  
Toronto North Community Council Report 5  
Toronto South Community Council Report 5  
Toronto West Community Council Report 5  
Board of Health Report 4

and Notices of Motions as adopted by the Council of the City of Toronto at its regular meeting held on June 22, 23 and 24, 2004.

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

**DEFERRED CLAUSES FROM WORKS COMMITTEE REPORT 3**

**Clause 8a - "Execution of a Release for the Cured-in-Place Sanitary Sewer Rehabilitation Project Within G. Ross Lord Park (Ward 8 - York West)".**

City Council on June 22, 23 and 24, 2004, referred this Clause back to the Works Committee.

City Council also adopted the following:

"That:

- (1) the Commissioner of Works and Emergency Services be requested to undertake an independent assessment of any environmental damage that may have resulted from this discharge, and report to the Works Committee prior to the finalization of the settlement;
- (2) the cost of the environmental assessment be added to the settlement, as well as any remediation required as a result of the environmental assessment; and
- (3) the Acting Medical Officer of Health be consulted on this matter and be requested to report to Council, through the Board of Health."

**Clause 17a - "Alternate Side Parking - Changeover Times and Grace Periods - Follow-up Report".**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

"That:

- (1) City Council adopt as City policy the excerpt from the Toronto Police Service Parking Enforcement Unit Policy and Procedure Manual, attached as Appendix 'A' to the report dated March 25, 2004, from the Commissioner of Works and Emergency Services (the 'Policy');
- (2) Parking Enforcement Officers, parking tags administrative staff and the City prosecutors be guided by this Policy when deciding whether to issue a ticket, file a ticket with the Court or proceed with the charges; and
- (3) the Commissioner of Works and Emergency Services be requested to attach copies of the Policy to parking renewal permits and to make photocopies of the Policy available for pick-up at the applicable City offices and counters."

**DEFERRED CLAUSE FROM TORONTO NORTH COMMUNITY COUNCIL REPORT 4**

**Clause 20a - "Site Plan Control Application - TB SPC 2001 0077 - Revival Time Tabernacle - 4340 Dufferin Street (Ward 8 - York West)".**

City Council on June 22, 23 and 24, 2004, amended this Clause by deleting Recommendation (2) of the Toronto North Community Council, and inserting instead the following:

- "(2) that this matter be reported to Council, through the North York Community Council, after the issues have been addressed by the applicant to the satisfaction of the Commissioner of Urban Development Services."

**DEFERRED CLAUSE FROM TORONTO WEST COMMUNITY COUNCIL REPORT 3**

**Clause 16b - "Site Plan Bump Up Report - Site Plan Approval Application; Applicant: Medallion Properties Inc., Architect: Dietrich Boecker Architect, 1555 Jane Street (Ward 12 - York South-Weston)".**

City Council on June 22, 23 and 24, 2004, adopted the following:

"That:

- (1) as the applicant has already appealed the Site Plan Application to the Ontario Municipal Board, Council refuse the Site Plan Application; and
- (2) Council request an outside legal opinion concerning the jurisdiction of the Committee of Adjustment in applications that request an amendment to the Zoning By-law that simultaneously amend the Official Plan on the site under consideration."

**ADMINISTRATION COMMITTEE REPORT 4**

**Clause 1 - "2004 Access and Equity Grant Program - Allocations".**

City Council on June 22, 23 and 24, 2004, amended this Clause by:

- (1) deleting from Recommendation (1) of the Administration Committee all of the words after the word "adopted", and amending the recommendations in the report dated May 21, 2004, from the Chief Administrative Officer accordingly, thereby approving the recommended grant of \$25,000.00 to Organization 71, Scadding Court Community Centre, so that Recommendation (1) of the Administration Committee shall now read as follows:

- “(1) the report (May 21, 2004) from the Chief Administrative Officer be adopted;”;
- (2) referring the funding for Organization 61, Newcomer Centre of North York, to the Chief Administrative Officer for consideration during the Phase Two allocations process; and
- (3) adding the following:

“That the Chief Administrative Officer be requested to report to the Administration Committee providing a spreadsheet that outlines exactly where the grants are allocated throughout the City and to which organizations the grants are assigned.”

**Clause 11 - “Overpayment of Property Taxes”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by:

- (1) amending the report dated March 30, 2004, from the Chief Financial Officer and Treasurer, by:
  - (a) deleting from Recommendation (3), the words “between one hundred dollars (\$100) and one thousand dollars (\$1,000) inclusive”, and inserting instead the word and figure “over \$100”, so that such recommendation now reads:
    - “(3) for residential tax accounts with credit balances over \$100, credit amounts shall be credited or refunded to the current assessed owner of the property, upon receipt by the City of a written refund request signed by the current assessed owner, together with an Indemnification Agreement in a form satisfactory to the City Solicitor;”;
  - (b) amending Recommendation (5) to provide that the funds be held in trust for one year, prior to being transferred to Account No. 215161; and
- (2) adding the following:

“That:

  - (a) the software of the Finance Department be adjusted to accommodate these changes; and
  - (b) the Chief Financial Officer and Treasurer be requested to report to Council, through the Administration Committee, in three months, on recommendations for refinements in the system for refunding overpayment of taxes.”

**Clause 18 - “Requests by the Toronto District School Board for Release of City Interest in: St. Conrad Separate School (Ward 9 - York Centre); Yvonne Public School (Ward 7 – York West); and Melody Public School (Ward 7 – York West)”.**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That:

- (1) the request of the Toronto District School Board to delete the City’s interest from title to the St. Conrad Separate School site be granted;
- (2) Council advise the Toronto District School Board that it will not release its rights of first refusal with respect to the Yvonne Public School and Melody Public School sites, and the appropriate City staff be authorized to take the necessary action to give effect thereto; and
- (3) the local Councillor be notified when the City enters into discussions with respect to any school properties.”

#### **COMMUNITY SERVICES COMMITTEE REPORT 4**

**Clause 1 - “Response to the Ontario Government’s Consultation Paper on Residential Tenancy Reform”.**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That:

- (1) the staff recommendations contained in the Recommendations section of the report dated May 28, 2004, from the Commissioner of Community and Neighbourhood Services, as contained in the Clause, be adopted; and
- (2) a copy of this Clause be forwarded to:
  - (a) all known Tenants’ Associations in Toronto;
  - (b) all MPPs; and
  - (c) all Community Legal Clinics and Legal Aid Agencies.”

**Clause 5 - “Electronic Data Collection System for Toronto Emergency Medical Services - Request for Proposal No. 3405-03-3315”.**

City Council on June 22, 23 and 24, 2004, amended this Clause to provide that the contract with Medtronic of Canada Ltd./Medusa Medical Technologies contain a proviso that all data transmitted to hospitals is provided for confidential medical reasons only and subject to the provisions of *the Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act, 2004*.

**Clause 6 - “Ambulance Station 21 - Sunnybrook Hospital Lands - 2075 Bayview Avenue - Ward 25 - Don Valley West”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That:

- (1) the Chief Administrative Officer be requested to inform Council and the Facilities and Real Estate Division of the Corporate Services Department, through the Community Services Committee, of any outstanding and future requests for City services, including all Committee of Adjustment and planning matters from all departments, received from the University of Toronto, and a copy of this Clause be forwarded to all departments to advise of Council’s Resolution in this regard; and
- (2) Members of Council representing Wards in which University of Toronto facilities are located be briefed by the Facilities and Real Estate Division of the Corporate Services Department.”

**Clause 13 - “Community Services Grants Program - 2004 Allocations and Appeals Report”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to:

- (1) facilitate a discussion between the Lao Chinese Association of Ontario, the Lao Association of Ontario and the Chinese Senior Health and Recreation Association of Ontario regarding service needs and joint programming opportunities, and report to the Community Services Committee on the successes; and
- (2) work with the Alexandra Park Community Centre and Scadding Court Community Centre to explore opportunities for collaborative programming in the Alexandra Park Community Centre.”

**Clause 14 - “Breaking the Cycle of Violence Grants Program - 2004 Allocations and Appeals”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the Commissioner of Community and Neighbourhood Services be requested to report to the Community Services Committee providing a spreadsheet that outlines exactly where the grants are allocated throughout the City and to which organizations the grants are assigned.”

**ECONOMIC DEVELOPMENT AND PARKS COMMITTEE REPORT 4**

**Clause 1 - “2004 Recreation Grants Program Recommendations (All Wards)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the Corporate Grants Team be directed to review and report to the Policy and Finance Committee on the existing grant outreach and application process, with the objective of achieving greater equity in the grants process while responding to emerging priorities such as the Mayor’s Community Safety Initiative.”

**Clause 2 - “2004 Grant Recommendations for the Economic Development Sector Initiatives Program (EDSIP) and the Economic Sponsorship Initiatives (ESI) (All Wards)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by:

- (1) referring the EDSIP Applicant/Project 2, “CATA Alliance - TechAction Toronto: Translating Strategy into Action” grant, in the amount of \$40,000.00, back to the Economic Development and Parks Committee for further consideration at its next meeting on July 5, 2004; and
- (2) adding the following:

“That the Commissioner of Economic Development, Culture and Tourism be requested to report further to the Economic Development and Parks Committee, for its meeting of July 5, 2004, on this grant application.”

**POLICY AND FINANCE COMMITTEE REPORT 5**

**Clause 1 - “Development Charge By-law”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That:

- (1) the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer, in consultation with the General Manager of Water and Wastewater Services, be requested to undertake a business impact analysis of the impact of water rate increases on large industrial users, prior to the setting of the 2005 water rates;
- (2) the Commissioner of Economic Development, Culture and Tourism, in consultation with the Commissioner of Urban Development Services and the Chief Administrative Officer, be requested to review and report to the Policy and Finance Committee on the means and methods to achieve the City of Toronto’s strategic goals, as set out in the new Toronto Official Plan and the Economic Development Strategy, through policy changes, statutory authorities and new tools; and further, that the results inform the ongoing discussions with the Province of Ontario and the Federal Government with regard to the ‘New Deal’, the review and potential amendments of the *Development Charges Act*, and changes to the *Municipal Act* and the *City of Toronto Act*;
- (3) the Chief Financial Officer and Treasurer be requested to report to the Policy and Finance Committee, during the Capital Budget process, on priority projects, by Ward, which would be funded in whole or in part by development charges; and
- (4) the supplementary report dated June 18, 2004, from the Chief Financial Officer and Treasurer, the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, entitled ‘Development Charges for “Big Box” and Other Retail Uses’, be referred to the Planning and Transportation Committee for consideration.”

**Clause 2 - “Report on the Wood Green Ravine Working Group Process (Ward 44 - Scarborough East)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause:

- (1) to provide that any site plan design for this area include the preservation of as many trees as possible; and
- (2) by adding the following:

“That the Commissioner of Economic Development, Culture and Tourism be requested to implement a process for the replacement of trees on this site.”



