

[Guide to Council Minutes](#)

**MINUTES OF THE COUNCIL  
OF THE  
CITY OF TORONTO**

**TUESDAY, DECEMBER 14, 1999,  
WEDNESDAY, DECEMBER 15, 1999 AND  
THURSDAY, DECEMBER 16, 1999**

City Council met in the Council Chamber, City Hall, Toronto.

**CALL TO ORDER**

- 14.1 Mayor Lastman took the Chair and called the Members to order.

The meeting opened with O Canada.

14.2 **CONFIRMATION OF MINUTES**

Councillor O'Brien, seconded by Councillor Holyday, moved that the Minutes of the Council meeting held on the 23rd, 24th and 25th days of November, 1999, be confirmed in the form supplied to the Members, which carried.

**PETITIONS AND ENQUIRIES**

- 14.3 Councillor Chow filed with the City Clerk, for consideration with Notice of Motion J(12), a petition containing 389 signatures of concerned members of the rave community in support of both the development of equitable by-laws to govern Toronto raves that are comparable to those that govern other large entertainment events and the involvement of Toronto's rave scene in the preparation of such by-laws.

Council received the aforementioned petition.

## **PRESENTATION OF REPORTS**

### **December 14, 1999:**

14.4 Councillor Pantalone presented the following Reports for consideration by Council:

Report No. 11 of The Policy and Finance Committee,  
Report No. 7 of The Planning and Transportation Committee,  
Report No. 6 of The Works Committee,  
Report No. 8 of The Administration Committee,  
Report No. 9 of The Administration Committee,  
Report No. 6 of The Community Services Committee,  
Report No. 6 of The Economic Development and Parks Committee,  
Report No. 11 of The North York Community Council,  
Report No. 14 of The Scarborough Community Council,  
Report No. 15 of The Toronto Community Council,  
Report No. 12 of The York Community Council,  
Report No. 13 of The East York Community Council,  
Report No. 14 of The Etobicoke Community Council, and  
Report No. 13 of The Striking Committee,

and moved, seconded by Councillor Bussin, that Council now give consideration to such Reports, which carried.

### **December 15, 1999:**

14.5 Councillor Berardinetti, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 10 of The Administration Committee,

and moved, seconded by Councillor Ootes, that, in accordance with the provisions of Section 44 of the Council Procedural By-law, Council now give consideration to such Report, which carried, more than two-thirds of Members present having voted in the affirmative.

### **14.6 DECLARATIONS OF INTEREST**

Councillor Balkissoon declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed "September 30, 1999, Operating Budget Variance Report", in that a member of his family is an employee in the office of a Member of Council.

Councillor Berger declared his interest in Clauses Nos. 13, 14 and 15 of Report No. 11 of The Policy and Finance Committee, headed “Review of the Expanded Municipal Non-Mandatory Dental Program”, “Report of the Staff Task Force on Public Health Dental Services” and “Management Structure for Public Health Dental Services”, respectively, in that his son-in-law is engaged in the dental profession.

Councillor Cho declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Chow declared her interest in Clause No. 53 of Report No. 15 of The Toronto Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - Spadina Avenue between Dundas Street West and Queen Street West and Downtown Chinatown Initiatives (Downtown)”, in that she resides one block from Spadina Avenue, north of Dundas Street West, and the matter was the subject of deputations at the public meeting.

Councillor Feldman declared his interest in Clause No. 16 of Report No. 8 of The Administration Committee, headed “3885 Yonge Street, Known as the Jolly Miller, Lease with Prime Asset Management Company - (Ward 9 - North York Centre South)”, in that he lives in the vicinity of the Jolly Miller.

Councillor Fotinos declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Gardner declared his interest in Item (d), entitled “Reduction of False Alarms”, as embodied in Clause No. 15 of Report No. 6 of The Community Services Committee, headed “Other Items Considered by the Committee”, in that he is a member of a Board of Directors of a company that has alarm systems as part of its business; and in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Jones declared her interest in Item (m), entitled “Preliminary Evaluation Report - Oxford Hills Developments (Manitoba) Limited, 134, 136 Manitoba Street and 527, 535 Oxford Street - File No. Z-2303 (Lakeshore-Queensway)”, as embodied in Clause No. 13 of Report No. 14 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, in that her husband does consulting work for one of the applicants.

Councillor Kelly declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Mayor Lastman declared his interest in Clause No. 8 of Report No. 11 of The Policy and Finance Committee, headed “Applications for Credit Pursuant to the Development Charges

Act”, in that the Applicant’s solicitor is employed by the same law firm as his son who is not a real estate lawyer and does not personally act on this file.

Councillor Layton declared his interest in Clause No. 53 of Report No. 15 of The Toronto Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - Spadina Avenue between Dundas Street West and Queen Street West and Downtown Chinatown Initiatives (Downtown)”, in that he resides one block from Spadina Avenue, north of Dundas Street West, and the matter was the subject of deputations at the public meeting.

Councillor Mahood declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Mammoliti declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Prue declared his interest in Item (h), entitled “2000 - 2004 Capital Budget”, as embodied in Clause No. 13 of Report No. 13 of The East York Community Council, headed “Other Items Considered by the Community Council”, insofar as it relates to the Toronto and Region Conservation Authority, in that his principal residence is immediately adjacent to Toronto and Region Conservation Authority property.

Councillor Shiner declared his interest in Item (k), entitled “2000 - 2004 Capital Budget Review”, as embodied in Clause No. 13 of Report No. 14 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, and in Item (h), entitled “2000 - 2004 Capital Budget”, as embodied in Clause No. 6 of Report No. 13 of The East York Community Council, headed “Other Items Considered by the Community Council”, and in Item (g), entitled “Capital Budget - 2000 - 2004 Capital Budget”, as embodied in Clause No. 21 of Report No. 11 of The North York Community Council, headed “Other Items Considered by the Community Council”, and in Item (b), entitled “Capital Budget”, as embodied in Clause No. 10 of Report No. 14 of The Scarborough Community Council, headed “Other Items Considered by the Community Council”, and in Item (r), entitled “2000 Capital Program”, as embodied in Clause No. 57 of Report No. 15 of The Toronto Community Council, headed “Other Items Considered by the Community Council”, and in Item (a), entitled “2000 - 2004 Capital Budget”, as embodied in Clause No. 7 of Report No. 12 of The York Community Council, headed “Other Items Considered by the Community Council”, insofar as they relate to the Toronto Police Services 2000-2004 Capital Budget, and specifically as they pertain to the Police Services Board’s review of potential sites for a video storage facility, in that one of the sites under review is owned by members of his family; and in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”, in that a member of his family is an employee in his office.

Councillor Sinclair declared his interest in Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed "September 30, 1999, Operating Budget Variance Report", in that a member of his family is an employee in his office.

**CONSIDERATION OF REPORTS  
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION**

**14.7 The following Clauses were held by Council for further consideration:**

Report No. 11 of The Policy and Finance Committee, Clauses Nos. 1, 3, 5, 7, 8, 9, 11, 12, 13, 18, 21, 23, 26, 27 and 28.

Report No. 7 of The Planning and Transportation Committee, Clauses Nos. 1, 2, 3, 6 and 7.

Report No. 6 of The Works Committee, Clauses Nos. 1, 4 and 21.

Report No. 8 of The Administration Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 16, 17, 19 and 23.

Report No. 9 of The Administration Committee, Clauses Nos. 1, 2, 3, 4 and 5.

Report No. 10 of The Administration Committee, Clause No. 1.

Report No. 6 of The Community Services Committee, Clauses Nos. 1 and 5.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 1, 2, 3, 5, 6, 8 and 9.

Report No. 11 of The North York Community Council, Clauses Nos. 4 and 8.

Report No. 15 of The Toronto Community Council, Clauses Nos. 5, 6, 17, 33, 42 and 52.

Report No. 13 of The East York Community Council, Clauses Nos. 2 and 6.

Report No. 14 of The Etobicoke Community Council, Clauses Nos. 6 and 8.

**The following Clauses which were held by Council for further consideration were subsequently adopted without amendment or further discussion:**

Report No. 11 of The Policy and Finance Committee, Clauses Nos. 7 and 8.

Report No. 7 of The Planning and Transportation Committee, Clause No. 7.

Report No. 8 of The Administration Committee, Clauses Nos. 13, 16, 19 and 23.

Report No. 9 of The Administration Committee, Clauses Nos. 2 and 5.

Report No. 6 of The Economic Development and Parks Committee, Clauses Nos. 3 and 9.

**The Clauses not held by Council for further consideration were deemed to have been adopted by Council, without amendment, in accordance with the provisions of the Council Procedural By-law.**

**CONSIDERATION OF REPORTS  
CLAUSES WITH MOTIONS, VOTES, ETC.**

- 14.8 **Clause No. 12 of Report No. 8 of The Administration Committee, headed “Proposed Amendments to the City of Toronto Lease(s) to the Riverdale Hospital (Ward 25 – Don River)”.**

*Motion:*

Councillor Layton moved that the Clause be amended:

- (a) in accordance with the report dated December 13, 1999, from the Acting Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) my report dated November 4, 1999, be approved, subject to changes in the lease respecting parking, as outlined in the attached letter from the Riverdale Hospital; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

- (b) by adding thereto the following:

“It is further recommended that the City Clerk be requested to include the full text of the letter dated December 13, 1999, from the Chairman, The Riverdale Hospital, in Appendix ‘A’ to the Minutes of this meeting.”

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

- 14.9 **Clause No. 8 of Report No. 6 of The Economic Development and Parks Committee, headed “Designation of City Limits Business Improvement Area (BIA), North Toronto and North York Centre”.**

*Motion:*

Councillor Walker moved that the Clause be amended to provide that, as requested in the communication dated December 2, 1999, from the President, Yonge Lawrence Village Business Association (formerly the City Limits Business Association), the Business Improvement Area be named the “Yonge-Lawrence Village Business Improvement Area”, in lieu of the “City Limits Business Improvement Area”.

*Votes:*

The motion by Councillor Walker carried.

The Clause, as amended, carried.

**14.10 Clause No. 8 of Report No. 11 of The North York Community Council, headed “Nomination of Citizens for Appointment to Heritage Boards – All Wards in Former City of North York”.**

*Motion:*

Councillor Ashton moved that the Clause be amended by inserting in Recommendations Nos. (1) and (2) embodied in the report dated November 9, 1999, from the Commissioner of Economic Development, Culture and Tourism, after the date “November 30, 2003”, the words “and until their successors are appointed”, so that such recommendations shall now read as follows:

- “(1) Council appoint the following citizens to serve on the North York LACAC Panel for a term to begin January 1, 2000, and, despite section 14 of By-law No. 795-1999, to expire on November 30, 2003, and until their successors are appointed: Pietro Ferrari, Edith Geduld, Judith P. Goldstein, Alex M. Grenzebach, and Tanya Grujich;
- (2) Council appoint the following citizens to serve on the Gibson House / Zion Schoolhouse Museum Management Board for a term to begin January 1, 2000, and, despite subsection 5(4) of By-law No. 793-1999, to expire on November 30, 2003, and until their successors are appointed: Gillian Elias, Wilf Neidhardt, Basil Stevens, Yvonne Verberg, and Frank Whilsmith; that Lorraine O’Byrne be appointed to represent TRCA / Black Creek Pioneer Village; and that Jane Saunders be appointed to represent the North York Historical Society;”.

*Votes:*

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

**14.11 Clause No. 17 of Report No. 15 of The Toronto Community Council, headed “Operation of Boulevard Café - Cafe Aquario - Lakeview Avenue Flank - 1212 Dundas Street West (Trinity-Niagara)”.**

*Motion:*

Councillor Silva moved that the Clause be amended to provide that the closing time for the boulevard café on the Lakeview Avenue flank of 1212 Dundas Street West be changed from 10:00 p.m. to 11:00 p.m.

*Votes:*

The motion by Councillor Silva carried.

The Clause, as amended, carried.

**14.12 Clause No. 5 of Report No. 15 of The Toronto Community Council, headed “Removal of Parking Restriction - Langley Avenue, Victor Avenue and Simpson Avenue (Don River)”.**

*Motion:*

Councillor Layton moved that the Clause be struck out and referred back to the Toronto Community Council for further consideration, together with the report dated December 7, 1999, from the Commissioner of Works and Emergency Services, and the Commissioner of Works and Emergency Services be requested to hold a site meeting with interested Ward Councillors.

*Vote:*

The motion by Councillor Layton carried.

**14.13 Clause No. 52 of Report No. 15 of The Toronto Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 121 Runnymede Road (High Park)”.**

*Motion:*

Councillor Miller moved that the Clause be amended by striking out Recommendation No. (1) of the Toronto Community Council and inserting in lieu thereof the following new Recommendation No. (1):

“(1) the report (November 10, 1999) from the Acting Commissioner of Urban Planning and Development Services be adopted and that a wooden fence be constructed on the property line with the driveway to the north prior to the issuance of a building permit for the change of use;”.

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

**14.14 Clause No. 42 of Report No. 15 of The Toronto Community Council, headed “Appeal - Front Yard Parking - 137 Westminster Avenue (High Park)”.**

*Motion:*



Councillor Miller moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on February 1, 2000.

*Vote:*

The motion by Councillor Miller carried.

**14.15 Clause No. 6 of Report No. 13 of The East York Community Council, headed “Other Items Considered by the Community Council”.**

*Motion:*

Councillor Pitfield moved that the Clause be received as information, subject to striking out and referring Item (d), entitled “Request for ‘All-Way Stop’ Control, McRae Drive at Sutherland Drive”, embodied therein, back to the East York Community Council for further consideration.

*Votes:*

The motion by Councillor Pitfield carried.

The Clause, as amended, was received as information.

**14.16 Clause No. 2 of Report No. 13 of The East York Community Council, headed “Nominations for Citizen Appointments to the East York Local Architectural Conservation Advisory Committee Panel and the Todmorden Mills Museum Management Board”.**

*Motion:*

Councillor Ashton moved that the Clause be amended by inserting in Recommendations Nos. (1) and (2) of the East York Community Council, after the date “November 30, 2003”, the words “and until their successors are appointed”, so that such recommendations shall now read as follows:

- “(1) Council appoint the following citizens to serve on the East York LACAC Panel for a term to begin January 1, 2000, and, despite section 14 of By-law No. 795-1999, to expire on November 30, 2003, and until their successors are appointed: Peter Carruthers, John Carter, Melissa Gordon, Adrian King, Katherine Kirzati, Brian Rogers, and Paul Smith;
- (2) Council appoint the following citizens to serve on the Todmorden Mills Museum Management Board for a term to begin January 1, 2000, and, despite subsection 5(4) of By-law No. 793-1999, to expire on November 30, 2003, and until their successors are appointed: Norman Crone, George Hain, Nola McConnan, Terrance Russell, Colin Vollick, Spiro Vrontos and Terry Willis;”.

*Votes:*

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

Deputy Mayor Ootes in the Chair.

**14.17 Clause No. 5 of Report No. 11 of The Policy and Finance Committee, headed “City of Toronto’s Comments on Proposed Greater Toronto Services Board Protocol for Facilitating Dispute Resolution”.**

*Motion:*

Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that City Council recommend to the Greater Toronto Services Board that the dispute resolution process be made available only if the party requesting the resolution process agrees to suspend any precipitous action as a condition of being able to utilize such process.”

*Votes:*

Adoption of motion by Councillor Moscoe:

Yes - 37	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Johnston, Jones, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Walker
No - 3	
Councillors:	Holyday, Korwin-Kuczynski, Tzekas

Carried by a majority of 34.

The Clause, as amended, carried.

**14.18 Clause No. 11 of Report No. 11 of The Policy and Finance Committee, headed “Establishing a Food and Hunger Action Committee”.**

*Motions:*

- (a) Councillor Bossons moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to convene regular meetings with Hunger Watch, The Food Policy Council, The Hunger Action Committee, and other organizations and groups now active in providing food to needy members of the community.”

- (b) Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that City Council acknowledge that the original request for the establishment of this initiative arose from Food Share and other organizations, including the Millennium Task Force.”

*Votes:*

Motion (a) by Councillor Bossons carried.

Motion (b) by Councillor Korwin-Kuczynski carried.

Adoption of Clause, as amended:

Yes - 42
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Sinclair, Soknacki
No - 0

Carried, without dissent.

- 14.19 **Clause No. 4 of Report No. 11 of The North York Community Council, headed “All Way Stop Control and Parking/Stopping Prohibitions - Kenneth Avenue and Pemberton Avenue – North York Centre”.**

*Motion to Re-Open:*

Councillor Gardner, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Gardner moved that the Clause be amended by deleting from Recommendation No. (6) embodied in the report dated November 8, 1999, from the Director, Transportation Services, District 3, the words “Finch Avenue West”, and inserting in lieu thereof the words “Finch Avenue East”, so that such recommendation shall now read as follows:

“(6) Schedule IX of By-law No. 31001, of the former City of North York, be amended to install ‘No Stopping Anytime’ prohibitions on both sides of Kenneth Avenue, from the northerly limit of Finch Avenue East to the southerly limit of Pemberton Avenue.”

*Votes:*

The motion by Councillor Gardner carried.

The Clause, as amended, carried.

**14.20 Clause No. 1 of Report No. 6 of The Economic Development and Parks Committee, headed “Economic Competitiveness Study Update (All Wards)”.**

*Motion:*

Councillor Miller moved that the Clause be amended by adding to the recommendation of the Economic Development and Parks Committee the words “subject to the Commissioner of Economic Development, Culture and Tourism reporting further on the economic strategy for small business and such plans being interpreted in the economic development strategy”, so that such recommendation shall now read as follows:

“The Economic Development and Parks Committee recommends the adoption of the following report (November 12, 1999) from the Commissioner of Economic Development, Culture and Tourism, subject to the Commissioner of Economic Development, Culture and Tourism reporting further on the economic strategy for small business and such plans being interpreted in the economic development strategy.”

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

**14.21 Clause No. 5 of Report No. 6 of The Economic Development and Parks Committee, headed “Nomination of Citizens for Appointment to Heritage Boards (Various Wards)”.**

*Motion:*

Councillor Ashton moved that the Clause be amended by amending the report dated November 9, 1999, from the Commissioner of Economic Development, Culture and Tourism, by:

- (1) inserting in Recommendation No. (1), after the words “January 1, 2000, and”, the words “despite Section 7 of By-law No. 795-1999”, and after the date “November 30, 2003”, the words “and until their successors are appointed”;
- (2) inserting in Recommendations Nos. (2), (3) and (4), after the words “January 1, 2000, and”, the words “despite subsection 5(4) of By-law No. 793-1999”, and after the date “November 30, 2003”, the words “and until their successors are appointed”; and
- (3) inserting in Recommendation No. (5), after the words “January 1, 2000, and”, the words “despite subsection 4(3) of By-law No. 794-1999”, and after the date “November 30, 2003”, the words “and until their successors are appointed”,

so that such recommendations shall now read as follows:

- “(1) Council appoint the following citizens to serve on the Toronto Preservation Board for a term to begin January 1, 2000, and, despite Section 7 of By-law No. 795-1999, to expire on November 30, 2003, and until their successors are appointed: Ms. Jane Burgess, Ms. Margaret McBurney, Ms. Catherine Nasmith, Ms. Margaret Lyons, and Ms. Edna Hudson;
- (2) Council appoint the following citizens to serve on the Fort York Museum Management Board for a term to begin January 1, 2000, and, despite subsection 5(4) of By-law No. 793-1999, to expire on November 30, 2003, and until their successors are appointed: Mr. William W. Barrett, Mr. George W. Beal, Mr. Richard W. Dodds, Mr. Michael H. Gedz, Mr. Ross T. Henderson, Mr. Vladimir Pilar, and Mr. James Purdon; and that Mr. Bret Snider and Mr. Peter Twist be appointed to represent the Friends of Fort York;
- (3) Council appoint the following citizens to serve on The Pier Museum Management Board for a term to begin January 1, 2000, and, despite subsection 5(4) of By-law No. 793-1999, to expire on November 30, 2003, and until their successors are appointed: Mr. John W. B. Coulter, Mr. Peter B. Edwards, Mr. Mike Filey, Mr. Kenneth J. Inglis, Ms. Lynne Kurylo, Mr. Christopher Makuch, Ms. Jeanette McPherson, Mr. Robert Mifflin and Mr. Peter Van Buskirk;
- (4) Council appoint the following citizens to serve on the Collections and Conservation Board for a term to begin January 1, 2000, and, despite subsection 5(4) of By-law No. 793-1999, to expire on November 30,

2003, and until their successors are appointed: Mr. Geoffrey E. Geduld, Ms. Sherri Helwig, Ms. Deborah Hudson and Ms. Betty Stein;

- (5) Council appoint the following citizens to serve on Heritage Toronto for a term to begin January 1, 2000, and, despite subsection 4(3) of By-law No. 794-1999, to expire on November 30, 2003, and until their successors are appointed: Ms. S. Nina Dhar, Mr. William Greer, Mr. Lawrence L. Herman, Ms. Marion Joppe, Ms. Margaret McCaffery, Mr. David Raymont, Ms. E. Ann Rowan, Mr. Robert Stacey, Mr. John E. Twomey and Mr. Ron Williamson;”.

*Votes:*

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

**14.22 Clause No. 2 of Report No. 7 of The Planning and Transportation Committee, headed “Terms of Reference for the Taxicab Advisory Committee”.**

*Motion:*

Councillor King moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Acting Commissioner of Urban Planning and Development Services be requested to submit a report to the Taxi Watch Committee in March 2000, as to the advisability of including the Taxi Watch program within the mandate of the Taxicab Advisory Committee.”

*Votes:*

The motion by Councillor King carried.

The Clause, as amended, carried.

**14.23 Clause No. 21 of Report No. 6 of The Works Committee, headed “Proposed Installation of Traffic Control Signals: Steeles Avenue West at Murray Ross Parkway (Black Creek)”.**

*Motion:*

Councillor Augimeri moved that the Clause be amended by deleting from the title of the Clause the words “(North York Spadina)” and inserting in lieu thereof the words “(Black Creek)”.

*Votes:*

The motion by Councillor Augimeri carried.

The Clause, as amended, carried.

14.24 **Clause No. 2 of Report No. 8 of The Administration Committee, headed “Civic Spaces Associated with Civic Centres”.**

*Motion:*

Councillor Korwin-Kuczynski moved that the Clause be amended by inserting in Recommendations Nos. (5) and (6) embodied in the report dated November 23, 1999, from the Chief Administrative Officer, after the words “Real Estate Division”, the words “in consultation with the Special Events Division of the Economic Development, Culture and Tourism Department”, so that such recommendations shall now read as follows:

- “(5) a condition survey of the Square, a needs assessment on the uses of the Square and a public consultation process be undertaken by the Facilities and Real Estate Division, in consultation with the Special Events Division of the Economic Development, Culture and Tourism Department, in advance of the competition proceeding;
- (6) the terms of reference for a re-design competition for Nathan Phillips Square be developed by the Facilities and Real Estate Division, in consultation with the Special Events Division of the Economic Development, Culture and Tourism Department, based on the condition survey, needs assessment and public consultation process and reviewed by the Office Consolidation Sub-Committee and presented to Council for approval;”.

*Votes:*

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

14.25 **Clause No. 33 of Report No. 15 of The Toronto Community Council, headed “Application for Consent - Development of Wetland - Lower Duck Pond and Removal of Trees - High Park Ravine - 1873 Bloor Street West (High Park)”.**

*Motion:*

Councillor Pantalone moved that the Clause be amended by amending the recommendation of the Toronto Community Council by inserting the words “(with the exception of those trees designated as J, L, and M on Plan 3 appended to the report)” after the words “willow trees”, so that such recommendation shall now read as follows:

“The Toronto Community Council recommends the adoption of the following report (November 15, 1999) from the Acting Commissioner of Urban

Planning and Development Services, subject to the willow trees (with the exception of those trees designated as J, L and M on Plan 3 appended to the report) not being cut down and the Commissioner reporting thereon to the Toronto Community Council in one year's time:".

*Votes:*

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

14.26 **Clause No. 17 of Report No. 8 of The Administration Committee, headed "Fire Fighter Recruitment; Attendance Management; Wellness/Fitness Program".**

*Motion:*

Councillor Davis moved that the Clause be amended by deleting from the recommendation of the Administration Committee the word "with", and inserting in lieu thereof the words "and set"; and inserting after the word "people", the words "from the target groups", so that such recommendation shall now read as follows:

"The Administration Committee recommends that the Fire Chief, Toronto Fire Services, be requested to submit a report to the Administration Committee on a bursary amount of \$300,000.00 to be utilized by community groups in assisting people to obtain qualifications for entry into the Toronto Fire Services, and set a target of 100 young people from the target groups participating in the mentorship program in the operating year 2000."

*Votes:*

The motion by Councillor Davis carried.

The Clause, as amended, carried.

14.27 **Clause No. 6 of Report No. 6 of The Economic Development and Parks Committee, headed "Appointments to the Boards of Management for Business Improvement Areas and Amendments to the (Former Toronto) Municipal Code Chapter 20, Business Improvement Areas (Various Wards)".**

*Motion:*

Councillor Layton moved that the Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) the following persons be appointed to the Board of Directors of the Greek Town on the Danforth BIA: Barbara Ackerman, Andonis Artemakis, Sue Bailey, Helen Lasthiotakis, Peter Panagakos, Jerry (Argirios) Petrou, Chris Trahiotis, Bill Vomvolakis and Sue Zindros; and



- (2) the term of office for such appointees expire on November 30, 2000, and until their successors are appointed.”

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

**14.28 Clause No. 3 of Report No. 8 of The Administration Committee, headed “State of Good Repair - Asset Preservation for Civic Centres and Major Office Buildings”.**

*Motion:*

Councillor Layton moved that the Clause be amended by adding thereto the following:

“It is further recommended that, as part of the State of Good Repair Program, the Chief Administrative Officer, in consultation with the Energy Efficiency Office (EEO) and the Toronto Atmospheric Fund (TAF), be requested to investigate the following and report thereon to the Administration Committee by June 2000:

- (1) the feasibility of incorporating energy efficiency retrofits into building upgrades that reduce operating costs and energy consumption for Civic Centres and major civic office buildings; and
- (2) the possible use of revolving loan funds from TAF and other financial institutions to finance these retrofits.”

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

**14.29 Clause No. 6 of Report No. 14 of The Etobicoke Community Council, headed “Settlement of Appeal - Etobicoke Official Plan Amendment No. 74-99, By-law No. 645-1999 - 1308684 Ontario Limited, 3085 Bloor Street West and 20 Thompson Avenue (Lakeshore-Queensway)”.**

*Motion:*

Councillor Kinahan moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council note that, although the report dated November 15, 1999, from Reble, Ritchie, Green and Ketcheson, states that the Kingsway Sunnylea Residents’ Association Inc. (KPRI) supported the development, in fact, while the KPRI does not necessarily oppose it, they did not agree to it.”

*Votes:*

The motion by Councillor Kinahan carried.

The Clause, as amended, carried.

14.30 **Clause No. 1 of Report No. 8 of The Administration Committee, headed “Accommodation Plan and Long-Term Strategy for Service Delivery for the City of Toronto and Master Plan for Office Accommodation”.**

*Motion:*

Councillor Mihevc moved that the Clause be amended by striking out Recommendation No. (1)(ii) of the Administration Committee and inserting in lieu thereof the following new Recommendation No. (1)(ii):

“(1)(ii) Council striking out and referring Recommendation No. (11) of the report dated November 23, 1999, from the Chief Administrative Officer, back to the Chief Administrative Officer for further consideration and report thereon to Council, through the Office Consolidation Sub-Committee and the Administration Committee, such report to include an analysis of the inter-office mail delivery services, viz.:

‘(11) Council determine, on an equitable basis, the future of office provision in the community for all Members of Council prior to the next term of Council;’.”

*Votes:*

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

14.31 **Clause No. 9 of Report No. 11 of The Policy and Finance Committee, headed “Public Education on Personal Emergency Preparedness”.**

*Motions:*

(a) Councillor Duguid moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

(1) the report dated December 9, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendation, be adopted:

‘It is recommended that, in addition to distributing personal emergency preparedness information in Toronto Hydro bills (as recommended by the

Policy and Finance Committee on December 7, 1999), the Parks and Recreation booklet be used to distribute information at a cost of approximately \$6,000.00.’;

- (2) the Commissioner of Works and Emergency Services be requested to ensure that the distribution of emergency preparedness information is carried out on an ongoing basis; and
  - (3) the Public and Separate School Boards be requested to consider including personal emergency preparedness as part of the education curriculum.”
- (b) Councillor Ashton moved that the Clause be amended by striking out Recommendation No. (1) of the Policy and Finance Committee and inserting in lieu thereof the following new Recommendation No. (1):

“(1) that the emergency preparedness information be distributed through the Toronto Hydro bills at a cost of approximately \$38,000.00;”.

- (c) Councillor Kinahan moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Policy and Finance Committee on how the remaining 250,000 households who do not receive Toronto Hydro bills will have the personal emergency preparedness brochure distributed to them and the cost implications thereof.”

- (d) Councillor Korwin-Kuczynski moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to encourage all community newspapers in the City of Toronto to include emergency preparedness information in their publications as soon as possible.”

- (e) Councillor Bossons moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to provide information on what services will be made available by the City in the event of an emergency.”

- (f) Councillor Shaw moved that the Clause be amended by striking out Recommendation No. (1) of the Policy and Finance Committee and inserting in lieu thereof the following:

- “(1) personal emergency preparedness information be distributed to all residents, and the option of the pamphlet and Canada Post be selected at a cost of approximately \$91,000.00;”.

*Votes:*

Adoption of motion (f) by Councillor Shaw:

Yes - 16 Councillors: Augimeri, Bussin, Chow, Filion, Gardner, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Shaw, Silva, Sinclair
No - 35 Councillors: Altobello, Ashton, Berardinetti, Berger, Bossons, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Giansante, Holyday, Johnston, King, Li Preti, Lindsay Luby, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Soknacki, Tzekas, Walker

Lost by a majority of 19.

Adoption of motion (b) by Councillor Ashton:

Yes - 32 Councillors: Altobello, Ashton, Augimeri, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Ootes, Rae, Shaw, Silva, Sinclair
No - 16 Councillors: Berardinetti, Berger, Bossons, Davis, Lindsay Luby, Mahood, Minnan-Wong, O'Brien, Pantalone, Pitfield, Prue, Saundercook, Shiner, Soknacki, Tzekas, Walker

Carried by a majority of 16.

Part (1) of motion (a) by Councillor Duguid carried.

Parts (2) and (3) of motion (a) by Councillor Duguid carried.

Motion (c) by Councillor Kinahan carried.

Motion (d) by Councillor Korwin-Kuczynski carried.

Motion (e) by Councillor Bossons carried.

Adoption of Clause, as amended:

Yes - 35	
Councillors:	Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki
No - 12	
Councillors:	Altobello, Ashton, Bossons, Davis, King, Lindsay Luby, Miller, Moscoe, Prue, Shiner, Tzekas, Walker

Carried by a majority of 23.

In summary, Council amended this Clause by:

(1) striking out Recommendation No. (1) of the Policy and Finance Committee and inserting in lieu thereof the following new Recommendation No. (1):  
“(1) that the emergency preparedness information be distributed through the Toronto Hydro bills at a cost of approximately \$38,000.00;” and

(2) adding thereto the following:

“It is further recommended that:

- (a) the Public and Separate School Boards be requested to consider including personal emergency preparedness as part of the education curriculum;
- (b) the Commissioner of Works and Emergency Services be requested to:
  - (i) ensure that the distribution of emergency preparedness information is carried out on an ongoing basis;
  - (ii) encourage all community newspapers in the City of Toronto to include emergency preparedness information in their publications as soon as possible;
  - (iii) provide information on what services will be made available by the City in the event of an emergency; and

- (iv) submit a report to the Policy and Finance Committee on how the remaining 250,000 households who do not receive Toronto Hydro bills will have the personal emergency preparedness brochure distributed to them and the cost implications thereof; and
- (c) the report dated December 9, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendation, be adopted:

‘It is recommended that, in addition to distributing personal emergency preparedness information in Toronto Hydro bills (as recommended by the Policy and Finance Committee on December 7, 1999), the Parks and Recreation booklet be used to distribute information at a cost of approximately \$6,000.00.’ ”

**14.32 Clause No. 13 of Report No. 11 of The Policy and Finance Committee, headed “Review of the Expanded Municipal Non-Mandatory Dental Program”.**

*Motions:*

- (a) Councillor Filion moved that the Clause be amended by striking out the recommendation of the Policy and Finance Committee and inserting in lieu thereof the following:  
“It is recommended that:
  - (1) Option 2, which does not increase or decrease the service levels for dental care, as embodied in the communication dated November 15, 1999, from the City Clerk, be adopted; and
  - (2) any proposed increase in service levels be subject to review by the Budget Advisory Committee, as part of the 2000 Operating Budget process.”
- (b) Councillor Chong moved that the Clause be struck out and referred back to the Policy and Finance Committee for further consideration.
- (c) Councillor Johnston moved that, in the event the Clause is referred back to the Policy and Finance Committee, the Committee be requested to view the film presented by the Medical Officer of Health to the Board of Health with respect to the dental needs of the citizens of the City of Toronto.

