

CITY COUNCIL

A G E N D A

Date of Meeting: Wednesday, March 4, 1998
Time: 9:30 a.m.
Location: Metro Hall Council Chamber
55 John Street, Toronto

Enquiry: Madeline Brown
**Interim Contact -
Council**
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O CANADA.

MOMENT OF SILENCE.

1. CONFIRMATION OF MINUTES.

2. COMMUNICATIONS.

(a) From the Commissioner of Community and Neighbourhood Services (February 16, 1998) reporting, as requested by the Community and Neighbourhood Services Committee, on the nomination of staff representatives to the Toronto District Health Council, and recommending that the Commissioner of Community and Neighbourhood Services and the Executive Director of Social Development be nominated as the City's staff representatives to the District Health Council.

(For consideration with Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee.)

(b) From the Striking Committee (February 23, 1998) recommending that the Mayor of Toronto be requested to write to the Toronto District Health Council advising that:

(i) City Council at its meeting held on January 2, 6, 8 and 9, 1998, appointed Councillor Joan King as the City's nominee as a Member of the City of Toronto Council on the Toronto District Health Council; and

(ii) City Council does not wish to nominate two candidates for this position.

(For consideration with Clause No. 1 of Report No. 2 of The Community and Neighbourhood Services Committee.)

(c) From Councillor J. Pantalone, Trinity Niagara (February 20, 1998) submitting, for consideration with the carbon monoxide issue, an article, entitled "Everyday Exposure to Toxic Pollutants" from the February, 1998 issue of Scientific American.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

(d) From the Chief Financial Officer and Treasurer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on the feasibility of purchasing carbon monoxide detectors on a bulk basis, and advising that bulk purchase of carbon monoxide detectors can be accomplished using the normal competitive bidding process.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

(e) From the Interim Functional Lead - Building (February 16, 1998) reporting, as requested by the Urban Environment and Development Committee, on a regulatory framework to improve health and safety of occupants of existing buildings and recommending that the Province of Ontario be requested to enact legislation, under the Ontario Building Code Act to regulate minimum health and life safety matters in existing buildings.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

(f) From the Fire Chief (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a number of initiatives currently being undertaken by the Fire Department to promote the installation of carbon monoxide detectors.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

- (g) From the City Solicitor (February 25, 1998) submitting, as requested by the Urban Environment and Development Committee, a draft by-law requiring the installation of carbon monoxide detectors in residential units.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

- (h) From the Chief Administrative Officer (February 25, 1998) reporting, as requested by the Urban Environment and Development Committee, on a public communication plan respecting carbon monoxide poisoning, the criteria for determining “needy” recipients of carbon monoxide detectors, and the potential number of such households; and submitting recommendations in this regard.

(For consideration with Clause No. 1 of Report No. 2 of The Urban Environment and Development Committee.)

- (i) From the Chair, Citizens for the Retention of the East Gardiner Expressway (C.R.E.G.E.) (February 23, 1998) expressing opposition to the dismantling of the eastern section of the Gardiner Expressway from the Don River to Leslie Street and submitting comments in this regard.

(For consideration with Clause No. 2 of Report No. 2 of The Urban Environment and Development Committee.)

- (j) From the Commissioner of Development Services, York Civic Service Centre (February 25, 1998) providing additional information respecting Application No. OZ97-004 regarding a zoning by-law amendment and advising that a development agreement has been executed by the owner of the lands and a financial security to guarantee landscape works as required by the agreement has been deposited with the City.

(For consideration with Clause No. 5 of Report No. 2 of The York Community Council.)

- (k) From the President of Operations, Harbour Remediation & Transfer Inc. (HR&T) (February 18, 1998) regarding the biosolids demonstration project and seeking permission to commence testing of new scrubbers and other control equipment.

(For consideration with Clause No. 1 of Report No. 2 of The Works and Utilities Committee.)

- (l) From the City Solicitor (February 24, 1998) providing, as requested by City Council at its Special Meeting held on February 12, 1998, information and advice on:
 - (a) the taxation provisions of the *Education Act*, and the City of Toronto's duties thereunder; and
 - (b) the potential for the City launching a legal challenge to the higher tax rates for school board purposes set by the Province for business properties located in the City of Toronto as compared to the tax rate set for business properties located in other municipalities.