**Clause 4 - “Declaration of Surplus - Parcel of Vacant Land East of Manse Road, South of Lawrence Avenue East (Ward 44 - Scarborough East)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by inserting the following new Recommendation (3) in the staff recommendations contained in the Recommendations section of the report dated May 31, 2004, from the Commissioner of Corporate Services, as contained in the Clause, and renumbering the remaining recommendations accordingly:

- “(3) Council, as the approving authority, waive the City’s obligation as set out in the *Expropriations Act*, to offer the owner(s) from whom the property was expropriated, if any, the first chance to repurchase the lands on the terms of the best offer received by the City;”

so that the staff recommendations shall now read as follows:

“It is recommended that:

- (1) subject to City Council approving the feasibility of the proposed affordable housing project, the Property be declared surplus to the City’s requirements, with the intended method of disposal to be by way of a sale, to facilitate the affordable housing project, to WRP Neighbourhood Housing, its successors or another entity associated with or controlled by it and acceptable to the Commissioner of Community and Neighbourhood Services, on the terms outlined in the body of this report and subject to the retention of a permanent sewer easement over Part 4 on Sketch No. PMC-99-005e and an access easement over Parts 6 and 9 on said Sketch;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (3) Council, as the approving authority, waive the City’s obligation as set out in the *Expropriations Act*, to offer the owner(s) from whom the property was expropriated, if any, the first chance to repurchase the lands on the terms of the best offer received by the City;
- (4) authority be granted for the negotiation of an agreement of purchase and sale and any other agreements, deemed appropriate, all on such terms and conditions as are satisfactory to the Commissioner of Corporate Services and the Commissioner of Community and Neighbourhood Services, in consultation with the Commissioner of Economic Development, Culture and Tourism, and all in a form acceptable to the City Solicitor, and to report back on the results of such negotiations; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**Clause 5 - “Restructuring of the Provincial Loan, \$20 Million Payment Deferral for 2004”.**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That:

- (a) the following staff recommendations contained in the Recommendations section of the supplementary report dated June 18, 2004, from the Chief Financial Officer and Treasurer, be adopted:

‘It is recommended that:

- (1) authority be granted for the Mayor and Chief Financial Officer and Treasurer to enter into an agreement (the “Agreement”), in accordance with section 102 of the *City of Toronto Act, 1997 (No. 2)* and the *Municipal Act, 2001*, with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing, for the issuance and sale of a debenture in a maximum aggregate principal amount of \$175,330,772.70, such agreement to be substantially in accordance with the draft agreement attached to this report and in form satisfactory to the City Solicitor, and the Chief Financial Officer and Treasurer be authorized to execute such agreement and to issue the new debenture on behalf of the City;
  - (2) authority be granted for the introduction of the necessary Bills in Council to give effect thereto; and
  - (3) the appropriate officials be authorized to take the necessary actions to give effect thereto.’;
- (b) prior to entering into the ‘Agreement’, the Province be requested to grant the City of Toronto a right of set off similar to the one granted to the Province under Paragraph 7 of the Agreement; and
- (c) the City of Toronto, in agreeing to the restructuring of the provincial loan, reiterate its position as follows:
- (i) the loan should be forgiven, recognizing its inequitable cost allocation resulting from amalgamation as identified by the Provincial Auditor; and
  - (ii) offsetting provisions are arbitrary and in favour of the Province of Ontario and not in favour of the City of Toronto.”

**Clause 8 - “2003 Final Operating Variance Report”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the following motion be referred to the Chief Administrative Officer, with a request that she report, in consultation with the Chief Financial Officer and Treasurer, to the Policy and Finance Committee, as soon as possible, such report to include, but not be limited to, how the City can accomplish the direction of Council of receiving financial information in a timely manner:

Moved by Councillor Del Grande:

‘That the Chief Financial Officer and Treasurer be requested to provide the most up-to-date financial package to each meeting of the Standing Committees.’ ”

**Clause 10 - “Service Agreement Contracts Awarded and Executed by the Medical Officer of Health”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the Medical Officer of Health be authorized to release \$10,000.00, being one-time seed funding which is 100 percent funded by the Ministry of Health and Long-Term Care, to the Sex Information and Education Council of Canada, to develop a web-based resource.”

**Clause 11 - “Review of Business Licensing Fees/Establishment of Traditional Medicine Establishment and Practitioner Licences”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by:

- (1) rescinding the following Part (1) of the Action of the Policy and Finance Committee:

“Action taken by the Committee:

The Policy and Finance Committee:

- (1) referred the portions of the report (June 1, 2004) from the Commissioner of Urban Development Services pertaining to the licence fees for Holistic establishments back to the Commissioner of Urban Development Services for further consideration and report thereon to the Planning and Transportation Committee;”;

- (2) adding the following requirements to the existing standards for Holistic Establishment licences:
  - (a) as a condition of receiving a Holistic Establishment licence:
    - (i) the applicant must provide a letter, in a form approved by the Executive Director of Licensing and Standards, signed by the owner of the building from which the Holistic Establishment will operate, acknowledging their understanding that the lessee will be operating a Holistic Establishment and the hours of operation set out within the by-law; and
    - (ii) owners of Holistic Establishments must hold a valid Holistic Practitioner's licence;
  - (b) as a condition of operating a Holistic Establishment:
    - (i) hours of operation will be adjusted such that all Holistic Establishments must close by not later than 10:00 p.m. on any day;
    - (ii) Holistic Establishments must keep a patient record of all patrons, in a form approved by the Executive Director of Licensing and Standards, setting out the malady or condition that is the subject of the Holistic treatment, the nature of treatment provided, and identifying all visits of the patient and the treatment administered at each attendance;
    - (iii) patrons being treated in Holistic Establishments must remain clothed and/or draped during the provision of treatment;
    - (iv) Holistic Practitioners are prohibited from any genital contact with patrons; and
    - (v) Holistic Practitioners and all other staff employed at or providing services of any kind in Holistic Establishments must be properly attired and fully clothed for the administration of treatment, including wearing a smock or other similar attire normally worn by health care providers;
- (3) amending the existing standard for Holistic Practitioner and Holistic Establishment licensees by adding a requirement that the applicant provide identification, acceptable to the Executive Director of Municipal Licensing and Standards, to demonstrate that they meet the current requirement of being at least 18 years of age;
- (4) adopting the existing Holistic Establishment licence classification, with the amendments set out in Recommendation (2) above, and with a fee to be established at a rate of \$232.00 for a new application and \$115.00 for renewal applications, effective January 1, 2005; and

(5) adding the following:

“That:

- (a) the reports requested by the Planning and Transportation Committee and the Policy and Finance Committee be deferred for one year, and the Commissioner of Urban Development Services be requested to consult with Holistic associations and accredited training facilities and report to the Planning and Transportation and Policy and Finance Committees on:
  - (i) the results of the consultation with respect to any amendments to existing or new regulations to this business class;
  - (ii) the effectiveness of the newly introduced standards at controlling illegal bodyrub activity in Holistic Establishments;
  - (iii) any further adjustment to the licence fees for Holistic Establishments, and to specifically report with regard to any proposed increase in this fee to be effective January 1, 2006; and
  - (iv) a review of the hours of operation over the next year, as part of the consultation process; and
- (b) the Commissioner of Urban Development Services be requested to:
  - (i) notify the Office of the Attorney General and the Minister of Community Safety and Correctional Services of the importance of legislative amendments to allow inspection entry of By-law Enforcement Officers to enforce licensing standards where nuisance and/or community safety issues have been identified;
  - (ii) develop a protocol with other agencies, including Revenue Canada, Immigration Canada, utility companies, and/or the Toronto Police Service, to co-ordinate follow-up requirements of statutory duties of all parties; and
  - (iii) report to the Planning and Transportation Committee, in October 2004, on the establishment of testing panels, such panels to be composed of licensed Holistic Practitioners, to assess whether applicants for Holistic Establishment licences are appropriately qualified to receive a licence, including but not limited to, a review of the training and accreditation they have received as Holistic Practitioners; and
  - (iv) review and report further to the Planning and Transportation and Policy and Finance Committees, in one year's time, on other means of recovering the costs associated with illegal business activities being conducted under the guise of licensed, legitimate businesses, within the context of the provisions and limitations of the *Municipal Act*;

- (c) the Commissioner of Urban Development Services, the Commissioner of Community and Neighbourhood Services and the Acting Medical Officer of Health, be requested to report to the Planning and Transportation Committee on how other cities around the world have dealt with sex trade issues in the context of licensing legitimate holistic practitioners; and
- (d) the supplementary report dated June 22, 2004, from the Commissioner of Urban Development Services, be referred to the Planning and Transportation Committee for consideration.”

**Clause 19 - “Human Rights 2003 Annual Report”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That:

- (1) a copy of this Clause be forwarded to the Roundtable on Access, Equity and Human Rights for information and appropriate follow up at its first meeting; and
- (2) the Executive Director of Human Resources be requested to report to the Policy and Finance Committee, by the end of 2004, on progress in implementing the recommendations in the Auditor General’s Access and Equity Audit.”

**Clause 21 - “Renewal of Senior Staff Contracts”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by deleting the recommendation of the Policy and Finance Committee and inserting instead the following:

“That Council adopt the recommendation of the Employee and Labour Relations Committee, as contained in the Clause.”

City Council, at the in-camera portion of its meeting, also issued confidential instructions to staff, which are to remain confidential in their entirety, in accordance with the provisions of the *Municipal Act*, as they contain information about identifiable individuals.

**Clause 23 - “Status of Service Improvement Initiatives”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That the Chief Administrative Officer be requested to:

- (1) report to the next meeting of the Employee and Labour Relations Committee on the Employee Suggestion Program used in Phoenix, Arizona, and how it can be adapted to the City of Toronto; and

- (2) report to the meeting of the Policy and Finance Committee on September 15, 2004, on performance benchmarks, including those from the outside, such report to also address performance as measured against benchmarks.”

**Clause 24 - “Pilot Project for 25 Information Pillars, Request for Proposal No. 3012-03-7369”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by deleting staff Recommendation (4) contained in the Recommendations section of the report dated May 13, 2004, from the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer, and inserting instead the following:

- “(4) provided that there is a favourable review in accordance with Recommendation (3) and Council decides not to pursue a revised comprehensive street furniture program in 2009, and Council authorizes the continuation or expansion of the project, then Council consider at that time whether to provide Astral Media Outdoor L.P. with the option of first right of refusal to extend the agreement for a further five years, excluding portions of land on the public rights-of-way, in accordance with the terms and conditions set out in the RFP;”.

**WORKS COMMITTEE REPORT 4**

**Clause 13 - “Other Items Considered by the Committee”.**

City Council on June 22, 23 and 24, 2004:

- (1) waived the necessary provisions of Chapter 27 of the City of Toronto Municipal Code, in order to consider Item (j), entitled “Establishment of a Beauty School”;
- (2) referred Item (j), entitled “Establishment of a Beauty School”, to the Planning and Transportation Committee for further consideration; and
- (3) referred Items (d) and (e), entitled “Review of Front Yard Parking Policy” and “Review of Driveway Widening Policy”, respectively, back to the Works Committee for further consideration.

City Council received the balance of the Clause for information.

## **WORKS COMMITTEE REPORT 5**

**Clause 1 - “Development and Operation of a Small-Scale Research Facility for Processing Residual Municipal Solid Waste - Request for Qualifications No. 9155-04-7021”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That:

- (1) the Minister of the Environment be requested to expedite the establishment of the proposed Environmental Assessment Advisory Panel and the Panel be directed to report to the Minister, within a defined period, with recommendations to streamline and accelerate the Environmental Assessment process for full-scale and research-scale projects;
- (2) the City of Toronto waste diversion strategy and Environmental Assessment of an integrated residual solid waste management system be considered as a ‘flagship’ for an expedited, revamped Environmental Assessment process for waste that can be a model for other municipalities in Ontario; and
- (3) the following motion be referred to the Commissioner of Works and Emergency Services for consideration within the City’s Environmental Assessment for the disposal of residual waste:

Moved by Councillor Balkissoon:

‘That the Commissioner of Works and Emergency Services be requested to investigate and report to the Works Committee on the feasibility of conducting a research program utilizing City of Toronto residual waste at the Enerkem facility located in Sherbrooke, Quebec, and/or any other similar research facility that may be identified.’ ”

## **TORONTO EAST COMMUNITY COUNCIL REPORT 5**

**Clause 2 - “Application for Variances to the Former City of Scarborough Sign By-law No. 22980, as amended, for Two Ground signs at 3401 Sheppard Avenue East for Shell Canada Products (Ward 40 – Scarborough Agincourt)”.**

City Council on June 22, 23 and 24, 2004, deferred consideration of this Clause to the next regular meeting of City Council on July 20, 2004.