*Votes:*

Adoption of motion (b) by Councillor Chong:

Yes - 21	Mayor: Lastman
----------	----------------

Councillors:	Berardinetti, Bossons, Cho, Chong, Disero, Duguid, Feldman, Gardner, Giansante, Holyday, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Pitfield, Shiner, Soknacki
--------------	--

No - 25	
Councillors:	Adams, Altobello, Augimeri, Bussin, Chow, Filion, Flint, Fotinos, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Shaw, Silva, Sinclair, Walker

Lost by a majority of 4.

Having regard to the foregoing decision of Council, motion (c) by Councillor Johnston was not put to a vote.

Adoption of motion (a) by Councillor Filion:

Yes - 36	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Silva, Sinclair, Walker

No - 10	
Councillors:	Berardinetti, Chong, Gardner, Holyday, King, Lindsay Luby, Moeser, O'Brien, Shiner, Soknacki

Carried by a majority of 26.

The Clause, as amended, carried.

**14.33 Clause No. 27 of Report No. 11 of The Policy and Finance Committee, headed "Streetcar Island Platform at the Intersection of Via Italia and St. Clair Avenue West".**

Having regard that the Clause was submitted without recommendation:

*Motions:*

(a) Councillor Disero moved that Council adopt the following recommendation:

"It is recommended that Council concur with the following actions taken by the Budget Advisory Committee at its meeting held on December 10, 1999, in its

consideration of the 2000-2004 Capital Budget Review of the Toronto Transit Commission:

‘That the Policy and Finance Committee be advised that the Budget Advisory Committee reaffirms the installation of the Streetcar Island Platform at Via Italia and St. Clair Avenue West; that the project be re-budgeted in the 2000 Capital Budget of the Toronto Transit Commission; and that the project be re-tendered early in the year, for completion by spring.’ ”

- (b) Councillor Bossons moved that motion (a) by Councillor Disero be amended by adding thereto the words “subject to the deletion of the streetcar islands on St. Clair Avenue West at Russell Hill Road and other various locations to be determined in consultation with the Ward Councillors”.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of motion (b) by Councillor Bossons, ruled such motion out of order.

*Votes:*

Motion (a) by Councillor Disero carried.

The Clause, as amended, carried.

**14.34 Clause No. 3 of Report No. 7 of The Planning and Transportation Committee, headed “Zoning Amendment Application, Humber River Regional Hospital (Wards 6 and 27 - North York Humber, York Humber)”.**

*Motions:*

- (a) Councillor Giansante moved that the Clause be amended by adding to Recommendation No. (5) embodied in the report dated November 4, 1999, from the Acting Commissioner of Urban Planning and Development Services, the words “provided that the hospital is not made responsible for the cost of traffic calming measures”, so that such recommendation shall now read as follows:

“(5) the conditions of the Works and Emergency Services Department as set out in Schedules ‘G’, ‘H1’ and ‘I’ in the Final Report dated December 18, 1998, and Appendix ‘D’ in this report, be met, provided that the hospital is not made responsible for the cost of traffic calming measures;”.

- (b) Councillor Nunziata moved that the Clause be amended by adding thereto the following:



“It is further recommended that the Acting Commissioner of Urban Planning and Development Services, the Commissioner of Works and Emergency Services and the local Ward Councillors be requested to meet with representatives of the Humber River Regional Hospital to determine what traffic calming measures on Church Street are necessary for this community.”

- (c) Councillor Sinclair moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Humber River Regional Hospital only be responsible for the cost of traffic calming measures directly resulting from the first and subsequent phases of their new expansion.”

*Votes:*

Adoption of motion (a) by Councillor Giansante:

Yes - 24 Councillors:	Adams, Augimeri, Berger, Cho, Chong, Duguid, Flint, Fotinos, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, O'Brien, Ootes, Rae, Saundercook, Shaw, Sinclair, Soknacki
No - 12 Councillors:	Bossons, Chow, Disero, King, Li Preti, Mammoliti, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue

Carried by a majority of 12.

Having regard to the foregoing decision of Council, motion (c) by Councillor Sinclair was not put to a vote.

Motion (b) by Councillor Nunziata carried.

The Clause, as amended, carried.

**14.35 Clause No. 1 of Report No. 6 of The Works Committee, headed “Windmills: Noise Issues; Siting and Scoping; and Legal Issues”.**

*Motions:*

- (a) Councillor Bossons moved that the Clause be amended by amending the report dated November 18, 1999, from the Commissioner of Works and Emergency Services, by:

- (1) deleting from Recommendation No. (1)(a) the figure “200” and inserting in lieu thereof the figure “300”; and
- (2) deleting from Recommendation No. (1)(c) the figure “50” and inserting in lieu thereof the figure “300”.
- (b) Councillor Jones moved that the Clause be amended by adding thereto the following:

“It is further recommended that the communication (undated) from the President, Citizens Concerned About the Future of the Etobicoke Waterfront, be referred to the Commissioner of Works and Emergency Services for further consideration and report thereon to the Works Committee.”

*Votes:*

Adoption of motion (a) by Councillor Bossons:

Yes - 10 Councillors: Balkissoon, Berger, Bossons, Bussin, Flint, Holyday, Lindsay Luby, Mahood, Minnan-Wong, Ootes
No - 29 Councillors: Adams, Ashton, Augimeri, Cho, Chong, Chow, Disero, Feldman, Fillion, Fotinos, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Rae, Saundercook, Sinclair, Tzekas

Lost by a majority of 19.

Motion (b) by Councillor Jones carried.

Adoption of Clause, as amended:

Yes - 35 Councillors: Adams, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chong, Chow, Disero, Feldman, Fillion, Flint, Fotinos, Giansante, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Sinclair, Tzekas
No - 5 Councillors: Berger, Bossons, Holyday, Mahood, Minnan-Wong

Carried by a majority of 30.

**14.36 Clause No. 3 of Report No. 11 of The Policy and Finance Committee, headed “Income Tax Receipts for Cash Donations and Gifts-In-Kind”.**

*Motion:*

Councillor Adams moved that the Clause be amended by inserting in Recommendation No. (3) embodied in the report dated November 23, 1999, from the Chief Financial Officer and Treasurer; after the words “Tree Advocacy Planting Program”, the words “and the Midtown Tree Project”; and pluralizing the word “account”, so that such recommendation shall now read as follows:

- “(3) cash donations and sponsorship contributions received and intended for the purposes of the ‘Tree Advocacy Planting Program’ and the ‘Midtown Tree Project’ be deposited into the appropriate capital budget accounts to be established in the 2000 Capital Budget of the Economic Development, Culture and Tourism Department for this purpose, and that an income tax receipt be issued for such cash donations and eligible gifts-in-kind, pursuant to the policy embodied in this report;”.

*Votes:*

The motion by Councillor Adams carried.

The Clause, as amended, carried.

**14.37 Clause No. 1 of Report No. 7 of The Planning and Transportation Committee, headed “New Practices for the Review of Development Applications”.**

*Permission to Withdraw Report:*

Councillor Moscoe, with the permission of Council, advised the Council that the Acting Commissioner of Urban Planning and Development Services had requested that he be permitted to withdraw his report dated December 9, 1999, entitled “New Practices, Supplementary Report No. 3”.

Council concurred in the request of the Acting Commissioner of Urban Planning and Development Services.

*Motions:*

- (a) Councillor Filion moved that the Clause be amended by adding thereto the following:

“It is further recommended that interested registered Ratepayer Associations or other interested community representatives identified by local Councillors be involved in the planning process prior to the completion of the preliminary evaluation report.”

- (b) Councillor Pantalone, seconded by Councillor Filion, moved that the Clause be amended to provide that tree protection and preservation shall be considered at the rezoning application stage.

- (c) Councillor Flint moved that the Clause be amended by adding thereto the following:

“It is further recommended that the development review process be governed by principles of fairness and equality in all dealings with applicants and potentially-affected third parties.”

- (d) Councillor King moved that the Clause be amended by adding to Recommendation No. (3) of the Planning and Transportation Committee the words, “and in the case of large development applications which abut more than one Ward, all affected Councillors be so notified”, so that such recommendation shall now read as follows:

“(3) the Ward Councillor(s) be notified of any application and pre-meetings that have been held, and that the applicant be requested to meet with the Councillor(s) prior to the application being filed, and, in the case of large development applications which abut more than one Ward, all affected Councillors be so notified;”.

- (e) Councillor Bossons moved that the Clause be amended by:

- (1) amending Recommendation No. (1)(iv) embodied in the report dated November 26, 1999, from the Acting Commissioner, Urban Planning and Development Services, as amended by the Planning and Transportation Committee, to read as follows:

“(1)(iv) use of preliminary reports, for applications to amend the official plan or zoning by-law, be limited to identifying issues;”;

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Acting Commissioner of Urban Planning and Development Services be requested to submit a report to the Planning and Transportation Committee outlining the definition of what is to be covered by staff in a preliminary report; and

- (b) seasonal inflatable buildings be subject to site plan control.”

- (f) Councillor Adams moved that the Clause be amended by amending the report dated November 26, 1999, from the Acting Commissioner, Urban Planning and Development Services, as amended by the Planning and Transportation Committee, by:
- (1) inserting in Recommendation No. (1)(i)(a) the word “working” between the words “ten” and “days”, so that such recommendation shall now read as follows:

“(1)(i)(a) staff be required to notify the Ward Councillor(s) in writing, ten working days prior to approving site plan control applications, to permit the Councillor the opportunity to request that a report be prepared for the approval of the Community Council;”;
  - (2) inserting in Recommendation No. (2)(i) after the words “City Council”, the words “through the respective Community Council”, so that such recommendation shall now read as follows:

“(2)(i) to delegate authority to approve applications for site plan control approval to the Chief Planner or delegate(s), subject to a provision for the Ward Councillor(s) to request a ‘bump-up’ to City Council, through the respective Community Council, for approval;”;
  - (3) amending Appendix 3 to such report, insofar as it pertains to Site Plan Control, to provide that all properties within 30 metres of the stable top of bank of ravines are subject to site plan control.
- (g) Councillor Bussin moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Acting Commissioner of Urban Planning and Development Services be requested to submit a report to the Planning and Transportation Committee outlining realistic staffing requirements to satisfy City Council and citizen expectations.”

*Votes:*

Part (1) of motion (f) by Councillor Adams carried.

Part (2) of motion (f) by Councillor Adams carried.

Part (1) of motion (e) by Councillor Bossons carried.

Part (3) of motion (f) by Councillor Adams carried.

Motion (b) by Councillor Pantalone, seconded by Councillor Filion, carried.

Motion (d) by Councillor King carried.

Adoption of motion (a) by Councillor Filion:

Adoption of motion (a) by Councillor Filion:

Yes - 24	
Councillors:	Adams, Augimeri, Berger, Bossons, Chow, Filion, Flint, Jakobek, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pitfield, Prue, Walker
No - 24	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chong, Disero, Feldman, Gardner, Giansante, Holyday, Kinahan, Lindsay Luby, Minnan-Wong, O'Brien, Ootes, Pantalone, Saundercook, Shaw, Sinclair, Soknacki, Tzekas

Lost, there being an equal division of votes.

Motion (c) by Councillor Flint carried.

Part (2)(a) of motion (e) by Councillor Bossons carried.

Adoption of Part (2)(b) of motion (e) by Councillor Bossons:

Yes - 43	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Disero, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Sinclair, Soknacki, Tzekas, Walker
No - 6	
Councillors:	Berardinetti, Chow, Gardner, Jakobek, Pantalone, Shaw

Carried by a majority of 37.

Adoption of motion (g) by Councillor Bussin:

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Feldman, Flint, Gardner, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Shaw, Sinclair, Walker
No - 7	
Councillors:	Giansante, Holyday, Moeser, O'Brien, Saundercook, Soknacki, Tzekas

Carried by a majority of 33.

Adoption of Recommendation No. (10)(iv) embodied in the report dated November 26, 1999, from the Acting Commissioner, Urban Planning and Development Services, as amended by the Planning and Transportation Committee:

Yes - 42	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Feldman, Fillion, Flint, Gardner, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Sinclair, Soknacki, Tzekas, Walker
No - 6	
Mayor:	Lastman
Councillors:	Chong, Disero, Giansante, Holyday, Saundercook

Carried by a majority of 36.

Adoption of Recommendations Nos. (5), (7) and (8) of the Planning and Transportation Committee:

Yes - 42	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Filion, Flint, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Sinclair, Soknacki, Tzekas, Walker
No - 6	
Mayor:	Lastman
Councillors:	Disero, Feldman, Giansante, Miller, Saundercook

Carried by a majority of 36.

The balance of the Clause, as amended, carried.

In summary, Council amended the Clause:

- (1) by amending the report dated November 26, 1999, from the Acting Commissioner, Urban Planning and Development Services, as amended by the Planning and Transportation Committee, by:
  - (a) inserting in Recommendation No. (1)(i)(a) the word "working" between the words "ten" and "days", so that such recommendation shall now read as follows:
 

“(1)(i)(a) staff be required to notify the Ward Councillor(s) in writing, ten working days prior to approving site plan control applications, to permit the Councillor the opportunity to request that a report be prepared for the approval of the Community Council;”;
  - (b) by amending Recommendation No. (1)(iv) to read as follows:
 

“(1)(iv) use of preliminary reports, for applications to amend the official plan or zoning by-law, be limited to identifying issues;”;
  - (c) by inserting in Recommendation No. (2)(i) after the words "City Council", the words "through the respective Community Council", so that such recommendation shall now read as follows:



- “(2)(i) to delegate authority to approve applications for site plan control approval to the Chief Planner or delegate(s), subject to a provision for the Ward Councillor(s) to request a ‘bump-up’ to City Council, through the respective Community Council, for approval;”; and
- (d) by amending Appendix 3 to such report, insofar as it pertains to Site Plan Control, to provide that all properties within 30 metres of the stable top of bank of ravines are subject to site plan control;
- (2) by adding to Recommendation No. (3) of the Planning and Transportation Committee the words, “and in the case of large development applications which abut more than one Ward, all affected Councillors be so notified”, so that such recommendation shall now read as follows:
  - “(3) the Ward Councillor(s) be notified of any application and pre-meetings that have been held, and that the applicant be requested to meet with the Councillor(s) prior to the application being filed, and, in the case of large development applications which abut more than one Ward, all affected Councillors be so notified;”;
- (3) to provide that tree protection and preservation shall be considered at the re-zoning application stage; and
- (4) by adding thereto the following:
  - “It is further recommended that:
    - (a) the development review process be governed by principles of fairness and equality in all dealings with applicants and potentially affected third parties;
    - (b) seasonal inflatable buildings be subject to site plan control; and
    - (c) the Acting Commissioner of Urban Planning and Development Services be requested to submit reports to the Planning and Transportation Committee outlining:
      - (i) the definition of what is to be covered by staff in a preliminary report; and
      - (ii) realistic staffing requirements to satisfy City Council and citizen expectations.”

**14.38 Clause No. 23 of Report No. 11 of The Policy and Finance Committee, headed “5421 Lawrence Avenue East – Manson Property, Yellowmoon Homes – Community Park and Port Union Common (Ward 16 – Scarborough Highland Creek)”.**

*Motion:*

Councillor Giansante moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Acting Commissioner of Corporate Services be directed to make it clear to the Vendor that the tax arrears on the property must be paid in full, prior to the City of Toronto purchasing the property.”

*Votes:*

The motion by Councillor Giansante carried.

The Clause, as amended, carried.

14.39 **Clause No. 4 of Report No. 9 of The Administration Committee, headed “Accommodation Needs of Clerk's Functions: Records and Elections”.**

*Motion:*

Councillor Mihevc moved that the Clause, in accordance with the recommendations of the Budget Advisory Committee embodied in the communication dated December 10, 1999, from the City Clerk, as amended, be struck out and referred to the Chief Administrative Officer, with requests that:

- (1) the space required by the Elections function be accommodated as soon as possible, internally, i.e., City-owned property, if possible; and
- (2) the Records Centre accommodation be revisited with the Toronto Economic Development Corporation.

*Votes:*

The motion by Councillor Mihevc carried.

14.40 **Clause No. 5 of Report No. 8 of The Administration Committee, headed “Municipal Elections - Proposed Legislative Amendments”.**

*Motions:*

- (a) Councillor Moscoe moved that the Clause be amended by amending Recommendation No. (1)(i) of the Administration Committee by adding thereto the words “and further, that the Acting Minister of Municipal Affairs and Housing be also requested to amend the Municipal Elections Act, 1996, and Ontario Regulation 101/97 to provide that the spending limit figures for candidates are adjusted every three years, based on the Consumer Price Index”, so that such recommendation shall now read as follows:  
“(1)(i) amending Recommendation No. (41) to provide that the spending limit for candidates for Councillors be increased to \$3,500.00 base and \$0.96 cents per elector, and further, that the Acting Minister of Municipal Affairs and

Housing be also requested to amend the Municipal Elections Act, 1996, and Ontario Regulation 101/97 to provide that the spending limit figures for candidates are adjusted every three years, based on the Consumer Price Index;”.

- (b) Councillor Prue moved that the Clause be amended by striking out Recommendations Nos. (1)(i) and (2) of the Administration Committee.
- (c) Councillor Bossons moved that the Clause be amended by deleting Recommendation No. (41) embodied in the report dated November 17, 1999, from the City Clerk, in order that the campaign expense limit formula shall remain at 50 cents per elector.
- (d) Councillor Davis moved that the Clause be amended by deleting from Recommendation No. (40) embodied in the report dated November 17, 1999, from the City Clerk, the amount of “\$500.00” and inserting in lieu thereof the amount of “\$100.00”.
- (e) Councillor Mihevc moved that the Clause be amended by deleting from Recommendation No. (1)(i) of the Administration Committee the amount of “\$0.96 cents” and inserting in lieu thereof the amounts of “\$0.64 to \$0.68 cents”, and adding thereto the words “the precise figures to be determined by the 1998 figure of 50 cents plus COLA increases”.
- (f) Councillor Fotinos moved that the Clause be amended:
  - (1) to provide that spending limits and other related provisions for municipal candidates be adjusted to reflect those recently implemented for provincial candidates in provincial elections; and
  - (2) by adding thereto the following:

“It is further recommended that the City Solicitor be requested to submit a report to the Administration Committee with respect to Recommendation No. (39), such report to include comment on the issues raised by such recommendation and the remedies currently in place for improper third-party campaigning, viz.:

‘(39) review the issue of third-party campaigning and make any necessary amendments to the Act that would impose on these individuals the same accountability and spending limits as candidates have;’.”
- (g) Councillor O’Brien moved that motion (d) by Councillor Davis be amended by adding after the figure “\$100.00” the words “plus the signature of 100 electors”.

*Votes:*

Adoption of Part (1) of motion (f) by Councillor Fotinos:

Yes - 19 Councillors: Adams, Cho, Davis, Disero, Feldman, Fotinos, Gardner, Giansante, Kelly, Korwin-Kuczynski, Li Preti, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shiner, Tzekas
No - 22 Councillors: Altobello, Berardinetti, Berger, Bossons, Chong, Chow, Flint, Holyday, Jones, Kinahan, King, Layton, Lindsay Luby, McConnell, Mihevc, Nunziata, O'Brien, Pitfield, Prue, Shaw, Sinclair, Soknacki

Lost by a majority of 3.

Adoption of Recommendations Nos. (1)(i) and (2) of the Administration Committee, without amendment:

Yes - 22 Councillors: Adams, Berardinetti, Cho, Chong, Davis, Disero, Feldman, Fotinos, Gardner, Giansante, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Miller, Moeser, Moscoe, Ootes, Rae, Shaw, Shiner, Tzekas
No - 20 Councillors: Altobello, Berger, Bossons, Chow, Flint, Holyday, Jones, Kinahan, King, Layton, Mahood, McConnell, Mihevc, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Sinclair, Soknacki

Carried by a majority of 2.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motions (b), (c) and (e), by Councillors Prue, Bossons and Mihevc, respectively, redundant.

Adoption of motion (a) by Councillor Moscoe:

Yes - 26	Councillors: Adams, Balkissoon, Berardinetti, Berger, Chong, Davis, Disero, Feldman, Fotinos, Gardner, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Miller, Moeser, Moscoe, Ootes, Pantalone, Rae, Shaw, Shiner, Sinclair, Soknacki, Tzekas
No - 17	Councillors: Altobello, Bossons, Cho, Chow, Flint, Giansante, Holyday, Jones, King, Lindsay Luby, Mahood, McConnell, Mihevc, Nunziata, O'Brien, Pitfield, Prue

Carried by a majority of 9.

Adoption of motion (g) by Councillor O'Brien:

Yes - 10	Councillors: Adams, Cho, Chow, Davis, Layton, Mihevc, Miller, O'Brien, Shaw, Tzekas
No - 33	Councillors: Altobello, Balkissoon, Berardinetti, Berger, Bossons, Chong, Disero, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Sinclair, Soknacki

Lost by a majority of 23.

Adoption of motion (d) by Councillor Davis, without amendment:

Yes - 8	Councillors: Davis, Flint, Kelly, Kinahan, Layton, McConnell, O'Brien, Pitfield
No - 35	Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Disero, Feldman, Fotinos, Gardner, Giansante, Holyday, Jones, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Shaw, Shiner, Sinclair, Soknacki, Tzekas

Lost by a majority of 27.

Part (2) of motion (f) by Councillor Fotinos carried.

Adoption of Clause, as amended:

<p>Yes - 33 Councillors: Adams, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Davis, Disero, Feldman, Fotinos, Gardner, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Moeser, Moscoe, Ootes, Pantalone, Pitfield, Shaw, Shiner, Sinclair, Soknacki, Tzekas</p>
<p>No - 9 Councillors: Altobello, Bossons, Flint, Jones, King, McConnell, Nunziata, O'Brien, Prue</p>

Carried by a majority of 24.

In summary, Council amended this Clause by:

- (1) amending Recommendation No. (1)(i) of the Administration Committee by adding thereto the words “and further, that the Acting Minister of Municipal Affairs and Housing be also requested to amend the Municipal Elections Act, 1996, and Ontario Regulation 101/97 to provide that the spending limit figures for candidates are adjusted every three years, based on the Consumer Price Index”, so that such recommendation shall now read as follows:

“(1)(i) amending Recommendation No. (41) to provide that the spending limit for candidates for Councillors be increased to \$3,500.00 base and \$0.96 cents per elector, and further, that the Acting Minister of Municipal Affairs and Housing be also requested to amend the Municipal Elections Act, 1996, and Ontario Regulation 101/97 to provide that the spending limit figures for candidates are adjusted every three years, based on the Consumer Price Index;” and

- (2) adding thereto the following:

“It is further recommended that the City Solicitor be requested to submit a report to the Administration Committee with respect to Recommendation No. (39), such report to include comment on the issues raised by such recommendation and the remedies currently in place for improper third-party campaigning, viz.:

‘(39) review the issue of third-party campaigning and make any necessary amendments to the Act that would impose on these individuals the same accountability and spending limits as candidates have;’.”

**14.41 Clause No. 6 of Report No. 15 of The Toronto Community Council, headed “Variance from Chapter 297, Signs, of the Former City of Toronto Municipal Code - 159 Cumberland Avenue (Midtown)”.**

*Motion:*

Councillor Adams moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Applicant be required to contribute the sum of \$1,000.00 to the Midtown Tree Project under the jurisdiction of the Urban Forestry Program.”

*Votes:*

The motion by Councillor Adams carried.

The Clause, as amended, carried.

**14.42 Clause No. 1 of Report No. 10 of The Administration Committee, headed “Appointment - Commissioner of Urban Development Services and Commissioner, Corporate Services”.**

*Vote:*

Adoption of Clause, without amendment:

Yes - 43	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Berger, Bussin, Cho, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 1	
Councillor:	Bossons

Carried by a majority of 42.

**14.43 Clause No. 5 of Report No. 6 of The Community Services Committee, headed “Community Services Grants Program and Breaking the Cycle of Violence Grants Program - Program Updates”.**

*Motion:*

Councillor Korwin-Kuczynski moved that the Clause be amended by deleting from the recommendation of the Community Services Committee the word and name “and Korwin-Kuczynski”, so that such recommendation shall now read as follows:

“The Community Services Committee recommends the adoption of the report dated November 16, 1999, from the Commissioner of Community and Neighbourhood Services; and reports having appointed Councillors Jones and Kelly to the Community Services Grants Appeal Sub-Committee.”

*Votes:*

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

**14.44 Clause No. 3 of Report No. 9 of The Administration Committee, headed “Ward Boundaries”.**

*Motions:*

- (a) Councillor Adams moved that the Clause be amended by deleting from Recommendation No. (2) embodied in the report dated December 14, 1999, from the City Clerk, the words “plus or minus 25 percent” and inserting in lieu thereof the words “plus or minus 10 percent (or in the alternative, plus or minus 15 percent)”.
- (b) Councillor O’Brien moved that the Clause, together with the report dated December 14, 1999, from the City Clerk, be received, and that no further action be taken by City Council in this regard.
- (c) Councillor Berardinetti moved that the Clause be amended by adding thereto the following:  
  
“It is further recommended that the report dated December 14, 1999, from the City Clerk, be adopted.”
- (d) Councillor Chow moved that the Clause be amended by adding to Recommendation No. (4) embodied in the report dated December 14, 1999, from the City Clerk, the words “and their opinions on Bill 25”.
- (e) Councillor Pantalone moved that the Clause be amended by adding thereto the following:



“It is further recommended that the Chair of the Administration Committee, in consultation with the appropriate staff, be requested to submit to the January 11, 2000 meeting of the Administration Committee, a set of recommendations on ward divisions.”

Councillor Fotinos in the Chair.

Deputy Mayor Ootes in the Chair.

- (f) Councillor Johnston, seconded by Councillor Bossons, moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

**‘WHEREAS** the definition, according to the Oxford Dictionary, of the word “CLEMENT”, is “of temper or weather, mild, showing mercy”; and

**WHEREAS** the definition of “INCLEMENT” is “severe; specially cold or stormy”;

**NOW THEREFORE BE IT RESOLVED THAT**, in all future dealings or correspondence with the current Minister of Municipal Affairs and Housing, with the exception of official correspondence, he be addressed as “Minister Inclement”.’ ”

- (g) Councillor Davis moved that the Clause be amended by:

- (1) adding thereto the following:

“It is further recommended that the City Solicitor be requested to submit a report to the Administration Committee on the role and rights of the City of Toronto in any federal riding redistribution process that will occur in 2001 or 2002.”;

- (2) deleting Recommendation No. (4) embodied in the report dated December 14, 1999, from the City Clerk, and inserting in lieu thereof the following new Recommendation No. (4):

“(4) the City Clerk be requested to call Community Council meetings on January 4 and 5, 2000.”;

- (3) deleting Recommendation No. (3)(ii) of the Administration Committee and adding to the recommendations of the Administration Committee the following new Recommendation No. (4):

“(4) the City Clerk be requested to consult with the English and French Toronto Public School Boards and the English and French Toronto Separate School Boards to determine whether there have been any changes proposed with respect to their ward boundaries.”; and

- (4) deleting Recommendation No. (2) of the Administration Committee and inserting in lieu thereof the following new Recommendation No. (2):
- “(2) that the Chair of the Administration Committee be requested to convene a special meeting of the Administration Committee to consider the ward boundary divisions and invite any Member of Council who has an interest in a particular riding, and the public, to attend such special meeting.”
- (h) Councillor Shiner moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on any dividing lines for new ward boundaries that can be drawn to give preference, where possible, to the wards that were recently approved by the Ontario Municipal Board, subject to such lines also meeting the Council-adopted principles.”
- (i) Councillor Walker moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the City Solicitor be requested to submit a report to the Administration Committee on the legality of certain elements of Bill 25, i.e., that the Minister of Municipal Affairs and Housing, through a Cabinet Decision, can overrule the provision(s) of provincial legislation, such report to be prepared in consultation with the appropriate City staff.”
- (j) Councillor Bussin moved that the Clause be amended by:
- (1) adding thereto the following:
- “It is further recommended that:
- (a) the Chief Financial Officer and Treasurer forward to the Province of Ontario the bill for all additional costs incurred as a result of provincial action in this regard, a copy thereof to also be forwarded to all Members of Council; and
- (b) the City Clerk be requested to consider alternative dates other than January 4 or January 5, 2000, for the public open houses as outlined in Recommendation No. (4) embodied in the report dated December 14, 1999, from the City Clerk.”; and
- (2) deleting Recommendation No. (10) embodied in the report dated December 14, 1999, from the City Clerk, viz.:
- “(10) City Council request the Minister of Municipal Affairs and Housing to prescribe the necessary regulation defining the 44 single ward members as recommended by City Council as soon as possible and, in any event, no later than February 15, 2000;”.

- (k) Councillor Prue moved that the Clause be amended by:
- (1) deleting Recommendation No. (4) embodied in the report dated December 14, 1999, from the City Clerk and inserting in lieu thereof the following new Recommendation No. (4):

“(4) that City Council direct the Community Councils to hold public meetings on January 4 and 5, 2000, to hear depositions on the options to divide the 22 wards and forward recommendations thereon to the Administration Committee.”; and
  - (2) adding thereto the following:

“It is further recommended that where the principles enunciated in Recommendations Nos. (2) and (9) embodied in the report dated December 14, 1999, from the City Clerk, are in conflict, then the principles in Recommendation No. (9) shall be adopted.”
- (l) Councillor McConnell moved that the Clause be amended by adding thereto the following:

“It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on the provincial strategies to be used to ensure that tenants will be accurately included in the voters list.”
- (m) Councillor Bossons moved that the Clause be amended by:
- (1) deleting from Recommendation No. (4) embodied in the report dated December 14, 1999, from the City Clerk, the dates “January 4 and 5, 2000”, and inserting in lieu thereof the dates “January 11 and 12, 2000”; and
  - (2) adding thereto the following:

“It is further recommended that the federal government be requested to consult with municipal governments on the matter of re-drawing the riding boundaries, if this should become necessary, following the release of decennial census information, so that riding boundaries will not only reflect political party interests but, increasingly, reflect the boundaries of old established communities.”
- (n) Councillor Kinahan moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Mayor be requested to arrange a constitutional conference with representatives from the City of Montreal and the City of Vancouver on the issue of constitutional powers for major urban centres, with the Mayor having the discretion to invite other cities if appropriate.”

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of motion (n) by Councillor Kinahan, ruled such motion out of order.

- (o) Councillor Mahood moved that the Clause be amended by adding thereto the following:

“It is further recommended that the City Solicitor be requested to submit a report to the Administration Committee on the implications of Section 8 of the Municipal Elections Act, as amended by Bill 25.”

- (p) Mayor Lastman moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Province of Ontario be requested to keep its promise made by Minister Clement to have public consultation on the issue of the reduction of 13 Members of Toronto City Council, and this request be forwarded to Queen’s Park by facsimile on December 15, 1999.”

*Votes:*

Adoption of motion (b) by Councillor O’Brien:

Yes – 17	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Berger, Chong, Davis, Johnston, King, Mahood, Miller, Moscoe, Nunziata, O’Brien, Prue, Shaw, Tzekas, Walker
No – 35	
Councillors:	Altobello, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki

Lost by a majority of 18.