(For consideration with Clause No. 16 of Report No. 3 of The Strategic Policies and Priorities Committee.)

- (m) From the City Clerk (February 26, 1998) submitting, for information, a list of candidates who failed to file their Financial Statement or Financial Statement and Auditor's Report by February 2, 1998, as required under the Municipal Elections Act.

(Receive as information.)

3. PETITIONS.

4. ENQUIRIES AND ANSWERS.

Enquiry to the Mayor, dated February 23, 1998, from Councillor M. Walker, North Toronto concerning the City's interest in the Union Station lands?

5. PRESENTATION OF REPORTS OF THE STANDING COMMITTEES, COMMUNITY COUNCILS AND OTHER COMMITTEES.

6. DECLARATIONS OF INTEREST.

Members of Council are requested to indicate the Report and Clause number wherein they have an interest together with the nature of the interest.

7. CONSIDERATION OF REPORTS OF STANDING COMMITTEES, COMMUNITY COUNCILS AND OTHER COMMITTEES.

Report No. 2 of The Community and Neighbourhood Services Committee
Report No. 2 of The Corporate Services Committee
Report No. 2 of The Emergency and Protective Services Committee
Report No. 2 of The Urban Environment and Development Committee
Report No. 2 of The Works and Utilities Committee
Report No. 3 of The Strategic Policies and Priorities Committee
Report No. 2 of The East York Community Council
Report No. 2 of The Etobicoke Community Council
Report No. 2 of The North York Community Council
Report No. 2 of The Scarborough Community Council
Report No. 2 of The Toronto Community Council
Report No. 2 of The York Community Council
Report No. 3 of The Board of Health
Report No. 2 of The Special Committee to Review the Final Report
of the Toronto Transition Team
Report No. 2 of The Striking Committee

8. INTRODUCTION AND CONSIDERATION OF GENERAL BILLS NOT PREVIOUSLY INTRODUCED.

- Bill No. 42 To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- Bill No. 43 To amend further By-law No. 92-93, a by-law “To regulate traffic on roads in the Borough of East York”, being a by-law of the former Borough of East York.
- Bill No. 44 To provide for the formulation and implementation of a plan for the provision of emergency services during emergencies affecting the City of Toronto.
- Bill No. 45 To establish certain lands as a municipal highway.
- Bill No. 46 To establish certain lands as a municipal highway.
- Bill No. 47 To establish certain lands as a municipal highway.
- Bill No. 48 To establish certain lands as a municipal highway.
- Bill No. 49 To establish certain lands as a municipal highway.

- Bill No. 50 To establish certain lands as a municipal highway.
- Bill No. 51 To establish certain lands as a municipal highway.
- Bill No. 52 To establish certain lands as a municipal highway.
- Bill No. 53 To establish certain lands as a municipal highway.
- Bill No. 54 To establish interim procedures and authority for the procurement of goods and services.
- Bill No. 55 To amend Scarborough Zoning By-law No. 24982 with respect to the Oakridge Employment District.
- Bill No. 56 To adopt Amendment No. 1003 of the Official Plan for the former City of Scarborough.
- Bill No. 57 To prescribe maintenance and occupancy standards for dwelling units with respect to carbon monoxide detectors.
- Bill No. 58 To amend further the former Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on Metropolitan Roads.
- Bill No. 59 A By-law to amend City of North York By-law 32931, as amended.
- Bill No. 60 To amend North York By-law No. 31001, as amended.
- Bill No. 61 To amend North York By-law No. 31001, as amended.
- Bill No. 62 A By-law to provide for the temporary closing to vehicular and pedestrian traffic on Harlandale Avenue for the purpose of construction of the Sheppard Subway, Harlandale Avenue emergency ventilation shaft.
- Bill No. 63 To amend North York By-law No. 31001, as amended.
- Bill No. 64 To amend North York By-law No. 31001, as amended.
- Bill No. 65 To amend North York By-law No. 31001, as amended.
- Bill No. 66 A By-law to amend City of North York By-law 30901, as amended.
- Bill No. 67 A By-law to amend City of North York By-law 30901, as amended.