**Clause 16 - “Sale of Surplus Portions of the Neilson Road and Staines Road Road Allowances (Ward 42 – Scarborough Rouge River)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause in accordance with the following staff recommendations contained in the Recommendations section of the report dated June 21, 2004, from the Commissioner of Corporate Services:

“It is recommended that:

- (1) Recommendation (1) of Clause 16 of Report 5 of the Toronto East Community Council be amended to provide that authority be granted for the City to accept the Offer to Purchase submitted by the Owners, provided that the Owners first execute an amendment to the Offer to Purchase, satisfactory to the City Solicitor, to delete all references to ‘Sketch No. PS-2004-077’ and to replace them with ‘Sketch No. PS-2004-098’;
- (2) Recommendations (3), (4) and (5) of Clause 16 of Report 5 of the Toronto East Community Council be amended by deleting all references to ‘Sketch No. PS-2004-077’ and replacing them with ‘Sketch No. PS-2004-098’; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**Clause 17 - “Disposition of Surplus Property 161 Eastwood Avenue (Ward 36 - Scarborough Southwest)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations section of the supplementary report dated June 15, 2004, from the Commissioner of Corporate Services:

‘It is recommended that:

- (1) the Offer to Purchase from Wilfredo Rodriguez to purchase 161 Eastwood Avenue (the ‘Property’) in the amount of \$160,000.00 be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

**Clause 18 - “Disposition of a Parcel of Surplus Vacant Land Located on the West Side of Eastwood Avenue Between 144 and 148 Eastwood Avenue (Ward 36 – Scarborough Southwest)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That Council adopt the following staff recommendations contained in the Recommendations section of the supplementary report dated June 15, 2004, from the Commissioner of Corporate Services:

‘It is recommended that:

- (1) the offer from 412 Jarvis Street Holdings Limited to purchase the City-owned parcel of vacant land located on the west side of Eastwood Avenue, being Lot 85, Plan 1812, designated as Part 14 on Reference Plan 64R-6666, in the amount of \$110,001.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

**TORONTO NORTH COMMUNITY COUNCIL REPORT 5**

**Clause 10 - “Proposed Renaming of Forest Hill Memorial Arena to Larry Grossman Memorial Arena (Ward 16 - Eglinton-Lawrence)”.**

City Council on June 22, 23 and 24, 2004, deferred consideration of this Clause to the next regular meeting of City Council on July 20, 2004.

**Clause 32 - “Request for Approval of a Variance from the Former City of North York Sign By-law No. 30788, as amended, for the Erection of a Full-Colour Programmable Display at 5000 Yonge Street (Ward 23 – Willowdale)”.**

City Council on June 22, 23 and 24, 2004, referred this Clause back to the North York Community Council for further consideration at its next meeting on July 6, 2004, and report to City Council on July 20, 2004, and requested the City Solicitor to report to the North York Community Council on any liability to the City of Toronto which may arise from the approval of this sign variance.

**Clause 41 - “Temporary Construction Fencing Road Allowance Flankage of 94 Glenvale Road (Ward 26 - Don Valley West)”.**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That the following staff recommendations contained in the Recommendations section of the supplementary report dated June 23, 2004, from the Commissioner of Works and Emergency Services, be adopted:

‘It is recommended that:

- (1) City Council approve the proposed 2.44 metre high fence and the ongoing maintenance of a 1.90 metre high fence, respectively, on the Rumsey Road flank of 94 Glenvale Boulevard, subject to the property owner entering into an encroachment agreement with the City of Toronto, agreeing to but not limited to the following:
  - (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs, damages and expenses that may result from such permission granted;
  - (b) maintain the fence at the owner’s expense in good repair and a condition satisfactory to the Commissioner of Works and Emergency Services and will not make any additions or modifications to the encroachment beyond what is allowed under terms of the Agreement;
  - (c) remove the fence upon receiving 90 days written notice to do so; and
  - (d) accept such additional conditions as the City Solicitor or the Commissioner of Works and Emergency Services may deem necessary in the interest of the City; and

- (2) in the event of sale or transfer of the property abutting the encroachment, Legal Services and/or the Commissioner of Works and Emergency Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Works and Emergency Services.’ ”

## **TORONTO SOUTH COMMUNITY COUNCIL REPORT 5**

### **Clause 5 - “Draft By-laws – Official Plan Amendment and Rezoning - 630 and 640 Mount Pleasant Road (St. Paul’s, Ward 22)”**

City Council on June 22, 23 and 24, 2004, amended this Clause in accordance with the following staff recommendations contained in the Recommendations section of the supplementary report dated June 22, 2004, from the Commissioner of Urban Development Services:

“It is recommended that City Council:

- (1) delete Recommendation (4) and replace it with the following:

‘authorize the City Solicitor to prepare a Section 37 Agreement to direct the payment of the sum of \$200,000.00 by the applicant into a City General Reserve Fund which will be set up to hold the money to be used for the design and construction of a new splashpad or a retrofit conversion of the existing wading pool in Davisville/June Rowlands Park to a splashpad or to be used otherwise for general improvements in said park;’;

- (2) delete Recommendation (7) and replace it with the following:

‘require the applicant to enter into a Site Plan Agreement under Section 41 of the *Planning Act* prior to the issuance of a building permit;’;

- (3) delete Recommendation (9) and replace it with the following:

‘require that the applicant submit to the Commissioner of Works and Emergency Services a strata Reference Plan of Survey, in metric units and referenced to the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands to form part of the condominium corporation, the lands to be under the jurisdiction of the Toronto Parking Authority and any appurtenant rights-of-way and easements. Such plan should be submitted prior to the issuance of a building permit;’;

- (4) delete Recommendation (10) and replace it with the following:

‘require the applicant to submit documentation to the satisfaction of the Commissioner of Works and Emergency Services, prior to the issuance of a building permit, that the reciprocal right-of-way between premises No. 168 Manor Road East and the subject site has been extinguished;’;

- (5) delete Recommendation (11) and replace it with the following:

‘require that the applicant submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;’; and

- (6) delete Recommendation (12) and replace it with the following:

‘require the applicant to submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a street lighting review to determine the adequacy of the existing street lighting and identify any improvements that may be required;’.

**Clause 6 - “Draft By-laws – Official Plan Amendment and Rezoning - 36 Whitewood Road (St. Paul's, Ward 22)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause in accordance with the following staff recommendations contained in the Recommendations section of the supplementary report dated June 18, 2004, from the Commissioner of Urban Development Services:

“It is recommended that City Council:

- (1) delete Recommendation (4) and replace it with the following:

‘require the applicant, prior to the issuance of a building permit, to enter into a Site Plan Agreement under Section 41 of the *Planning Act*;’;

- (2) delete Recommendation (6) and replace it with the following:

‘require that the applicant submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a site servicing review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;’; and

- (3) delete Recommendation (7) and replace it with the following:

‘require that the applicant submit to the Commissioner of Works and Emergency Services, for review and acceptance, prior to the issuance of a building permit, a street lighting review to determine the adequacy of the existing street lighting and identify any improvements that may be required.’ ”

**Clause 9 - “Residential Demolition Application - 6 Howard Street (Toronto Centre-Rosedale, Ward 28)”.**

City Council on June 22, 23 and 24, 2004, referred this Clause back to the Toronto and East York Community Council for further consideration.

**Clause 19 - “Further Amendments to the Subdivision Agreement King-Liberty (Inglis) Lands (Trinity-Spadina, Ward 19)”.**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That the staff recommendations contained in the Recommendations section of the supplementary report dated June 21, 2004, from the Commissioner of Urban Development Services, be adopted, subject to adding additional Recommendations (3) and (4), so that the staff recommendations, as amended, shall now read as follows:

‘It is recommended that City Council:

- (1) authorize the City Solicitor to amend the subdivision agreement in respect to Registered Plan 66M-2394 of the former City of Toronto, to grant the request of the owner to retain the ownership of the northern portion of the linear park and to install and operate a groundwater collection system in the linear park together with certain access and maintenance easements, in accordance with the body of this report;
- (2) authorize the City Solicitor and other affected City officials as appropriate to do all things necessary to execute and amend the subdivision agreement between the owner and the City to give effect to the requested revisions;
- (3) authorize the City Solicitor to amend the subdivision agreement to require adequate plantings in order to ensure vegetative covering of the north side of the acoustic fence and gabion wall, in a manner satisfactory to the Commissioner of Economic Development, Culture and Tourism in consultation with the local Councillor; and
- (4) request the City Solicitor to ensure that all maintenance and access easements over the linear park minimize vehicular access and disruption to the linear park to the extent reasonably possible.’ ”

**Clause 28 - “Balmy Beach Heritage Conservation District Study (Beaches-East York, Ward 32)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by inserting in staff Recommendation (1) contained in the Recommendations section of the report dated April 19, 2004, from the Commissioner of Economic Development, Culture and Tourism, as contained in the Clause, after the words “of this report”, the words “excluding Neville Park Avenue, both sides, south of Queen Street East”, so that the recommendation now reads as follows:

- “(1) City Council pass a by-law pursuant to Part V of the *Ontario Heritage Act* identifying the area shown in Attachment No. 1 of this report, excluding Neville Park Avenue, both sides, south of Queen Street East, as the Balmy Beach Heritage Conservation District Study Area; and”.

**Clause 36 - “Alterations to Designated Property and Authority to Enter into Heritage Easement Agreement - 438 Church Street (Maple Leaf Gardens) (Toronto Centre-Rosedale, Ward 27)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by adding the following:

“That:

- (1) the Site Plan for Maple Leaf Gardens be bumped up; and
- (2) Loblaws and Maple Leaf Gardens Inc. be requested to consider maintaining an ice rink within the premises.”

**Clause 40 - “Ontario Municipal Board Appeal – 453 Spadina Road (St. Paul’s, Ward 22)”.**

City Council on June 22, 23 and 24, 2004, amended this Clause in accordance with the staff recommendation contained in the Recommendation section of the supplementary confidential report dated June 18, 2004, from the City Solicitor, entitled “453 Spadina Road (Municipal Car Park No. 164) (St. Paul’s - Ward 22) Appeal to the Ontario Municipal Board by First Spadina Place Inc. of an Application for a Zoning By-law Amendment and Site Plan Approval”. The following recommendation contained in this report is now public and the balance of this report remains confidential, in accordance with the provisions of the *Municipal Act*, as it contains information which is subject to solicitor-client privilege:

“The City Solicitor be directed to advise the OMB that the applications to develop 453 Spadina Road should be approved in the form submitted to the City by First Spadina under cover of letter dated June 4, 2004, subject to such site plan modifications and conditions as the Commissioner of Urban Development Services considers appropriate.”