Adoption of motion (a) by Councillor Adams, insofar as it pertains to “plus or minus 10 percent”:

Yes - 11	
Councillors:	Adams, Augimeri, Berardinetti, Bussin, Chong, Jakobek, Mahood, Miller, Prue, Tzekas, Walker
No - 42	

Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berger, Bossons, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki

Lost by a majority of 31.

Adoption of motion (a) by Councillor Adams, insofar as it pertains to “plus or minus 15 percent”:

Yes - 18	
Councillors:	Adams, Augimeri, Berardinetti, Chong, Filion, Jakobek, Kelly, Kinahan, Layton, Mahood, McConnell, Miller, Moscoe, Nunziata, Prue, Soknacki, Tzekas, Walker
No - 35	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair

Lost by a majority of 17.

Adoption of Part (1) of motion (k) by Councillor Prue:

Yes - 23	
Councillors:	Altobello, Balkissoon, Bossons, Bussin, Cho, Davis, Giansante, Johnston, Jones, Kelly, Layton, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moscoe, Nunziata, Pitfield, Prue, Saundercook, Sinclair, Soknacki, Walker
No - 30	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Berardinetti, Berger, Chong, Chow, Disero, Duguid, Filion, Flint, Gardner, Holyday, Jakobek, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Miller, Moeser, O'Brien, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Tzekas

Lost by a majority of 7.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Part (2) of motion (g) by Councillor Davis, redundant.

Adoption of Part (1) of motion (m) by Councillor Bossons:

Yes - 18	
Councillors:	Adams, Altobello, Balkissoon, Bossons, Bussin, Chong, Davis, Johnston, Kelly, King, Layton, McConnell, Moscoe, O'Brien, Shaw, Shiner, Tzekas, Walker
No - 35	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Berger, Cho, Chow, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki

Lost by a majority of 17.

Adoption of Part (1)(b) of motion (j) by Councillor Bussin:

Yes - 23 Councillors:	Adams, Altobello, Balkissoon, Bossons, Bussin, Cho, Chong, Chow, Davis, Gardner, Jakobek, Kelly, Layton, McConnell, Moscoe, O'Brien, Prue, Rae, Shaw, Shiner, Soknacki, Tzekas, Walker
No - 30 Mayor: Councillors:	Lastman Augimeri, Berardinetti, Berger, Disero, Duguid, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Saundercook, Silva, Sinclair

Lost by a majority of 7.

Adoption of motion (d) by Councillor Chow:

Yes - 38 Mayor: Councillors:	Lastman Adams, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Walker
No - 15 Councillors:	Altobello, Balkissoon, Berger, Davis, Filion, Jakobek, King, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pantalone, Soknacki, Tzekas

Carried by a majority of 23.

Adoption of Part (2) of motion (k) by Councillor Prue:

Yes - 22	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Berardinetti, Bossons, Chow, Disero, Gardner, Jones, Kelly, Kinahan, Layton, McConnell, Miller, Moscoe, Nunziata, O'Brien, Prue, Shaw, Silva, Tzekas, Walker
No - 31	
Councillors:	Altobello, Balkissoon, Berger, Bussin, Cho, Chong, Davis, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Ootes, Pantalone, Pitfield, Rae, Saundercook, Shiner, Sinclair, Soknacki

Lost by a majority of 9.

Adoption of motion (h) by Councillor Shiner:

Yes - 7	
Councillors:	Balkissoon, Chow, Davis, Layton, Minnan-Wong, O'Brien, Shiner
No - 46	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas, Walker

Lost by a majority of 39.



Adoption of Part (2) of motion (j) by Councillor Bussin:

Yes - 16 Councillors:	Bossons, Bussin, Chong, Disero, Filion, Holyday, Jones, Kinahan, King, Layton, McConnell, Miller, Moscoe, Nunziata, Rae, Walker
No - 37 Mayor: Councillors:	Lastman Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chow, Davis, Duguid, Flint, Gardner, Giansante, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas

Lost by a majority of 21.

Adoption of Part (4) of motion (g) by Councillor Davis:

Yes - 25 Mayor: Councillors:	Lastman Adams, Altobello, Balkissoon, Berardinetti, Bossons, Bussin, Chow, Davis, Disero, Duguid, Flint, Gardner, Jakobek, Kelly, Kinahan, Layton, Lindsay Luby, Moeser, Nunziata, Shaw, Shiner, Sinclair, Soknacki, Tzekas
No - 28 Councillors:	Augimeri, Berger, Cho, Chong, Filion, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Walker

Lost by a majority of 3.

Adoption of Part (3) of motion (g) by Councillor Davis:

Yes - 28	
Mayor:	Lastman
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Davis, Duguid, Filion, Gardner, Jakobek, Kelly, Layton, Lindsay Luby, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Prue, Shaw, Silva, Sinclair, Soknacki, Tzekas
No - 25	
Councillors:	Augimeri, Chong, Chow, Disero, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Shiner, Walker

Carried by a majority of 3.

Adoption of motion (e) by Councillor Pantalone:

Yes - 25	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berger, Cho, Chong, Chow, Duguid, Flint, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Pantalone, Shaw, Silva
No - 28	
Councillors:	Adams, Balkissoon, Berardinetti, Bossons, Bussin, Davis, Disero, Filion, Gardner, Giansante, Johnston, Kelly, Li Preti, Lindsay Luby, Mahood, Miller, Minnan-Wong, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair, Soknacki, Tzekas, Walker

Lost by a majority of 3.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of motion (f) by Councillor Johnston, seconded by Councillor Bossons, ruled such motion out of order.

Councillor Johnston challenged the ruling of the Deputy Mayor.

*Vote to uphold ruling of Deputy Mayor:*

Yes - 29 Mayor: Lastman Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Bussin, Chong, Davis, Disero, Duguid, Filion, Flint, Gardner, Holyday, Jakobek, Kelly, King, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Sinclair, Soknacki, Tzekas
No - 24 Councillors: Augimeri, Bossons, Cho, Chow, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Walker

Carried by a majority of 5.

Adoption of Part (1) of motion (g) by Councillor Davis:

Yes - 45 Mayor: Lastman Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 8 Councillors: Disero, Giansante, Jakobek, Li Preti, Mahood, Pitfield, Prue, Saundercook

Carried by a majority of 37.

Adoption of motion (i) by Councillor Walker:

Yes - 47	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Gardner, Giansante, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker
No - 6	
Councillors:	Disero, Holyday, Jones, Mammoliti, Minnan-Wong, Soknacki

Carried by a majority of 41.

Adoption of Part (1)(a) of motion (j) by Councillor Bussin:

Yes - 51	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, OBrien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 2	
Councillors:	Disero, Jakobek

Carried by a majority of 49.

Motion (1) by Councillor McConnell carried.

Part (2) of motion (m) by Councillor Bossons carried.

Adoption of motion (o) by Councillor Mahood:

Yes – 51	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No – 2	
Councillors:	Disero, Mammoliti

Carried by a majority of 49.

Adoption of motion (p) by Mayor Lastman:

Yes - 53	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

Adoption of motion (c) by Councillor Berardinetti, as amended:

Yes - 46	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki
No - 7	
Councillors:	Johnston, Mahood, Miller, O'Brien, Shaw, Tzekas, Walker

Carried by a majority of 39.

Adoption of Clause, as amended:

Yes - 45	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki
No - 8	
Councillors:	Johnston, Mahood, Miller, Moscoe, O'Brien, Shaw, Tzekas, Walker

Carried by a majority of 37.

In summary, Council amended this Clause by:

- (1) deleting Recommendation No. (3)(ii) of the Administration Committee and adding to the recommendations of the Administration Committee the following new Recommendation No. (4):
  - “(4) the City Clerk be requested to consult with the English and French Toronto Public School Boards and the English and French Toronto Separate School Boards to determine whether there have been any changes proposed with respect to their ward boundaries.”; and

(2) adding thereto the following:

“It is further recommended that:

- (a) the Province of Ontario be requested to keep its promise made by Minister Clement to have public consultation on the issue of the reduction of 13 Members of Toronto City Council, and this request be forwarded to Queen’s Park by facsimile on December 15, 1999;
- (b) the federal government be requested to consult with municipal governments on the matter of re-drawing the riding boundaries, if this should become necessary, following the release of decennial census information, so that riding boundaries will not only reflect political party interests but, increasingly, reflect the boundaries of old established communities;
- (c) the Chief Financial Officer and Treasurer forward to the Province of Ontario the bill for all additional costs incurred as a result of provincial action in this regard, a copy thereof to also be forwarded to all Members of Council;
- (d) the City Solicitor be requested to submit reports to the Administration Committee on:
  - (i) the role and rights of the City of Toronto in any federal riding redistribution process that will occur in 2001 or 2002;
  - (ii) the legality of certain elements of Bill 25, i.e., that the Minister of Municipal Affairs and Housing, through a Cabinet Decision, can overrule the provision(s) of provincial legislation, such report to be prepared in consultation with the appropriate City staff; and
  - (iii) the implications of Section 8 of the Municipal Elections Act, as amended by Bill 25;
- (e) the City Clerk be requested to submit a report to the Administration Committee on the provincial strategies to be used to ensure that tenants will be accurately included in the voters list; and
- (f) the report dated December 14, 1999, from the City Clerk, be adopted, subject to adding to Recommendation No. (4) the words ‘and their opinions on Bill 25’, so that the recommendations embodied in such report shall now read as follows:

‘It is recommended that:

- (1) City Council endorse the process outlined in this report as the basis for determining a preferred set of 44 single-member ward boundaries for the municipal election to be held in 2000;

- (2) City Council endorse the following principles, previously used by City Council in developing the 57 wards, in order to guide the development and consideration of options for dividing the 22 Federal/Provincial ridings into 44 single member wards:
  - (a) representation by population;
  - (b) representation of communities;
  - (c) recognition of distinct geographic and infrastructure elements (e.g., watercourses, railways, highways, arterial roads); and
  - (d) future population growth;

and that principle (a) be used as the overriding principle for determining ward options to achieve equitable population distribution between wards in a riding and that variances from the average ward population of up to plus or minus 25 percent be permitted where desirable only to accommodate the other principles;
- (3) City Council make a decision on its preferred set of 44 single member wards at a Special City Council meeting to be scheduled for January 19 and 21, 2000, to enable Clerk's staff the time to undertake the necessary work to translate the ward boundaries into voting subdivisions to meet statutory deadlines for developing the voters' list;
- (4) City Council authorize the City Clerk to hold public open houses on January 4 and 5, 2000, as outlined in this report, to receive public input on the options to divide the 22 ridings and their opinions on Bill 25;
- (5) the City Clerk be authorized to prepare draft preliminary ward options based on the principles outlined in this report for release by December 17, 1999, and that these draft options be used as the basis for consultation and for seeking public input;
- (6) the Members of Council be requested to submit directly to the City Clerk any specific comments on the ward boundary options by January 6, 2000, for consideration by staff in conjunction with the Council-adopted principles;



- (7) if City Council approves the Administration Committee recommendation that all matters pertaining to the issue of ward boundaries be considered by the Administration Committee, as embodied in Clause No. 3 of Report No. 9 of The Administration Committee, then the City Clerk be requested to report to the Administration Committee, at its January 11, 2000 meeting, on the ward options based on comments received from the public and the Members of Council and any other matters deemed necessary, and that the Administration Committee hear public deputations at that meeting and make overall recommendations for consideration by City Council;
- (8) all Members of Council be invited to attend the January 11, 2000 Administration Committee meeting and to hear deputations on this matter;
- (9) the following two overriding decision-making principles, based on the notion of representative population, be used to assist Council in resolving any disagreement between ward boundary options:
  - (a) the two ward populations (1996 Census estimate) within each riding should be as close to the 1996 Census ward average population (54,200 based on 44 wards) as possible; and
  - (b) the 1996 Census population estimates for the ward divisions within each riding should be as close to parity as possible;
- (10) City Council request the Minister of Municipal Affairs and Housing to prescribe the necessary regulation defining the 44 single ward members as recommended by City Council as soon as possible and, in any event, no later than February 15, 2000;
- (11) City Council request the Minister of Municipal Affairs and Housing to provide the City with the necessary authority to name the 44 wards once established in regulation;
- (12) subject to City Council adopting the process outlined in this report, additional funding, in the amount of \$50,000.00, be considered with the Clerk's 2000 Operating Budget; and
- (13) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.' "

14.45 **Clause No. 8 of Report No. 14 of The Etobicoke Community Council, headed “Review of Definition of Grade”.**

*Motion:*

Councillor Adams moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Acting Commissioner of Urban Planning and Development Services be requested to submit a report to the Toronto Community Council on the merits of applying the definition of grade embodied in this Clause to the Zoning By-law as it affects the Toronto Community Council area.”

*Votes:*

The motion by Councillor Adams carried.

The Clause, as amended, carried.

14.46 **Clause No. 21 of Report No. 11 of The Policy and Finance Committee, headed “2000 Interim Levy By-law”.**

*Motion:*

Deputy Mayor Ootes moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated December 15, 1999, from the Chief Financial Officer and Treasurer, embodying the following recommendations, be adopted:

‘It is recommended that authority be granted for the introduction of a Bill in Council substantially in the form of the by-law attached hereto, providing for the levying and collection of 2000 interim realty taxes, prior to the adoption of the estimates for 2000, as follows:

- (1) for the residential property class, based on a rate equivalent to 50 percent of the 1999 tax rate for residential properties, applied against the assessed values as returned on the assessment roll for the taxation year 2000;
- (2) for the capped property classes (commercial, industrial and multi-residential), based on 50 percent of the total 1999 taxes billed for each property; and

- (3) that the effective date of Section 4 of the draft by-law, relating to capped classes, be the date the regulation is signed by the Minister of Finance and filed with the Registrar of Regulations.’ ”

*Votes:*

The motion by Deputy Mayor Ootes carried.

The Clause, as amended, carried.

14.47 **Clause No. 1 of Report No. 11 of The Policy and Finance Committee, headed “Human Resources and Cost Implications of the Recommendations of the Task Force on Community Access and Equity and Clarification of the Term ‘Employment Equity’ ”.**

*Motion:*

Councillor Mihevc moved that the Clause be amended by adding thereto the following:

“It is further recommended that the joint report dated December 14, 1999, from the Chair, Task Force on Community Access and Equity, and the Chief Administrative Officer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Recommendation No. (1) of the Task Force on Community Access and Equity be replaced with the following recommendation:
- “(a) in addition to an Aboriginal Affairs Committee, City Council establish four city-wide access, equity and human rights community advisory committees as follows:
- Disability Issues Committee;
  - Status of Women Committee;
  - Race and Ethnic Relations Committee; and
  - Committee on Lesbian, Gay, Bisexual and Transgendered Issues; and
- (b) the community advisory committees on access, equity and human rights consider rotating the location of their meetings across the City;”;
- (2) Council adopt Task Force Recommendations Nos. (2) through (5) and (8);

- (3) in view of Council's adoption, on April 13, 14 and 15, 1999, of a policy for citizen appointments (Clause No. 2 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team), Task Force Recommendation No. (6) be replaced with the following:
- “(a) the members of the city-wide access, equity and human rights community advisory committees be recommended for appointment by the Nominating Committee using the existing Council Policy for Citizen Appointments and, for the initial appointments, the Nominating Committee conduct the interview process using community persons nominated by the Task Force on Community Access and Equity;
  - (b) the guidelines developed by the Task Force for appointments to these advisory committees be considered in making these appointments; and
  - (c) the term for the initial appointments to these advisory committees continue until the end of the next term of Council;”;
- (4) Council amend Task Force Recommendation No. (7) to provide for “at least one Member of Council” to serve on each of the city-wide access, equity and human rights community advisory committees;
- (5) Task Force Recommendation No. (76) be implemented as outlined in Clause No. 2 of Report No. 10 of The Strategic Policies and Priorities Committee, adopted by Council on June 9, 10 and 11, 1999, which provides for an annual community consultation on access, equity and human rights to provide input to planning, policy and program development;
- (6) the Chief Administrative Officer work with the Aboriginal Affairs and Disability Issues Committees towards the establishment of an Aboriginal Affairs Office and an Office on Disability Issues;
- (7) the Chief Administrative Officer report to Council on the effectiveness of the city-wide access, equity and human rights community advisory committees mid-way through the next term of Council;
- (8) (a) a reference group be established to advise the City Auditor in carrying out his responsibility to oversee an internal audit of the performance of the Corporation in achieving its access, equity and human rights goals once in each term of Council; and

- (b) the membership of the reference group include members of the community advisory committees and be chaired by a member of Council;
- (9) Council thank the members of the various municipal advisory committees on access, equity and human rights and the members of the Task Force on Community Access and Equity for their work over the past two years and their important contribution to City policy; and
- (10) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”

*Votes:*

Adoption of motion by Councillor Mihevc:

Yes – 37
Councillors: Adams, Altobello, Augimeri, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Tzekas, Walker
No – 0

Carried, without dissent.

The Clause, as amended, carried.

**14.48 Clause No. 1 of Report No. 9 of The Administration Committee, headed “Compensation Review for Executive, Management, and Exempt Employees”.**

*Motions:*

- (a) Councillor Berardinetti moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated December 15, 1999, from the Acting Commissioner of Corporate Services, be received.”

- (b) Councillor Moeser moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the implications of moving to the 90th percentile of the comparable level of the GTA public sector market be determined during the external market review to be conducted in 2001, with a report presented to Council at that time;
- (2) in light of the philosophy of the 75th percentile and the results of job evaluations, such review consider the Corporation's experience during 2000 in attracting and retaining staff;
- (3) in order to fairly and equitably address situations where staff have been compensated significantly below the new salary range, and in consideration of the individual's new City position appointment date, the Human Resources Division be given discretion to place staff above the minimum of the new range once the preliminary job evaluation process is completed, subject to a further report through the Administration Committee; and
- (4) the Executive Director of Human Resources be requested to provide regular updates to Council, through the Personnel Sub-Committee and the Administration Committee, on the progress in implementing the Compensation Program, on any adjustments that may be required, and on the consultation process with COTAPSAI."

*Votes:*

Motion (a) by Councillor Berardinetti carried.

Motion (b) by Councillor Moeser carried.

The Clause, as amended, carried.

**14.49 Clause No. 12 of Report No. 11 of The Policy and Finance Committee, headed "Toronto District Heating Corporation - District Cooling Strategy and Shareholder Direction".**

*Motions:*

- (a) Councillor Adams moved that the Clause be amended by adding thereto the following:

"It is further recommended that the report dated December 13, 1999, from the Chief Administrative Officer, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) the Shareholder's Statement of Objectives attached to this report as Appendix 1, directed to the City nominees on the Board of Directors of TDHC, be approved and communicated to these City nominees; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.'

subject to amending Appendix I, headed 'TDHC Shareholder Statement of Objectives' embodied therein by:

- (a) adding to the end of Clause (f) embodied in Part III, entitled 'The City's Expectations of TDHC's Operating Principles', the words 'and shall seek authorization from Council through the Telecommunications Steering Committee'; so that Clause (f) of Part III, shall now read as follows:

'(f) TDHC will inform the City's Telecommunications Committee (or successor body) at the earliest possible time of any TDHC proposal relating to telecommunications and shall seek authorization from Council through the Telecommunications Steering Committee, or its successor body.';

- (b) adding to Part III, entitled 'The City's Expectations of TDHC's Operating Principles', the following new Clause (j):

'(j) TDHC management shall negotiate and finalize a municipal access agreement with the City of Toronto as required under subsection 9(4) of the Toronto District Heating Corporation Act, 1998 to permit the continuing and future use by the TDHC of the City's highways, public lanes and public communications for the installation, maintenance and operation of all present and future district heating and cooling equipment and infrastructure installed by the TDHC within the City's highways, public lanes and public communications and provide for the payment of compensation to the City.'; and

- (c) striking out Clause (i) embodied in Part 4, entitled 'Terms of Appointment for City Nominees', and inserting in lieu thereof the following new Clause (i):

'(i) To the extent permitted by law, each nominee is expected to comply with and cause TDHC to comply with paragraphs (g) and (j) of Part III above.' "

- (b) Councillor Layton moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Administrative Officer be requested to work with Toronto Hydro, Northwinds and the Toronto District Heating Corporation, in order to determine an appropriate course of action with regard to any Northwinds undertakings which may be in progress.”

*Votes:*

Motion (a) by Councillor Adams carried.

Motion (b) by Councillor Layton carried.

Adoption of Clause, as amended:

Yes – 32 Councillors: Adams, Altobello, Augimeri, Balkissoon, Cho, Chong, Chow, Duguid, Fotinos, Gardner, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, McConnell, Mihevc, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Shiner, Soknacki, Tzekas, Walker
No – 4 Councillors: Disero, Flint, Jones, Saundercook

Carried by a majority of 28.

**14.50 Clause No. 18 of Report No. 11 of The Policy and Finance Committee, headed “September 30, 1999, Operating Budget Variance Report”.**

*Motion:*

Councillor Chow moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report requested of the Chief Financial Officer and Treasurer by the Policy and Finance Committee pertaining to the motion by Councillor Chong, as outlined in Part (2) of the actions of the Committee, be submitted to the next meeting of Council, through the Policy and Finance Committee, viz.:

‘The Policy and Finance Committee reports, for the information of Council, having:



- (2) referred the following motion by Councillor Gordon Chong on behalf of Councillor Oliver Chow, to the Chief Financial Officer and Treasurer for report thereon to Council for its meeting scheduled to be held on December 14, 1999:

Moved by Councillor Gordon Chong on behalf of Councillor Olivia Chow:

- “(1) That consideration of Recommendation No. (3) embodied in the report dated December 1, 1999 from the Chief Financial Officer and Treasurer be deferred; and that \$5 million be used to lever funds from the Province to deal with the various cost sharing issues in early childhood development programs; and
- (2) that the Chief Financial Officer and Treasurer be requested to provide a report to the Budget Advisory Committee and the Policy and Finance Committee in January, 2000, listing all existing reserve accounts, its expenditure in 1998, 1999 and projection in 2000.” ’ ’ ”

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

Councillor Soknacki requested that his opposition to the following portion of this Clause be noted in the Minutes of this meeting:

“The Council budget has been increased by \$0.7 million funded from Contingency to reflect a Policy and Finance Committee recommendation regarding funding for potential staffing adjustments. It is recommended that this change be approved now as a technical adjustment.”

Councillor Minnan-Wong requested that his opposition to this Clause be noted in the Minutes of this meeting.

*Motion to Re-open:*

Councillor Pitfield, during the morning session of the meeting on December 16, 1999, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Pitfield moved that the Clause be further amended by adding thereto the following:

“It is further recommended that Council reiterate its direction made for the 1999 Fire Services Operating Budget with respect to savings being found as a result of reduced absenteeism, such direction to continue for the year 2000 Fire Services Operating Budget.”

*Votes:*

The motion by Councillor Pitfield carried.

The Clause, as further amended, carried.

**14.51 Clause No. 9 of Report No. 8 of The Administration Committee, headed “Request for Amendment to the Provincial Offences Act”.**

Having regard that the Clause was submitted without recommendation:

*Motion:*

Councillor Moscoe moved that Council adopt the following recommendation:

“It is recommended that the City of Toronto immediately take whatever legal action that may be necessary to stop the issuance of ‘phoney’ lookalike parking tickets and the City Solicitor be requested to provide progress reports thereon, every six months, to the Administration Committee.”

*Votes:*

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

**14.52 Clause No. 6 of Report No. 8 of The Administration Committee, headed “Municipal Elections - By-law Requirements”.**

*Motions:*

(a) Councillor Moscoe moved that the Clause be amended by adding thereto the following:

“It is further recommended that the necessary funds for the contribution rebate program be provided for in the City’s Operating Budget.”

- (b) Councillor McConnell moved that the Clause be amended by amending Recommendation No. (4) embodied in the report dated November 17, 1999, from the City Clerk, to provide that:
- (1) the City continue to provide election materials in Tamil, Vietnamese and Somali, and any other languages used in previous elections; and
  - (2) any language groups numbering more than the lesser of 20,000 or two percent of the City-wide voting population, be provided with election information in their home language.
- (c) Councillor Holyday moved that the Clause be amended by deleting all of the words after the words “City Clerk” in the recommendation of the Administration Committee.
- (d) Councillor Mihevc moved that the Clause be amended by amending Recommendation No. (4) embodied in the report dated November 14, 1999, from the City Clerk, to provide that election material be made available in languages which meet the two percent formula on a ward basis.

*Votes:*

Adoption of motion (c) by Councillor Holyday:

Yes - 4	
Councillors:	Chong, Flint, Holyday, Layton, Nunziata
No - 28	
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Cho, Disero, Duguid, Filion, Fotinos, Jones, Kelly, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker

Lost by a majority of 24.

Motion (a) by Councillor Moscoe carried.

Adoption of Part (1) of motion (b) by Councillor McConnell:

Yes - 29 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Disero, Duguid, Filion, Fotinos, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Walker
No - 5 Councillors: Chong, Flint, Holyday, O'Brien, Soknacki

Carried by a majority of 24.

Adoption of Part (2) of motion (b) by Councillor McConnell:

Yes - 25 Councillors: Adams, Altobello, Augimeri, Cho, Chow, Duguid, Filion, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 6 Councillors: Berardinetti, Disero, Flint, Holyday, Minnan-Wong, Ootes

Carried by a majority of 19.

Having regard to the foregoing decision of Council, motion (d) by Councillor Mihevc was not put to a vote.

The Clause, as amended, carried.

*Motion to Re-Open:*

Councillor Moscoe, during the morning session of the meeting on December 16, 1999, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, this Clause be re-opened for further consideration, which carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Moscoe moved that the Clause be further amended by adding thereto the following:

“It is further recommended that the necessary funds in the amount of approximately \$50,000.00 required to cover the cost of providing election 2000 information in the additional languages outlined in Recommendation No. (1) be included in the 2000 Operating Budget of the Clerk’s Division.”

*Votes:*

The motion by Councillor Moscoe carried.

The Clause, as further amended, carried.

In summary, Council amended this Clause by:

(1) amending Recommendation No. (4) embodied in the report dated November 17, 1999, from the City Clerk, to provide that the City continue to provide election materials in Tamil, Vietnamese and Somali, and any other languages used in previous elections, and that any language groups numbering more than the lesser of 20,000 or two percent of the City-wide voting population, be provided with election information in their home language; and

(2) adding thereto the following:

“It is further recommended that:

(1) the necessary funds for the contribution rebate program be provided for in the City’s Operating Budget; and

(2) the necessary funds in the amount of approximately \$50,000.00 required to cover the cost of providing election 2000 information in the additional languages outlined in Recommendation No. (1) be included in the 2000 Operating Budget of the Clerk’s Division.”

**14.53 Clause No. 7 of Report No. 8 of The Administration Committee, headed “Use of Corporate Resources During an Election Year”.**

*Motions:*

(a) Councillor Moscoe moved that the Clause be amended by deleting from Recommendation No. (2) of the Administration Committee the date “August 1, 2000” and inserting in lieu thereof the words “Labour Day 2000”.

(b) Councillor Walker moved that motion (a) by Councillor Moscoe be amended by deleting the words “Labour Day 2000” and inserting in lieu thereof the date “June 30, 2000”.

(c) Councillor Davis moved that the Clause be amended by inserting in Recommendation No. (6) embodied in the report dated November 19, 1999, from the City Clerk, after the word “websites”, the words “or domain names”, so that such recommendation shall now read as follows:

“(6) websites or domain names that are funded by the City of Toronto may not include any election-related campaign material. In addition, Members of

Council may not use their City funded websites or domain names for advertising or as a substitute to distributing newsletters/flyers between the dates specified in Recommendation No. (5) above;”.

*Votes:*

Adoption of motion (b) by Councillor Walker:

Yes - 18 Councillors:	Augimeri, Cho, Filion, Flint, Holyday, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Nunziata, O'Brien, Pitfield, Prue, Shiner, Sinclair, Tzekas, Walker
No - 24 Mayor: Councillors:	Lastman Altobello, Balkissoon, Berardinetti, Berger, Bussin, Chong, Chow, Davis, Giansante, Jones, Kelly, Kinahan, Layton, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Ootes, Rae, Saundercook, Shaw, Soknacki

Lost by a majority of 6.

Adoption of motion (a) by Councillor Moscoe, without amendment:

Yes - 16 Councillors:	Augimeri, Chong, Davis, Disero, Giansante, Kelly, Kinahan, Layton, Mammoliti, Miller, Moeser, Moscoe, Ootes, Rae, Saundercook, Soknacki
No - 28 Mayor: Councillors:	Lastman Adams, Altobello, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chow, Filion, Flint, Holyday, Jones, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Nunziata, O'Brien, Pitfield, Prue, Shaw, Shiner, Sinclair, Tzekas, Walker

Lost by a majority of 12.

Motion (c) by Councillor Davis carried.

Adoption of Clause, as amended:

Yes - 36	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Davis, Disero, Filion, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Lindsay Luby, Mahood, Mammoliti, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Soknacki, Tzekas
No - 5	
Councillors:	Bussin, Korwin-Kuczynski, McConnell, Pitfield, Walker

Carried by a majority of 31.

**14.54 Clause No. 8 of Report No. 8 of The Administration Committee, headed “ ‘Drove Away’ Parking Tags”.**

*Motion:*

Councillor Moscoe moved that the Clause be received.

*Votes:*

Adoption of motion by Councillor Moscoe:

Yes - 8	
Councillors:	Augimeri, Berger, Chong, Flint, Jones, McConnell, Miller, Moscoe
No - 33	
Mayor:	Lastman
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Cho, Chow, Davis, Disero, Duguid, Filion, Giansante, Holyday, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Walker

Lost by a majority of 25.

The Clause carried, without amendment.

**14.55 Clause No. 1 of Report No. 6 of The Community Services Committee, headed “Federal/Ontario Housing Devolution Agreement”.**

*Motions:*

- (a) Councillor Adams moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council adopt the following motion:

**‘WHEREAS** the provincial government on November 17, 1999, signed a housing devolution agreement with Canada Mortgage and Housing Corporation, and will devolve to municipalities both the federally-administered and provincially-administered programs; and

**WHEREAS** municipalities face large long-term costs and risks for social housing, including ongoing subsidies, repairs, mortgage renewals, and new supply; and

**WHEREAS** federal devolution adds to this municipal risk but also provides extra federal funding, estimated at \$85 million annually province-wide, which could reduce risks; and

**WHEREAS** on November 18, 1999, the day after signing the federal devolution agreement, the Province of Ontario announced savings from “lower mortgage costs and other financing efficiencies”, achieved mainly by taking from the \$85 million extra federal funding about \$25 million to replace the same amount of net provincial expenditure; and

**WHEREAS** on November 18, 1999, the Province also announced that the Ontario Housing Corporation will sell off scattered units, including about 500 units in the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor express, in the strongest terms, to the Premier of Ontario and the Minister of Municipal Affairs and Housing, this Council’s alarm and objection to unilateral provincial decisions on the eve of devolving program administration to municipalities, and provincial scooping of federal housing funds at the expense of municipalities;

**AND BE IT FURTHER RESOLVED THAT** the Mayor demand, on behalf of Council, that the Province:

- (1) reinvest into housing all housing-related savings;
- (2) use the proceeds of any appropriate sale of public housing for new affordable housing;



- (3) guarantee in the framework for municipal devolution that all federal housing funds will flow to municipalities for housing uses; and
- (4) start genuine negotiations immediately with municipalities on that devolution framework.’ ”

(b) Councillor Chow moved that the Clause be amended by adding thereto the following:

“It is further recommended that Members of Council who are members of the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) be requested to convey the weaknesses and flaws of the federal government and Ontario Government Housing Devolution Agreement to the other members of AMO and FCM.”

(c) Councillor Rae moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council:

- (1) convey its frustration and disappointment to the federal government, in particular the Minister Responsible for Canada Mortgage and Housing Corporation, The Honourable Alfonso Gagliano, for entering into an agreement with the provincial government without ensuring that the Province of Ontario commits funds to housing; and
- (2) Council request the Province of Ontario to adjust its grant of \$250,000.00 to \$600,000.00, in order that the temporary shelter program at the former Princess Margaret Hospital on Wellesley Place is adequately funded by the Province.”

(d) Councillor Mammoliti moved that the Clause be amended by adding thereto the following:

“It is further recommended that Council encourage the provincial government to transfer ownership of the social housing stock, together with the appropriate funding, to the City of Toronto.”