- Bill No. 68 A By-law to amend City of North York By-law 30901, as amended.
- Bill No. 69 A By-law to amend City of North York By-law 30901, as amended.
- Bill No. 70 A By-law to designate certain lands on a registered plan not subject to Part Lot Control.
- Bill No. 71 A By-law to designate certain lands on a registered plan not subject to Part Lot Control .
- Bill No. 72 To authorize the levy against the lands in defined areas with respect to a portion of the capital costs for the development of a 40-space surface parking lot at 266, 268 and 272 Rhodes Avenue and 475, 481 and 487 Craven Road.
- Bill No. 73 To acquire all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.
- Bill No. 74 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private lane which extends northerly from Humberside Avenue, between High Park Avenue and Pacific Avenue, for public lane purposes.
- Bill No. 75 To adopt an amendment to the Official Plan for the former City of Toronto respecting lands known as 1101 Dupont Street.
- Bill No. 76 To amend the General Zoning By-law No. 438-86 with respect to lands known as 1101 Dupont Street.
- Bill No. 77 To amend City of York By-law Number 3432-97, being a By-law “To prohibit the use of land, building and structures for the purpose of a Banquet Hall on the lands municipally known as 2007, 2009 and 2011 Lawrence Avenue West (Interim Control)”.
- Bill No. 78 To amend Borough of York By-law Number 3491-80, being a By-law “To provide for night-time parking of motor vehicles on Borough of York highways.”
- Bill No. 79 To amend City of York By-law Number 196-84, being a By-law “To Regulate Traffic on City of York Roads.”
- Bill No. 80 To amend City of York By-law Number 2958-94, being a By-law “To regulate traffic on City of York Roads.”

- Bill No. 81 To designate the area consisting of the former City of York as a Community Improvement Area.”
- Bill No. 82 To amend City of York By-law Number 1-83.
- Bill No. 83 To acquire all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court for public lane purposes.
- Bill No. 84 To authorize the execution and registration of a plan of survey for the acquisition of all rights, title and interests in the private land located at the rear of premises Nos. 6 - 16 St. James Court, for public lane purposes.
- Bill No. 85 To appoint, on an interim basis, Dr. Colin D'Cunha, Dr. Alwyn Egbert, Dr. Richard Gould, Dr. Bart Harvey, Dr. Ian Johnson, Dr. David McKeown, Dr. Elizabeth Rea, Dr. Rita Shahin and Dr. Barbara Yaffe, Associate Medical Officers of Health for the City of Toronto Health Unit.

9. MOTIONS PREVIOUSLY CALLED AND NOT DISPOSED OF.

10. MOTIONS OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN.

Moved by: Councillor Ootes

Seconded by: Councillor Chong

“**WHEREAS** City Council at its meeting held on January 2, 6, 8 and 9, 1998, adopted the following recommendations:

- ‘(1) each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents;
- (2) Councillors be allocated sufficient funds within the General Council budget to cover the salaries and benefits for one (1) Executive Assistant, one (1) Constituency Assistant and one (1) Administrative Assistant;
- (3) each Councillor be given the latitude to hire the equivalent of three (3) full-time staff from the following classifications: Executive Assistant, Constituency Assistant, Administrative Assistant and Clerical Assistant; and
- (4) on an interim basis, the salary range for the Executive Assistant and the Constituency Assistant be that of the Executive Assistant in the former Municipality of Metropolitan Toronto and the salary range for the Administrative Assistant and the Clerical Assistant be that of the

Administrative Assistant and the Clerk Grade 3 position in the former Municipality of Metropolitan Toronto;’ and

WHEREAS in order to make an informed decision, City Council requires additional information in this regard; and

NOW THEREFORE BE IT RESOLVED THAT in accordance with Section 46 of the Council Procedural By-law, the foregoing decision of City Council be reopened for further consideration;

AND BE IT FURTHER RESOLVED THAT this matter be referred to the Corporate Services Committee for further consideration at its meeting to be held on February 16, 1998, and the City Clerk be requested to submit a report to the Corporate Services Committee providing a review of the budgets for the former Members of Metropolitan Council, taking into account costs associated with newsletters, distribution, telephone equipment, office furniture, supplies, advertising, postage, courier services, photocopy charges, constituency meetings, and any other miscellaneous items, as well as any additional costs associated with the operation of a Councillor’s office;

AND BE IT FURTHER RESOLVED THAT, having regard that the City of Toronto Councillors should take the lead in ensuring that constituents are receiving full value for their tax dollars, the Corporate Services Committee be requested to provide direction in this matter, taking into consideration the number of constituents per ward and the additional responsibilities assumed by Members of City Council as a result of amalgamation.”