**Clause 43 - “Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 1000 Gerrard Street East (Toronto-Danforth, Ward 30)”.**

City Council on June 22, 23 and 24, 2004, adopted the staff recommendations contained in the Recommendations section of the report dated May 7, 2004, from the Director, Community Planning, South District, as contained in the Clause.

**Clause 50 - “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

City Council on June 22, 23 and 24, 2004, amended this Clause by:

- (1) amending Recommendation (1) of the Toronto South Community Council by:
  - (a) amending Parts (j) and (l) to now read as follows:
    - “(j) the 2nd Annual Taste of the Entertainment District to be held on Duncan Street between King Street West and Adelaide Street West, from September 10 to 12, 2004, nor to the temporary extension of Filet of Sole Restaurant’s liquor license for the duration of the event;
    - (l) the Hair Hop Festival to be held on Duncan Street, between King Street West and Adelaide Street West, on July 17, 2004, nor to the temporary extension of the Filet of Sole Restaurant’s liquor license for the duration of the event.”;
  - (b) adding the following new Parts (n) and (o):
    - “(n) Sorouren Park Festival to be held in Sorouren Park on July 17, 2004, nor to the request for a beer garden in the Park in conjunction with the Festival; and
    - (o) the Global Cafe music festival to be held during evenings and weekend afternoons from July 7 to 11, 2004, in the Distillery District;”;
- (2) adding the following new Recommendations (13) and (14) to the recommendations of the Toronto South Community Council:
  - “(13) advise the Alcohol and Gaming Commission that it is aware of applications from the following in conjunction with the 2004 Pride Week, which City Council has deemed an event of municipal significance, and has no objection to the granting of the requests:
    - (i) Zipperz at 72 Carlton Steet for extended hours; and
    - (ii) ‘All Women’s Weekend’ for a special occasion permit to serve liquor in Norman Jewison Park; and



- (14) advise the Alcohol and Gaming Commission that it is aware of the change of venue of the Pride Ball, to be held on June 26, 2004, from Exhibition Place, Automotive Centre, to the Docks Entertainment Complex at 11 Poulson Street. and has no objection to the change of venue, nor to the extension until 4:00 a.m. of the liquor licence of the Docks Entertainment Complex in conjunction with the Pride Ball.”

### **ADDITIONAL MATTER**

#### **Expression of Thanks for Quick Action on a Park Incident**

City Council on June 22, 23 and 24, 2004, adopted the following:

“That:

- (1) City Council extend its sincere appreciation to Constable Fraser Douglas of 55 Division of the Toronto Police Service for his quick actions in bringing to an end what could have been a fatal incident; and
- (2) City Council also extend its appreciation to the dog who befriended the troubled individual and caused him to rethink his intentions to cause harm to the residents in the area.”

### **NOTICES OF MOTION APPEARING UNDER ITEM I**

- I(1) **Request to Amend *The Municipal Elections Act* to Allow a Municipality to Place Restrictions on the Terms Under Which Their Members May Stand for a Higher Office**

**Moved by: Councillor Holyday**

**Seconded by: Councillor Ootes**

“**WHEREAS** in an open and accountable free society, an oath of office calls for a total commitment to fulfill the duties and responsibilities that voters expect and deserve during a term of office; and

**WHEREAS** our democratic institutions are not a business, nor are the votes a commodity to be purchased and then ignored at will; and

**WHEREAS** it is incumbent upon individuals when standing for office to recognize that the public fully expects that winning candidates will honour their selection with conscientious dedication for the full period of the mandate; and

**WHEREAS** any disruption in a term of office can cause a new election to be held with considerable cost to the taxpayers; and

**WHEREAS** should the Council decide upon an appointment in place of an election, the democratic rights of citizens to elect their representatives is denied and perversion of the system ensues; and

**WHEREAS** the financial difficulties endured by Council to balance the budget and maintain services make it imperative that no unnecessary expenses be incurred; and

**WHEREAS** citizens standing for office should be aware of both the remuneration and demands of office and understand that the public expects that they, once elected, honour that trust and complete their term; and

**WHEREAS** any time a Councillor is absent (with or without pay) from Council deliberations, the ward involved remains unrepresented on many key issues; and

**WHEREAS** it has never been more important to have a strong Council unaligned with political party interests to best effect negotiations with other levels of government; and

**WHEREAS** it is manifestly unfair that some councillors use their candidacy for higher office to buttress the evaluation of their local incumbency by voters; and

**WHEREAS** a councillor's role in governing Toronto affairs should not be used like a Las Vegas poker table where you 'fold a hand' and play another later without risk, penalty or moral censure; and

**WHEREAS** the public, according to published surveys, perceives the democratic process to be so fundamentally flawed and controlled by opportunists, that voter turnout is at an all-time low;

**NOW THEREFORE BE IT RESOLVED THAT** this Council recognize the electoral abuse that takes place when a Ward remains unrepresented for weeks at a time and enact appropriate safeguards to prevent voluntary absenteeism in the pursuit of another office;

**AND BE IT FURTHER RESOLVED THAT** candidates for Council should swear upon filing their nomination papers that, if elected, they will serve at least half the term of their mandate before seeking another office, or as a result of such a decision, trigger automatic dismissal;

**AND BE IT FURTHER RESOLVED THAT** Toronto Council request the Government of Ontario to amend *The Municipal Elections Act* to allow a municipality to place restrictions on the terms under which their members may stand for a higher office.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, referred this Motion to the Administration Committee.*

**NOTICES OF MOTION APPEARING UNDER ITEM J**

**J(1) 61 Pitt Avenue – Ontario Municipal Board Appeal**

**Moved by: Councillor Altobello**

**Seconded by: Councillor Walker**

“**WHEREAS** Minor Variance Application A262/03SC was considered by the Committee of Adjustment, East District, to permit a total of 3 dwelling units within a single family dwelling and a street yard parking space; and

**WHEREAS** the Zoning By-law permits single family dwellings only and permits vehicle parking in the street yard on the portion of the driveway leading to the required parking space only; and

**WHEREAS** the Acting Director, Community Planning, East District, prepared a report dated March 24, 2004, addressed to the Committee of Adjustment, Scarborough Panel, recommending refusal of the above variances; and

**WHEREAS** it was the decision of the Committee of Adjustment on March 31, 2004, to refuse the variances (copy attached); and

**WHEREAS** Application A262/03SC has been appealed to the Ontario Municipal Board and said appeal will be heard on a date to be announced by the Board;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council instruct the City Solicitor to attend the Ontario Municipal Board Hearing in support of the Committee of Adjustment’s decision.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(2) **28 Rees Street (Ward 20 – Trinity - Spadina)**

**Moved by: Councillor Walker**

**Seconded by: Councillor Watson**

“**WHEREAS** at its meeting held on May 18, 19 and 20, 2004, Council adopted, without amendment, the confidential recommendations contained in Clause 10 of Report 4 of the Toronto South Community Council (the ‘TSCC Report’);

**WHEREAS** one of the confidential recommendations (the ‘Recommendation’) of the TSCC Report pertained to a lease granted by the City of Toronto, as landlord, over the property municipally known as 28 Rees Street (the ‘Property’); and

**WHEREAS** the City Solicitor has provided a confidential report to City Council dated June 8, 2004 in respect of the legal and financial implications relating to the Recommendation;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with § 27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto South Community Council Report 4, Clause 10, headed ‘Ontario Municipal Board Decision – 28 Rees Street (Ward 20- Trinity-Spadina)’, be re-opened for further consideration as it pertains to the Recommendation on the lease granted by the City of Toronto over the Property;

**AND BE IT FURTHER RESOLVED THAT** City Council consider the attached report dated June 8, 2004 from the City Solicitor, and that this report be considered in camera as it relates to matters of solicitor-client privilege;

**AND BE IT FURTHER RESOLVED THAT** City Council defer consideration of the Recommendation on the lease granted by the City of Toronto over the Property, until such time as City staff report to the Toronto South Community Council on options for the future use of the Property, as previously directed, in the autumn of 2004.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, re-opened Toronto South Community Council Report 4, Clause 10, headed “Ontario Municipal Board Decision – 28 Rees Street (Ward 20 - Trinity-Spadina)”, for further consideration as it pertains to the Recommendation on the lease granted by the City of Toronto over the Property.***

***City Council subsequently adopted the balance of this Motion, without amendment.***

J(3) **Implementation of the *Social Housing Reform Act, 2000***

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Ootes

“**WHEREAS** the *Social Housing Reform Act, 2000* was proclaimed by the Province of Ontario; and

**WHEREAS** the implementation of the rules in the *Social Housing Reform Act, 2000* changed the way rent-geared-to-income assistance is administered; and

**WHEREAS** the new rules have created significant negative impacts on tenants receiving rent-geared-to-income assistance including the loss of rent-geared-to-income assistance for issues as minor as reporting income changes later than required; and

**WHEREAS** the loss of rent-geared-to-income assistance is likely to result in economic eviction and an increase in the number of Torontonians without adequate housing; and

**WHEREAS** the change in the rules has resulted in the denial of eligibility for rent-geared-to-income assistance for immigrants who are awaiting permanent status in Canada; and

**WHEREAS** the *Social Housing Reform Act, 2000* has created additional administrative burdens for social housing providers including the requirements for multiple notices; and

**WHEREAS** municipal service managers, including the City of Toronto, have limited authority to establish policy with respect to the rent-geared-to-income rules set out in the *Social Housing Reform Act, 2000*;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Administrative Officer of the City of Toronto communicate with the Minister of Municipal Affairs and Housing outlining the problems created by the *Social Housing Reform Act, 2000* for rent-geared-to-income tenants and social housing providers, and recommend appropriate changes in the legislation;

**AND BE IT FURTHER RESOLVED THAT** the Minister of Municipal Affairs and Housing be requested to fully consult with tenants, social housing providers, and municipal service managers on changes to the legislation;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto demand the Province of Ontario make the necessary regulatory changes in the *Social Housing Reform Act, 2000* as soon as possible.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.***

J(4) **Special Event to Assist the Dominican Republic**

**Moved by: Councillor Li Preti**

**Seconded by: Councillor Palacio**

“**WHEREAS** a request has been received from the Consul General of the Dominican Republic for support in assisting that country as a result of severe damage inflicted by the recent hurricane; and

**WHEREAS** Councillor Li Preti has agreed to hold a Special Event in order to raise funds for this cause, and has arranged for this cultural event to be held in the park adjacent to John Booth Arena on Sunday, July 18, 2004; and

**WHEREAS** this event is considered to be an event of municipal and/or community significance; and

**WHEREAS** this event will include a Special Occasion Beer Garden (from 4:00 p.m. to 11:00 p.m.); and

**WHEREAS** this group requires support and authorization to sell Hispanic food and beer on that day; and

**WHEREAS** the Alcohol and Gaming Commission of Ontario requires that for events of this nature, approval be granted by City Council; and

**WHEREAS** the time sensitive nature of this request requires the endorsement of Toronto City Council at the Council meeting which will be held on June 22, 23 and 24, 2004;

**NOW THEREFORE BE IT RESOLVED THAT** the Toronto City Council, for liquor licencing purposes, declare this to be an event of municipal and/or community significance, and advise the Alcohol and Gaming Commission that it has no objection to the event taking place.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, subject to adding to the end of the first Operative Paragraph, the words “; and that the user fees be exempted”, so that such Operative Paragraph now reads as follows:***

***“NOW THEREFORE BE IT RESOLVED THAT the Toronto City Council, for liquor licencing purposes, declare this to be an event of municipal and/or community significance, and advise the Alcohol and Gaming Commission that it has no objection to the event taking place; and that the user fees be exempted.”***