(e) Councillor Cho moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) any funds earmarked by the federal and provincial governments for housing be used only for that purpose; and

- (2) the City of Toronto be a party to all negotiations with the federal and provincial government respecting housing.”
- (f) Mayor Lastman moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Mayor be requested to write to the Federal Government requesting that the funds for social housing be sent directly to the City of Toronto.”

*Permission to withdraw motion:*

Councillor Rae, with the permission of Council, withdrew Part (1) of his motion (c).

*Votes:*

Motion (a) by Councillor Adams carried.

Motion (b) by Councillor Chow carried.

Adoption of Part (2) of motion (c) by Councillor Rae:

Yes - 32	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Berger, Cho, Chong, Chow, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sinclair, Soknacki, Tzekas
No - 0	

Carried, without dissent.

Adoption of motion (d) by Councillor Mammoliti:

Yes - 13	
Councillors:	Adams, Augimeri, Berger, Chong, Duguid, Filion, Jakobek, Kelly, Li Preti, Mammoliti, McConnell, Moscoe, Nunziata
No - 22	
Mayor:	Lastman
Councillors:	Cho, Chow, Disero, Flint, Giansante, Holyday, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Miller, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sinclair, Soknacki, Tzekas

Lost by a majority of 9.

Part (1) of motion (e) by Councillor Cho carried.

Part (2) of motion (e) by Councillor Cho carried unanimously.

Motion (f) by Mayor Lastman carried unanimously.

Adoption of Clause, as amended:

Yes – 36	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Berger, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sinclair, Soknacki, Tzekas
No – 0	

Carried, without dissent.

In summary, Council amended this Clause by adding thereto the following:

“It is further recommended that:

- (1) Members of Council who are members of the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) be requested to convey the weaknesses and flaws of the Federal Government and Ontario Government Housing Devolution Agreement to the other members of AMO and FCM;

- (2) Council request the Province of Ontario to adjust its grant of \$250,000.00 to \$600,000.00, in order that the temporary shelter program at the former Princess Margaret Hospital on Wellesley Place is adequately funded by the Province;
- (3) any funds earmarked by the federal and provincial governments for housing be used only for that purpose;
- (4) the City of Toronto be a party to all negotiations with the federal and provincial government respecting housing;
- (5) the Mayor be requested to write to the Federal Government requesting that the funds for social housing be sent directly to the City of Toronto; and
- (6) Council adopt the following motion:

Moved by Councillor Adams:

**‘WHEREAS** the provincial government on November 17, 1999, signed a housing devolution agreement with Canada Mortgage and Housing Corporation, and will devolve to municipalities both the federally-administered and provincially-administered programs; and

**WHEREAS** municipalities face large long-term costs and risks for social housing, including ongoing subsidies, repairs, mortgage renewals, and new supply; and

**WHEREAS** federal devolution adds to this municipal risk but also provides extra federal funding, estimated at \$85 million annually province-wide, which could reduce risks; and

**WHEREAS** on November 18, 1999, the day after signing the federal devolution agreement, the Province of Ontario announced savings from “lower mortgage costs and other financing efficiencies”, achieved mainly by taking from the \$85 million extra federal funding about \$25 million to replace the same amount of net provincial expenditure; and

**WHEREAS** on November 18, 1999, the Province also announced that the Ontario Housing Corporation will sell off scattered units, including about 500 units in the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor express, in the strongest terms, to the Premier of Ontario and the Minister of Municipal Affairs and Housing, this Council's alarm and objection to unilateral provincial decisions on the eve of devolving program administration to municipalities, and provincial scooping of federal housing funds at the expense of municipalities;

**AND BE IT FURTHER RESOLVED THAT** the Mayor demand, on behalf of Council, that the Province:

- (a) reinvest into housing all housing-related savings;
- (b) use the proceeds of any appropriate sale of public housing for new affordable housing;
- (c) guarantee in the framework for municipal devolution that all federal housing funds will flow to municipalities for housing uses; and
- (d) start genuine negotiations immediately with municipalities on that devolution framework.' ”

**14.56 Clause No. 2 of Report No. 6 of The Economic Development and Parks Committee, headed “The Greater Toronto Marketing Alliance (GTMA): Midterm Review (All Wards)”.**

*Motion:*

Councillor Moscoe moved that the Clause be struck out and referred back to the Economic Development and Parks Committee for further consideration and Council direct that the Toronto Board of Trade be invited to address the Committee in this regard.

*Vote:*

The motion by Councillor Moscoe carried.

**14.57 Clause No. 26 of Report No. 11 of The Policy and Finance Committee, headed “Oak Ridges Moraine – Funding Implications”.**

Having regard that the Clause was submitted without recommendation:

*Motions:*

- (a) Councillor Miller moved that Council adopt the following recommendations:  
“It is recommended that:

- (1) funding, in the amount of \$800,000.00, from the Wastewater budget be set aside in an 'Oak Ridges Preservation Account';
  - (2) Council establish a Steering Committee, to report through the Planning and Transportation Committee, with recommendations regarding how best the City of Toronto can support the protection of the Oak Ridges Moraine, in addition to the recommendations embodied in the report dated December 13, 1999, from the Chief Administrative Officer;
  - (3) the Steering Committee consist of the Chair of the Planning and Transportation Committee and Councillors Adams, Balkissoon, Cho, King, Layton, Miller and O'Brien; and
  - (4) the Chief Administrative Officer be requested to appoint an executive staff lead to assist the Steering Committee."
- (b) Councillor O'Brien, seconded by Councillor King, moved that Council adopt the following recommendation:

"It is recommended that the report dated December 13, 1999, from the Chief Administrative Officer, embodying the following recommendations, be adopted:

'It is recommended that:

- (1) staff continue discussions with the Toronto and Region Conservation Authority (TRCA) with the intent of a partnership arrangement with respect to costs related to stormwater and servicing issues, hydrogeology and ecology of the Oak Ridges Moraine;
  - (2) staff report back on the partnership arrangement with the TRCA, including cost estimates and partnership opportunities with the Town of Richmond Hill and the Region of York for independent consulting advice; and
  - (3) funds of up to \$220,000.00 be allocated from the Corporate Contingency Account for the preliminary estimated cost of outside consultants to be shared with the TRCA and to contribute to TRCA's legal fees.' "
- (c) Councillor Adams moved that Part (2) of motion (a) by Councillor Miller be amended by inserting, after the words "Transportation Committee", the words "and sequential reporting to the Works Committee.", so that such Part shall now read as follows:
- "(2) Council establish a Steering Committee, to report through the Planning and Transportation Committee, and sequential reporting to the Works Committee,

with recommendations regarding how best the City of Toronto can support the protection of the Oak Ridges Moraine, in addition to the recommendations embodied in the report dated December 13, 1999, from the Chief Administrative Officer;”.

(d) Councillor Layton moved that Council adopt the following recommendation:

“It is recommended that the City seek party status at the Ontario Municipal Board hearings and the City Solicitor be directed to advise the Ontario Municipal Board accordingly at the Richmond Hill OMB hearings, as described in Option 2 embodied in the report dated December 13, 1999, from the Chief Administrative Officer.”

*Votes:*

Motion (b) by Councillor O’Brien, seconded by Councillor King, carried.

Motion (c) by Councillor Adams carried.

Motion (a) by Councillor Miller carried, as amended.

Adoption of motion (d) by Councillor Layton:

Yes - 27
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Duguid, Filion, Flint, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Prue, Rae, Saundercook, Sinclair
No - 13
Councillors: Berger, Davis, Disero, Giansante, Holyday, King, Lindsay Luby, Mammoliti, Miller, O’Brien, Ootes, Shiner, Tzekas

Carried by a majority of 14.

The Clause, as amended, carried.

**14.58 Clause No. 6 of Report No. 7 of The Planning and Transportation Committee, headed “Preserving the Oak Ridges Moraine – City of Toronto Interests”.***Vote:*

Yes - 35	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Davis, Duguid, Fillion, Flint, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Saundercook, Shiner, Sinclair, Tzekas
No - 4	
Councillors:	Disero, Fotinos, Holyday, OBrien

Carried by a majority of 31.

**14.59 IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE****December 14, 1999:***Motion:*

Deputy Mayor Ootes, at 7:10 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 28 of Report No. 11 of The Policy and Finance Committee, headed “Rooming House Hearing – 2762 Dundas Street West”, in accordance with the provisions of the Municipal Act.

*Vote:*

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 7:12 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:45 p.m. and met in public session in the Council Chamber.

Deputy Mayor Ootes took the Chair and called the Members to order.



14.60 **Clause No. 28 of Report No. 11 of The Policy and Finance Committee, headed “Rooming House Hearing - 2762 Dundas Street West”.**

Having regard that the Clause was submitted without recommendation:

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

(a) Councillor Disero moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the Acting Commissioner of Urban Planning and Development Services be requested to hold a hearing respecting this matter as soon as possible, on or before January 11, 2000;
- (2) the Acting Commissioner of Urban Planning and Development Services be directed to send notice to the owners of the property, advising that:
  - (a) the key does not work and that they have not complied with one of the conditions of the licence;
  - (b) the building does not comply with the licence issued on December 7, 1999, with respect to the number of washrooms and number of self-contained units; and
  - (c) they must meet all the requirements of the Fire Department;
- (3) access to the building is to be provided to staff of the City of Toronto and the Toronto Police Service; and
- (4) the Commissioner of Community and Neighbourhood Services be requested to prepare possible alternative locations, should the permanent licence not be granted on January 11, 2000.”

(b) Councillor McConnell moved that Council adopt the following recommendation:

“It is recommended that the Acting Commissioner of the Urban Planning and Development Services be requested to:

- (a) obtain all files and material respecting this matter; and
- (b) ensure that there is adequate security at the hearing.”

- (c) Councillor Miller moved that motion (b) by Councillor McConnell be amended by adding thereto the following:

“(c) submit a report to the Planning and Transportation Committee on whether the Rooming House Tribunal should be abolished and its functions be assumed by the Toronto Licensing Tribunal.”

*Votes:*

Adoption of motion (a) by Councillor Disero:

Yes - 32	
Councillors:	Adams, Balkissoon, Bossons, Cho, Chong, Chow, Davis, Disero, Feldman, Flint, Fotinos, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Shiner, Soknacki
No - 0	

Carried, without dissent.

Motion (c) by Councillor Miller carried.

Motion (b) by Councillor McConnell carried, as amended.

The Clause, as amended, carried.

*Confidential Instructions to Staff:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that City Council had also issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

**December 16, 1999:**

*Motion:*

Deputy Mayor Ootes, at 11:02 a.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 4 of Report No. 8 of The Administration Committee, headed “Proposed Purchase of former Hydro Corridor Lands for Park in the Terraview-Willowfield Community South of Highway 401, West of Warden Avenue; and Proposed Purchase of Hydro Corridor Lands North of Highway 401; (Ward 14 – Scarborough Wexford) (Ward 17 - Scarborough Agincourt)”, in accordance with the provisions of the Municipal Act.

*Vote:*

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 11:09 p.m. to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 3:57 p.m. and met in public session in the Council Chamber.

Deputy Mayor Ootes took the Chair and called the Members to order.

- 14.61 **Clause No. 4 of Report No. 8 of The Administration Committee, headed “Proposed Purchase of Former Hydro Corridor Lands for Park in the Terraview-Willowfield Community South of Highway 401, West of Warden Avenue; and Proposed Purchase of Hydro Corridor Lands North of Highway 401; (Ward 14 – Scarborough Wexford) (Ward 17 - Scarborough Agincourt)”.**

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following procedural motion had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

Moved by Councillor King:

“That:

- (1) Council re-open Clause No. 2 of Report No. 4 of The Policy and Finance Committee, headed ‘Ontario Hydro Corridor Lands South and North of Highway 401, Wards 14 and 15, (Scarborough Wexford and Scarborough City Centre)’, for further consideration; and
- (2) the following condition imposed by City Council at its meeting held on July 27, 28, 29 and 30, 1999, be deleted:

‘on the condition that approximately 12.5 acres of Priority 1 lands be acquired north of Highway 401 in the South Bridlewood Community, for stormwater management purposes, as previously approved by City Council.’”

*Vote:*

Adoption of Part (1) of procedural motion by Councillor King:

Yes - 37 Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sinclair
No - 4 Councillors: Altobello, Kelly, Shaw, Tzekas

Carried, more than two-thirds of Members present having voted in the affirmative.

Adoption of Part (2) of procedural motion by Councillor King:

Yes - 37 Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Filion, Flint, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shiner, Sinclair
No - 5 Councillors: Altobello, Disero, Kelly, Shaw, Tzekas

Carried by a majority of 32.

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, further reported that the following motions had also been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

- (a) Councillor Tzekas moved that the Clause be amended by striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) the report dated September 22, 1999, from the Acting Commissioner of Corporate Services, respecting the proposed purchase of former Hydro Corridor Lands for Park in the Terraview-Willowfield Community, be adopted;
- (2) the following Recommendations Nos. (1)(a), (1)(e), (2) and (4) embodied in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, be adopted, viz.:
  - '(1) the acquisition of Parcels 'A' and 'E' as set out below be approved:
    - (a) Lots 16-23 inclusive from Graywood Investments Ltd. for the sum of \$949,872.00; and
    - (e) Lots 130-134 from Graywood Investments Ltd. and the quit claim and release from Laredo Construction Inc. for the total sum of \$987,380.00;
  - (2) the City Solicitor be authorized and directed to complete these transactions according to the terms and conditions as set out in this report and pay any City costs incidental to the closing and be further authorized to amend the closing dates to such earlier or later date as considered reasonable; and
  - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.'; and
- (3) the confidential report dated December 14, 1999, from the Acting Commissioner of Corporate Services, respecting the proposed purchase of former Hydro corridor lands in the Terraview-Willowfield Community, be adopted, subject to:
  - (a) amending Recommendation No. (1)(a) by adding thereto the words 'subject to the agreement with Norstar being amended to provide that the developer build a water fountain for people and pets in the park'; and
  - (b) striking out Recommendation No. (1)(b),

so that the recommendation embodied in such confidential report shall now read as follows:

'It is recommended that the City Solicitor be authorized and directed to add the following clause to the purchase/sale agreement contemplated in the recommendations of the Administration Committee report dated November 23, 1999:

“The City will grant the vendor the right to cross the lands being conveyed for the purpose of installing a sanitary sewer and watermain as are required to service the remaining development lands to the south, subject to the agreement with Norstar being amended to provide that the developer build a water fountain for people and pets in the park.” ’ ’

- (b) Councillor Chow (seconded by Councillor Giansante insofar as it pertains to Part (1) of this motion), moved that motion (a) by Councillor Tzekas be amended by adding thereto the following:

“It is further recommended that:

- (1) Parcel ‘B’, as set out in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, not be acquired; and
- (2) the proposed acquisition of Parcels ‘C’ and ‘D’, as set out in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, be referred to the Budget Advisory Committee for further consideration as part of the 2000 Capital Budget of the Water/Wastewater Division of the Works and Emergency Services Department.”

- (c) Councillor Kelly moved that the Clause be amended by adding thereto the following:

“It is further recommended that the recommendations of the Policy and Finance Committee embodied in the confidential communication dated December 7, 1999, from the City Clerk, be adopted, subject to Parcel ‘B’ not being acquired.”

- (d) Councillor King moved that Part (1) of motion (a) by Councillor Tzekas be amended by inserting, after the words “Terraview-Willowfield Community”, the words and figure “for an amount of \$1,000,000.00”.

- (e) Councillor Shaw moved that the Clause be amended by adding thereto the following:

“It is further recommended that Parcels ‘A’ and ‘E’ be acquired.”

*Votes:*

Adoption of Part (1) of motion (b) by Councillor Chow, seconded by Councillor Giansante:

Yes – 40 Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Sinclair
No – 1 Councillor:	Tzekas

Carried by a majority of 39.

Adoption of Part (2) of motion (b) by Councillor Chow:

Yes - 38 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Giansante, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Sinclair
No - 5 Councillors:	Cho, Flint, Kelly, Shaw, Tzekas

Carried by a majority of 33.

Adoption of motion (d) by Councillor King:

Yes – 43 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Tzekas
No – 0	

Carried, without dissent.

Adoption of motion (a) by Councillor Tzekas, as amended:

Yes – 41 Councillors:    Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Davis, Disero, Duguid, Filion, Flint, Fotinos, Giansante, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Tzekas
No – 0

Carried, without dissent.

Having regard to the foregoing decisions of Council, motions (c) and (e) by Councillors Kelly and Shaw, respectively, were not put to a vote.

In summary, Council re-opened Clause No. 2 of Report No. 4 of The Policy and Finance Committee, headed “Ontario Hydro Corridor Lands South and North of Highway 401, Wards 14 and 15, (Scarborough Wexford and Scarborough City Centre)”, for further consideration, and deleted the following condition imposed by City Council at its meeting held on July 27, 28, 29 and 30, 1999:

“on the condition that approximately 12.5 acres of Priority 1 lands be acquired north of Highway 401 in the South Bridlewood Community, for stormwater management purposes, as previously approved by City Council.”.

Council subsequently amended this Clause by:

- (1) striking out the recommendations of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that:

- (a) the report dated September 22, 1999, from the Acting Commissioner of Corporate Services respecting the proposed purchase of former Hydro Corridor Lands for Park in the Terraview-Willowfield Community, for an amount of \$1,000,000.00, be adopted; and
- (b) the following Recommendations Nos. (1)(a), (1)(e), (2) and (4) embodied in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, be adopted, viz.:

‘(1) the acquisition of Parcels ‘A’ and ‘E’ as set out below be approved:



- (a) Lots 16-23 inclusive from Graywood Investments Ltd. for the sum of \$949,872.00; and
  - (e) Lots 130-134 from Graywood Investments Ltd. and the quit claim and release from Laredo Construction Inc. for the total sum of \$987,380.00;
  - (2) the City Solicitor be authorized and directed to complete these transactions according to the terms and conditions as set out in this report and pay any City costs incidental to the closing and be further authorized to amend the closing dates to such earlier or later date as considered reasonable; and
  - (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’; and
- (2) adding thereto the following:

“It is further recommended that:

- (a) Parcel ‘B’, as set out in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, not be acquired;
- (b) the proposed acquisition of Parcels ‘C’ and ‘D’, as set out in the confidential report dated November 25, 1999, from the Acting Commissioner of Corporate Services, be referred to the Budget Advisory Committee for further consideration as part of the 2000 Capital Budget of the Water/Wastewater Division of the Works and Emergency Services Department; and
- (c) the confidential report dated December 14, 1999, from the Acting Commissioner of Corporate Services, respecting the proposed purchase of former Hydro corridor lands in the Terraview-Willowfield Community, be adopted, subject to:
  - (i) amending Recommendation No. (1)(a) by adding thereto the words ‘subject to the agreement with Norstar being amended to provide that the developer build a water fountain for people and pets in the park’; and
  - (ii) striking out Recommendation No. (1)(b),

so that the recommendation embodied in such confidential report shall now read as follows:

‘It is recommended that the City Solicitor be authorized and directed to add the following clause to the purchase/sale agreement contemplated in the recommendations of the Administration Committee report dated November 23, 1999:

“The City will grant the vendor the right to cross the lands being conveyed for the purpose of installing a sanitary sewer and watermain as are required to service the remaining development lands to the south, subject to the agreement with Norstar being amended to provide that the developer build a water fountain for people and pets in the park.” ’ ’

*Procedural Motion:*

Councillor Flint moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of Motion J(17), moved by Councillor Flint, seconded by Councillor Sinclair, and that the first Operative Paragraph embodied in such Motion, respecting the re-opening of Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed “Minister’s Zoning Order with Respect to Woodbine Racetrack Lands (Ward 5 – Rexdale Thistletown)”, be adopted, which carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Deputy Mayor Ootes, at 6:09 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters remaining on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act:

- (a) Clause No. 4 of Report No. 6 of The Works Committee, headed “Collection and Reuse or Recycling of White Goods and Scrap Metals in the City of Toronto - Quotation No. 6033-99-01845”; and
- (b) Notice of Motion J(17).

*Vote:*

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.  
Committee of the Whole recessed to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 6:35 p.m., and met in public session in the Council Chamber.

Deputy Mayor Ootes took the Chair and called the Members to order.

14.62 **Clause No. 4 of Report No. 6 of The Works Committee, headed “Collection and Reuse or Recycling of White Goods and Scrap Metals in the City of Toronto - Quotation No. 6033-99-01845”.**

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with the Clause:

- (a) Councillor King moved that the Clause be amended by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that the joint report dated November 29, 1999, from the Chief Financial Officer and Treasurer and the Commissioner of Works and Emergency Services, be adopted.”

- (b) Councillor Shiner moved that the Clause be amended by striking out the recommendation of the Works Committee and inserting in lieu thereof the following:

“It is recommended that the tender be re-submitted in its original form for both collection and disposal.”

*Votes:*

Adoption of motion (b) by Councillor Shiner:

Yes - 9	
Councillors:	Davis, Duguid, Flint, Holyday, Mahood, Minnan-Wong, O'Brien, Shiner, Tzekas
No - 23	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Chong, Chow, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Rae, Sinclair, Walker

Lost by a majority of 14.

Adoption of motion (a) by Councillor King:

Yes - 21
----------

Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Chong, Chow, Johnston, Jones, King, Layton, Lindsay Luby, McConnell, Mihevc, Moscoe, Nunziata, Ootes, Rae, Sinclair, Walker
No - 11	
Councillors:	Davis, Duguid, Flint, Holyday, Kelly, Korwin-Kuczynski, Mahood, Minnan-Wong, OBrien, Shiner, Tzekas

Carried by a majority of 10.

The Clause, as amended, carried.

14.63 Deputy Mayor Ootes called upon Notice of Motion J(17), as follows:

**Moved by: Councillor Flint**

**Seconded by: Councillor Sinclair**

**“WHEREAS** Council at its meeting held on February 2, 3 and 4, 1999, by its adoption, as amended, of Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed ‘Minister’s Zoning Order with Respect to Woodbine Racetrack Lands (Ward 5 – Rexdale Thistletown)’ demanded that the Minister of Municipal Affairs and Housing rescind the Zoning Order which permits the operation of slot machines at Woodbine Racetrack; and

**WHEREAS** the City made an application to the Minister of Municipal Affairs and Housing for revocation of the Zoning Order; and

**WHEREAS** renovations to the existing grandstand building at Woodbine Racetrack to enable the installation of slot machines have been underway for some time; and

**WHEREAS** the Acting Commissioner of Urban Planning and Development Services, the Executive Director and Chief Planner and the City Solicitor have prepared a confidential joint report dated December 13, 1999, on the status of the City’s application for revocation of the Minister’s Zoning Order and on any other related matters;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Procedural By-law, Clause No. 5 of Report No. 2 of The Urban Environment and Development Committee, headed ‘Minister’s Zoning Order with Respect to Woodbine Racetrack Lands (Ward 5 – Rexdale Thistletown)’ be re-opened for further consideration;

**AND BE IT FURTHER RESOLVED THAT** Council give consideration to the aforementioned confidential joint report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, the Executive Director

and Chief Planner and the City Solicitor, and that such confidential joint report be adopted.”

Council also had before it, during consideration of Motion J(17), a confidential joint report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, the Executive Director and Chief Planner and the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act.

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(17):

- (a) Councillor Jones, on behalf of Councillor Giansante, moved that Motion J(17) be amended by adding thereto the following new Recital and Operative Paragraph:

“**WHEREAS** the police command indicates that 33 police officers will be required to manage the expected crowds, as a result of 1,700 slot machines at the Woodbine Racetrack facility, primarily for traffic duties and investigations of offences;

**NOW THEREFORE BE IT RESOLVED THAT** funds for these additional policing duties be negotiated and that the additional officers be added to the establishment of strength of the 23rd Division of Toronto Police Service.”

- (b) Councillor Chow moved that:

- (1) Motion J(17) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** staff of the following City Departments and Agencies be requested to submit reports to Council, for its meeting to be held on February 1, 2000, on the municipal services that will be required: Toronto Police Service, Toronto Ambulance Services, Toronto Fire Services, Toronto Transit Commission, Public Health (as it pertains to addiction and family counselling) Works and Emergency Services and Urban Planning and Development Services (as it pertains to by-law enforcement, etc.) and the annual funding required to sustain such services;” and

- (2) motion (a) by Councillor Jones be amended to provide that the decision on the exact number of police officers to be hired be deferred, until such time as the Toronto Police Services Board has approved the additional officers and the entire cost of providing all municipal services has been identified.

*Votes:*

Part (2) of motion (b) by Councillor Chow carried.

Motion (a) by Councillor Jones carried, as amended.

Part (1) of motion (b) by Councillor Chow carried.

Motion J(17) carried, as amended.

*Confidential Instructions to Staff:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that City Council had also issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

In summary, Council:

- (1) adopted Motion J(17), subject to adding the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** staff of the following City Departments and Agencies be requested to submit reports to Council, for its meeting to be held on February 1, 2000, on the municipal services that will be required: Toronto Police Service, Toronto Ambulance Services, Toronto Fire Services, Toronto Transit Commission, Public Health (as it pertains to addiction and family counselling) Works and Emergency Services and Urban Planning and Development Services (as it pertains to by-law enforcement, etc.) and the annual funding required to sustain such services;

**AND BE IT FURTHER RESOLVED THAT** the following motion by Councillor Jones be adopted, subject to deferring the decision on the exact number of police officers to be hired, until such time as the Toronto Police Services Board has approved the additional officers and the entire cost of providing all municipal services has been identified:

**‘WHEREAS** the police command indicates that 33 police officers will be required to manage the expected crowds, as a result of 1,700 slot machines at the Woodbine Racetrack facility, primarily for traffic duties and investigations of offences;

**NOW THEREFORE BE IT RESOLVED THAT** funds for these additional policing duties be negotiated and that the additional officers be added to the establishment of strength of the 23rd Division of Toronto Police Services.’ ”;

and

- (2) issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act.

**MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION**

Mayor Lastman in the Chair.

14.64 Mayor Lastman called upon Motion F appearing on the Order Paper, as follows:

**Moved by:**                    **Councillor Korwin-Kuczynski**

**Seconded by:**            **Councillor Adams**

**“WHEREAS** the Chief Financial Officer and Treasurer was requested by City Council at its meeting of April 26, 1999, to report on the feasibility of generating additional revenues or allocating revenues from parking-related programs and facilities to support public transit in the City; and

**WHEREAS** a report dated September 30, 1999, from the Chief Financial Officer and Treasurer, entitled ‘Feasibility of Implementing a Parking Levy on Private/Public Parking to Support Public Transit and Application of Revenues from Parking’, was submitted to the Policy and Finance Committee for its meeting of October 14, 1999; and

**WHEREAS** the Policy and Finance Committee received the report and voted not to forward this important report and issue to City Council for consideration, notwithstanding the request of visiting Councillors, and a motion by a Member of the Policy and Finance Committee; and

**WHEREAS** the aforementioned report is referenced in Item (b) contained in Clause No. 19 of Report No. 8 of The Policy and Finance Committee; and

**WHEREAS** there is a need to establish a long-term strategy to sustain public transit in the City of Toronto, including the feasibility of dedicating a portion of revenues from motor vehicle related activities such as permit parking, front yard parking, parking meters, municipal parking lots, to public transit; and

**WHEREAS** all motorists benefit from a sustainable and efficient public transit system and, therefore, revenues generated by automobiles, or portion thereof, should be allocated towards public transit; and

**WHEREAS** City Council approved, this year, a Toronto Transit Commission (TTC) fare increase, or risked having to increase property taxes, in order to pay for increases sustained under the collective bargaining settlement reached between TTC and its workers;

**NOW THEREFORE BE IT RESOLVED THAT,** notwithstanding subsection 127(5) of the Council Procedural By-law, Council give consideration to the attached report dated September 30, 1999, from the Chief Financial Officer and

Treasurer, entitled 'Feasibility of Implementing a Parking Levy on Private/Public Parking to Support Public Transit and Application of Revenues from Parking';

**AND BE IT FURTHER RESOLVED THAT** City staff review and report to City Council at the earliest possible date on the feasibility of dedicating portions of City revenues generated by automobiles towards maintaining long-term efficient and sustainable public transportation in this City;

**AND BE IT FURTHER RESOLVED THAT** City Council request the Province of Ontario to enact the necessary legislation to allow municipalities, if necessary, to levy a parking surcharge on public parking spaces, and on commercial, industrial, and institutional parking spaces, and that any such revenues generated by a parking surcharge be allocated solely for the purpose of supporting public transportation as a way of easing its burden on the local property taxpayer, and offsetting possible future public transportation fare increases.”

Council also had before it, during consideration of Motion F, a report dated September 30, 1999, from the Chief Financial Officer and Treasurer, entitled “Feasibility of Implementing a Parking Levy on Private/Public Parking to Support Public Transit and Application of Revenues from Parking”. (See Attachment No. 1, Page 168.)

*Procedural Advice:*

Mayor Lastman advised the Council that the first Operative Paragraph embodied in Motion F had been adopted by City Council at its meeting held on October 26 and 27, 1999.

*Motions:*

- (a) Councillor Korwin-Kuczynski moved that Motion F be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on the appropriate funding being allocated from the Toronto Parking Authority for public transit use.”

- (b) Councillor Moscoe moved that Motion F be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT:**

- (1) the Toronto Parking Authority accept responsibility of funding, from its surplus revenues, the capital cost of providing commuter parking spaces at subway stations and other TTC facilities;



- (2) the number and location of these spaces be negotiated by way of a ten-year agreement between the TTC, the Toronto Parking Authority and the City of Toronto;
  - (3) for the year 2000, the number of spaces be no fewer than 500, or such other number to be negotiated between the parties; and
  - (4) the Toronto Parking Authority be requested to review its mandate so that it can be extended to include ultimate responsibility for the provision of commuter parking that will encourage the use of public transit in the City of Toronto.”
- (c) Councillor Li Preti moved that motion (b) by Councillor Moscoe be referred to the Toronto Parking Authority for comments and the Chair of the Toronto Transit Commission be invited to appear before the Toronto Parking Authority at such time as this matter is before the Authority for consideration.
- (d) Councillor Prue moved that Motion F be amended by deleting from the third Operative Paragraph the words “on commercial, industrial and institutional parking spaces”, so that such Operative Paragraph shall now read as follows:
- “**AND BE IT FURTHER RESOLVED THAT** City Council request the Province of Ontario to enact the necessary legislation to allow municipalities, if necessary, to levy a parking surcharge on public parking spaces, and that any such revenues generated by a parking surcharge be allocated solely for the purpose of supporting public transportation as a way of easing its burden on the local property taxpayer, and offsetting possible future public transportation fare increases;”.
- (e) Councillor Jakobek moved that Motion F be amended by adding thereto the following new Operative Paragraph:
- “**AND BE IT FURTHER RESOLVED THAT** the Chief General Manager, Toronto Transit Commission (TTC) and the President, Toronto Parking Authority, be requested to report to the appropriate Standing Committee and the TTC by no later than March 1, 2000, on the feasibility of transferring the operations of the commuter lots to the Toronto Parking Authority;”.
- (f) Councillor Ashton moved that motion (b) by Councillor Moscoe be referred to the Chief Administrative Officer for further consideration, in consultation with the appropriate staff of the Toronto Parking Authority and TTC, and report thereon to the Policy and Finance Committee.
- (g) Councillor Miller moved that motion (e) by Councillor Jakobek be amended to provide that the Chief General Manager, Toronto Transit Commission (TTC), and the President, Toronto Parking Authority, be requested to report to their respective

Commission and Authority; and the Commission and Authority be requested to report to Council, no later than March 1, 2000, through the appropriate Standing Committee of Council, on the feasibility of transferring the operations of the commuter lots to the Toronto Parking Authority.

Deputy Mayor Ootes in the Chair.

*Votes:*

Adoption of motion (f) by Councillor Ashton:

Yes- 32	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Cho, Chong, Chow, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Sinclair, Walker
No- 16	
Mayor:	Lastman
Councillors:	Berger, Disero, Gardner, Jakobek, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Shaw, Silva, Soknacki, Tzekas

Carried by a majority of 16.

Having regard to the foregoing decision of Council, motion (c) by Councillor Li Preti was not put to a vote.

Adoption of motion (d) by Councillor Prue:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Berger, Bossons, Cho, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas
No - 15	
Councillors:	Augimeri, Chong, Chow, Filion, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Pantalone, Saundercook, Walker

Carried by a majority of 18.