11. NOTICES OF MOTIONS.

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

Seconded by: Councillor Adams

“**WHEREAS**, there has been a great deal of speculation in the media regarding the possible purchase of the City of Toronto’s ‘Union Station lands’; and

WHEREAS, the Mayor’s office has not supplied City of Toronto Councillors with any details regarding any such proposal; and

WHEREAS, Councillor Michael Walker, by way of a letter dated February 18, 1998 (see attached) requested that the Mayor provide City Councillors with information regarding the proposed land deal; and

WHEREAS, the Mayor has still not provided the requested information; and

WHEREAS it is vital that the negotiations for any possible disposition of these lands be done openly in a public forum; and

WHEREAS, it is essential that the City of Toronto receive 'fair market value' for its lands, which are worth well in excess of \$100 million;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council appoint a lead negotiator, who, along with City staff, negotiate the possible sale/lease of the Union Station lands with Maple Leaf Gardens;
- (2) City staff select three possible chief negotiators for final selection by City Council. In selecting the three possible negotiators, staff is to give consideration to those candidates with knowledge of these lands and with previous experience in negotiating their disposition to Maple Leaf Gardens;
- (3) City Council meet in special session to decide what instructions to give its negotiating team regarding any possible disposition of the lands; and
- (4) City Council continue to meet at regular intervals, in special session, to receive briefings from the City negotiators and to further instruct the negotiators;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

(See Attachment 1)

(b) **Moved by:** **Councillor McConnell**

Seconded by: **Councillor Layton**

“**WHEREAS** the *Expropriations Act* requires that City Council, as the approving authority under the *Act*, consider and render a decision on an Application to Expropriate within 90 days of the receipt of the report of an Inquiry Officer who has conducted an Inquiry Hearing with respect to a proposed expropriation; and

WHEREAS the report of the Inquiry Officer with respect to the expropriation by the City of Toronto of certain lands at the rear of Nos. 6 to 16 St. James Court for public lane purposes was received on January 5, 1998; and

WHEREAS it is therefore essential that City Council consider this matter at its meeting on March 4, 1998;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council consider the attached report (February 23, 1998) from the City Solicitor; and
- (2) City Council approve the proposed expropriation for the reasons set out in the report and adopt the other recommendations of the City Solicitor;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

(See Attachment 2)

(c) **Moved by: Councillor Silva**

Seconded by: Councillor Balkissoon

“**WHEREAS** anecdotal evidence indicates that Current Value Assessment will cause an inordinate shift of commercial realty taxes onto the retail strip sector; and

WHEREAS 200 percent to 300 percent tax increases will seriously compromise the ability of many retailers in this sector to stay in business; and

WHEREAS the Ministry of Finance may make regulations permitting the assessment of land at its current use and that this may mitigate the negative impact of Current Value Assessment on retail strips in the City; and

WHEREAS the City of Toronto has been given the authority by the Province of Ontario to create graduated tax rates for commercial realty taxes based on assessment values; and

WHEREAS preliminary evidence indicates that residential property taxes under Current Value Assessment will also experience wide swings and many residential taxpayers, particularly low-income or fixed income individuals will experience substantial hardship; and

WHEREAS the City of Toronto has been given the authority by the Province of Ontario to phase-in the tax changes for all property classes; and

WHEREAS the City of Toronto has been given the authority by the Province of Ontario to provide tax relief for low-income seniors and persons with disabilities; and

WHEREAS many charitable and non-profit organizations occupying commercial and industrial properties will now face substantial financial hardships due to Current Value Assessment and the City of Toronto has been given the authority by the Province of Ontario to allow for tax rebates to those organizations;

NOW THEREFORE BE IT RESOLVED THAT Council request City staff to investigate all of the options provided to the City by the Province to lessen the impact of the tax changes for the business and residential taxpayers;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