J(5) **Reduction of Speed Limit – Rushton Road, between Vaughan Road and Arlington Avenue (St. Paul’s, Ward 21)**

**Moved by: Councillor Mihevc**

**Seconded by: Councillor Rae**

“**WHEREAS** City Council at its meeting on May 18, 19 and 20, 2004 adopted Toronto South Community Council Report 4, Clause 42, headed ‘Reduction of Speed Limit – Rushton Road, between Vaughan Road and Arlington Avenue (St. Paul’s, Ward 21)’; and

**WHEREAS** the Ward Councillor wishes to consult further with the community with respect to the reduction of the speed limit and other traffic calming measures;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with § 27-49 of the Chapter 27 of the City of Toronto Municipal Code, Toronto South Community Council Report 4, Clause 42, headed, ‘Reduction of Speed Limit – Rushton Road, between Vaughan Road and Arlington Avenue (St. Paul’s, Ward 21)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** City Council refer this Clause back to the Toronto and East York Community Council for further consideration.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, re-opened Toronto South Community Council Report 4, Clause 42, headed, “Reduction of Speed Limit – Rushton Road, between Vaughan Road and Arlington Avenue (St. Paul’s, Ward 21)”, for further consideration, and adopted the balance of this Motion, without amendment.***

***In so doing, Council has referred Toronto South Community Council Report 4, Clause 42, back to the Toronto and East York Community Council, for further consideration.***

J(6) **Request for the Ontario Ministry of the Attorney General to Review of the Early Intervention (EI) program within the Specialized Domestic Violence (DV) Courts**

**Moved by: Councillor Stintz**

**Seconded by: Councillor Carroll**

“**WHEREAS** the Domestic Violence (DV) courts were established in 1996 to hear cases specifically dealing with domestic violence charges; and

**WHEREAS** the incidences of domestic violence are growing along with the charges and subsequent hearings in the DV court system; and

**WHEREAS** the Early Intervention (EI) Courts were developed within the specialized DV courts in order to deal specifically with first time offenders with the intention of reducing the backlog of cases as well as reducing the recidivism rate for offenders with no prior convictions; and

**WHEREAS** there have been ongoing discussions with various stakeholders, including the Woman Abuse Council, about the current challenges with the EI Courts, in particular the changes in the type of offenders who are being screened into these courts; and

**WHEREAS** the Woman Abuse Council is the coordinating body for the City of Toronto with respect to DV courts and has expressed a number of concerns about the EI Courts, particularly with the criteria used to admit offenders to the court and the safety of PAR providers;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto request the Ministry of the Attorney General to engage in a systemic review of the EI Courts focusing on the criteria used to screen offenders;

**AND BE IT FURTHER RESOLVED THAT** the Woman Abuse Council be consulted on any potential changes to the EI program as a result of the systemic review.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(7) **To Appoint an Acting Commissioner of Works and Emergency Services**

**Moved by: Mayor Miller**

**Seconded by: Councillor Pitfield**

“**WHEREAS** City Council has learned of the retirement of Mr. Barry Gutteridge, Commissioner of Works and Emergency Services, effective June 29, 2004; and

**WHEREAS** the Chief Administrative Officer has appointed Dave Kaufman to the office of Acting Commissioner of Works and Emergency Services, commencing June 30, 2004, and until the recruitment process can be completed for the appointment of Commissioner; and

**WHEREAS** Mr. Kaufman shall have all the powers and duties imposed upon the Commissioner of Works and Emergency Services by Article IX of Chapter 169, City Officials, of the City of Toronto Municipal Code;

**NOW THEREFORE BE IT RESOLVED THAT** City Council enact the necessary by-law to appoint Mr. Dave Kaufman to the position of Acting Commissioner.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*



J(8) **44 Old Forest Hill Road – Ontario Municipal Board Appeal**

**Moved by: Councillor Walker**

**Seconded by: Councillor Jenkins**

“**WHEREAS** on March 11, 2004 the Midtown Committee of Adjustment refused an application for minor variances at 44 Old Forest Hill Road; and

**WHEREAS** the applicant has appealed the decision of the Committee of Adjustment to the Ontario Municipal Board and a Hearing date will be set; and

**WHEREAS** the applicant proposes to add a one-storey addition to the front of the garage; and

**WHEREAS** the Zoning By-law requires a minimum setback of 4.77 metres and the proposed front yard setback is 0.025 metres; and

**WHEREAS** the permitted gross floor area in Forest Hill is 0.35 and the proposed gross floor area of the proposal is 0.85; and

**WHEREAS** this proposal is out-of-keeping with the character of Forest Hill and would introduce a suburban-style built form with a very prominent garage at the front of the property; and

**WHEREAS** this development was opposed by Urban Development Services, by the North Hill District Homeowners Association and the immediate neighbours and City Planning staff feel it is important to defend the Committee of Adjustment’s decision; and

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor in consultation with the Commissioner of Urban Development Services be directed to seek status and to attend all Ontario Municipal Board hearings with respect to 44 Old Forest Hill Road to oppose the appeal.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(9) **Amendment to Toronto North Community Council Resolution Regarding the Final Report – OPA and Rezoning Application, Beaverbrook Homes Inc. - 2772-2778 Keele Street**

**Moved by: Councillor Augimeri**

**Seconded by: Councillor Moscoe**

“**WHEREAS** Vincent Baffa, Beaverbrook Homes Inc. (the ‘Applicant’) has made an application to amend the former City of North York Official Plan and Zoning By-law 7625 on the lands known municipally as 2772-2778 Keele Street in order to permit an 8 to 10 storey, 140 unit residential apartment building; and

**WHEREAS** the Applicant appealed the application to the Ontario Municipal Board under sections 17(40) and 34(11) of the *Planning Act* (the 'Appeal') for Council's failure to make a decision within 90 days; and

**WHEREAS** Toronto North Community Council at its meeting held on May 4, 2004, recommended that the application be approved, subject to conditions contained in a Resolution submitted by Councillor Moscoe (the 'Resolution'); and

**WHEREAS** the fourth Operative Paragraph of the Resolution amended Recommendation (4) of the report (February 24, 2004) from the Acting Director of Community Planning, North District, by deleting the amount of '\$52,000.00', and replacing it with '\$200,000.00, such amount to be paid upon coming into force of the by-law'; and

**WHEREAS** the third Operative Paragraph of the Resolution amended the Draft By-law appended to the above-noted report by deleting the word 'midpoint' contained in Section 2(1) and replacing it with the words 'south-west corner'; and

**WHEREAS** City Council at its meeting held on May 18, 19, and 20, 2004 adopted, without amendment, Toronto North Community Council Report 4, Clause 21; and

**WHEREAS** as a result of minor modifications to the application that will be before the Ontario Municipal Board, and insufficient time for City staff evaluation of these modifications, Section 2(1) of the Draft By-law, as amended by the Resolution, may require a further amendment prior to the Appeal; and

**WHEREAS** the Applicant has agreed with all other provisions included within the Draft By-law, and there is a reasonable expectation that the Applicant and the City will agree upon appropriate wording for Section 2(1) of the Draft By-law prior to the Appeal;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto North Community Council Report No. 4, Clause No. 21, headed 'Final Report - OPA and Rezoning Application 01 036296 NNY 09 OZ - Vincent Baffa, Beaverbrook Homes Inc. - 2772-2778 Keele Street (Ward 9 - York Centre)', be re-opened for further consideration, and the following recommendations be adopted:

- (1) that Council amend Recommendation (4) of the report (February 24, 2004) from the Acting Director of Community Planning, North District, as amended by Council, so that Recommendation (4)(a) now reads:
  - '(4) Before introducing the necessary Bills to amend the North York Official Plan and Zoning By-law to Council for enactment, the following conditions shall be fulfilled to the satisfaction of the City Solicitor:

- (a) The owner shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, in a form satisfactory to the City Solicitor to secure the following:
- (i) a contribution of \$200,000.00, with \$60,000.00 of such amount to be paid upon coming into force of the by-law, and \$140,000.00 of such amount to be paid prior to the issuance of a building permit, for the following improvements:
- landscaping on the Downsview Library property; and
  - streetscape improvements on Keele Street north of the intersection of Keele Street and Wilson Avenue.’;
- (2) that Council amend the third Operative Paragraph of the Resolution by deleting the words ‘the word “midpoint” contained in Section 2(l) and substituting the words “south-west corner” ’ and replacing them with the words ‘Section 2(l) and renumbering Sections 2(m) and 2(n) accordingly’, so that the third Operative Paragraph now reads:
- ‘FURTHER BE IT RESOLVED THAT the Draft By-law appended to the report of the Acting Director of Community Planning, North District be amended by deleting Section 2(l) and renumbering Sections 2(m) and 2(n) accordingly; and’; and
- (3) that the City Solicitor, in consultation with the Commissioner of Urban Development Services and the Ward Councillor, be authorized to negotiate with the Applicant to achieve a suitable substitution for the wording of Section 2(l) of the Draft By-law, and in the event that a suitable solution cannot be achieved, that the wording referencing the ‘south-west corner’ contained in the Draft By-law as amended, shall stand.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, re-opened Toronto North Community Council Report 4, Clause 21, headed “Final Report - OPA and Rezoning Application 01 036296 NNY 09 OZ - Vincent Baffa, Beaverbrook Homes Inc. - 2772-2778 Keele Street (Ward 9 - York Centre)”, for further consideration.***

***City Council subsequently adopted the balance of this Motion, without amendment.***

J(10) **Food Services at Yonge and Dundas Square**

**Moved by:** Councillor Rae

**Seconded by:** Councillor McConnell

“**WHEREAS** the Yonge Dundas Square Board of Management has the authority to issue Requests for Proposals for revenue generating opportunities for Yonge Dundas Square; and

**WHEREAS** the Board of Management is required to advise City Council on the results of such requests and report its recommendations to City Council; and

**WHEREAS** the Board of Management has completed a Request for Proposal process for Food Vendors at Yonge Dundas Square; and

**WHEREAS** the Board of Management has selected two proponents and in order to maximize revenues during the peak tourist season, the Board is interested in executing agreements with the selected proponents immediately; and

**WHEREAS** the Board of Management has been given the responsibility by City Council to manage Yonge Dundas Square and in order to effectively fulfil this role, the Board requires the ability to conduct such business transactions in an expeditious manner; and

**WHEREAS** there is a lack of clarity in the City of Toronto By-law No. 889-2002 (Chapter 636, Public Squares, of the City of Toronto Municipal Code) concerning the Board’s authority to enter into such agreements without Council authority; and

**WHEREAS** the Board requires such authority to efficiently manage Yonge Dundas Square;

**NOW THEREFORE BE IT RESOLVED** that Council adopt the recommendations in the attached report dated June 18, 2004, from the Commissioner of Economic Development, Culture and Tourism, and the Chief Financial Officer and Treasurer;

**AND BE IT FURTHER RESOLVED THAT** Council delegate authority to the Yonge Dundas Square Board of Management to enter into vending, sponsorship and advertising agreements for a maximum term of three years, and that the Board be asked to report annually on these activities, and authority be granted for the introduction of the necessary bill in Council.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

*In adopting Motion J(10), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations section of the report dated June 18, 2004, from the Commissioner of Economic Development, Culture and Tourism and the Chief Financial Officer and Treasurer, entitled “Food Services at Yonge Dundas Square RFP No. 0613-04-7070 (Ward 27 - Toronto Centre Rosedale)”:*