Adoption of motion (a) by Councillor Korwin-Kuczynski:

Yes - 23	
Councillors:	Ashton, Augimeri, Bossons, Chow, Duguid, Filion, Flint, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Sinclair, Tzekas, Walker
No - 25	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Cho, Chong, Disero, Feldman, Gardner, Giansante, Holyday, Jakobek, Kelly, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Saundercook, Shaw, Shiner, Silva, Soknacki

Lost by a majority of 2.

Motion (g) by Councillor Miller carried.

Adoption of motion (e) by Councillor Jakobek, as amended:

Yes - 46	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 2	
Councillors:	Holyday, O'Brien

Carried by a majority of 44.

Adoption of Motion F, as amended:

Yes – 26	
Councillors:	Ashton, Augimeri, Bossons, Chong, Chow, Disero, Filion, Flint, Fotinos, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Sinclair, Walker
No – 22	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Cho, Davis, Duguid, Feldman, Gardner, Holyday, Kelly, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, O'Brien, Ootes, Shaw, Shiner, Silva, Soknacki, Tzekas

Carried by a majority of 4.

In summary, Council adopted Motion F, subject to:

- (1) deleting from the third Operative Paragraph the words “on commercial, industrial and institutional parking spaces”, so that such Operative Paragraph shall now read as follows:

“**AND BE IT FURTHER RESOLVED THAT** City Council request the Province of Ontario to enact the necessary legislation to allow municipalities, if necessary, to levy a parking surcharge on public parking spaces, and that any such revenues generated by a parking surcharge be allocated solely for the purpose of supporting public

transportation as a way of easing its burden on the local property taxpayer, and offsetting possible future public transportation fare increases;”;

- (2) adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the Chief General Manager, Toronto Transit Commission (TTC) and the President, Toronto Parking Authority, be requested to report to their respective Commission and Authority, and the Commission and Authority be requested to report to Council, no later than March 1, 2000, through the appropriate Standing Committee of Council, on the feasibility of transferring the operations of the commuter lots to the Toronto Parking Authority;

**AND BE IT FURTHER RESOLVED THAT** the following motion be referred to the Chief Administrative Officer for further consideration, in consultation with the appropriate staff of the Toronto Parking Authority and TTC, and report thereon to the Policy and Finance Committee:

Moved by Councillor Moscoe:

‘That Motion F be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT:**

- (1) the Toronto Parking Authority accept responsibility of funding, from its surplus revenues, the capital cost of providing commuter parking spaces at subway stations and other TTC facilities;
- (2) the number and location of these spaces be negotiated by way of a ten-year agreement between the TTC, the Toronto Parking Authority and the City of Toronto;
- (3) for the year 2000, the number of spaces be no fewer than 500, or such other number to be negotiated between the parties; and
- (4) the Toronto Parking Authority be requested to review its mandate so that it can be extended to include ultimate responsibility for the provision of commuter parking that will encourage the use of public transit in the City of Toronto.” ’ ’

14.65 Councillor Berardinetti moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(1), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor Berardinetti**

**Seconded by:**                **Councillor Feldman**

“**WHEREAS** on November 15, 1999, Councillor Sgro was elected as the federal Member of Parliament for York West; and

**WHEREAS** Legal Services of the House of Commons has advised staff that the general principle of Canadian parliamentary law is that the official execution of the return of the election writ, being the publication of the writ in the Canada Gazette, signifies the official existence of Councillor Sgro as a Member of Parliament; and

**WHEREAS** on November 26, 1999, the election writ was published in the Canada Gazette by the Chief Electoral Officer of Canada; and

**WHEREAS** the Administration Committee on December 8, 1999, deferred consideration of a report dated October 21, 1999, from the City Clerk, on a proposed policy on filling future vacancies on City Council, to its meeting to be held on January 11, 2000; and

**WHEREAS** the Municipal Act requires Council to forthwith declare a Member’s seat vacant when it has become vacant under Section 38 of the Act; and

**WHEREAS** the Municipal Act permits Council to fill the vacancy through the appointment of a qualified elector or to conduct a by-election to fill a vacancy that occurs prior to March 31st of an election year; and

**WHEREAS** Council must fill a vacancy in the seat of a Member of Council unless the vacancy occurs less than 46 days before nomination day (in which case the vacancy need not be filled);

**NOW THEREFORE BE IT RESOLVED THAT** the office of Councillor – North York Humber be declared vacant;

**AND BE IT FURTHER RESOLVED THAT** Council determine the method to fill the vacancy in North York Humber.”

*Motion:*

- (a) Councillor Miller moved that Motion J(1) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the vacancy in North York Humber be filled by means of a by-election.”

*Vote:*

Adoption of motion (a) by Councillor Miller:

Yes – 16	
Councillors:	Adams, Augimeri, Gardner, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Miller, Moscoe, O’Brien, Pantalone, Shiner, Soknacki, Walker
No – 27	
Councillors:	Altobello, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Lindsay Luby, Mammoliti, Mihevc, Moeser, Nunziata, Ootes, Pitfield, Prue, Saundercook, Silva, Tzekas

Lost by a majority of 11.

*Motions:*

- (b) Councillor Jakobek moved that Motion J(1) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the City Clerk be requested to ensure that the same procedure is followed administratively as was followed in the case of the late Councillor Frank Faubert’s office staff, until such time as a new Councillor for North York Humber is in place.”

- (c) Councillor Moscoe moved that Motion J(1) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the vacancy be filled by appointment, and the Nominating Committee be requested to advertise and compile a list of potential candidates for presentation to City Council as soon as possible.”

- (d) Councillor Li Preti moved that motion (c) by Councillor Moscoe be amended to provide that the North York Community Council be requested to make the final recommendation with respect to the replacement Councillor for North York Humber.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of motion (d) by Councillor Li Preti, ruled such motion out of order.

- (e) Councillor Berardinetti moved that Motion J(1) be amended by adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the vacancy in North York Humber be filled by appointment and that Council give consideration thereto at its meeting scheduled to be held on February 1, 2 and 3, 2000;

**AND BE IT FURTHER RESOLVED THAT** Steps Nos. (2) to (12), embodied in Appendix ‘A’, entitled ‘Procedures for Filling a Councillor’s Vacancy Through an Appointment’, as revised, be adopted.”

- (f) Councillor Mammoliti moved that motion (e) by Councillor Berardinetti be amended by adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** candidates be requested to appear before the North York Community Council;

**AND BE IT FURTHER RESOLVED THAT** the North York Community Council be requested to submit its recommendation in regard to the choice of a candidate to the next regular meeting of City Council to be held on February 1, 2 and 3, 2000;

**AND BE IT FURTHER RESOLVED THAT** the advertisement respecting the appointment to fill the vacancy in the office of North York Humber be placed in all of the former North York local community papers;

**AND BE IT FURTHER RESOLVED THAT** the necessary funds required for appointment to fill this vacancy be provided from the Corporate Contingency Account.”

- (g) Councillor Minnan-Wong moved that motion (e) by Councillor Berardinetti be amended to provide that a Special meeting of City Council be held to give consideration to the appointment of a replacement Councillor for North York Humber.

- (h) Councillor Davis moved that motion (f) by Councillor Mammoliti be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the procedures to be followed by the North York Community Council mirror that set out in Steps Nos. (7) to (11), embodied in the foregoing revised Appendix ‘A’, subject to replacing the word ‘Council’ wherever it appears in Steps Nos. (7) to (11), with the words ‘Community Council’ and by replacing the word ‘elected’ in Step No. (11) with the word ‘nominated’;”.



*Votes:*

Motion (h) by Councillor Davis carried.

Motion (f) by Councillor Mammoliti carried, as amended.

Adoption of motion (e) by Councillor Berardinetti, as amended:

Yes - 30 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Holyday, Jones, Kelly, King, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moscoe, Nunziata, Ootes, Prue, Sinclair, Tzekas
No - 5 Councillors:	Korwin-Kuczynski, Minnan-Wong, Pantalone, Saundercook, Walker

Carried by a majority of 25.

Motion (b) by Councillor Jakobek, moved by Councillor Tzekas in the absence of Councillor Jakobek, carried.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared motions (c) and (g) by Councillors Moscoe and Minnan-Wong, respectively, redundant.

Motion J(1), as amended, carried.

In summary Council adopted Motion J(1), subject to adding the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the vacancy in North York Humber be filled by appointment and that Council give consideration thereto at its meeting scheduled to be held on February 1, 2 and 3, 2000;

**AND BE IT FURTHER RESOLVED THAT** Steps Nos. (2) to (12), embodied in Appendix ‘A’, entitled ‘Procedures for Filling a Councillor’s Vacancy Through an Appointment’, revised as follows, be adopted:

- ‘(2) Advertisements shall be placed in the four major daily newspapers and in the local newspaper serving the applicable ward. The advertisements shall indicate Council’s intention to appoint a person to the vacancy and outline the process one must follow to become nominated. In addition, notice will be sent to all ratepayers groups,

tenant associations, condominium associations and other individuals in the City who request notice.

- (3) Information sessions shall be conducted by staff. All interested persons must attend one of these sessions and complete a Consent of Nominee form and a Statement of Qualification.
- (4) The vote shall occur at a Council Meeting called for that purpose.
- (5) The meeting shall be called to order by the Mayor or the Presiding Officer at the designated time.
- (6) The Mayor or Presiding Officer shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
- (7) The Clerk will provide to the Mayor or Presiding Officer a list of the names of those candidates who have completed the Consent of Nominee and Statement of Qualification and the Mayor or Presiding Officer will call for a motion from Council in the following form:

“Moved by . . .  
Seconded by . . .

**THAT** the following persons, who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, shall be considered for appointment to fill such vacancy.”

- (8) Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five minutes. The order of speaking will be determined by lot. (The Clerk shall place the names of all candidates in a container and randomly draw the names.)
- (9) Each Member of Council will be allowed no more than one question to each candidate.
- (10) Following consideration by Council of all submissions, Council will proceed to vote as follows:
  - (a) Members of Council will vote by way of ballot;
  - (b) following the procedure set out in subsection 45(4) of the Municipal Act, where a candidate receiving the greatest number of votes cast does not receive more than one-half the

votes of all Members of Council, the candidate who received the fewest number of votes shall be excluded from the voting and the vote shall be taken again by the Clerk and, if necessary, more than once, excluding, in each successive vote, the candidate who received the fewest number of votes in the proceeding vote, until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the Members of Council present and voting;

- (c) where the votes cast are equal for all the candidates:
  - (i) if there are three or more candidates remaining, the Clerk shall select by lot one such candidate to be excluded from the subsequent voting;
  - (ii) if only two candidates remain, the tie shall be broken and the vacancy shall be filled by a candidate selected by lot conducted by the Clerk; and
  - (iii) “lot” means the method of determining the candidate to be excluded or the candidate to fill the vacancy, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a container and one name being drawn by a person chosen by the Clerk.

(11) Upon conclusion of the voting, the Clerk will declare to be elected the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting.

(12) A by-law confirming the appointment shall be enacted by Council appointing the successful candidate to the office for the remainder of the term of the present Council.’;

**AND BE IT FURTHER RESOLVED THAT** candidates be requested to appear before the North York Community Council;

**AND BE IT FURTHER RESOLVED THAT** the North York Community Council be requested to submit its recommendation in regard to the choice of a candidate to the next regular meeting of City Council to be held on February 1, 2 and 3, 2000;

**AND BE IT FURTHER RESOLVED THAT** the procedures to be followed by the North York Community Council mirror that set out in Steps Nos. (7) to (11), embodied in the foregoing revised Appendix ‘A’, subject to replacing the word ‘Council’ wherever it appears in Steps Nos. (7) to (11) with the words ‘Community

Council' and by replacing the word 'elected' in Step No. (11) with the word 'nominated';

**AND BE IT FURTHER RESOLVED THAT** the advertisement respecting the appointment to fill the vacancy in the office of North York Humber be placed in all of the former North York local community papers;

**AND BE IT FURTHER RESOLVED THAT** the necessary funds required for appointment to fill this vacancy be provided from the Corporate Contingency Account;

**AND BE IT FURTHER RESOLVED THAT** the City Clerk be requested to ensure that the same procedure is followed administratively as was followed in the case of the late Councillor Frank Faubert's office staff, until such time as a new Councillor for North York Humber is in place."

- 14.66 Councillor Nunziata moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(2), and that the first Operative Paragraph embodied therein be adopted:

**Moved by:** Councillor Nunziata

**Seconded by:** Councillor Jakobek

**“WHEREAS** on July 27, 28, 29 and 30, 1999, City Council adopted, without amendment, Clause No. 2 of Report No. 2 of The Administration Committee, headed 'Harmonization of Severance Provisions – Council Members', which harmonized severance provisions for members of City Council; and

**WHEREAS** on August 26, 1999, Councillor Nunziata requested the City Solicitor to render a legal opinion on the ability to restrict the payment of severance remuneration to Members, and former Members of City Council that are charged or convicted under the Criminal Code for matters that relate to breach of trust, fraud, municipal corruption and secret commissions; and

**WHEREAS** the City Solicitor has submitted the attached legal opinion dated November 8, 1999, regarding this matter;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 2 of The Administration Committee, headed 'Harmonization of Severance Provisions – Council Members', be re-opened for further consideration, only insofar as it applies to the eligibility of a Member of Council to receive severance;

**AND BE IT FURTHER RESOLVED THAT** City Council authorize the introduction of a bill in Council to amend By-law No. 543-1999, being a by-law 'To provide severance remuneration for Members of Council', to provide that:

- (1) no severance remuneration shall be paid to a Member where the Member is convicted of any of the following offences under the Criminal Code, R.S.C. 1985, as amended from time to time, in connection with their conduct as a Member of Council:
  - (a) section 122 (breach of trust; fraud);
  - (b) section 123 (municipal corruption); and
  - (c) section 426 (secret commissions);
- (2) a Member who is charged with an offence as set out in (1) shall not receive any severance remuneration until all charges are withdrawn or a Member is acquitted of all charges that are not withdrawn;
- (3) while any of the charges are pending or a conviction is under appeal, the severance remuneration to which the member is otherwise entitled shall be held in trust by the Chief Financial Officer and Treasurer; and
- (4) where a person who has ceased to be a Member of the Council, whether or not the person was eligible for severance remuneration under By-law No. 543-1999 at that time, becomes again a member of the Council, any subsequent remuneration paid under By-law No. 543-1999 shall be based on the member's eligible years of consecutive service from the date that the person again becomes a Member of the Council.”,

the vote upon which was taken as follows:

Yes – 39	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker
No – 3	
Councillors:	Berger, Chong, Moscoe

Carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(2), a communication dated November 8, 1999, from the City Solicitor, addressed to the Director, Secretariat, Printing and Distribution, Office of the City Clerk, submitting his legal opinion on the City's ability to restrict the payment of severance remuneration. (See Attachment No. 2, Page 181.)

*Vote:*

Adoption of Motion J(2), without amendment:

Yes – 42
Councillors: Adams, Altobello, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker
No – 0

Carried, without dissent.

- 14.67 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Adams**

**Seconded by: Councillor Moscoe**

“**WHEREAS** the Telecommunications Steering Committee, at its meeting held on December 9, 1999, considered a confidential report dated December 8, 1999, from the Chair, Telecommunications Steering Committee; and

**WHEREAS** the Telecommunications Steering Committee has recommended the adoption of the aforementioned confidential report dated December 8, 1999, from the Chair, Telecommunications Steering Committee, and has forwarded this recommendation directly to Council for its meeting to be held on December 14, 1999; and

**WHEREAS** for reasons outlined in the aforementioned confidential report, Council approval of this matter is required before the end of the year;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the recommendation of the Telecommunications Steering Committee, and that such recommendation be adopted.”

Council also had before it, during consideration of Motion J(3), a confidential communication dated December 9, 1999, from the City Clerk, forwarding the recommendations of the

Telecommunications Steering Committee pertaining to a report dated December 8, 1999, from the Chair, Telecommunications Steering Committee, entitled "CRTC Public Notice and City Submission Respecting Public Rights-of-Way", such report to remain confidential, save and except the recommendations embodied therein, in accordance with the provisions of the Municipal Act.

*Vote:*

Motion J(3) was adopted, without amendment, and, in so doing, Council adopted the following recommendation embodied in the communication dated December 9, 1999, from the City Clerk:

"The Telecommunications Steering Committee on December 9, 1999, recommended to City Council the adoption of the report (December 8, 1999) from the Chair, Telecommunications Steering Committee, wherein it is recommended that:

- (1) the City Solicitor and the Chief Administrative Officer be granted the authority to engage Mr. Andrew Roman as the City's outside legal counsel to supplement the expertise of legal division staff in the areas of telecommunications, making submissions to the Canadian Radio-Television and Telecommunications Commission (CRTC), and rights-of-way issues;
- (2) the source of funds to hire external legal counsel, and other experts if deemed desirable, be allocated from the Corporate Contingency Account as was approved by Council at its meeting of September 28 and 29, 1999;
- (3) the Chief Administrative Officer, in consultation with the Telecommunications Steering Committee, the City Solicitor and other staff as required, be authorized to oversee and develop the content of the City submission to the CRTC, on behalf of Council, given the absence of any regularly scheduled Council meeting before the submission deadline of January 28, 2000; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto."

14.68 Councillor Jakobek moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(4), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Jakobek

**Seconded by:** Councillor Bussin

“**WHEREAS** the Committee of Adjustment on September 14, 1999, held a hearing for 2055 Danforth Avenue; and

**WHEREAS** the Committee of Adjustment, in its decision of September 17, 1999, refused the minor variance application for 2055 Danforth Avenue, on the grounds that the proposal would not be within the general purpose of the Zoning By-law, and does not come within the meaning of a minor variance; and

**WHEREAS** local residents appeared in opposition to the requested variances expressing concerns with respect to the siting and operation of the proposed facility and its potential impact upon properties; and

**WHEREAS** the Urban Planning and Development Services Department wrote a letter expressing the opinion that this proposal should be the subject of an application for rezoning; and

**WHEREAS** the Ontario Municipal Board will appoint commencement of a hearing of this appeal on Wednesday, January 26, 2000;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor and planning staff be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment’s decision for 2055 Danforth Avenue.”

*Vote:*

Motion J(4) was adopted, without amendment.

14.69 Councillor Jakobek, with the permission of Council, withdrew the following Notice of Motion J(5):

**Moved by:**                    **Councillor Jakobek**

**Seconded by:**                **Councillor Miller**

“**WHEREAS** Council at its meeting held on July 27, 28, 29 and 30, 1999, adopted Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed ‘City-Wide Development Charge By-law’; and

**WHEREAS** the City has the legal authority to impose an area specific development charge or levy relating to the Sheppard subway; and

**WHEREAS** the former Metropolitan Toronto Council had passed an area-specific development charge for the Sheppard Subway that was an important part of its financing;



**NOW THEREFORE BE IT RESOLVED THAT** in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 4 of The Policy and Finance Committee, headed 'City-Wide Development Charge By-law', be re-opened for further consideration, insofar as it pertains to development charges for the Sheppard Subway;

**AND BE IT FURTHER RESOLVED THAT** the Chief Financial Officer and Treasurer, in conjunction with the Chief Planner, be requested to report to the Policy and Finance Committee on the steps needed to achieve the maximum possible revenue, without discouraging appropriate development, if Council chooses to enact an area specific development charge in the vicinity of the Sheppard Subway."

- 14.70 Councillor Walker moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(6):

**Moved by: Councillor Walker**

**Seconded by: Councillor Silva**

**"WHEREAS** the City of Toronto precipitated a referendum around the then proposed creation of the new 'Megacity', back in 1997; and

**WHEREAS** that referendum initiative precipitated an extensive public debate and outrage on the part of many citizens which forced the Provincial Government to slow down its amalgamation legislation; and

**WHEREAS** that City initiative provoked changes in the proposed Provincial Legislation after consultation with the citizens of the City of Toronto; and

**WHEREAS** the worst predictions of amalgamation are unfolding at this present time, namely the Provincial Government downloading significant new responsibilities to the City of Toronto without any additional funding; and

**WHEREAS** the Provincial Government has short-changed the taxpayers and citizens of the City of Toronto in the amount of \$251 million, each year, through their downloading exercise, despite promises that it would be revenue neutral; and

**WHEREAS** the Province has unilaterally issued a new 'dictate' reorganizing the City once again, with no provision whatsoever for consultation and possible amendments; and

**WHEREAS** the taxpayers of the City of Toronto are short-changed by the Provincial and Federal Governments to the tune of \$6 billion dollars, - i.e., taking \$6 billion more out of the economy annually than they return in the form of spending; and

**WHEREAS** these two levels of government refuse to issue any additional funding to help this City deal with its homelessness and housing problem, its transportation system; and

**WHEREAS** there is no end in sight to the attacks against the City of Toronto on behalf of the Provincial Government; and

**WHEREAS** economic trends such as globalization and free trade are stimulating the emergence of the City-state as a key political entity; and

**WHEREAS** the Provincial Government has demonstrated, time after time, their willingness to utilize their power without mandate, to change the administration of governance within the City of Toronto to their advantage, and to the extreme disadvantage of the City;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) appropriate City staff be requested to submit a report to the appropriate Committee, on holding a public referendum as part of the 2000 municipal election to determine public support for proceeding with separation from the Province; and
- (2) appropriate City staff be requested to develop an extensive communications package outlining the argument (financial and social) for and against separation and a plan to provoke full participation and debate on the part of the citizens prior to the referendum.”,

the vote upon which was taken as follows:

Yes - 19	
Councillors:	Adams, Augimeri, Berger, Cho, Chow, Duguid, Johnston, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Prue, Saundercook, Shaw, Silva, Tzekas, Walker
No - 25	
Councillors:	Altobello, Balkissoon, Berardinetti, Chong, Disero, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, King, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Shiner, Soknacki

Lost, less than two-thirds of Members present having voted in the affirmative.

Having regard that the motion to waive notice did not carry, Councillor Walker gave Notice of this Motion to permit consideration at the next regular meeting of City Council to be held on February 1, 2000.

14.71 Councillor Walker moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7):

**Moved by:** Councillor Walker

**Seconded by:** Councillor Soknacki

**“WHEREAS** the Auditor for the Australian State of New South Wales conducted an accounting review of the costs of the Sydney 2000 Olympic and Paralympic Games; and

**WHEREAS** the Auditor reported on January 8, 1999, that the net cost of the 2000 Sydney Olympic Games to the government of New South Wales was \$2.309 billion (Australian Dollars); and

**WHEREAS** the Auditor has reported that the financial impact of the Games on the budgets of government and government agencies was ignored in the bidding process; and

**WHEREAS** the recent Master Plan for the Toronto 2008 Olympic and Paralympic Games ignores the guidelines of Sport Canada, Ministry of Canadian Heritage concerning the need for estimating full costs of a major sporting event; and

**WHEREAS** in Clause No. 17 of Report No. 11 of The Policy and Finance Committee, headed ‘2008 Toronto Olympic Bid (All Wards)’, the Commissioner of Economic Development, Culture and Tourism, advises in his report that ‘. . . February 2000 has been targeted as the time to return to Council with a staff report on our findings of the Master Plan and will be making appropriate recommendations . . .’, and, therefore, Council should consider this matter prior to the February 2000 meeting;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the City of Toronto Finance Department be directed to distribute the Olympic Master Plan to the Finance Directors of each City Department and to each agency of the City of Toronto;
- (2) the estimates, in particular of the Police, Fire and Ambulance Services; Solid Waste and Water Services; the Canadian National Exhibition and the Toronto Transit Commission, be specifically requested and provided to the City of Toronto Finance Department; and
- (3) City Council request:
  - (a) preliminary estimates, with disclosed assumptions of all the additional activities and the additional equipment which will be required if

Toronto is the host City for the 2008 Games which will be incurred by those departments and agencies;

- (b) estimates of the costs required for those services, activities and equipment, using Year 2000 dollars;
- (c) appropriate staff from the City of Toronto Finance Department review those estimates in order to ensure they are complete, objective and attainable; and
- (d) City of Toronto Finance Department provide a report to City Council on the expected costs of the Olympics to Toronto based on the above information.”,

the vote was taken as follows:

Yes - 32	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Gardner, Giansante, Jakobek, Johnston, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Pitfield, Prue, Shaw, Silva, Soknacki, Tzekas, Walker
No - 12	
Councillors:	Berger, Flint, Holyday, Jones, Kelly, King, Li Preti, Mammoliti, Moeser, Ootes, Saundercook, Shiner

Carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Councillor Walker moved that Motion J(7) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the report requested of the Chief Financial Officer and Treasurer be placed on the agenda for the February 29, 2000 meeting of Toronto City Council and that the report be distributed to all Members of Council, prior to that meeting.”

*Votes:*

The motion by Councillor Walker carried.

Motion J(7), as amended, carried.

- 14.72 Councillor Jakobek moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(8), and that the first Operative Paragraph embodied therein be adopted:

**Moved by:** Councillor Jakobek

**Seconded by:** Councillor Disero

“**WHEREAS** City Council, at its meeting held on October 26 and 27, 1999, adopted Clause No. 14 of Report No. 8 of The Policy and Finance Committee, headed ‘2000 Operating Budget – Proposed Process and Schedule and Revised 2000 Capital Budget Schedule’; and

**WHEREAS** the importance and complexity of the 2000 Capital Budget will require more time to debate; and

**WHEREAS** the additional time required for the 2000 Capital Budget has significantly impacted the 2000 Operating Budget Process;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Clause No. 14 of Report No. 8 of The Policy and Finance Committee, headed ‘2000 Operating Budget – Proposed Process and Schedule and Revised 2000 Capital Budget Schedule,’ be re-opened for further consideration as it pertains to Council’s consideration of the Capital Budget and the resultant impact on the 2000 Operating Budget Schedule;

**AND BE IT FURTHER RESOLVED THAT** Council consider the 2000 Capital Budget at a Special Meeting on January 27, 2000;

**AND BE IT FURTHER RESOLVED THAT** Council consider the 2000 Operating Budget as per the attached revised schedule.”,

the vote upon which was taken as follows:

Yes - 36	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Pitfield, Shaw, Silva, Soknacki, Tzekas
No - 8	
Councillors:	Jones, Miller, O’Brien, Ootes, Prue, Saundercook, Shiner, Walker

Carried, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of Motion J(8), the revised 2000 Capital and Operating Budget Schedules and the revised schedule of Committee and Council meetings, copies of which are on file in the office of the City Clerk.

*Motions:*

- (a) Councillor Chow moved that Motion J(8) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Toronto Police Services Board be requested to amend its 2000 Schedule of Meetings by rescheduling the meeting of the Board to be held on February 24, 2000, and the meeting of the Policy and Budget Sub-Committee to be held on April 14, 2000, to accommodate the revised City of Toronto 2000 Budget Schedule.”

- (b) Councillor Shiner moved that the revised 2000 Capital and Operating Budget Schedules and the revised schedule of Committee and Council meetings be adopted, subject to no meetings of the Budget Advisory Committee being scheduled on January 28, 2000, or March 3, 2000.

*Votes:*

Motion (a) by Councillor Chow carried.

Motion (b) by Councillor Shiner carried.

Motion J(8), as amended, carried.

- 14.73 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:                   Councillor Adams**

**Seconded by:               Councillor Jakobek**

**“WHEREAS** the Telecommunications Steering Committee, at its meeting held on December 9, 1999, considered a report dated November 23, 1999, from the Commissioner of Works and Emergency Services, regarding a request from T & C Communications for permission to install fibre optic cables under and across Gledhill Avenue, linking 2258 and 2300 Danforth Avenue for computer and telephone systems; and

**WHEREAS** T & C Communications needs to proceed with the installation as soon as possible, having regard that their systems will be affected by Y2K, and, therefore, it is critical for Council to approve this report before the end of the year; and

**WHEREAS** the Telecommunications Steering Committee has recommended the adoption of the aforementioned report from the Commissioner of Works and Emergency Services, subject to certain provisions, and has forwarded this recommendation directly to Council for its meeting to be held on December 14, 1999;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the recommendation of the Telecommunications Steering Committee, and that such recommendation be adopted.”

Council also had before it, during consideration of Motion J(9), a communication dated December 9, 1999, from the City Clerk, forwarding the recommendation of the Telecommunications Steering Committee pertaining to the report dated November 23, 1999, from the Commissioner of Works and Emergency Services, entitled “Installation of Underground Cables – 2258 Danforth Avenue and 2300 Danforth Avenue (Ward 26 – East Toronto)”. (See Attachment No. 3, Page 187.)

*Vote:*

Motion J(9) was adopted, without amendment, and, in so doing, Council adopted the following recommendation embodied in the communication dated December 9, 1999, from the City Clerk:

“The Telecommunications Steering Committee on December 9, 1999, recommended to City Council the adoption of the report (November 23, 1999) from the Commissioner of Works and Emergency Services, wherein it is recommended that City Council approve the installation of underground fibre optic cables across Gledhill Avenue, linking 2258 Danforth Avenue and 2300 Danforth Avenue, provided the owner, and such other licensees as may be required by the City Solicitor, enter into an agreement with the City of Toronto, agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;
- (b) maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (c) provide ‘as built’ drawings upon completion of the installations;
- (d) remove the fibre optic cables upon receiving 90 days notice so to do;

- (e) pay an annual encroachment fee as approved by City Council for this type of use (1999 rates are \$20.34 per lineal metre of cable in the area bounded by Lake Ontario, Bathurst Street, Bloor Street and Jarvis Street and \$10.17 per lineal metre of cable elsewhere in the City within the public right-of-way, which fee shall automatically increase on the first day of January in each year by the percentage increases in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);
- (f) notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (g) 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.”

14.74 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Adams**

**Seconded by: Councillor Fotinos**

“**WHEREAS** City Council, at its meeting held on September 28 and 29, 1999, by its adoption of Clause No. 17 of Report No. 7 of The Policy and Finance Committee, headed ‘Reporting on Time-Critical Telecommunications Matters’, authorized an agreement with Stream Intelligent Networks Corp. to install conduits and fibre optic cable laterally across various City of Toronto streets within the underground PATH system in the downtown core; and

**WHEREAS** the Telecommunications Steering Committee, at its meeting held on December 9, 1999, considered a communication submitted by the Chair, Telecommunications Steering Committee, respecting an omission from such agreement; and

**WHEREAS** the Telecommunications Steering Committee has forwarded a recommendation respecting this matter directly to Council for its meeting to be held on December 14, 1999; and

**WHEREAS** approval of this matter is required before the end of the year, in order to permit the applicant to finalize business arrangements in this regard;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the recommendation of the Telecommunications Steering Committee, and that such recommendation be adopted.”



Council also had before it, during consideration of Motion J(10), a communication dated December 9, 1999, from the City Clerk, forwarding the recommendation of the Telecommunications Steering Committee pertaining to an extension to an existing agreement with Stream Intelligent Networks Corp. (See Attachment No. 4, Page 191.)

*Vote:*

Motion J(10) was adopted, without amendment, and, in so doing, Council adopted the following recommendation embodied in the communication dated December 9, 1999, from the City Clerk:

“The Telecommunications Steering Committee on December 9, 1999, recommended to City Council that the PATH agreement with Stream Intelligent Networks Corp. be extended to include pedestrian tunnels beyond the downtown PATH system beneath the road allowance and City parkettes, otherwise on the same terms and conditions that have been agreed to in the existing agreement.”

- 14.75 Councillor Chong moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Chong

**Seconded by:** Councillor Ootes

“**WHEREAS** the Province of Ontario has introduced Bill 25, ‘An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services’; and

**WHEREAS** this legislation will have a direct impact on governance and administrative issues for the City, and the Chief Administrative Officer has submitted the attached report dated December 13, 1999, entitled ‘Administrative Implications of Bill 25 – the “Fewer Municipal Politicians Act, 1999” ’; and

**WHEREAS** it is advantageous for Council to consider this report on a priority basis, and, in so doing, authorize staff to commence the necessary review of the governance and administrative impacts of Bill 25;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the aforementioned report dated December 13, 1999, from the Chief Administrative Officer, entitled ‘Administrative Implications of Bill 25 – the “Fewer Municipal Politicians Act, 1999” ’, and that such report be adopted.”