(d) **Moved by:** **Councillor Adams**

Seconded by: **Councillor Bossons**

“**WHEREAS** the Ontario Municipal Board (OMB) has set a hearing date of March 26, 1998, concerning an appeal of the Toronto Committee of Adjustment decision of September 9, 1997, regarding 81 Whitehall Road; and

WHEREAS in its decision of September 9, 1997, the Toronto Committee of Adjustment refused a variance request to maintain the use of the subject duplex at 81 Whitehall Road as a converted house containing three dwelling units, including the use of the basement as a dwelling unit contrary to the permitted use under the Zoning By-law in this area designated as R1S ; and

WHEREAS in giving reasons for refusal the Committee referred to a ruling of the Ontario Municipal Board (OMB) dated June 5, 1997, relating to an appeal of an earlier Committee decision for a similar use of another property on this street and in its Order ruled that the use was not permitted and ‘to permit the variance would be to deviate from the general intent and purpose of the by-law that this area should be comprised of one or two unit houses and, if that is to change, then it should be done through a re-zoning process and not by way of variance’; and

WHEREAS the Committee in reviewing the concerns expressed by the OMB, shared the concerns expressed by the residents, myself as Ward Councillor, and the Commissioner of Urban Development Services, and deemed the application could not be considered desirable or within the general intent and purpose of the City of Toronto Zoning By-law; and

WHEREAS given the date of the OMB hearing, March 26, 1998, sufficient time is not available for this matter to go to the appropriate Community Council;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor and the Commissioner of Urban Development Services be directed to appear before the Ontario Municipal Board on March 26, 1998, to defend the City of Toronto Committee of Adjustment decision of September 17, 1997, regarding 81 Whitehall Road;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

(See Attachment 3)

(e) **Moved by:** **Councillor Layton**

Seconded by: **Councillor Chow**

“**WHEREAS** the Tenant Protection Act is expected to be proclaimed by the Provincial Government this spring, resulting in the repeal of the Rental Housing Protection Act and other related legislation; and

WHEREAS a significant number of affordable rental apartments may be subject to conversion to condominium and demolition as a result of the change in Provincial legislation; and

WHEREAS the rental housing vacancy rate in the new City of Toronto was only 0.8 percent as of October 1997, and that as a result of the cancellation of the social housing programs, virtually no new affordable rental housing is being built in the City; and

WHEREAS the number of underhoused or homeless persons in the City of Toronto is growing, and a substantial number of people are now at high risk of becoming homeless;

NOW THEREFORE BE IT RESOLVED THAT the work of the Urban Planning and Development Staff Team dealing with the development of a new condominium conversion policy and other measures to preserve the City’s scare supply of rental housing be fast-tracked;

AND BE IT FURTHER RESOLVED THAT in the interim, all Community Councils strictly apply their existing condominium conversion and demolition control policies/by-laws, where applicable, in order to minimize the loss of affordable rental housing units;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

(f) **Moved by:** **Councillor Ootes**

Seconded by: **Councillor Mihevc**

“**WHEREAS** the School Board is in the process of fighting 300 to 400 property tax appeals; and

WHEREAS the School Board has advised that they will not continue to pursue action to fight these appeals; and

WHEREAS there are significant dollars involved; and

WHEREAS it is in the best interest of the City to protect its tax base;

NOW THEREFORE BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be requested to submit a report to the Corporate Services Committee for its meeting to be held on March 30, 1998, on how to protect the City’s tax base in this regard;

AND BE IT FURTHER RESOLVED THAT leave be granted to introduce this Notice of Motion in accordance with Section 27 of the Council Procedural By-law, and that subsections 28(1) and (2) of said By-law be waived to permit debate of this motion at the meeting of Council to be held on March 4, 1998.”

12. INTRODUCTION OF BILL TO CONFIRM THE PROCEEDINGS OF COUNCIL AT THIS MEETING.

13. ADJOURNMENT.

O CANADA

O Canada! Our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North, strong and free!
From far and wide, O Canada, we stand
on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

O Canada! Terre de nos aïeux!
Ton front est ceint de fleurons glorieux!
Car ton bras sait porter l'épée, il sait porter
la croix!
Ton histoire est une épopée Des plus
brillants exploits.
Et ta valeur, de foi trempée,
Protégera nos foyers et nos droits,
Protégera nos foyers et nos droits.