*“It is recommended that:*

- (1) authority be given to the Yonge Dundas Square Board of Management to enter into an agreement with 505707 Ontario Limited - ‘The Grenadier Group’ and Tiny Tom Donuts Limited to provide food services on the terms outlined in this report and in a form and content satisfactory to the Commissioner of Economic Development, Culture and Tourism and the City Solicitor; and*
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”*

**J(11) Toronto Police Service – 2004 Community Action Policing Program**

**Moved by: Councillor Ootes**

**Seconded by: Councillor Filion**

**“WHEREAS** Toronto City Council, at its meeting on April 19 to 28, 2004, considered the 2004 Operating Budget for the Toronto Police Service and requested that the Mayor’s Office, the Chair of the Toronto Police Services Board, the Chief of Police, the Chief Administrative Officer, the Chief Financial Officer and Treasurer and the Chair of the Budget Advisory Committee report to Council on the implementation of a community action policing program that would operate between June 14, 2004 and September 5, 2004, and would be funded within the existing 2004 Toronto Police Service operating budget; and

**WHEREAS** the Toronto Police Services Board, at its meeting held on June 21, 2004, gave consideration to a report dated May 18, 2004, from the Chief of Police in this regard; and

**WHEREAS** the Chair, Toronto Police Services Board, has submitted the attached report dated June 22, 2004;

**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 3, Clause 2, headed ‘City of Toronto 2004 Budget Advisory Committee Recommended Operating Budget’, be re-opened for further consideration, only insofar as it pertains to the Toronto Police Service Budget;

**AND BE IT FURTHER RESOLVED THAT** City Council give consideration to the report dated June 22, 2004, from the Chair, Toronto Police Services Board, and that the recommendation in such report be adopted.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, referred this Motion to the Budget Advisory Committee to identify a source of funding for the 2004 Community Action Policing Program and report to Council for its meeting on July 20, 2004, through the Policy and Finance Committee. Council also requested the Chief Financial Officer and Treasurer to provide to the Budget Advisory Committee the historical data related to this program.*

**J(12) Contribution Agreements for Various Toronto Waterfront Revitalization Initiatives**

**Moved by: Councillor Cowbourne**

**Seconded by: Councillor Grimes**

**“WHEREAS** Council on May 30, 31 and June 1, 2001, authorized the Mayor, as the designated representative for the Waterfront Revitalization Initiative, to execute the Contribution Agreement with the Federal and Provincial Governments and the Toronto Waterfront Revitalization Initiative (TWRC) for the Four Priority Projects; and

**WHEREAS** the Contribution Agreement for the Four Priority Projects was executed by all parties on June 16, 2004, thereby permitting additional funds to flow from the three government partners to the TWRC for these items; and

**WHEREAS** Council on April 19 to 28, 2004, approved funding for the Port Union and Mimico Strategic Parks Projects, the Harbourfront Water’s Edge Promenade Project, and certain precinct planning exercises in the 2004 – 2008 Capital Works Program for the Waterfront Revitalization Project; and

**WHEREAS** negotiation of a Contribution Agreement by all four parties for these items is nearing completion; and

**WHEREAS** additional Contribution Agreements will be negotiated for other items approved by Council in the 2004 – 2008 and future Capital Works Programs for the Waterfront Revitalization Initiative; and

**WHEREAS** the flow of funds to the TWRC from the three government partners must be conducted in a timely and expeditious manner to ensure success of the Initiative;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the report dated June 18, 2004 from the Commissioner, Urban Development Services, entitled ‘Authority to Enter into Contribution Agreements for Various Toronto Waterfront Revitalization Initiatives’, and that the recommendations in such report be adopted.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.***

***In adopting Motion J(12), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations section of the report dated June 18, 2004, from the Commissioner of Urban Development Services, entitled “Authority to enter into Contribution Agreements for various Toronto Waterfront Revitalization Initiatives”:***

***“It is recommended that:***

- (1) Council authorize the City to enter into Contribution Agreements with the Federal and Provincial governments and the Toronto Waterfront Revitalization Corporation for waterfront projects, provided that the City’s share of funding for those projects has been included in current or future Capital Budgets for the Waterfront Revitalization Initiative as approved by Council;***
- (2) Council authorize the Mayor, as the City’s designated representative for the Waterfront Revitalization Initiative, to execute these Contribution Agreements on behalf of the City; and***
- (3) appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”***

**J(13) 2525 Bloor Street West – Ontario Municipal Board Appeal**

**Moved by: Councillor Saundercook**

**Seconded by: Councillor Jenkins**

**“WHEREAS** the Committee of Adjustment refused the application for 2525 Bloor Street West to permit the increase in the number of dwelling units from 4 to 5, by adding one additional unit in the basement, on March 29, 2004; and

**WHEREAS** the Committee of Adjustment refused the application on the basis that the general intent of the Official Plan and Zoning By-law was not maintained, the variance(s) was not considered desirable for the appropriate development of the land, and in the opinion of the Committee, the variance(s) was not minor; and

**WHEREAS** the community has voiced strong concerns over density, traffic, intensity of use, property maintenance, parking and safety issues surrounding an additional fifth unit on the site; and

**WHEREAS** the applicant has appealed the Committee of Adjustment's decision to the Ontario Municipal Board and will be heard on August 5, 2004;

**NOW THEREFORE BE IT RESOLVED THAT** the City send a City Solicitor and Planner to the Ontario Municipal Board to defend the Committee of Adjustment's decision to refuse the application."

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(14) **Proposal to Waive Various Fees – Russo Family Renovations**

**Moved by:** Councillor Mammoliti

**Seconded by:** Councillor Li Preti

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

**WHEREAS** the Russo family home will need dramatic renovations to allow Mrs. Russo and her family to live comfortably; and

**WHEREAS** many individuals and companies around the GTA have donated their time and specified skill in an attempt to aid the Russo family; and

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

**NOW THEREFORE BE IT RESOLVED THAT** this Council waive any and all building and permitting fees and any other related City application fees including the Committee of Adjustment with respect to the Russo family renovation plans."

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*



J(15) **City Staff Attendance at Community Meetings**

**Moved by: Councillor Mammoliti**

**Seconded by: Councillor Del Grande**

“**WHEREAS** Councillors are the elected representatives in each of their respective wards and are ultimately responsible for ensuring that each of their own constituent’s concerns are individually addressed; and

**WHEREAS** Councillors should be present to hear their own constituents concerns at any meeting or forums where issues pertinent to their respective wards are discussed; and

**WHEREAS** City staff are supposed to be responsible for aiding the Councillors in attending to concerns in the Councillor’s respective ward; and

**WHEREAS** City Planning staff attended a meeting in York West, Ward 7 that was politically driven before the scheduled public meeting called for July 12, 2004; and

**WHEREAS** the City’s Planning staff was advised of the date of the scheduled public meeting and that the local Councillor was not invited;

**NOW THEREFORE BE IT RESOLVED THAT** City staff not arbitrarily decide which meetings they choose to attend with or without the local Councillor responsible for that area present;

**AND BE IT FURTHER RESOLVED THAT** City staff not be in attendance at any community meetings and/or planning meetings where the local Councillor or his/her staff is not in attendance.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, subject to deleting the first two Operative Paragraphs and inserting instead the following:***

***“NOW THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services be requested to implement a protocol for community planning meetings whereby staff will only attend where invitations are extended to the local Councillor or his/her staff and City Planning staff.”***

J(16) **Potential Redevelopment of 3 Parcels of Land in North York**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Walker

“**WHEREAS** the Toronto Catholic District School Board has declared the vacant lands adjacent to St. Basil The Great College School as surplus lands; and

**WHEREAS** the Commissioner of Urban Development Services has received an inquiry regarding the potential for the redevelopment of the lands, which have been declared surplus by the Toronto Catholic District School Board; and

**WHEREAS** the Commissioner of Urban Development Services has also had an inquiry regarding the property to the north, 3025 Weston Road, the King Koil mattress factory, which is directly north of the Toronto Catholic District School Board lands; and

**WHEREAS** the Commissioner of Urban Development Services is also processing Applications for an Official Plan and Zoning By-law Amendment and Subdivision Approval for 2277 Sheppard Avenue West, which is directly north of the King Koil mattress factory;

**NOW THEREFORE BE IT RESOLVED THAT** staff be instructed, that when reviewing any applications for redevelopment of these three properties, such applications be considered in a comprehensive manner;

**AND BE IT FURTHER RESOLVED THAT** staff be instructed to consider in their review of any development applications of these properties, the need for public roads and connections between properties.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(17) **128R Sheridan Avenue - Ontario Municipal Board Appeal**

**Moved by:** Councillor Walker

**Seconded by:** Councillor Fletcher

“**WHEREAS** the Committee of Adjustment refused an application made by Milenov Associates for variances to the Zoning By-law to permit a two storey addition to an existing industrial building and to convert that building to an apartment building containing 4 dwelling units at 128R Sheridan Avenue; and

**WHEREAS** the decision of the Committee of Adjustment to refuse the application has been appealed to the Ontario Municipal Board by Milenov Associates; and

**WHEREAS** Community Planning had written to the Committee of Adjustment advising that the application should be refused because the development should be reviewed as a rezoning; and

**WHEREAS** the building proposed for conversion is located behind an existing apartment building at 128 Sheridan Avenue; the only pedestrian and vehicular access is through a public lane that becomes private once it extends past the rear of the property at 128 Sheridan Avenue; the development requires additional review regarding site servicing, fire access and protection, solid waste collection and other 'house behind a house' issues such as privacy and overlook, adequate landscaping and parking; and

**WHEREAS** Works and Emergency Services has advised the Committee of Adjustment that to fully assess the implications of the development, it should be the subject of a rezoning application;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto instruct the City Solicitor and City staff to attend the Ontario Municipal Board hearing to support the decision of the Committee of Adjustment.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(18) **Consideration of Reserving the Name “Thomas Bata” for Future Use on a Street, Trail or Greenspace in the City of Toronto**

**Moved by: Councillor Pitfield**

**Seconded by: Mayor Miller**

“**WHEREAS** the children of Thomas J. Bata (Thomas G. Bata, Christine Schmidt, Monica Pignal and Rosemarie Bata) have come forward to request that the City of Toronto name a street, trail or greenspace after their father; and

**WHEREAS**, at the close of World War II, Thomas Bata immigrated to Ontario from the Czech city of Zlin and founded the Bata shoe-making enterprise in Canada; and

**WHEREAS** Thomas Bata used his entrepreneurial skills and business acumen to transform this shoe-making enterprise into one of the world’s largest shoe manufacturers and private companies, with its head office located in Toronto; and

**WHEREAS** Thomas J. Bata has devoted his talents and resources to the support of many Toronto charities, hospitals and cultural institutions, including the Canadian Opera Company, Junior Achievement Toronto and York Region, the National Ballet School, North York General Hospital and the Toronto Children's Chorus; and

**WHEREAS** Thomas J. Bata has received the companion of the Order of Canada and many other honours to numerous to mention; and

**WHEREAS** Thomas J. Bata will be celebrating his 90<sup>th</sup> birthday on September 17, 2004 and it would be appropriate to recognize his contributions to the City of Toronto; and

**WHEREAS** it is most fitting to honour our noteworthy citizens for their work and contributions to City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the name 'Thomas Bata' be reserved for future use on a street, trail or greenspace in the City of Toronto and that, in the interim, a street name sign be presented to him on the occasion of his 90<sup>th</sup> birthday;