Council also had before it, during consideration of Motion J(11), a report dated December 13, 1999, from the Chief Administrative Officer, entitled "Administrative Implications of Bill 25 - the 'Fewer Municipal Politicians Act, 1999' ". (See Attachment No. 5, Page 192.)

*Motion:*

Councillor Miller moved that Motion J(11) be amended by adding to the Operative Paragraph the words "subject to amending Recommendation No. (1) by inserting the words 'through the Administration Committee' after the word 'Council' and deleting from Recommendation No. (2) the words 'Striking Committee' and inserting in lieu thereof the words 'Administration Committee', so that the recommendations embodied in the report dated December 13, 1999, from the Chief Administrative Officer, shall now read as follows:

"It is recommended that:

- (1) the Chief Administrative Officer, in consultation with the City Clerk, review the impact of a 44 Member Council on the Council-Committee structure and report to Council, through the Administration Committee, on changes that may be necessary to the size of Council Committees;
- (2) the Chief Administrative Officer and the City Clerk review the implications of a smaller Council for the composition of agencies, boards and commissions and report thereon to the Administration Committee;
- (3) the Commissioners review the implications of Bill 25 for their timetables for harmonization of by-laws and report thereon to the relevant Standing Committees;
- (4) the Chief Financial Officer and Treasurer report to the Policy and Finance Committee on the implications of Bill 25 for the ward-by-ward analysis of assessment data; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto."

*Votes:*

The motion by Councillor Miller carried.

Motion J(11), as amended, carried.

- 14.76 Councillor Nunziata moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:                      Councillor Nunziata**

**Seconded by: Councillor Jakobek**

“**WHEREAS** City Council, at its meeting held on November 23, 24 and 25, 1999, considered a Notice of Motion moved by Councillor Nunziata, seconded by Councillor Jakobek, respecting the establishment of a formal protocol for the regulation of rave/dance events; and

**WHEREAS**, in adopting the Motion, as amended, City Council requested the Acting Commissioner of Urban Planning and Development Services, in consultation with the appropriate staff, to present a formal protocol for the regulation of rave/dance events directly to Council for its meeting to be held in December; and

**WHEREAS** the Acting Commissioner of Urban Planning and Development Services has submitted the attached report dated December 13, 1999, entitled ‘Task Force on Raves’, in response to this request;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the aforementioned report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, and that such report be adopted.”

Council also had before it, during consideration of Motion J(12):

- (i) a report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, entitled “Task Force on Raves” (See Attachment No. 6, Page 199.); and
- (ii) a petition, submitted by Councillor Chow, containing 389 signatures of concerned members of the rave community in support of both the development of equitable by-laws to govern Toronto raves that are comparable to those that govern other large entertainment events and the involvement of Toronto’s rave scene in the preparation of such by-laws.

*Motion:*

Councillor Chow moved that Motion J(12) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** Council extend its appreciation to all parties involved in the development of the protocol.”

*Vote:*

Adoption of Motion J(12), as amended by the motion by Councillor Chow:

Yes – 39	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Bossons, Bussin, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas
No – 0	

Carried, without dissent.

Council, by its adoption of Motion J(12), as amended, adopted, without amendment, the report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, embodying the following recommendations:

“It is recommended that:

- (1) Council endorse the attached protocol for safe operation of raves;
- (2) the impact of the protocol be evaluated in six months' time; and
- (3) since the purpose of the Task Force has been met by development of the protocol, interested Members of Council join the Safe Dance Committee in order to continue to participate in monitoring of issues and actions relating to raves.”

14.77 Councillor Bussin moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Bussin**

**Seconded by: Councillor Balkissoon**

“**WHEREAS** on April 13, 14 and 15, 1999, City Council adopted, as amended, Clause No. 7 of Report No. 7 of The Strategic Policies and Priorities Committee, headed ‘Municipal Voting Day – Year 2000’, and, in so doing, requested the Minister of Municipal Affairs and Housing to amend the Municipal Elections Act, 1996 to permit a municipality to pass a by-law to provide for a voting day as approved by the

Municipality (voting day could be any day between the Thursday after Thanksgiving in October and the second Monday in November); or alternatively, to establish the Thursday after Thanksgiving in October as the province-wide municipal voting day; and

**WHEREAS** if the municipal voting day is moved to the Thursday after Thanksgiving in October, it will mean that the continuous advance voting period for the 2000 municipal election will commence as early as the week of September 25, 2000; and

**WHEREAS** this will mean candidates would have to start their campaigns and distribution of literature to electors earlier than they normally would with a November municipal election day; and

**WHEREAS** it would be preferable to have municipal voting day on the last Thursday in the month of October, unless that date fell on October 31st, in which case the municipal voting day would be the last Wednesday in October;

**NOW THEREFORE BE IT RESOLVED THAT** in accordance with Section 46 of the Council Procedural By-law, Clause No. 7 of Report No. 7 of The Strategic Policies and Priorities Committee, headed 'Municipal Voting Day – Year 2000', be re-opened for further consideration, insofar as it pertains to voting day;

**AND BE IT FURTHER RESOLVED THAT** the Minister of Municipal Affairs and Housing be requested to amend the Municipal Elections Act, 1996, to provide that the municipal voting day be the last Thursday in the month of October, unless that date falls on October 31st, in which case the municipal voting day would be the last Wednesday in October.”

*Vote:*

The first Operative Paragraph embodied in Motion J(13) carried, more than two-thirds of Members present having voted in the affirmative.

*Motions:*

- (a) Councillor Bussin moved that the balance of Motion J(13) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the new term of office take effect from December 1, 2000.”

- (b) Councillor Moscoe moved that the balance of Motion J(13), together with motion (a) by Councillor Bussin, be referred to the Association of Municipalities for further consideration.

*Vote:*

Adoption of motion (b) by Councillor Moscoe:

Yes – 22	
Councillors:	Adams, Augimeri, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Flint, Jones, King, Layton, Lindsay Luby, Mahood, Mihevc, Moscoe, Nunziata, Ootes, Prue, Rae, Saundercook, Tzekas
No – 16	
Councillors:	Altobello, Balkissoon, Berger, Bussin, Giansante, Holyday, Kelly, Korwin-Kuczynski, Mammoliti, McConnell, Minnan-Wong, Pantalone, Shaw, Shiner, Sinclair, Walker

Carried by a majority of 6.

In summary, Council re-opened consideration of Clause No. 7 of Report No. 7 of The Strategic Policies and Priorities Committee, headed “Municipal Voting Day – Year 2000”, for further consideration, only insofar as it pertains to voting day, and referred the balance of the Motion to the Association of Municipalities for further consideration, together with the following motion:

Moved by Councillor Bussin:

“That the Motion be amended by adding thereto the following new Operative Paragraph:

‘**AND BE IT FURTHER RESOLVED THAT** the new term of office take effect from December 1, 2000.’ ”

- 14.78 Councillor Disero moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(14), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Disero**

**Seconded by: Councillor Fotinos**

“**WHEREAS** on May 21, 1992, former City of Toronto Council received a petition from the residents on Salem Avenue requesting an extension of an existing lane from 357 to 399 Bartlett Avenue North and 448, 450, 462 to 492 Salem Avenue North; and

**WHEREAS** City Council approved the acquiring of property to install a laneway on January 11, 1993; and

**WHEREAS** on March 2, 1994, City Council approved an estimated \$29,000.00 for expropriation costs; and

**WHEREAS** on January 28, 1997, the Board of Management for the City of Toronto recommended the following:

- (1) the City Solicitor be authorized to complete the transactions set out on Schedule A;
- (2) the Commissioner of City Works Services furnish all the necessary legal descriptions;
- (3) the lands be placed under the jurisdiction of the Commissioner of Corporate Services;
- (4) City officials be authorized to take necessary actions; and
- (5) funds for the acquisition are available in the City Works Services Capital Account No. 294-560; and

**WHEREAS** on July 14, 1997, City Council instructed the Solicitor to expedite the expropriation process; and

**WHEREAS** City Council on January 19, 1999, was informed by the Solicitor that at least half of the properties have been acquired, and the costs have increased as the years have gone by; and

**WHEREAS** this has taken almost eight years, and approval from all the properties is not possible; and

**WHEREAS** the longer this is taking, the more residents are opting out, out of frustration; and

**WHEREAS** the Works and Emergency Services Department and Legal Services are prepared to move forward on the expropriation immediately, so that the project is not jeopardized; and

**WHEREAS** the Commissioner of Works and Emergency Services has prepared the attached report dated December 13, 1999, entitled 'Expropriation of Property Interests for the Opening of a New Public Lane at the Rear of Premises Nos. 357 to 399 Barlett Avenue North, and 448 to 492 Salem Avenue North (Davenport)', in this regard;  
**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the aforementioned report dated December 13, 1999, from the Commissioner of Works and Emergency Services, which will commence the formal expropriation of property interests for the opening of a public lane at the rear of Premises Nos. 357 to 399 Bartlett Avenue North, and 448 450 and 462 to 492 Salem Avenue North, and that such report be adopted."

Council also had before it, during consideration of Motion J(14), a report dated December 13, 1999, from the Commissioner of Works and Emergency Services, entitled "Expropriation of Property Interests for the Opening of a New Public Lane at the Rear of Premises Nos. 357 to 399 Bartlett Avenue North, and 448 to 492 Salem Avenue North (Davenport)". (See Attachment No. 7, Page 202.)

*Vote:*

Motion J(14) was adopted, without amendment, and, in so doing, Council adopted the report dated December 13, 1999, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

"It is recommended that:

- (1) authority be granted for the expropriation of all rights, title and interests, for public lane purposes, of certain lands described, in the City of Toronto and Province of Ontario, as PARTS 1, 2, 3, 7, 9, 10, 11, 14, 17, 18, 21, 23, 28, 29, 31, 34, 38 and 39 on Plan 66R-17213;
- (2) authority be granted for the expropriation of temporary working easements, for a three-month period, from Premises Nos. 462 and 474 Salem Avenue North and 397 and 399 Bartlett Avenue North, to the extent necessary to undertake any work that is required on these properties to facilitate the construction of the public lane, and for a permanent drainage easement over lands identified as PART 16 on Plan 66R-17213;
- (3) authority be granted to serve and publish Notices of Applications for Approval to Expropriate said property interests, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer's recommendations to Council for its consideration; and
- (4) authority be granted for the appropriate City Officials to take whatever action is necessary to give effect thereto, including the introduction in City Council of any bills that might be necessary."

14.79 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Adams

**Seconded by:** Councillor Bossons

**"WHEREAS** an application for front yard parking had been received on August 9, 1999, from Mr. Stephen J Diamond of McCarthy Tetrault, Barristers & Solicitors,



acting on behalf of George and Susan Cohon, owners of 5-7 Lowther Avenue, Toronto, Ontario; and

**WHEREAS** staff of the Works and Emergency Services Department refused the application on their belief that the property is a condominium and did not fall under the definition of a converted house, a detached house, a duplex, a row house, a semi-detached duplex, a semi-detached triplex, a triplex or a semi-detached house as described in former City of Toronto By-law No. 438-86; and

**WHEREAS** staff of Corporate Services, Legal Division, clarified that the property at 5-7 Lowther Avenue does meet the definitions as described in former City of Toronto By-law No. 438-86; and

**WHEREAS** the delay in seeking legal clarification has caused the property owner considerable inconvenience and could be unnecessarily delayed another eight weeks;

**NOW THEREFORE BE IT RESOLVED THAT** the application for front yard parking for 5-7 Lowther be approved, subject to a favourable poll, and subject to the following conditions:

- (a) the maximum area to be paved for parking not exceeding 2.6 m wide by 5.9 m long;
- (b) the parking area being paved with semi-permeable paving materials, i.e., Ecostone pavers or approved and equivalent permeable paving treatment acceptable to the Commissioner of Works and Emergency Services; and
- (c) the applicant paying all applicable fees and complying with all the other criteria as set out in Chapter 400 of the former City of Toronto Municipal Code; and
- (d) the applicant be requested to make a \$1,500.00 contribution toward the re-forestation of the Midtown ward, payable to the City Treasurer and at the discretion of the City Forester.”

*Vote:*

Motion J(15) was adopted, without amendment.

14.80 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Adams

**Seconded by:** Councillor Layton

**“WHEREAS** each Council Member is permitted to employ three full-time staff or equivalent; and

**WHEREAS** the original policy created by the Provincial Transition Team permits only three desktop computers per Councillor office which leaves at least one person, Councillor or staff member, without a desktop computer; and

**WHEREAS** many Councillors’ offices, out of necessity, have been using extra, older computers; and

**WHEREAS** these older computers are Y2K non-compliant and could cause potential problems in the Year 2000 roll-over; and

**WHEREAS** on December 13, 1999, Councillors were advised of options to remedy the situation; and

**WHEREAS** on the same day, I requested an urgent report from the appropriate City staff so that this meeting of City Council could address a full range of options to remedy this situation;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the requested staff report and authorize any necessary funds from the Corporate Contingency Fund.”

Council also had before it, during consideration of Motion J(16), a joint report dated December 14, 1999, from the Executive Director, Information and Technology, and the City Clerk. (See Attachment No. 8, Page 205.)

*Motions:*

- (a) Councillor Berardinetti moved that Motion J(16) be amended by:
- (1) deleting from the last Operative Paragraph the words “and authorize any necessary funds from the Corporate Contingency Fund”; and
  - (2) adding thereto the following new Operative Paragraph:  
**“AND BE IT FURTHER RESOLVED THAT:**
    - (a) Option ‘C’ embodied in the joint report dated December 14, 1999, from the Executive Director, Information and Technology, and the City Clerk, be adopted;
    - (b) funds be provided from the Y2K Contingency Fund; and

- (c) the City Clerk and the Executive Director, Information and Technology, be requested to submit a report to the next meeting of the Administration Committee outlining recommendations to address the computer requirements for Members of Council, in preparation for the new Council budget for the next term of Council.”
- (b) Councillor Prue moved that Motion J(16) be received.
- (c) Councillor Minnan-Wong moved that consideration of Motion J(16) be deferred to the next regular meeting of City Council to be held on February 1, 2000.

*Votes:*

Adoption of motion (c) by Councillor Minnan-Wong:

Yes - 13	
Councillors:	Balkissoon, Berger, Bossons, Chong, Giansante, Jones, King, Lindsay Luby, Mahood, Minnan-Wong, Nunziata, O'Brien, Rae
No - 26	
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Bussin, Chow, Davis, Duguid, Flint, Holyday, Johnston, Kelly, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Moscoe, Ootes, Pantalone, Prue, Shaw, Shiner, Sinclair, Tzekas, Walker

Lost by a majority of 13.

Adoption of motion (b) by Councillor Prue:

Yes - 21	
Councillors:	Altobello, Balkissoon, Berger, Bossons, Bussin, Chong, Flint, Giansante, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Nunziata, Ootes, Prue, Rae
No - 18	
Councillors:	Adams, Augimeri, Berardinetti, Chow, Davis, Duguid, Layton, Mammoliti, McConnell, Mihevc, Moscoe, O'Brien, Pantalone, Shaw, Shiner, Sinclair, Tzekas, Walker

Carried by a majority of 3.

Having regard to the foregoing decision of Council, motion (a) by Councillor Berardinetti was not put to a vote.

In summary, Council received Motion J(16) and took no action with respect to the joint report dated December 14, 1999, from the Executive Director, Information and Technology, and the City Clerk.

- 14.81 Councillor Rae moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(18), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Rae**

**Seconded By: Councillor Li Preti**

**“WHEREAS** City Council, at its meeting of July 27, 28, 29 and 20, 1999, adopted, as amended, Clause No. 5 of Report No. 4 of The Policy and Finance Committee, headed ‘Request to Increase the Voluntary and Set Fine Provisions for Parking Meter Violations – City of Toronto By-laws’, thereby authorizing an increase in the voluntary payment and set fine amounts for City of Toronto by-laws respecting the use of parking meters and parking machines; and

**WHEREAS** the City Solicitor subsequently made an application to the Ministry of the Attorney General for Ontario, as required under the Provincial Offences Act, for approval of the new voluntary payment and set fine amounts, as directed by City Council, for the eight pre-amalgamation by-laws of the former municipalities which currently deal with parking meters and parking machines within the new City of Toronto; and

**WHEREAS** the City Solicitor has now received a response dated December 14, 1999, from the Attorney General, indicating that the application cannot be processed until the offence provisions contained in several of these old by-laws are up-dated to conform with section 61 of the Provincial Offences Act; and

**WHEREAS** a failure by City Council to consider and take action on this matter at this meeting of Council will delay any further processing of the set fine application until after consideration by Council in February 2000, thereby delaying the implementation of a more effective enforcement process for offences under these by-laws; and

**WHEREAS** the required amendments are purely technical in nature and do not affect either the set fine amounts previously approved by Council or the regulations affecting parking meters and machines;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be authorized to prepare and introduce a by-law in Council to amend the offence provisions for the

following by-laws so as to allow them to be brought into conformance with section 61 of the Provincial Offences Act:

- (a) By-law No. 30742, being 'A By-law Respecting Parking Meters on the City of North York Roads', of the former City of North York;
- (b) By-law No. 22614, being 'A By-law Respecting Parking Meters on Scarborough Roads', of the former City of Scarborough;
- (c) By-law No. 107-86, being 'A By-law Respecting Parking Meters on Metropolitan Roads', of the former Municipality of Metropolitan Toronto;
- (d) Chapter 187, Parking Meters, of the Municipal Code of the former City of Etobicoke; and
- (e) By-law No. 1645-89, being 'A By-law Respecting Parking Meters', of the former City of York."

*Vote:*

Motion J(18) was adopted, without amendment.

- 14.82 Councillor Adams moved that subsections 26(4), 27(1) and 28(1) of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved By:**                    **Councillor Adams**

**Seconded By:**                **Councillor Nunziata**

“**WHEREAS** subsection 157(4) of the Municipal Act, as amended, provides, among other things, that, notwithstanding any general or special Act, the Council of a local municipality may pass by-laws to levy an annual amount upon a public hospital or provincial mental health facility designated by the Minister of Health not exceeding the prescribed amount for each provincially rated bed in the public hospital or provincial mental health facility as determined by the Minister of Health; and

**WHEREAS** at its meeting of September 28, 29 and 30, 1999, City Council passed By-law No. 594-1999, being a by-law to levy an amount for the year 1999 upon certain Provincial Hospitals and Provincial Mental Health Facilities, in accordance with subsection 157(4) of the Act; and

**WHEREAS** the number of provincially-rated beds initially provided by the Minister of Health and the Minister of Municipal Affairs to the City of Toronto for the Humber

River Regional Hospital were incorrect and were changed by letter dated September 29, 1999;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be requested to amend City of Toronto By-law No. 594-1999 in the following manner:

- (1) the third recital of By-law No. 594-1999 be amended by deleting ‘1,384’ as the number of provincially-rated beds for the Humber River Regional Hospital, and inserting ‘927’ in its place;
- (2) section 1 of By-law No. 594-1999 be amended by deleting ‘\$103,800.00’ as the total amount of the 1999 levy for the Humber River Regional Hospital, and inserting ‘\$69,525.00’ in its place.”

*Vote:*

Motion J(19) was adopted, without amendment.

**BILLS AND BY-LAWS**

14.83 On December 14, 1999, at 7:50 p.m., Councillor Balkissoon, seconded by Councillor Bossons, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 901	By-law No. 833-1999	To confirm the proceedings of the Council at its meeting held on the 14th day of December, 1999,
--------------	---------------------	--

the vote upon which was as follows:

Yes - 32 Councillors: Adams, Balkissoon, Bossons, Cho, Chong, Chow, Davis, Disero, Feldman, Flint, Fotinos, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Prue, Rae, Shiner, Soknacki
No - 0

Carried, without dissent.

14.84 On December 15, 1999, at 7:46 p.m., Councillor Kinahan, seconded by Councillor Disero, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 902                      By-law No. 834-1999                      To confirm the proceedings of the Council at its meeting held on the 14th and 15th days of December, 1999,

the vote upon which was as follows:

Yes - 33 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Fotinos, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Soknacki, Walker
No - 1 Councillor:	Layton

Carried by a majority of 32.

14.85 On December 16, 1999, at 4:56 p.m., Councillor Duguid, seconded by Councillor Flint, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 903                      By-law No. 835-1999                      To confirm the proceedings of the Council at its meeting held on the 14th, 15th and 16th days of December, 1999,

the vote upon which was as follows:

Yes - 38 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Giansante, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair, Walker
No - 0	

Carried, without dissent.

14.86 On December 16, 1999, at 6:03 p.m., Councillor Berardinetti, seconded by Councillor Shaw, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 838	By-law No. 836-1999	To repeal By-law No. 713-1999 being a by-law "To designate the property at 832 Bay Street (McLaughlin Motor Car Showroom) as being of architectural and historical value or interest" and to designate the property at 832 Bay Street (McLaughlin Motor Car Showroom) as being of architectural and historical value or interest.
Bill No. 839	By-law No. 837-1999	To stop up and close a portion of the public highway French Avenue and to authorize the conveyance thereof.
Bill No. 840	By-law No. 838-1999	To adopt an amendment to Section 19.14 of the Official Plan for the former City of Toronto respecting South-East Spadina.
Bill No. 841	By-law No. 839-1999	To amend Zoning By-law No. 438-86 of the former City of Toronto with respect to a portion of the Downtown Chinatown area along Spadina Avenue between Dundas Street West and Queen Street West.
Bill No. 842	By-law No. 840-1999	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 843	By-law No. 841-1999	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 844	By-law No. 842-1999	To amend further By-law No. 20-96, a by-law "To provide for overnight permit parking on Borough streets", being a by-law of the former Borough of East York.
Bill No. 845	By-law No. 843-1999	To amend further By-law No. 34-93, a by-law "To provide for disabled person parking permit holders", being a by-



		law of the former Borough of East York.
Bill No. 846	By-law No. 844-1999	To amend further By-law No. 20-96, a by-law “To provide for overnight permit parking on Borough streets”, being a by-law of the former Borough of East York.
Bill No. 847	By-law No. 845-1999	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 848	By-law No. 846-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 849	By-law No. 847-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 850	By-law No. 848-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 851	By-law No. 849-1999	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 852	By-law No. 850-1999	To amend further By-law No. 197 of the former Borough of East York, respecting Parking Meters on former Borough of East York Roads.
Bill No. 853	By-law No. 851-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Bathurst Street, Fleet Street, Queens Quay West.
Bill No. 854	By-law No. 852-1999	To amend By-law No. 31001 of the former City of North York, as amended.

Bill No. 855	By-law No. 853-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Davenport Road.
Bill No. 856	By-law No. 854-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 857	By-law No. 855-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Clinton Street, Dowling Avenue, Fern Avenue, Geary Avenue, Latimer Avenue, Lauder Avenue, Palmerston Avenue, Pauline Avenue.
Bill No. 858	By-law No. 856-1999	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 859	By-law No. 857-1999	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article V.
Bill No. 860	By-law No. 858-1999	To further amend former City of Toronto By-law No. 602-89, being "A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations", respecting the alteration of Marchmount Road between Shaw Street and Ossington Avenue by the installation of speed humps.
Bill No. 861	By-law No. 859-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Concord Avenue, George Street South, Queen Street East.
Bill No. 862	By-law No. 860-1999	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Beatrice Street,

		Crawford Street, Grace Street, Montrose Avenue.
Bill No. 863	By-law No. 861-1999	To further amend former City of Toronto By-law No. 602-89, being "A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations" respecting the alteration of Avenue Road between Oxtown Avenue and Hillholm Road and the alteration of Oxtown Avenue near Avenue Road by the construction of medians and by realigning the curbs.
Bill No. 864	By-law No. 862-1999	To further amend former City of Toronto By-law No. 602-89, being "A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations", respecting the alteration of Fairmount Crescent at Bowmore Road by the realignment of the pavement.
Bill No. 865	By-law No. 863-1999	To layout and dedicate for public lane purposes certain land to form part of the public lane system east of Yonge Street extending southerly from Charles Street East.
Bill No. 866	By-law No. 864-1999	To repeal By-law No. 37-90 of the former City of Toronto, being Official Plan Amendment No. 510, respecting certain lands south-east of the intersection of Dundas Street West and Bloor Street West.
Bill No. 867	By-law No. 865-1999	To exempt part of the lands commonly known as 665 Tretheway Drive, being certain lots within Plan of Subdivision 66M-2340, from the provisions of subsection 50(5) of the Planning Act.

Bill No. 868	By-law No. 866-1999	To designate certain lands as the South Riverdale and Lake Shore Boulevard East Community Improvement Project Area and adopt a Community Improvement Plan.
Bill No. 869	By-law No. 867-1999	To amend the former City of Toronto Municipal Code Chapter 20, Business Improvement Areas, to make changes to the size and quorum for certain Boards of Management.
Bill No. 870	By-law No. 868-1999	To stop up and close part of the public highway Wilson Heights Boulevard north of Sheppard Avenue West and to authorize the sale thereof.
Bill No. 871	By-law No. 869-1999	To amend Zoning By-law No. 7625 of the former City of North York and Zoning By-law No. 1-83 of the former City of York for 200 Church Street.
Bill No. 872	By-law No. 870-1999	To make a technical amendment to By-law No. 661-1999, a by-law "To fix the rates for the supply of water and sewer services by the City of Toronto".
Bill No. 873	By-law No. 871-1999	To amend Chapters 304, 320, 330, 340 and 350 of the Etobicoke Zoning Code with respect to the definitions of Grade and Height.
Bill No. 874	By-law No. 872-1999	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located at the northeast corner of Browns Line and Horner Avenue and municipally known as 435 Browns Line.
Bill No. 875	By-law No. 873-1999	To designate certain lands on a registered plan not subject to Part Lot Control in the Dorset Park Community.

Bill No. 876	By-law No. 874-1999	Being a by-law to further amend Scarborough Zoning By-law Number 10217, the Agricultural Holding By-law, as amended, and By-law Number 14402, as amended, with respect to the Malvern Community.
Bill No. 877	By-law No. 875-1999	To amend the Dorset Park Community Zoning By-law Number 9508, as amended.
Bill No. 878	By-law No. 876-1999	To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding 'H' provisions on a portion of the lands municipally known as 112 Evans Avenue.
Bill No. 879	By-law No. 877-1999	To adopt Amendment No. 75-99 to the Official Plan of the Etobicoke Planning Area in order to implement a site-specific amendment affecting the lands located one block east of Islington Avenue, and south of Bloor Street West, on the east side of Monkton Avenue, municipally known as 7 and 9 Monkton Avenue.
Bill No. 880	By-law No. 878-1999	To amend Chapters 320 and 324, of the Etobicoke Zoning Code with respect to certain lands located on east side of Monkton Avenue, south of Bloor Street West, municipally known as 7 and 9 Monkton Avenue.
Bill No. 881	By-law No. 879-1999	To adopt Amendment No. 1032 of the Official Plan for the former City of Scarborough.
Bill No. 882	By-law No. 880-1999	To adopt Amendment No. 482 of the Official Plan for the former City of North York in respect of lands on the

		south-west corner of Bathurst Street and Glen Park Avenue.
Bill No. 883	By-law No. 881-1999	To amend City of North York By-law No. 7625 in respect of lands on the south-west corner of Bathurst Street and Glen Park Avenue.
Bill No. 884	By-law No. 882-1999	To adopt an amendment to the Official Plan in respect of No. 121 Runnymede Road, as amended.
Bill No. 885	By-law No. 883-1999	To amend General Zoning By-law No. 438-86, as amended, respecting the lands municipally known in 1998 as 121 Runnymede Road, as amended.
Bill No. 886	By-law No. 884-1999	To amend the General Zoning By-law No. 438-86, as amended, respecting the lands municipally known in 1998 as 381, 395 and 399 Mount Pleasant Road.
Bill No. 887	By-law No. 885-1999	To amend further the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting parking meters on former City of Toronto Roads.
Bill No. 888	By-law No. 886-1999	To exempt from municipal taxation certain lands of the Toronto and Region Conservation Authority used as City Parks.
Bill No. 889	By-law No. 887-1999	To provide for the levy and collection of 2000 interim realty taxes and penalties for non-payment thereof.
Bill No. 890	By-law No. 888-1999	To amend further By-law No. 380-74 of the former City of Toronto with respect to pensions and other benefits.

Bill No. 891	By-law No. 889-1999	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 892	By-law No. 890-1999	To amend City of Toronto By-law No. 528-1999, as amended, being a by-law “To regulate traffic on certain highways during periods of emergency occasioned by the fall of snow”, as amended.
Bill No. 893	By-law No. 891-1999	To amend City of Toronto By-law No. 530-1999, as amended, being a by-law “To Provide for Snow and Ice Removal”.
Bill No. 894	By-law No. 892-1999	To amend By-law No. 912-1998, being “A By-law to authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales”, to consolidate and incorporate the parking machine regulations and locations formerly contained in Schedule XXXI to Municipal Code Chapter 400, Traffic and Parking, of the former City of Toronto.
Bill No. 896	By-law No. 893-1999	To amend By-law No. 543-99 to prohibit the payment of severance remuneration to members of Council convicted of a criminal offence in connection with their conduct as a member of Council.
Bill No. 897	By-law No. 894-1999	To repeal the appointment of James Ridge as Acting Commissioner of Planning and Urban Development and to appoint Paula M. Dill as Commissioner of Urban Development Services.

Bill No. 898	By-law No. 895-1999	To repeal the appointment of Brenda Glover as Acting Commissioner of Corporate Services and to appoint M. Joan Anderton as Commissioner of Corporate Services.
--------------	---------------------	--

Bill No. 899	By-law No. 896-1999	To amend Chapter 400 of the Toronto Municipal Code, the Traffic and Parking Code, a by-law of the former City of Toronto, respecting the designation of private roadways at 600 Queens Quay West and 40 Oaklands Avenue as fire routes.
--------------	---------------------	---

14.87 On December 16, 1999, at 6:03 p.m., Councillor Berardinetti, seconded by Councillor Shaw, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 895	By-law No. 897-1999	To amend certain City of Toronto by-laws respecting the use of parking meters and parking machines to bring the offence provisions in conformance with the Provincial Offences Act.
--------------	---------------------	---

14.88 On December 16, 1999, at 6:05 p.m., Councillor Flint, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 904	By-law No. 898-1999	To confirm the proceedings of the Council at its meeting held on the 14th, 15th and 16th days of December, 1999,
--------------	---------------------	--

the vote upon which was as follows:

Yes - 35 Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chong, Chow, Davis, Duguid, Flint, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Shiner, Sinclair, Tzekas, Walker
No - 0

Carried, without dissent.



- 14.89 On December 16, 1999, at 6:47 p.m., Councillor Moscoe, seconded by Councillor Chong, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law, which carried:

Bill No. 900	By-law No. 899-1999	To amend By-law No. 594-1999 being a By-law to levy an amount for the year 1999 upon certain Provincial Hospitals and Provincial Mental Health Facilities.
--------------	---------------------	--

- 14.90 On December 16, 1999, at 6:48 p.m., Councillor Kelly, seconded by Councillor Shaw, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 905	By-law No. 900-1999	To confirm the proceedings of the Council at its meeting held on the 14th, 15th and 16th days of December, 1999,
--------------	---------------------	--

the vote upon which was as follows:

Yes - 31 Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Bossons, Chong, Chow, Davis, Duguid, Flint, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Rae, Shaw, Shiner, Sinclair, Walker
No - 1 Councillor:	Tzekas

Carried by a majority of 30.