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

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, subject to deleting from the first Operative Paragraph, the words "street, trail or greenspace", and inserting instead the words "street or trail", so that such Operative Paragraph now reads as follows:*

*"NOW THEREFORE BE IT RESOLVED THAT the name 'Thomas Bata' be reserved for future use on a street or trail in the City of Toronto and that, in the interim, a street sign be presented to him on the occasion of his 90th birthday;".*

J(19) **Statutory Offer of Compensation for the Expropriation of 121 and 123 Industry Street**

**Moved by:** Councillor Walker

**Seconded by:** Councillor Di Giorgio

**WHEREAS** City Council on January 27, 28 and 29, 2004, by approval of Administration Committee Report 1, Clause 15, authorized staff to complete the expropriation process to acquire all right, title and interest in the lands municipally known as 121 and 123 Industry Street for a future TTC bus garage in the western part of the City; and

**WHEREAS** Expropriation Plan AT458151 was registered April 16, 2004; and

**WHEREAS** the deadline imposed by the *Expropriations Act* for the City to make an offer of full compensation to the property owner and tenant is July 16, 2004 and City Council will not meet again until July 20, 2004; and

**WHEREAS** the Commissioner of Corporate Services has prepared a confidential report dated June 22, 2004 seeking Council direction on this matter;

**NOW THEREFORE BE IT RESOLVED THAT** City Council consider, in camera, the confidential report dated June 22, 2004, from the Commissioner of Corporate Services, and that the recommendations in such report be adopted.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

*In adopting Motion J(19), without amendment, Council adopted, without amendment, the staff recommendations contained in the confidential report dated June 22, 2004, from the Commissioner of Corporate Services, such report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, as it contains information pertaining to litigation or potential litigation.*

J(20) **Instructions for Ontario Municipal Board Hearings - CN Railway/GO Transit Potential Overpass at the Intersection of Canadian National and Canadian Pacific Rail Lines in the Vicinity of Lansdowne Avenue and Dupont Street**

**Moved by: Councillor Palacio**

**Seconded by: Deputy Mayor Pantalone**

“**WHEREAS** the City Solicitor has prepared a confidential report seeking instructions respecting warning clause language and Official Plan policies sought by CN Railway and GO Transit in relation to a potential overpass at the intersection of Canadian National and Canadian Pacific rail lines in the vicinity of Lansdowne Avenue and Dupont Street ; and

**WHEREAS** consideration of this matter by Council is required on an urgent basis to establish a City position in relation to the Municipal Board hearing respecting 940-1100 Lansdowne Avenue scheduled for June 28, 29 and 30, 2004 and in relation to the continuation of the hearing respecting 800 Lansdowne Avenue;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the confidential report from the City Solicitor dated June 21, 2004, and that the recommendations in such report be adopted.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.***

***In adopting Motion J(20), without amendment, Council adopted, without amendment, the following staff recommendations contained in the Recommendations section of the confidential report dated June 21, 2004, from the City Solicitor, entitled “City Position Respecting a Potential North-South Rail Overpass in relation to Appeals of Official Plan and Zoning By-law Amendment Application No. TC CMB 2002 0019 by Olympia Elevator Service Limited, 1100 Lansdowne Avenue, Part of the former General Electric site, 940, 980 and 1100 Lansdowne Avenue, Davenport, Ward 17”, such report now public in its entirety:***

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

- (1) authorize the City Solicitor to oppose the insertion by CN Railway and GO Transit, at the Municipal Board settlement hearing relating to this application and at Municipal Board hearings generally;***
  - (i) of warning clauses supporting or providing special recognition for a north-south rail overpass at the intersection of the Canadian National and Canadian Pacific rail lines in the vicinity of Lansdowne Avenue and Dupont Street; and***
  - (ii) of Official Plan policies referencing a potential north-south rail overpass at the intersection of the Canadian National and Canadian Pacific rail lines in the vicinity of Lansdowne Avenue and Dupont Street,***

***until such time as the option has been formally advanced by the proponent and made subject to an environmental assessment, giving Council an opportunity to form an opinion on the proposal; and***
- (2) authorize the City Solicitor to include in the section 37 agreement standard warning clauses relating to rail lines, including the insertion of language referencing the potential for a range of alternative future rail infrastructure options to be considered at the time an environmental assessment may be initiated.”***

J(21) **Request to the Province to Change the Legislation Regarding Assessment Data Bases**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Mihevc

“**WHEREAS** City Councillors are required as part of their duties and responsibilities to communicate with their constituents for a variety of reasons; and

**WHEREAS** the Superior Court recently confirmed in a decision dated June 7, 2004, that Councillors’ communications with their constituents are an integral part of their jobs; and

**WHEREAS** in order to communicate effectively with their constituents, it is necessary for Councillors to have access to names, addresses and property data within their respective wards which are contained in the assessment data bases provided by MPAC; and

**WHEREAS** despite the City’s repeated requests, MPAC has refused to amend its agreement with the City to authorize staff to provide Councillors with personal information about constituents within a Councillor’s respective ward; and

**WHEREAS** there are compelling public policy considerations that warrant the disclosure of constituent personal information to their Councillors; and

**WHEREAS** a recent Divisional Court decision dated May 21, 2004, upholds MPAC’s refusal to provide personal information to a commercial collection agency because any such disclosure would contravene the provisions of the *Assessment Act*;

**NOW THEREFORE BE IT RESOLVED THAT** Council request the Province of Ontario to amend the relevant legislation to allow Councillors access to names and addresses of their constituents to fulfill their responsibilities;

**AND BE IT FURTHER RESOLVED THAT** Council authorize Councillor Moscoe with the assistance of the City Clerk and City Solicitor, to file a Freedom of Information request to MPAC on behalf of all members of Council to obtain names and addresses of property owners within their respective wards;

**AND BE IT FURTHER RESOLVED THAT** in the event that the access request is denied, authorization be provided to Councillor Moscoe with the assistance of the City Clerk and City Solicitor, to appeal any refusal to the Information and Privacy Commissioner and the Courts on behalf of the members of Council.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.***

**J(22) Request for Authority to Enter into a Municipal Housing Project Facility Agreement with St. Jude Community Homes at 275 and 267R Ontario Street Establishing the Facility as a Municipal Capital Facility and Exempting the Facility from Taxation for Municipal and School Purposes**

**Moved by: Councillor McConnell**

**Seconded by: Councillor Soknacki**

**“WHEREAS** City Council, at its meeting of February 13, 14 and 15, 2002, declared the city-owned site at 275 and 267R Ontario Street (the ‘Site’) surplus to municipal needs and authorized the negotiation of a long-term lease with St Jude Community Homes; and

**WHEREAS** St. Jude Community Homes is being funded by the Ministry of Health and has proceeded to develop the Site and has executed a lease with the City for 50 years less a day; and

**WHEREAS** St. Jude Community Homes is receiving no capital or operating funds from the City to develop and operate 30 units of affordable housing on the Site; and

**WHEREAS** St. Jude Community Homes had expected, when preparing the capital and operating budgets for the project, that it would receive a property tax exemption through the Municipal Property Assessment Corporation (MPAC) as it qualifies as an alternative housing provider; and

**WHEREAS** it has been advised MPAC will no longer grant exemptions to organizations that lease the property from which they operate; and

**WHEREAS** St. Jude Community Homes requires a property tax exemption to make the project viable;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) authority be granted for the City to enter into a Municipal Housing Project Facility Agreement with St. Jude Community Homes, pursuant to By-law No. 282-2002, establishing the corporation as a municipal capital facility;
- (2) authority be granted for exempting the property municipally known as 275 and 267R Ontario Street from taxation for municipal and school purposes; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect to the recommendations, including the introduction in Council of any necessary bills.”

***Disposition:***

***City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.***



J(23) **One on One Mentoring – Reserve Account**

**Moved by:** Councillor McConnell

**Seconded by:** Deputy Mayor Pantalone

“**WHEREAS** the One on One Mentoring Program has been successfully providing a valuable school-based service to children and youth that partners them with adult mentors who volunteer one hour each week, providing each child with a strong supportive role model in a positive trusting relationship; and

**WHEREAS** many corporate donors have been seeking to make cash donations to the One on One Mentoring Program, but lack a direct financial mechanism to do so; and

**WHEREAS** cash donations would go towards sponsoring the program, including events such as the year-end picnic, and certificates and games for the participating children;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief Financial Officer and Treasurer be directed to establish a One on One Mentoring Reserve Account and report back to Council, through the Policy and Finance Committee, if necessary, on any additional Council approvals required.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(24) **Appointments to Food and Hunger Action Committee**

**Moved by:** Councillor Carroll

**Seconded by:** Councillor Rae

“**WHEREAS** Council, by adopting Striking Committee Report 3, Clause 1, Item 15, appointed three interested Members of Council to the Food and Hunger Action Committee; and

**WHEREAS** the Food and Hunger Action Committee’s composition includes five Members of Council; and

**WHEREAS** the Committee’s importance subsequently became clear through the budget process, so that additional Members would like to serve on the Committee; and

**WHEREAS** the requirement under Municipal Code Chapter 27, Council Procedures, that all Member be canvassed for their interest in this appointment was already satisfied and two positions remain available;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with §27-49 of Chapter 27 of the City of Toronto Municipal Code, Striking Committee Report 3, Clause 1, be re-opened for further consideration, only as it concerns appointments to the Food and Hunger Action Committee;

**AND BE IT FURTHER RESOLVED THAT** the following Member of Council be appointed to one of the two vacant positions on the committee for a term of office expiring May 31, 2005 and until her successor is appointed:

S. Carroll.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, re-opened Striking Committee Report 3, Clause 1, headed “Appointments of Members of Council to Advisory Committees and Tree Advocate Position”, for further consideration, only as it concerns appointments to the Food and Hunger Action Committee.*

*City Council subsequently adopted the balance of this Motion, without amendment.*

J(25) **Resolution to Oppose Missile Defence**

**Moved by:** Councillor Mihevc

**Seconded by:** Councillor Fletcher

**“WHEREAS** the Government of Canada is considering its role in US plans for Missile Defence (MD); and

**WHEREAS** Missile Defence would put weapons in space and incite a new arms race, including new conventional and nuclear weapons; and

**WHEREAS** an arms race and weapons in space would threaten the security of all human beings, including the citizens of Toronto; and

**WHEREAS** the City of Toronto Council is responsible for ensuring the general safety of its community, including public security; and

**WHEREAS** the City of Toronto has adopted a Resolution declaring itself to be a nuclear weapons free zone, thereby recognizing disarmament and peace as public security issues;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto Council urge the Government of Canada to oppose US plans for Missile Defence and to not participate in them;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto Council forward this Resolution to the Federation of Canadian Municipalities and urge all municipalities to adopt similar Resolutions;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto Council send a letter to this effect and a copy of this Resolution to the Prime Minister of Canada, the Minister of Foreign Affairs and the Minister of National Defence.”

*Disposition:*

*At City Council on June 23, 24 and 25, 2004, this Motion was withdrawn.*

J(26) **Strategy to Ensure Affordable Housing**

**Moved by:** Councillor Mammoliti

**Seconded by:** Councillor Mihevc

“**BE IT RESOLVED THAT** the Chief Administrative Officer, in consultation with appropriate staff, prepare a report to Council, through the Community Services Committee, on a strategy which ensures that affordable housing units are scheduled to be built in each ward of the City in the future.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, referred this Motion to the Community Services Committee.*

J(27) **5255 Yonge Street – Ontario Municipal Board Appeal**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Rae

“**WHEREAS** the Committee of Adjustment for the City of Toronto (North District) refused an application by GWL Realty Advisors Inc., the owners of 5255 Yonge Street, to permit a professional medical office to be located on the ground floor; and

**WHEREAS** the variance requested was for a professional medical office (dental office) to be located on the ground floor; and

**WHEREAS** Planning staff reported to the Committee of Adjustment and recommended that the application be refused; and

**WHEREAS** the applicant has appealed the decision of the Committee of Adjustment for the minor variance application to the Ontario Municipal Board; and

**WHEREAS** July 30, 2004, has been set for the hearing of the appeal;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City Solicitor and City Planning staff to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment's decisions."

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(28) **3144 Bayview Avenue – Ontario Municipal Board Appeal**

**Moved by:** Councillor Moscoe

**Seconded by:** Councillor Rae

**“WHEREAS** the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by the owner of 3144 Bayview Avenue, for consent to sever a residential property fronting onto the west side of Bayview Avenue into two residential properties fronting onto Holmes Avenue, having frontages of 16.6m each; and

**WHEREAS** the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot area, front yards setbacks, east and west side yard setbacks, rear yard setbacks, lot coverage and a below grade garage; and

**WHEREAS** Planning staff did not comment on the applications; and

**WHEREAS** the applicant has appealed the decisions of the Committee of Adjustment for the severance and minor variance applications to the Ontario Municipal Board; and

**WHEREAS** the Ontario Municipal Board has set August 3, 2004, as the hearing date for the applications;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City Solicitor to retain outside Planning Support and to attend the Ontario Municipal Board hearing to uphold the City's By-law and the Committee of Adjustment's decisions."

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(29) **Request for Report on Establishment of a Grants Task Force**

**Moved by:** Councillor Thompson

**Seconded by:** Councillor Balkissoon

**“BE IT RESOLVED THAT** the Chief Administrative Officer be directed to report to the Policy and Finance Committee, as soon as possible, on a Task Force to be chaired by Councillor Ford and composed of volunteer members of the community, to look at ways and means of engaging the private sector in funding City of Toronto organizations, groups and agencies, thereby reducing the need or pressure for City grants.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, referred this Motion to the Policy and Finance Committee.*

J(30) **44 and 46 Bernard Avenue - Ontario Municipal Board Appeal**

**Moved by:** Councillor Moscoe

**Seconded by:** Deputy Mayor Pantalone

**“WHEREAS** the Committee of Adjustment refused an application by the owner of 44 and 46 Bernard Avenue, to sever the site into two parcels so the existing building on the front portion of the site and the existing coach house at the rear portion of the site would be located on their own lots; and

**WHEREAS** City planning staff submitted a report to the Committee recommending refusal of the application advising that insufficient information was provided with respect to servicing the coach house including water, sewer, garbage collection, snow clearing and fire and emergency access; and

**WHEREAS** staff recommended that a rezoning would be the appropriate approvals process to follow to ensure that all these issues are properly addressed; and

**WHEREAS** the applicant appealed the decision of the Committee to the Ontario Municipal Board;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of Toronto give authority for the City Solicitor and Planning staff to attend the Ontario Municipal Board hearing in support of the refusal of the application.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(31) **All Way Stop Control – Lumley Avenue and Moore Avenue (Ward 26 – Don Valley West)**

**Moved by: Councillor Rae**

**Seconded by: Councillor Soknacki**

**“WHEREAS** local residents of Ward 26 – Don Valley West expressed concern with safety and access to Moore Avenue at Lumley Avenue; and

**WHEREAS** Toronto City Council, at its meeting of March 1, 2 and 3, 2004, adopted a recommendation from Toronto North Community Council to install an all-way stop control at the intersection of Moore Avenue and Lumley Avenue; and

**WHEREAS** staff of the North District, Transportation Services Division, installed an all-way stop control at the intersection of Moore Avenue and Lumley Avenue on May 21, 2004; and

**WHEREAS** traffic on Moore Avenue at Lumley Avenue is experiencing significant delays as a result of the installation of the all-way stop control at Lumley Avenue; and

**WHEREAS** the installation of the all-way stop control did not prove to be an appropriate solution;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with § 27-49 of Chapter 27 of the City of Toronto Municipal Code, Toronto North Community Council Report 2, Clause 30, headed ‘All Way Stop Control – Lumley Avenue and Moore Avenue (Ward 26 – Don Valley West)’, be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** the all-way stop control at the Moore Avenue/Lumley Avenue intersection be removed;

**AND BE IT FURTHER RESOLVED THAT** further study and public consultation be conducted;

**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:***

***City Council on June 22, 23 and 24, 2004, re-opened Toronto North Community Council Report 2, Clause 30, headed “All Way Stop Control – Lumley Avenue and Moore Avenue (Ward 26 – Don Valley West)”, for further consideration.***

***City Council subsequently adopted the balance of this Motion, without amendment.***

J(32) **Request by the Women Members of Council to Confirm the Results of the Selection Process for the Constance E. Hamilton Award**

**Moved by: Councillor McConnell**

**Seconded by: Councillor Hall**

**On behalf of the Women Members of City Council**

“**WHEREAS** Toronto City Council established the Constance E. Hamilton Award in 1979 to celebrate the 50th anniversary of the Person’s Case, which recognized that women were ‘persons’ and could be appointed to the Senate of Canada; and

**WHEREAS** in 1920, Constance E. Hamilton was the first woman elected to a municipal council in Toronto; and

**WHEREAS** the Constance E. Hamilton Award recognizes person(s) who have made a significant contribution to improving the social, economic, cultural and political status of women in Toronto; and

**WHEREAS** the 75th anniversary of the Person’s Case will be celebrated in October, 2004;

**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council confirm the selections made by the Constance E. Hamilton Award Selection Committee, comprised of the Women Members of Council, that Zanana Akande, Nora Currie and Loly Rico be the recipients of the 2004 Constance E. Hamilton Award;

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

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(33) **Reimbursement of Conference Expenses – Councillor Rae**

**Moved by: Councillor Rae**

**Seconded by: Councillor Moscoe**

“**WHEREAS** City Council, on June 3, 4 and 5, 1998, adopted Corporate Services Committee Report 7, Clause 13, headed ‘Office Administration and Expenses for Members of Council’, which recommended, among other things, that for ‘Conference/Seminar and Business Travel Approvals: Councillors shall notify the Mayor in advance of plans to attend an event and shall seek Council approval for conference/seminar events exceeding \$3500.00 (Canadian funds), inclusive of registration, travel accommodation, and all related expenses, and that travel be paid from the Member’s Office Budget’; and

**WHEREAS** Councillor Kyle Rae attended the 'Building Cities for Community and Identity' in London, UK from June 11, 2004 – June 18, 2004; and

**WHEREAS** the expenses incurred by Councillor Rae including accommodation, ground transportation, air travel, conference registration and sundry expenses amounted to a total in excess of \$3500.00;

**NOW THEREFORE BE IT RESOLVED THAT** City Council direct staff to authorize payment for the expenses incurred at this conference from the Member's Office budget."

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

J(34) **Liquor Licence Matters – 11 Polson Avenue**

**Moved by: Councillor McConnell**

**Seconded by: Councillor Fletcher**

**“WHEREAS** the occupants of 11 Polson Street currently operate a licensed establishment which holds a licence to serve and sell alcohol both inside and outside the premises, under the name of Docks by Cherry; and

**WHEREAS** the holders of the liquor licence have applied to the Alcohol and Gaming Commission of Ontario (AGCO) for the renewal of their current liquor licence and a further application for the expansion of the licensed facilities both indoors and outdoors; and

**WHEREAS** City Councillors have received complaints from residents regarding the poor operation of the licensed establishment and misconduct of its patrons; and

**WHEREAS** City Councillors have been advised by Municipal Licensing and Standards of certain violations of the Municipal Code and applicable Zoning By-laws;

**NOW THEREFORE BE IT RESOLVED THAT** Council authorize the City Solicitor to advise the Alcohol and Gaming Commission of Ontario (AGCO) that it opposes any renewal and/or expansion of the liquor licence of these premises, because the past and present conduct of the persons involved in the operations affords reasonable grounds for belief that the corporate licensee will not carry on business in accordance with the law and integrity and honesty, and the continued operation and any expansion of the licensed establishment thereof is not in the public interest;



**AND BE IT FURTHER RESOLVED THAT** the AGCO be requested to provide the City with an opportunity to participate in any proceedings involving these and any adjacent premises to oppose the liquor licence operations, and the City Solicitor be authorized to participate in any proceedings involving 11 Polson Street and any adjacent, related premises to oppose any application for a liquor licence or expansion thereof.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion, without amendment.*

**CONDOLENCE MOTIONS**

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

**Seconded by:** Councillor Walker

“**WHEREAS** Members of Council are saddened to learn of the death of Bob Gosschalk on May 21, 2004; and

**WHEREAS** Bob immigrated to Canada as a young, adventurous Dutch boy, looking for independence and a fresh start; and

**WHEREAS** after a number of years in Hamilton, Burlington, North Bay and Oshawa, he and his family settled in Toronto in 1965 as a tenant in Ward 25 in the St. Andrew Towers Apartments; and

**WHEREAS** in the early 80’s Bob joined the St. Andrew Towers Tenants Association and in 1984 became President; and

**WHEREAS** he and his wife, Louise, were diligent in their quest for tenants’ rights and were tireless in distributing newsletters, organizing tenant meetings and representing the 1,500 tenants in the six buildings in the north end of Ward 25 at the municipal and provincial level; and

**WHEREAS** in 1991 Bob became President of the Federation of North York Tenants Associations, and after amalgamation until he became ill, Bob attended the City’s Tenant Committee meetings; and

**WHEREAS** Bob was a champion of his cause and will be missed;

**NOW THEREFORE BE IT RESOLVED THAT** Council recognize Bob’s tremendous commitment to tenants in the City of Toronto;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife Louise, his family and friends.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion unanimously.*

(2) **Moved by:** Deputy Mayor Bussin

**Seconded by:** Deputy Mayor Pantalone

“**WHEREAS** the Mayor and Members of Toronto City Council are deeply saddened to learn of the sudden passing of Mr. Art Feldman, beloved brother of Deputy Mayor Michael Feldman, on June 23, 2004;

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

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion unanimously.*

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

**Seconded by:** Councillor Jenkins

“**WHEREAS** Members of Council are saddened to learn of the passing of Malachy Grant on Saturday, June 19, 2004; and

**WHEREAS** Mr. Grant, as Design and Construction Director, along with Eldon Dolphin as General Manager, made engineering history by designing and building the CN Tower; and

**WHEREAS** the CN Tower is recognized by the Guinness Book of World Records as the World’s Tallest Building, and is classified as one of the Seven Wonders of the Modern World by the American Society of Civil Engineers; and

**WHEREAS** the CN Tower transformed the Toronto skyline and boosted tourism; and

**WHEREAS** Mr. Grant was a very humble and proud person who praised others on their accomplishments; and

**WHEREAS** on June 26, 2004, the CN tower will celebrate its 28<sup>th</sup> anniversary;

**NOW THEREFORE BE IT RESOLVED THAT** Council applaud the engineering achievements of Mr. Grant;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his caregiver/daughter Imelda, family and friends.”

*Disposition:*

*City Council on June 22, 23 and 24, 2004, adopted this Motion unanimously.*

Toronto, Ontario  
June 28, 2004

City Clerk