#### **OFFICIAL RECOGNITIONS:**

#### **14.91 Condolence Motions**

##### **December 14, 1999:**

Councillor Jones, seconded by Councillor Augimeri, moved that:

**“WHEREAS** Members of City Council are saddened to note that this month marks the tragic anniversary of the Montreal Massacre, and by remembering the 14 women who were killed, we would like to take this opportunity to ensure that our City

Council remembers the serious impact that violence against women has on our community; and

**WHEREAS** the tragic reality is that women continue to be killed and children continue to grow up in environments where they regularly witness their mothers being assaulted and abused by their partners; since the 1998 major Provincial Coroners' inquest into domestic violence, eight women have been murdered in Ontario; and

**WHEREAS** we have seen some significant changes take place, which have helped to hold abusers accountable and which have provided greater safety to women and their children - these changes have taken place in our institutions, our criminal courts, our schools and health service and to some extent in our very values; and

**WHEREAS** it is essential that we as a community continue to commit to work actively together to bring about concrete changes and it is imperative that women's experiences are included in determining the changes that are made; safety for victims must be the guiding principle of all interventions; and

**WHEREAS** this critical social issue cannot be tackled independently but requires the combined efforts of all sectors, institutions and organizations within our community; this work requires resources, time, dedication and vigilance; and

**WHEREAS** we want to ensure that City of Toronto Council continues to work with the Women Abuse Council and others to effect these changes - Toronto has to become a model for the province through the development of our specialized domestic violence criminal courts; however, with every inch of progress more work is required to ensure adequate standards and accountability of response;

**NOW THEREFORE BE IT RESOLVED THAT** City Council, on the tenth anniversary of the Montreal Massacre, take this opportunity to pause and remember the victims and their families and recommit to performing the hard work needed to ensure that our children grow up in a community where violence is not tolerated and where girls and women are able to live safely."

Leave to introduce the Motion was granted and the Motion was carried unanimously.

Council rose and observed a moment of silence in memory of the victims of the Montreal Massacre.

**December 16, 1999:**

Councillor Balkissoon, seconded by Mayor Lastman, moved that:

**“WHEREAS** the Members of the City of Toronto Council are deeply saddened to learn of the passing of our friend and colleague, Mr. Ross Cuthbert, on Wednesday, November 24, 1999; and

**WHEREAS** Mr. Cuthbert commenced employment with the former Borough of Scarborough as an Assistant Budget Officer in July, 1979; and

**WHEREAS** over the years Ross came to lead the Budget Team at Scarborough, filling the office of Director of Management Services at the time of the amalgamation of the former City into the new City of Toronto; and

**WHEREAS** Scarborough Councillors appreciated Ross’ unfailing commitment to the Budget process which ensured that the former City met all its financial targets within Council’s guidelines of ‘No Tax Increase’ and ‘No Layoffs’; and

**WHEREAS** under the often stressful conditions of Budget deadlines, Ross demonstrated a unique ability to create a positive and productive work environment, maintaining an atmosphere of good humour which encouraged staff and Councillors alike, and for which he will be fondly remembered;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City of Toronto Council, an expression of sincere sympathy to the Cuthbert family, especially his wife, Cathy, and his daughters Brittany and Yardley.”

Leave to introduce the Motion was granted and the Motion was carried unanimously.

Council rose and observed a moment of silence in memory of Mr. Cuthbert.

#### 14.92 **Presentations/Introductions/Announcements:**

##### **December 14, 1999:**

Mayor Lastman, during the morning session of the meeting, invited Councillor Mammoliti and former City Councillor Judy Sgro to the podium; invited Councillor Mammoliti to address the Council; extended, on behalf of Council, the congratulations and best wishes of the Council to Mrs. Sgro on her recent victory in the by-election for the federal riding of York West; and, to mark the occasion, presented a gavel inscribed with the words “Stolen from Mayor Mel Lastman” and a scroll to Mrs. Sgro.

Mayor Lastman, during the morning session of the meeting, introduced the students of the following, present at the meeting:

- Springfield Public School; and
- the Star Alternative Program.

Councillor Johnston, during the afternoon session of the meeting, expressed her appreciation to all Members of Council for their generous donations to the 1999 United Way Campaign and, in particular, to those Members who contributed their time and effort to canvassing for the campaign.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of the following, present at the meeting:

- Havergal College; and
- Josyf Cardinal Slipyj School.

**December 15, 1999:**

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of the following, present at the meeting:

- Diefenbaker Elementary School; and
- Springfield Public School.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of the following, present at the meeting:

- ESL class from Bickford Centre; and
- Havergal College.

**December 16, 1999:**

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of the following, present at the meeting:

- Elkhorn Public School; and
- St. Francis Xavier School.

**14.93 MOTIONS TO VARY PROCEDURE**

*Vary the order of proceedings of Council:*

**December 14, 1999:**

Councillor Disero, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 28 of Report No. 11 of The Policy and Finance Committee, headed "Rooming House Hearing - 2762 Dundas Street West", at the

in-camera portion of this meeting, having regard that this matter is subject to Solicitor/Client privilege, which carried.

Mayor Lastman, during the morning session of the meeting, proposed that Council vary the order of its proceedings to consider:

- (a) Motion F on the Order Paper for this meeting of Council as the first item of business, as directed by Council on November 25, 1999;
- (b) in-camera items at 6:30 p.m. today;
- (c) Clause No. 3 of Report No. 9 of The Administration Committee, headed "Ward Boundaries", at 9:30 a.m., on Wednesday, December 15, 1999;
- (d) Notices of Motion at 2:00 p.m., on Wednesday, December 15, 1999;
- (e) Clause No. 1 of Report No. 11 of The Policy and Finance Committee, headed "Human Resources and Cost Implications of the Recommendations of the Task Force on Community Access and Equity and Clarification of the Term 'Employment Equity' ", at 4:00 p.m., on Wednesday, December 15, 1999; and
- (f) in-camera items remaining on the Order Paper for this meeting of Council at 6:30 p.m., on Wednesday, December 15, 1999.

Council concurred in the proposal by Mayor Lastman.

Councillor Berardinetti, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 9 of The Administration Committee, headed "Compensation Review for Executive, Management, and Exempt Employees", at the in-camera portion of the meeting to be held at 6:30 p.m., on Wednesday, December 15, 1999, having regard that it pertains to personnel matters, which carried.

Councillor Chow, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Notice of Motion J(12), moved by Councillor Nunziata, seconded by Councillor Jakobek, to introduce the report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, entitled "Task Force on Raves", at 3:00 p.m., on Wednesday, December 15, 1999, which carried.

*Waive the provisions of the Procedural By-law related to meeting times:*

**December 14, 1999:**

Councillor Prue, at 6:28 p.m., moved that Council not hold the in-camera portion of this meeting at 6:30 p.m. today, in order to conclude consideration of Clause No. 5 of Report No. 8 of The Administration Committee, headed "Municipal Elections - Proposed Legislative Amendments", the vote upon which was taken as follows:

Yes - 26	
Councillors:	Adams, Berardinetti, Bossons, Chow, Davis, Disero, Fotinos, Gardner, Holyday, Jones, Kinahan, Layton, Lindsay Luby, Mihevc, Minnan-Wong, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shaw, Shiner, Sinclair, Soknacki, Walker
No - 10	
Mayor:	Lastman
Councillors:	Altobello, Cho, Chong, Johnston, King, Korwin-Kuczynski, O'Brien, Pantalone, Tzekas

Carried, more than two-thirds of Members present having voted in the affirmative. Councillor McConnell at 7:09 p.m., moved that, having regard that members of the public interested in the decision of Council pertaining to Clause No. 28 of Report No. 11 of The Policy and Finance Committee, headed "Rooming House Hearing - 2762 Dundas Street West", were now present at this meeting, Council now resolve itself into Committee of the Whole and then recess to meet privately to consider such Clause, having regard that this matter is subject to Solicitor/Client privilege, which carried.

Councillor Moscoe at 7:10 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 28 of Report No. 11 of The Policy and Finance Committee, headed "Rooming House Hearing - 2762 Dundas Street West", which carried, more than two-thirds of Members present having voted in the affirmative.

### **December 15, 1999:**

Councillor Walker, at 12:25 p.m., moved that:

- (1) Council recess at 3:00 p.m. today, and reconvene at 4:30 p.m., in order to permit interested Members of Council to attend the legislature to hear the third reading of Bill 25, the Fewer Municipal Politicians Act, 1999; and
- (2) in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, and that Council continue in session through the normal lunch recess.

Adoption of Part (2) of the motion by Councillor Walker:

Yes - 14	
Councillors:	Adams, Augimeri, Bussin, Chow, Disero, Filion, Flint, Giansante, Kinahan, Li Preti, Mammoliti, McConnell, Soknacki, Walker
No - 36	
Mayor:	Lastman

Councillors:	Altobello, Berardinetti, Berger, Bossons, Cho, Davis, Duguid, Feldman, Fotinos, Gardner, Holyday, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Sinclair
--------------	--

Lost, less than two-thirds of Members present having voted in the affirmative.

Adoption of Part (1) of the motion by Councillor Walker:

Yes - 22	
Councillors:	Adams, Altobello, Augimeri, Bussin, Chow, Filion, Giansante, Johnston, Layton, Li Preti, Mahood, Mammoliti, McConnell, Miller, Moscoe, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Walker
No - 28	
Mayor:	Lastman
Councillors:	Berardinetti, Berger, Bossons, Cho, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Shaw, Sinclair, Soknacki

Lost, less than two-thirds of Members present having voted in the affirmative.

Councillor Moscoe, at 2:20 p.m., moved that Council recess at 3:01 p.m. today, and reconvene at 4:31 p.m., in order to permit interested Members of Council to attend the legislature to hear the third reading of Bill 25, the Fewer Municipal Politicians Act, 1999.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of the foregoing motion by Councillor Moscoe, ruled such motion out of order.

Councillor Moscoe challenged the ruling of the Deputy Mayor:

*Vote to uphold ruling of Deputy Mayor:*

Yes - 36	
Mayor:	Lastman

Councillors:	Altobello, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Shaw, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 11	Councillors: Adams, Augimeri, Berger, Filion, Jakobek, Johnston, Mammoliti, McConnell, Miller, Moscoe, Shiner

Carried by a majority of 25.

Councillor Jones at 6:30 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, and that Council continue in session, in order to conclude consideration of all matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 10	Councillors: Disero, Duguid, Holyday, Jones, Korwin-Kuczynski, Li Preti, Mammoliti, Pitfield, Shaw, Soknacki
No - 28	Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Cho, Chow, Filion, Flint, Gardner, Giansante, Jakobek, Johnston, Kelly, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Shiner, Silva

Lost, less than two-thirds of Members present having voted in the affirmative.

Councillor Shiner at 7:05 p.m., moved that the balance of the in-camera portion of this meeting be held at 9:30 a.m. on Thursday, December 16, 1999, the vote upon which was taken as follows:

Yes - 10	Councillors: Adams, Flint, Gardner, Jakobek, Kinahan, Moscoe, Nunziata, Rae, Shiner, Tzekas
No - 21	Councillors: Altobello, Augimeri, Chong, Chow, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Layton, Mihevc, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Soknacki, Walker

Lost by a majority of 11.



Deputy Mayor Ootes at 7:06 p.m., moved that the balance of the in-camera portion of this meeting be the last item of business on Thursday, December 16, 1999, the vote upon which was taken as follows:

Yes - 22	
Councillors:	Adams, Altobello, Augimeri, Chong, Chow, Gardner, Jones, King, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Saundercook, Tzekas, Walker
No - 9	
Councillors:	Flint, Holyday, Kelly, Kinahan, Layton, O'Brien, Rae, Shaw, Shiner

Carried by a majority of 13.

Deputy Mayor Ootes at 7:28 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, in order to conclude consideration of Clause No. 6 of Report No. 8 of The Administration Committee, headed "Municipal Elections - By-law Requirements", which carried, more than two-thirds of Members present having voted in the affirmative.

**December 16, 1999:**

Councillor Lindsay Luby, at 6:00 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 6:00 p.m. adjournment, and that Council continue in session, in order to conclude consideration of all matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 25	
Councillors:	Altobello, Augimeri, Balkissoon, Bossons, Bussin, Chow, Davis, Duguid, Flint, Holyday, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Rae, Shiner, Sinclair
No - 8	
Councillors:	Chong, Giansante, Jones, Kelly, Pantalone, Prue, Tzekas, Walker

Carried, more than two-thirds of Members present having voted in the affirmative.

14.94 **ATTENDANCE**

Councillor King, seconded by Councillor Mihevc, moved that the absence of Councillor Brown from this meeting of Council be excused, which carried.

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 14, 1999	9:43 a.m. to 12:25 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 7:10 p.m.*	Cte. of the Whole in-Camera 7:12 p.m.	7:45 p.m. to 7:51 p.m.*
Lastman	x	-	x	-	-
Adams	x	-	x	x	x
Altobello	x	x	x	-	-
Ashton	x	-	x	-	-
Augimeri	x	-	x	-	-
Balkissoon	x	-	x	x	x
Berardinetti	x	x	x	-	-
Berger	x	x	x	-	-
Bossons	x	-	x	x	x
Brown	-	-	-	-	-
Bussin	x	x	x	-	-
Cho	x	-	x	x	x
Chong	x	x	x	x	x
Chow	x	-	x	x	x
Davis	x	-	x	x	x
Disero	x	x	x	x	x
Duguid	x	x	x	-	-
Feldman	x	x	x	x	x
Filion	x	-	x	-	-
Flint	x	-	x	x	x
Fotinos	x	-	x	x	x
Gardner	x	x	x	x	-
Giansante	x	x	x	x	x
Holyday	x	x	x	x	x
Jakobek	x	x	x	-	-
Johnston	x	-	x	-	-
Jones	x	x	x	x	x
Kelly	x	x	x	x	x
Kinahan	x	x	x	-	x
King	x	-	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 14, 1999	9:43 a.m. to 12:25 p.m.*	Roll Call 2:10 p.m.	2:10 p.m. to 7:10 p.m.*	Cte. of the Whole in-Camera 7:12 p.m.	7:45 p.m. to 7:51 p.m.*
Korwin-Kuczynski	x	x	x	x	x
Layton	x	-	x	x	x
Lindsay Luby	x	x	x	x	-
Li Preti	x	x	x	x	x
Mahood	x	-	x	-	-
Mammoliti	x	-	x	-	-
McConnell	x	-	x	x	x
Mihevc	x	-	x	x	x
Miller	x	x	x	x	x
Minnan-Wong	x	x	x	-	-
Moeser	x	x	x	x	x
Moscoe	x	x	x	x	x
Nunziata	x	-	x	x	x
O'Brien	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	x	-	-
Pitfield	x	-	x	-	-
Prue	x	-	x	x	x
Rae	x	x	x	x	x
Saundercook	x	x	x	-	-
Sgro	-	-	-	-	-
Shaw	x	-	x	x	-
Shiner	x	x	x	x	-
Silva	x	-	x	-	-
Sinclair	x	x	x	-	-
Soknacki	x	x	x	x	x
Tzekas	x	-	x	-	-
Walker	x	x	x	-	-
Total	56	31	56	34	31

\* Members were present for some or all of the time period indicated.

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

---

December 15, 1999	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:20 p.m.	2:15 p.m. to 7:47 p.m.*
Lastman	-	x	x	x
Adams	x	x	x	x
Altobello	x	x	x	x
Ashton	-	-	-	-
Augimeri	x	x	x	x
Balkissoon	-	-	-	x
Berardinetti	x	x	x	x
Berger	x	x	-	x
Bossons	x	x	x	x
Brown	-	-	-	-
Bussin	x	x	x	x
Cho	x	x	x	x
Chong	-	x	-	x
Chow	x	x	x	x
Davis	x	x	-	x
Disero	-	x	x	x
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	-	-	x	x
Flint	-	x	x	x
Fotinos	-	x	-	x
Gardner	-	x	x	x
Giansante	-	x	x	x
Holyday	x	x	x	x
Jakobek	-	-	-	x
Johnston	-	x	x	x
Jones	-	x	x	x
Kelly	-	x	-	x
Kinahan	x	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 15, 1999	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:20 p.m.	2:15 p.m. to 7:47 p.m.*
King	x	x	x	x
Korwin-Kuczynski	-	x	x	x
Layton	x	x	-	x
Lindsay Luby	x	x	x	x
Li Preti	-	x	x	x
Mahood	x	x	-	x
Mammoliti	x	x	x	x
McConnell	x	x	x	x
Mihevc	-	x	-	x
Miller	x	x	x	x
Minnan-Wong	x	x	x	x
Moeser	x	x	x	x
Moscoe	x	x	x	x
Nunziata	x	x	x	x
O'Brien	x	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	x	x
Pitfield	-	x	x	x
Prue	x	x	x	x
Rae	-	-	-	x
Saundercook	x	x	-	x
Sgro	-	-	-	-
Shaw	-	-	x	x
Shiner	x	x	x	x
Silva	x	x	x	x
Sinclair	-	x	-	x
Soknacki	x	x	x	x
Tzekas	-	-	x	x
Walker	X	X	x	x
Total	34	49	42	55

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

---

\* Members were present for some or all of the time period indicated.

December 15, 1999	Roll Call 3:42 p.m.	Roll Call 5:18 p.m.	Roll Call 5:31 p.m.	Roll Call 7:20 p.m.	Roll Call 7:34 p.m.
Lastman	x	-	-	-	-
Adams	x	x	x	x	x
Altobello	-	x	x	x	x
Ashton	-	-	-	-	-
Augimeri	x	x	x	x	x
Balkissoon	x	-	-	x	x
Berardinetti	x	x	-	-	x
Berger	-	x	x	-	-
Bossons	x	-	-	-	-
Brown	-	-	-	-	-
Bussin	-	x	-	-	-
Cho	x	x	x	x	x
Chong	x	-	x	x	x
Chow	x	x	x	x	x
Davis	x	x	x	-	-
Disero	-	-	x	x	x
Duguid	x	x	x	x	-
Feldman	-	-	-	-	-
Filion	x	-	-	x	x
Flint	x	x	x	-	x
Fotinos	-	-	-	x	x
Gardner	-	-	-	x	x
Giansante	x	-	x	-	-
Holyday	x	x	x	x	x
Jakobek	-	x	-	-	-
Johnston	-	-	x	x	-
Jones	x	x	x	x	x
Kelly	x	x	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 15, 1999	Roll Call 3:42 p.m.	Roll Call 5:18 p.m.	Roll Call 5:31 p.m.	Roll Call 7:20 p.m.	Roll Call 7:34 p.m.
Kinahan	x	x	-	x	x
King	x	x	x	-	-
Korwin-Kuczynski	x	x	-	x	x
Layton	x	x	-	x	x
Lindsay Luby	x	x	x	-	-
Li Preti	x	-	-	-	-
Mahood	x	x	-	-	-
Mammoliti	-	x	-	-	-
McConnell	-	x	x	x	x
Mihevc	x	x	x	x	x
Miller	x	x	x	-	-
Minnan-Wong	x	-	-	x	x
Moeser	-	x	x	-	-
Moscoe	-	x	x	x	x
Nunziata	-	x	x	-	x
O'Brien	x	x	x	x	x
Ootes	x	x	x	x	x
Pantalone	x	x	-	-	-
Pitfield	x	x	-	x	x
Prue	-	x	x	x	x
Rae	x	-	-	x	x
Saundercook	x	x	x	x	-
Sgro	-	-	-	-	-
Shaw	x	x	x	x	x
Shiner	x	x	x	x	x
Silva	x	-	x	x	x
Sinclair	x	x	x	-	-
Soknacki	x	x	-	x	-
Tzekas	-	x	x	-	-
Walker	-	x	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

---

December 15, 1999	Roll Call 3:42 p.m.	Roll Call 5:18 p.m.	Roll Call 5:31 p.m.	Roll Call 7:20 p.m.	Roll Call 7:34 p.m.
Total	38	40	34	34	33

December 16, 1999	Roll Call 9:47 a.m.	9:45 a.m. to 11:00 a.m.*	Cte. of the Whole in-camera 11:09 a.m.
Lastman	x	x	-
Adams	-	x	x
Altobello	x	x	x
Ashton	-	-	-
Augimeri	-	x	x
Balkissoon	x	x	x
Berardinetti	x	x	x
Berger	x	x	x
Bossons	-	-	-
Brown	-	-	-
Bussin	x	x	x
Cho	x	x	x
Chong	-	x	x
Chow	-	x	x
Davis	x	x	x
Disero	-	x	x
Duguid	x	x	x
Feldman	-	-	-
Filion	x	x	x
Flint	x	x	x
Fotinos	-	-	-
Gardner	-	-	-



Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 16, 1999	Roll Call 9:47 a.m.	9:45 a.m. to 11:00 a.m.*	Cte. of the Whole in-camera 11:09 a.m.
Giansante	x	x	x
Holyday	x	x	x
Jakobek	-	x	x
Johnston	-	-	-
Jones	x	x	x
Kelly	x	x	x
Kinahan	x	x	x
King	x	x	x
Korwin-Kuczynski	x	x	-
Layton	x	x	x
Lindsay Luby	x	x	x
Li Preti	x	x	-
Mahood	-	x	x
Mammoliti	x	x	x
McConnell	x	x	x
Mihevc	x	x	x
Miller	x	x	x
Minnan-Wong	-	-	-
Moeser	x	x	-
Moscoe	x	x	x
Nunziata	x	x	x
O'Brien	x	x	x
Ootes	x	x	x
Pantalone	x	x	x
Pitfield	x	x	x
Prue	x	x	x
Rae	-	x	x
Saundercook	-	x	x
Sgro	-	-	-

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 16, 1999	Roll Call 9:47 a.m.	9:45 a.m. to 11:00 a.m.*	Cte. of the Whole in-camera 11:09 a.m.
Shaw	x	x	x
Shiner	x	x	-
Silva	-	-	-
Sinclair	-	x	x
Soknacki	x	x	x
Tzekas	-	x	x
Walker	x	x	-
Total	37	48	42

\* Members were present for some or all of the time period indicated.

December 16, 1999	Cte. of the Whole in-camera 2:15 p.m.	3:57 p.m. to 6:02 p.m.*	Roll Call 4:55 p.m.	Cte. of the Whole in-camera 6:08 p.m.	6:35 p.m. to 6:49 p.m.*
Lastman	-	-	-	-	-
Adams	x	x	x	x	x
Altobello	x	x	x	x	x
Ashton	-	-	-	-	-
Augimeri	x	x	x	x	x
Balkissoon	x	x	x	x	x
Berardinetti	x	x	x	x	x
Berger	x	x	x	-	-
Bossons	x	x	-	x	x
Brown	-	-	-	-	-
Bussin	x	x	x	x	-
Cho	x	x	x	-	-
Chong	-	x	x	x	x
Chow	x	x	x	-	x
Davis	x	x	x	x	x
Disero	x	x	x	-	-
Duguid	x	x	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

December 16, 1999	Cte. of the Whole in-camera 2:15 p.m.	3:57 p.m. to 6:02 p.m.*	Roll Call 4:55 p.m.	Cte. of the Whole in-camera 6:08 p.m.	6:35 p.m. to 6:49 p.m.*
Feldman	-	-	-	-	-
Filion	-	x	x	-	-
Flint	x	x	x	x	-
Fotinos	x	x	-	-	-
Gardner	-	-	-	-	-
Giansante	x	x	x	x	-
Holyday	x	x	x	x	x
Jakobek	x	x	-	x	-
Johnston	-	x	-	x	-
Jones	x	x	x	x	x
Kelly	x	x	x	x	x
Kinahan	x	x	-	-	-
King	x	x	x	x	x
Korwin-Kuczynski	-	x	x	x	x
Layton	x	x	-	x	x
Lindsay Luby	x	x	x	x	x
Li Preti	x	x	-	-	-
Mahood	x	x	x	x	x
Mammoliti	x	x	x	-	-
McConnell	x	x	x	x	x
Mihevc	x	x	x	x	x
Miller	x	x	-	-	-
Minnan-Wong	x	x	x	x	x
Moeser	-	-	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
O'Brien	x	x	-	x	x
Ootes	x	x	x	x	x

Minutes of the Council of the City of Toronto  
December 14, 15 and 16, 1999

---

December 16, 1999	Cte. of the Whole in-camera 2:15 p.m.	3:57 p.m. to 6:02 p.m.*	Roll Call 4:55 p.m.	Cte. of the Whole in-camera 6:08 p.m.	6:35 p.m. to 6:49 p.m.*
Pantalone	x	x	x	-	-
Pitfield	-	-	-	-	-
Prue	x	x	x	-	-
Rae	x	x	x	x	x
Saundercook	x	x	x	-	-
Sgro	-	-	-	-	-
Shaw	x	x	x	x	-
Shiner	x	x	x	x	x
Silva	-	-	-	-	-
Sinclair	x	x	x	x	x
Soknacki	x	-	-	-	-
Tzekas	x	x	x	x	x
Walker	-	x	x	-	x
Total	44	48	39	34	30

\* Members were present for some or all of the time period indicated.

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk

## **ATTACHMENT NO. 1**

Report dated September 30, 1999, from the Chief Financial Officer and Treasurer, entitled "Feasibility of Implementing a Parking Levy on Private/Public Parking to Support Public Transit and Application of Revenues from Parking" (See Minute No. 14.64, Page 168.):

### Purpose:

This report examines the feasibility of implementing a parking levy on private and public parking in support of public transit in the City of Toronto. This report also provides an overview of the application of revenues from the City's parking-related programs/services and examines the feasibility of allocating a portion of existing or future revenues to support the Toronto Transit Commission (TTC).

### Funding Sources:

There are no financial implications for the current year with respect to this report.

### Recommendation:

It is recommended that this report be received for information.

### Council Reference:

At its meeting of April 26, 27 and 28, 1999, City Council adopted Clause No. 1 of Report No. 8 of The Strategic Policies and Priorities Committee, headed "1999 Operating Budget". In adopting the TTC's 1999 Operating Budget, Council requested a number of reports aimed at generating additional revenues or allocating revenues from parking-related programs/services to support public transit in the City, viz.:

- (a) on the feasibility of implementing a \$1.00 levy that could be charged on private and public parking in the City of Toronto, to offset future TTC fare increases;
- (b) a recommended comprehensive parking levy, as part of a long-term strategy to sustain public transit in the City of Toronto, including the feasibility of dedicating a portion of revenue generated from permit parking, front yard parking, parking meters and municipal parking lots, such report to assess the anticipated economic impact of such a parking levy on businesses in the City of Toronto, as well as any correlation which might be expected, based on past experience with the Commercial Concentration Tax; and
- (c) a review of the revenue generated by automobiles (e.g., parking fees, parking tags, etc.) and that the Planning and Transportation Committee be directed to recommend to Council what portion of the revenue should be allocated to the TTC.

Comments:

(1) Feasibility of Implementing a \$1.00 Parking Levy on Private/Public Parking:

In order to assess the feasibility of implementing a \$1.00 levy that could be charged on private and public parking in the City of Toronto to offset future TTC fare increases, it is necessary to know whether the proposed levy is to be based on, (a) the number of parking spaces or, (b) on a per vehicle parked basis. In the case of the latter, it is necessary to determine whether the charge of \$1.00 per vehicle constitutes a sales tax and, therefore, renders the City ineligible to collect it. The City’s Legal Services Division was requested to provide advice respecting the City’s authority to implement the proposed levy.

Legal Services conducted a comprehensive review of the relevant sections of the Municipal Act and applicable court decisions. Section 220.1 of the Municipal Act, which permits a municipality to pass by-laws for imposing fees and charges, provides as follows:

“220.1(2) Despite any Act, a municipality and a local board may pass by-laws imposing fees or charges on any class of persons,

- (a) for services or activities provided or done by or on behalf of it;

...

- (c) for the use of its property including property under its control.

...

- (4) No by-law under this section shall impose a fee or charge that is based on, is in respect of, or is computed by reference to,

...

- (b) the use, purchase or consumption by a person of property other than property belonging to or under the control of the municipality or local board that passes the by-law;

- (c) the use, consumption or purchase by a person of a service other than a service provided or performed by or on behalf of or paid for by the municipality or local board that passes the by-law;

- (6) A by-law under this section may provide for,

- (a) fees and charges that are in the nature of a direct tax for the purpose of raising revenue;

...”

The above provisions of the Municipal Act were ruled on by the Ontario Court (General Division) in the case of *Re Carson's Camp Ltd.* and a by-law passed by the Township of Amabel that imposed a fee or charge for each seasonal, tent and trailer site on campground owners. Based on the decision of the court, it is the view of Legal Services staff that City has no authority to pass a by-law under section 220.1 to levy a \$1.00 levy on private parking in the City of Toronto on either the number of parking spaces or on a per vehicle parked basis. Such a levy would not relate to the use of City property and the City would not be providing any service, therefore, any such levy would constitute indirect taxation, as the levy would in all likelihood be passed on to the users of the parking facility for the purpose of raising revenue for the TTC. Such a levy would also be prohibited by clauses 220.1(4)(b) and (c) which prohibit Council from passing a by-law in respect of the use, purchase or consumption of property or a service provided by a private parking lot operator.

With regard to imposing a levy on public parking spaces operated by the Toronto Parking Authority, it should be noted that the Toronto Parking Authority is a local board of the City which has been given jurisdiction over the construction, maintenance, operation and management of municipal parking facilities. As a local board, it could pass a by-law under section 220.1 to levy a \$1.00 fee on users of the parking facilities it operates on behalf of the City, however, based on the Ontario Court ruling in the above-noted case, it is also Legal staff's view that such a fee could only be used for the purposes of the Toronto Parking Authority and not for the purpose of offsetting TTC costs.

In the event that a parking tax or levy was imposed only on public parking facilities operated by the Toronto Parking Authority, such a levy could potentially create an unfair pricing situation. If such were the case, the Authority might be required to absorb the tax in its existing rates in order to remain competitive and thereby such a levy would not result in the generation of additional revenue. This action could negatively impact the City's share of Authority revenues that are applied as a corporate funding source in the Operating Budget.

(2) Feasibility of Implementing a Parking Levy on Residential/Non-Residential Properties:

In respect to Council's second report request concerning a comprehensive parking levy to sustain public transit in the City of Toronto, Legal staff was also asked to advise on whether the City has authority to impose a parking levy on residential/non-residential properties and, if not, what authority would be required to enable it to do so. Legal has responded that the City does not have authority to impose a parking levy on residential/non-residential properties. In order to get that authority, special legislation would be required. If an application for special legislation were made, it would be

circulated to various provincial ministries for comment.

At this point in time Legal staff indicate that it is difficult to predict how the Province or the private sector would view any such application. In addition, it should be noted that the Metropolitan Council on September 24 and 25, 1997, adopted Clause No. 5 of Report No. 19 of The Planning and Transportation Committee which recommended that the Province of Ontario be requested to amend the applicable legislation to provide authority for the new City of Toronto to implement a municipal parking surcharge and other road user fees, if it so desires. To date, the Province has not acted upon that request.

It is further noted that in April of 1999, Hemson Consulting Ltd., in association with C.N. Watson & Associates, prepared a report, entitled "Funding Transportation in the Greater Toronto Area and Hamilton-Wentworth", that speaks to the problem of inadequate funding for transportation infrastructure. The report reviews and discusses additional revenue sources to fund transportation infrastructure, one of which is a parking tax. The report concluded that a parking tax would not be effective for the following reasons:

- it would be difficult to implement since it would not reflect system use;
- large employment centres would pay a disproportionate share of the tax;
- the tax would have to be very large to recover any significant amount of revenue;
- it would act as a disincentive to providing adequate parking; and
- the vast majority of spaces are provided free of charge resulting in no effective way of passing the costs on to consumers.

(3) Parking Tax (Levy) Experience in Other Jurisdictions:

In preparing this report, Finance staff consulted with other jurisdictions that have considered or have the ability to impose a parking tax. City and/or transit representatives of the cities of Chicago, Cleveland, San Francisco and Vancouver were contacted to obtain information and input on a parking tax.



### Chicago

Staff in the City of Chicago advised that they had considered imposing a parking tax to generate additional revenue, however, the proposal was dismissed by elected officials, prior to conducting any research, due to the lack of information on the number of parking spaces and the notion that, since there was no paid parking in the suburbs, the tax would be perceived as a “downtown tax”.

### Cleveland

The City of Cleveland does have a parking tax, but it is used to fund the new football stadium rather than to fund public transit. The City also charges a 1 percent sales tax, in order to fund public transit. In discussions with City of Cleveland staff, there did not appear to be any significant research done on the issue since the idea came about in response to the public outcry at the loss of its football team. City of Cleveland staff indicated that implementing the tax was not that difficult, since the City Planning Department keeps updated inventory numbers on public and private parking spaces and their respective turnover rates.

### San Francisco

The City of San Francisco has a “capital charge” (equivalent to the City of Toronto’s development charge) to fund the City of San Francisco’s capital transit stock. The charge is \$5.00 per square foot of development. The charge applies to all space, not just parking spaces. The charge was a very contentious issue with the development community during its implementation.

### Vancouver

On July 29, 1998, the Province of British Columbia, passed Bill 136, Greater Vancouver Transportation Authority Act. The Act permits the authority to assess a parking tax on one or both of:

- (a) the taxable parking area of parking sites located in the transportation service region; and/or
- (b) the taxable parking spaces of parking sites located in the transportation service region.

In 1992, the Province of British Columbia introduced Bill 51 (BC Transit Amendment Act) which permitted a municipality or regional transit commission to impose a tax on either the parking area or parking spaces of parking sites within the transit service area or within portions of the transit service area.

Although the City of Vancouver does have the ability to impose a parking tax on space, it has yet to be implemented. The concept of Vancouver's parking tax is similar to the abolished GTA Commercial Concentration Tax (CCT) in Ontario that was based on property assessment information. The proposed tax rate of \$1.00/square foot is the same as the former CCT, but there are some differences in the properties to be exempted as well as the threshold footages above which the tax would be triggered (200,000 square feet in the GTA versus 50,000 square feet in BC). It is worthy to note that, in 1992, when Vancouver Transit considered the introduction of the parking levy, the Ontario Legislature was already debating whether to abolish the CCT.

The report (July 7, 1999) to the Policy and Finance Committee from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Toronto Transit Commission - Provincial Municipal Funding Trends and Longer Term Funding Strategies", discussed how other jurisdictions' transit operating and capital costs are funded and proposed alternate long-term and sustainable sources of revenue in order to maintain the TTC's economic viability. At its meeting of July 27, 1999, City Council referred this report back to the TTC for further consideration.

(4) Economic Impact Resulting from a Parking Levy and CCT Experience:

An assessment of the economic impact of imposing a parking levy on businesses in the City of Toronto has not been conducted, due to the lack of clarity regarding the nature and amount of any proposed levy. However, based on the past experience with the CCT, it is likely that a new levy could also act as a hindrance and disincentive to growth and development of business. For example, at the onset of the recession during the early 1990s, hotel charges were increased by \$4.00 to \$6.00 a night to cover the additional costs for the CCT. Businesses, including restaurants, saw significant drops in their sales and commercial and office buildings experienced increased vacancy rates. A more in-depth review of the CCT is provided in Appendix 1.

(5) Current Application of Parking Revenues:

In conjunction with assessing the potential for implementing a parking levy, Council also directed that staff review the feasibility of dedicating a portion of the revenue generated from permit parking, front yard parking, parking meters and municipal parking lots to support public transit costs.

City Council at its meeting on April 26, 27 and 28, 1999, approved the 1999 Operating Budget. Contained within the 1999 net expenditure budgets for various programs are net revenues totaling \$56.6 million which are derived from "parking-related services" including parking tags, parking fines, residential/boulevard parking permits, on-street metered parking and off-street

parking facilities. The table below shows the source of revenue, associated expenditures and application of net revenues in the 1999 Operating Budget.

Application of Parking Related Net Revenues (000's)						
Revenue Source	Revenue	Expenses	Net Revenue	Net Revenue Applied To		
				Programs		General
Parking Tags and Fines	51,600	26,300	25,300	-		25,300
Residential/Commercial Permits	4,500	2,800	1,700	1,700	(1)	-
On Street Metered Parking	15,777	2,343	13,434	4,708	(1)	8,726
Off Street Parking Facilities	44,542	28,383	16,159	9,338	(2)	6,822
<b>Total</b>	<b>116,419</b>	<b>59,826</b>	<b>56,593</b>	<b>15,746</b>		<b>40,848</b>

- (1) Transportation Program  
(2) Toronto Parking Authority

Over \$40.8 million (72.1 percent) of total net revenues from parking were applied to general City revenues in the 1999 Operating Budget. This treatment supports overall operations and directly reduces the amount of revenue that has to be raised from taxation to balance the City's taxation budget. \$6.4 million (11.3 percent) was applied as a program revenue to partially fund the operations of the Transportation Program which directly manages the City's residential and commercial parking permits. The Transportation Program receives this revenue as it is responsible for maintaining the City's streets which allow the use of on-street parking. The balance of \$9.3 million (16.5 percent) is retained by the Toronto Parking Authority (TPA) to self-finance its capital program. The purpose of the TPA is to provide affordable parking to enhance the viability of the City's commercial and residential areas, in keeping with the City's overall objectives.

The redirection of existing parking-related revenues from how these are currently applied to support the TTC could create budget pressures for the program(s) involved and potentially impact the City's operating budget. In addition, the ability of the Toronto Parking Authority to self-finance its capital works program could be affected.

Council could consider the allocation of increases in parking related revenues (future revenue increases not currently budgeted) to fund the TTC's operating or capital budget. Council's recent approval of new on-street metered parking rates; revisions to the voluntary payment and set fine amounts for parking meter violations, as well as some changes in the tagging policy for certain areas of the City, should result in an increase in revenues upon full implementation. In addition, a review of the City's revenue sharing

arrangement with the Toronto Parking Authority is underway which could result in some adjustment in the current allocation of net revenues. Increases in revenues from the foregoing have not been specifically earmarked at this time, however, it should be noted that directly subsidizing one program's expenditures with another program's revenues could distort expenditure decisions and corporate priorities. Accordingly, given the City's financial constraints, it is deemed appropriate to allocate any increase in the above-noted revenues to the City's general revenues, thereby offsetting overall corporate funding pressures.

Notwithstanding the foregoing, if Council wishes to consider allocating a portion of future parking revenue increases to the TTC, it should request the Budget Advisory Committee to report during the 2000 Operating Budget Process on the amount of revenue that could be allocated for TTC purposes. It is noted that the implementation of revised parking meter rates are anticipated to generate a net revenue increase of about \$2.2 million in 2000. Pending the submission of 2000 revenue estimates by the related programs, it is difficult to assess the projected increase in revenues that could be considered for allocation without impacting other City programs. It is also worth noting that Finance staff are reviewing the general issue of allocating revenues and I will be reporting on a corporate allocation policy in the near future.

#### Conclusions:

The City has no authority to pass a by-law under the Municipal Act to impose a \$1.00 levy on private parking in the City of Toronto on either a the number of parking spaces or on a per vehicle parked basis. The City could pass a by-law under section 220.1 to levy a \$1.00 fee on users of parking facilities operated by the Toronto Parking Authority on behalf of the City, however, such a fee could only be used for the purposes of the Toronto Parking Authority and not for the purpose of offsetting TTC costs. The implementation of a new parking levy on residential/non-residential properties would require special legislation. It is difficult to predict how the Province would view an application for such a change in legislation as, to date, it has not acted upon a request from the former Metropolitan Toronto to provide authority for the new City of Toronto to implement a municipal parking surcharge and other road user fees, if it desired.

Staff research of four cities in Canada and the United States found that currently only the City of Cleveland has a parking tax and it is used to fund a new football stadium as opposed to funding public transit. Although the Province of British Columbia passed Bill 51, in 1992, providing authority for the City of Vancouver to impose a parking tax on space (similar to the former Commercial Concentration Tax which in Ontario which was abolished in 1993) to support the transit system, it has yet to be implemented.

The redirection of existing parking-related revenues from how these are currently

applied to support the TTC could create budget pressures for the program(s) involved, could skew expenditure decisions and potentially impact the City's Operating Budget. In addition, the ability of the Toronto Parking Authority to self-finance its capital works program could be affected.

If Council wishes to consider allocating a portion of future parking revenue increases as a result of changes in parking rates, fines and tagging policies to the TTC, it should request the Budget Advisory Committee to report during the 2000 Operating Budget on the amount of increased revenues that could be allocated for TTC operating or capital purposes without impacting other City programs.

Contact Names:

C. Bruno  
Senior Budget Analyst  
397-4218

D. Altman  
Manager, Financial Planning  
397-4220

G. Vollebregt  
Director, Budget Services  
392-9095

L. Brittain  
Director, Treasury and Financial Services  
392-5380

---

Appendix 1

Background Information

Overview of Funding for Transit Services' Operating and Capital Costs in Other Jurisdictions:

Generally, in Canada, only the provinces of Alberta, British Columbia, Manitoba and Quebec provide some funding to municipalities that can be applied towards transit. Funding sources include per-capita operating and capital grants, special project grants, operating and capital cost-sharing arrangements, contributions from gas taxes, parking taxes, hydro levies, other levies and other license fees. In contrast, in the United States, the Federal Government provides about 50 percent of all transit capital funding and 3 percent of all operating funding. In addition, average States funding represents 13 percent of local transit capital costs, and 22 percent of local transit operating costs.

(Reference: Report (June 16, 1999) to Toronto Transit Commission from Vincent Rodo, Interim Chief General Manager).

The report (July 7, 1999) to the Policy and Finance Committee from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled

“Toronto Transit Commission - Provincial Municipal Funding Trends and Longer-Term Funding Strategies”, discussed how other jurisdictions’ transit operating and capital costs are funded and proposed alternate long-term and sustainable sources of revenue in order to maintain the TTC’s economic viability. At its meeting of July 27, 1999, City Council referred this report back to the TTC for further consideration.

The above-noted report cites how British Columbia’s Translink, the regional transportation system for the Vancouver region and Montreal’s Agence Metropolitaine de Transport (AMT) for the Greater Montreal Region are funded through a wide range of revenue sources, including: fuel taxes, hydro levy, provincial sales tax on parking, non-residential parking tax, dedicated vehicle licence surcharge, property levies on municipalities that receive commuter train service, property levies for capital asset funding and provincial subsidy for commuter rail infrastructure.

A. Commercial Concentration Tax

The Commercial Concentration Tax (CCT) was introduced by the provincial government in its 1989 Ontario Budget, for implementation on January 1, 1990. The CCT was one of a few initiatives to fund a \$2-billion provincial Transportation Capital Program (TCP) over a period of five years (1989 - 1994) aimed at reducing congestion and improving access to growing markets throughout Ontario. Of the \$2 billion, \$1.24 billion (62 percent) was committed to projects within the GTA. These included road and highway expansion (Highways 401, 403 and 407), municipal road links in Metro and surrounding areas and transit improvements. The CCT was imposed on properties in the Greater Toronto Area only. The rationale was that the people who receive the direct benefit, i.e. improved transportation services, should pay for the project costs.

A.1 Principal Provisions of the CCT:

- an annual tax of \$10.75/m<sup>2</sup> (\$1/ft<sup>2</sup>) to be imposed on all commercial properties exceeding 18,600 m<sup>2</sup> (approx. 200,000 ft<sup>2</sup>) and all commercial parking lots in the GTA;
- the first 200,000 ft<sup>2</sup> of commercial properties (not including parking lots) to be exempt;
- total area of parking lot to be subject to CCT;
- the tax to be levied against the land, and, therefore the landlord of the property to be responsible for the payment of the tax;
- race tracks, pipelines, trucking depots, warehouses, research and development facilities, residential and industrial properties to be exempt;
- land that is exempt for taxes for municipal or school purposes by any Act to be exempt except commercial parking lots operated by a municipality or local board; and

- commercial parking lots operated on a seasonal basis to be exempt.

#### A.2 Economic Impacts of the CCT

The CCT was estimated to generate \$625 million over five years, or an average of \$125 million annually, from both commercial properties and parking lots in the GTA. (In 1992, the CCT brought in \$111 million for the Province.) For the former Metro Toronto, the greatest impact of the CCT was experienced by the parking operations of four of the Special Purpose Bodies, namely, Exhibition Place, the Metropolitan Toronto Zoo, the TTC and the Metropolitan Toronto and Region Conservation Authority. The TTC experienced the largest single impact of all the Special Purpose Bodies. It was liable for an annual CCT of \$3.58 million on its parking lots. The total combined taxes levied on parking lots, together with taxes on commercial buildings through office leases, were just over \$5 million every year. As well, the Parking Authority of Toronto (PAT), the public parking operator of the former City of Toronto, paid about another \$5 million a year on its parking operations.

At the time, many parking lots were losing money but still had to pay the CCT, which was viewed as punitive. For example, Whitby's municipal lots generated \$105,000.00 a year in revenue but were liable for \$165,000.00 in CCT, and they subsequently made all town parking lots free to fight the tax. Toronto's TTC also removed all parking charges on its commuter lots until the CCT was abolished. During the period the CCT was in effect, the PAT temporarily closed sections of its parking facilities to avoid payment of the tax on under-utilized parking spaces.

The CCT was introduced during the economic boom in the late 1980s. At the onset of the recession during the early 1990s, it was obvious that the CCT had become a hindrance and disincentive to growth and development of businesses in the GTA. For example, during this time, hotel charges were increased \$4.00 to \$6.00 a night to cover the additional costs. Businesses, including restaurants, experienced a significant drop in their sales. Commercial buildings and office spaces experienced increased vacancy rates.

Furthermore, the CCT was perceived as an unfair and discriminatory burden based on size only (for commercial properties) -- the large landowners and developers were the hardest hit.

From the municipalities' perspectives, they viewed the tax as biased against the GTA, since the tax was imposed in the GTA only. In addition, the revenues generated from the CCT were applied to the Province's general revenues and not designated to fulfil the purpose the tax was first intended. At the time, Metro was trying to maintain existing aging infrastructure and attempting to find solutions to its own internal pressing transportation issues. Given that 64 percent of the estimated revenues to finance the Transportation Capital Program originated in Metro, it was expected that the Province would develop transportation initiatives in collaboration with Metro.

Such was not the case.

The fact the CCT was opposed by businesses, as well as GTA municipalities, especially Metro, contributed to the increased pressure in the Ontario Legislature to abolish the tax in 1993 and the legislation was finally repealed in 1997.

B. Municipal Parking Surcharge (Metropolitan Toronto - Request to Amend Legislation):

The former Metropolitan Council considered the subject of a municipal parking surcharge, as a form of transportation user fee, in September 1997. Based on information contained in a report (July 31, 1997) from the Acting Commissioner of Planning, Council directed that the Province of Ontario be requested to amend the applicable legislation to provide authority for the new City of Toronto to implement a municipal parking surcharge and other road user fees, if it so desires. The municipal parking surcharge idea was put forward as a possible form of user fee in a proposed "Short-Term Pro-Transit Strategy".

The report cited the following benefits:

- (i) it would act as a visible expense for drivers, requiring payment of parking for each trip, thereby have a greater chance of influencing the decision to drive versus an alternative mode of travel;
- (ii) it could be structured to apply to all-day parking users (driving to work or school), thereby not affecting short-stay parkers conducting business, shopping or other purposes; and
- (iii) conceptually, the surcharge represents an extension of an existing charge.

The following key disadvantages of a parking surcharge were also noted:

- (i) provincial legislation would need to be enacted to allow municipalities to levy such a surcharge; and
- (ii) it would require a new administrative structure for collection and enforcement; in addition, start-up costs to undertake an inventory of parking spaces affected, establish a business plan and conduct a public information program would be significant.

The report (July 31, 1997) from the Acting Commissioner of Planning estimated the net annual revenue that could be generated from implementing a \$1.40 per day surcharge on all non-residential, off-street parking spaces used for all day parking at \$100 million (net) annually across the City (formerly Metropolitan Toronto). A rate of \$3.45 per day would be required to generate the same net income level, if only



parking spaces in areas well-served by rapid transit were included.

The estimated net revenue from a municipal parking surcharge could be substantial, however, the City would need to consider exemptions from any proposed levy in order to ensure that other corporate policies are not adversely impacted, for example, business improvement initiatives and TTC commuter parking lots. Accordingly, the level of net revenues that could be realized would be lower.

**Requirements to Proceed:**

In the event that Council decides to proceed with the implementation of a municipal parking surcharge, it would first need to obtain provincial enabling legislation that included provisions for inspection and auditing of privately-operated parking facilities.

Secondly, the City would need to conduct a lot-by-lot inventory of all parking facilities that are potentially affected. Although, the current CVA assessment database contains information for stand-alone parking facilities (assessment amounts, not number of spaces), it is still necessary to determine the number of parking spaces and obtain other information respecting parking usage. In addition, properties with parking operations forming part of commercial buildings and other types of developments would need to be captured separately.

A business plan would need to be developed that identified all parking spaces, times affected, surcharge rates and administrative requirements, including collection, inspection and auditing.

Next, the City would have to approve by-laws to give effect to the parking surcharge, rates, conditions and other provisions. The administrative structure necessary to implement the surcharge, including staffing and support, would have to be established. Also, a public information program to explain the surcharge and its use would be appropriate. Finally, the City would initiate collection, inspection and auditing procedures.

**ATTACHMENT NO. 2**

Communication dated November 8, 1999, from the City Solicitor, addressed to the Director, Secretariat, Printing and Distribution, Office of the City Clerk, entitled "Members of Council Severance Remuneration By-law No. 543-1999 and Criminal Convictions" (See Minute No. 14.66, Page 109.):

Request

By memorandum dated August 26, 1999, you have requested the City Solicitor's opinion on the City's ability to restrict the payment of severance remuneration in the circumstances described in the letter dated August 18, 1999, from Councillor Nunziata to the City Clerk. My comments are as follows.

Eligibility under By-law No. 543-1999

The Councillor's first concern is "...whether the severance package available to departing Council Members would apply when a member of Council has been charged with a criminal offence [?]". Under City of Toronto By-law No. 543-1999, being a by-law "To provide severance remuneration for members of Council" (copy attached), a Member of Council who has been charged or convicted of a criminal offence related to their duties will still be eligible to receive a severance package unless subsection 2(2) applies. Subsection 2(2) of By-law No. 543-1999 prohibits the payment of severance remuneration when the Member's seat on Council is or will become vacant by operation of law. Subsection 2(2) is as follows:

- "(2) No severance remuneration shall be paid where the Member's seat becomes vacant by reason of, or the member resigns and the resignation is a result of or given in anticipation of the following:
- (a) the Member being disqualified to be a Member of the Council under the provisions of any Act of the Parliament of Canada or any Act of the Legislature of the Province of Ontario; or
  - (b) the seat of the Member of the Council becoming vacant by reason of the operation of any Act of the Parliament of Canada or any Act of the Legislature of the Province of Ontario."

Conviction of a criminal offence in respect of a member's duties does not automatically result in the Member being disqualified to hold office or their seat being declared vacant, with one exception. The exception is a conviction under the Criminal Code for an offence in connection with an act or omission that relates to an election under the Municipal Elections Act, 1996 [s. 91 Municipal Elections Act, 1996].

However, the Member's conduct that resulted in the criminal charges could also cause the Member to lose his or her seat by operation of law within the meaning of subsection 2(2) of By-law No. 543-1999. For example, the same conduct could result in the Member's seat being forfeited as a result of an action brought under the Municipal Conflict of Interest Act [ss. 5, 9 and 10] or the Municipal Elections Act, 1996 [ss. 90 and 91].

The criminal proceedings or the imposition of a penalty of incarceration upon conviction, could also result in the member losing their seat under the Municipal Act in the following circumstances:

- (a) if the Member is absent from Council meetings for three successive months unless authorized to do so by a Council resolution [s. 38(c)];
- (b) if the Member ceases to be a resident in the City, the owner or tenant of land in the City or the spouse of an owner or tenant in the City [ss. 37(2)(a) and 38(a)];
- (c) if the Member is prohibited from voting in a municipal election, and, under subsection 17(3) of the Municipal Elections Act, 1996, a person who is serving a sentence of imprisonment in a penal or correctional institution is prohibited from voting (although this prohibition on prisoners voting may be subject to a future Charter challenge) [s. 37(2)(c) & 38(a)].

These statutory provisions are discussed in more detail in Clause No. 2 of Report No. 5 of The Administration Committee, headed "Code of Conduct for Members of Council Inclusive of Lobbyist Provisions", adopted, as amended, by Council at its meeting held on September 28, 29 and 30, 1999.

#### Amendment to By-law No. 543-1999

The Councillor's related question is "...would it not be advisable to draft a change to the severance payout criteria that would withhold any payment to an elected Member, if they have been charged with a criminal offence related to their duties as an elected Member, until such time as the courts have dealt with the charges? If convicted of the offence...the Council Member should be ineligible for any severance payout".

By-law No. 543-1999 was enacted under section 242 of the Municipal Act, which is as follows:

"242. (1) Despite any general or special Act, the council of a municipality may pass by-laws for paying remuneration to the members of council, and such remuneration may be determined in any manner that council considers advisable.

(2) The remuneration to be paid may be determined in different manners and be of different amounts for different members of council.”

In my opinion, the amendment proposed by the Councillor could be enacted by Council, if it decided to do so, under section 242 of the Municipal Act. The proposed amendment is consistent with the general approach to severance payments in similar situations where a person who would normally be eligible for a severance payment is convicted of a criminal offence in connection with their employment or duties of office. For example, if an employee is convicted of a criminal offence and there is some nexus to the job, an employer would likely fire the employee and would not pay severance pay. As noted below, there is also the precedent contained in the former City of York’s severance remuneration by-law.

The former City of York’s severance remuneration by-law has provisions similar to subsection 2(2) of By-law No. 543-1999, as noted above. This by-law also has the following provisions dealing with a case where a Member is charged with municipal corruption. (This amendment was enacted, in 1994, on a motion from Councillor Nunziata, when she was a City of York Councillor, in response to the City of York’s payment of severance remuneration, in 1991, to Members of Council who pleaded guilty to municipal corruption.)

**“376.2.8 Municipal corruption - conviction - no entitlement**

A Member convicted of municipal corruption contrary to section 123 of the Criminal Code shall not be entitled to receive any severance remuneration.

**376.2.9 Municipal corruption - charges pending - no entitlement**

A Member who is charged with municipal corruption shall not receive any severance remuneration until acquitted of all municipal corruption charges or until all such charges are withdrawn. While any such charges are pending, the severance remuneration to which the Member is otherwise entitled shall be held in trust by the Treasurer. By-law 2936-94, 22 September, 1994.”

The former City of York By-law only refers to the offence of municipal corruption [s. 123 Criminal Code] However, as also noted in the Chief Administrative Officer’s report on the Code of Conduct for Members of Council, the Courts have judicially interpreted the offences of “breach of trust” and “fraud” [s. 122 Criminal Code], and “secret commissions” [s. 426 Criminal Code], as applying to improper conduct by a Member of Council in relation to their duties. In order to fully implement the intent of Councillor Nunziata’s suggested amendment, these additional offences should also be included in the by-law amendment. The motion required to implement the proposed amendment is as follows:

**“NOW THEREFORE BE IT RESOLVED THAT** City Council authorize

the introduction of a bill in Council to amend By-law No. 543-99, being a by-law 'To provide severance remuneration for Members of Council.', to provide that

- (1) no severance remuneration shall be paid to a Member where the Member is convicted of any of the following offences under the Criminal Code, R.S.C. 1985, as amended from time to time, in connection with their conduct as a Member of Council:
  - (a) section 122 (breach of trust; fraud);
  - (b) section 123 (municipal corruption); and
  - (c) section 426 (secret commissions); and
- (2) a Member who is charged with an offence as set out in (1) shall not receive any severance remuneration until all the charges are withdrawn or the Member is acquitted of all the charges that are not withdrawn;
- (3) while any of the charges are pending or a conviction is under appeal, the severance remuneration to which the Member is otherwise entitled shall be held in trust by the Chief Financial Officer and Treasurer;
- (4) where a person who has ceased to be a Member of the Council, whether or not the person was eligible for severance remuneration under By-law No. 543-1999 at that time, becomes again a Member of the Council, any subsequent remuneration paid under By-law No. 543-1999 shall be based on the Member's eligible years of consecutive service from the date that the person again becomes a Member of the Council."

This opinion is given to you and may not be relied upon by any other person except Council Members and persons who are employees, agents or officers of the City of Toronto.

Please call me or Chris Cameron (2-7235) if you have any questions regarding this matter.

Authority: Administration Committee Report No. 2, Clause No. 2,  
as adopted by City of Toronto Council on July 27, 28, 29 and 30, 1999  
Enacted by Council: July 29, 1999

**CITY OF TORONTO**

**BY-LAW No. 543-1999**

**To provide severance remuneration for members of Council.**

WHEREAS subsection 242(1) of the Municipal Act provides that despite any general or special Act, Council may pass by-laws for paying remuneration to the members of Council, and such remuneration may be determined in any manner that Council considers advisable; and

WHEREAS under subsection 1(1) of the Municipal Act, “member” when referring to a member of a council includes the head of the council;

The Council of the City of Toronto HEREBY ENACTS as follows:

**1.** In this By-law, “Member” means a person who is or becomes a Member of the Council of the City of Toronto, as incorporated under the City of Toronto Act, 1997 (No. 1), on or after January 2, 1998, and who is elected under the Municipal Elections Act, or appointed to fill a vacancy in the office of a Member so elected.

**2.** (1) Subject to subsection (2), a Member, who has served as a Member of the Council for a minimum period of thirty (30) days, shall be paid severance remuneration upon ceasing to be a member.

(2) No severance remuneration shall be paid where the member’s seat becomes vacant by reason of, or the Member resigns and the resignation is a result of or given in anticipation of the following:

- (a) the member being disqualified to be a Member of the Council under the provisions of any Act of the Parliament of Canada or any Act of the Legislature of the Province of Ontario; or
- (b) the seat of the Member of the Council becoming vacant by reason of the operation of any Act of the Parliament of Canada or any Act of the Legislature of the Province of Ontario.

**3.** (1) The severance remuneration payable under section 2 shall be equal to one-twelfth (1/12) of the Member’s annual remuneration, at the rate in force immediately before he or she ceases to be a Member, for each year of consecutive service to a maximum of twelve (12) years.

(2) The annual remuneration paid to a Member for the discharge of duties as a Member of the Council includes any salary, indemnity, allowance or other remuneration deemed by section 255, of the Municipal Act to be expenses incidental to the discharge of his or her duties as a Member of the Council.

(3) Where a Member's eligible years of consecutive service includes part of a year, the severance remuneration payable shall be calculated in proportion to the time actually served.

(4) If on December 31, 1997, a Member was a Member of the Council of the former Municipality of Metropolitan Toronto, the former Borough of East York or the former Cities of Etobicoke, North York, Scarborough, Toronto or York, the Member's prior years of continuous consecutive service as a Member of the Council of one or more of the former municipalities shall be counted for the purposes of calculating the Member's years of consecutive service under subsection (1).

(5) A Member's service shall be deemed to be consecutive despite any temporary break in the period of service as a result of a recount under the Municipal Elections Act.

**4.** (1) Severance remuneration shall be calculated by the Chief Financial Officer and Treasurer and shall be paid to the Member at the same time as any other final payment by the City to the Member.

(2) Despite subsection (1), the severance remuneration may be paid in two payments at the request of the Member.

(3) Member contributions to the Ontario Municipal Employee Retirement System shall not be deducted from the severance remuneration.

**5.** (1) A Member, who is eligible to receive severance remuneration under section 2, may also receive additional severance remuneration in the form of an allowance for out-placement, transition or retirement counselling of up to a maximum of three thousand, five hundred dollars (\$3,500.00).

(2) If a Member does not use counselling services within one (1) year of ceasing to be a Member, the counselling allowance shall not be due or paid.

(3) Despite section 4, the allowance for counselling services is payable only after approval of the receipts for the counselling services by the Chief Financial Officer and Treasurer.

ENACTED AND PASSED this 29th day of July, A.D. 1999.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)

Communication dated December 9, 1999, from the City Clerk, entitled “Installation of Underground Cables – 2258 Danforth Avenue and 2300 Danforth Avenue (Ward 26 – East Toronto)” (See Minute No. 14.73, Page 120.):

Recommendation:

The Telecommunications Steering Committee on December 9, 1999, recommended to City Council the adoption of the report (November 23, 1999) from the Commissioner of Works and Emergency Services, wherein it is recommended that City Council approve the installation of underground fibre optic cables across Gledhill Avenue, linking 2258 Danforth Avenue and 2300 Danforth Avenue, provided the owner and such other licensees as may be required by the City Solicitor enter into an agreement with the City of Toronto, agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;
- (b) maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (c) provide ‘as built’ drawings upon completion of all installations;
- (d) remove the fibre optic cables upon receiving 90 days notice so to do;
- (e) pay an annual encroachment fee as approved by City Council for this type of use (1999 rates are \$20.34 per lineal metre of cable in the area bounded by Lake Ontario, Bathurst Street, Bloor Street and Jarvis Street and \$10.17 per lineal metre of cable elsewhere in the City within the public right of way, which fee shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);
- (f) notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (g) 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.

Background:



The Telecommunications Steering Committee on December 9, 1999, had before it a report (November 23, 1999) from the Commissioner of Works and Emergency Services, entitled "Installation of Underground Cables - 2258 Danforth Avenue and 2300 Danforth Avenue - (Ward 26 - East Toronto)".

(Report dated November 23, 1999,  
from the Commissioner of Works and Emergency Services,  
entitled "Installation of Underground Cables –  
2258 Danforth Avenue and 2300 Danforth Avenue (East Toronto)".)

Purpose:

To report on a request from T & C Communications for permission to install fibre optic cables under and across Gledhill Avenue, linking 2258 Danforth Avenue and 2300 Danforth Avenue for computer and telephone systems.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that City Council approve the installation of underground fibre optic cables across Gledhill Avenue, linking 2258 Danforth Avenue and 2300 Danforth Avenue, provided the owner and such other licensees as may be required by the City Solicitor enter into an agreement with the City of Toronto, agreeing to:

- (a) indemnify the City from and against all actions, suits, claims or demands and from all loss, costs damages, charges and expenses that may result from such permission granted;
- (b) maintain the fibre optic cables in good and proper repair and a condition satisfactory to the Commissioner of Works and Emergency Services;
- (c) provide 'as built' drawings upon completion of all installations;
- (d) remove the fibre optic cables upon receiving 90 days notice so to do;
- (e) pay an annual encroachment fee as approved by City Council for this type of use (1999 rates are \$20.34 per lineal metre of cable in the area bounded by Lake Ontario, Bathurst Street, Bloor Street and Jarvis Street and \$10.17 per

lineal metre of cable elsewhere in the City within the public right of way, which fee shall automatically increase on the first day of January in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) for the Toronto Census Metropolitan Area);

- (f) notify the City of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (g) 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.

Comments:

Mr. Mel Wilder, co-ordinator for T & C Communications, acting on behalf of the owner of the M Ison Limited, o/a Toronto Honda at 2258 Danforth Avenue, Toronto, Ontario M4C 1K3, submitted an application for permission to install underground fibre optic cables under and across Gledhill Avenue, linking 2258 Danforth Avenue and 2300 Danforth Avenue. The communication cables will provide a connection for computers and telephone systems.

For your Committee's information, your Committee had a similar request from Ryerson Polytechnic University, earlier this year, for permission to install communication cables under and across Bond Street, linking 111 Bond Street with 122 Bond Street. City Council, at its meeting of July 6, 7 and 8, 1999, in considering the matter, approved our report (June 7, 1999), subject to three amendments embodying the following recommendations from the Chairman, Telecommunications Steering Committee:

- (a) the agreement be amended to require Ryerson to provide to the Telecommunications Steering Committee, through the Office of the Chief Administrative Officer, technical information on all of the above- and below-ground installations, cabling, structures and conduits or ducts which Ryerson uses for telecommunications purposes that cross or use City rights-of-way or other City property;
- (b) the agreement between the City and Ryerson include the requirement that the City be notified of any contemplated third-party use of the cable, wire, conduit, or right-of-way, such that the agreement will be subject to re-negotiation; and
- (c) Ryerson be required to make available, for the use of the City, extra fibre optic wires, if and when installed, and space inside the conduit to be installed for City installation of fibre optic wiring.

In reviewing the most recent request on behalf of Toronto Honda, it would appear that it may be appropriate to include a similar recommendation as outlined in Item No. (b) as described above and, therefore, we have included it as a condition of approval.

Conclusions:

As the fibre optic communication cables will not impact negatively on the public right of way or existing underground utility and City services, the communication cables should be permitted.

Contact:

Ken McGuire, Supervisor, Construction Activities  
Telephone: 392-7894, Fax: 392-0816, E-mail: [kmcguire@city.toronto.on.ca](mailto:kmcguire@city.toronto.on.ca)

David C. Kaufman  
General Manager, Transportation Services

Barry H. Gutteridge  
Commissioner, Works and Emergency Services

**ATTACHMENT NO. 4**

Communication dated December 9, 1999, from the City Clerk, entitled “Extension of Agreement with Stream Intelligent Networks Corp. – PATH Tunnels Beneath City Parks” (See Minute No. 14.74, Page 122.):

Recommendation:

The Telecommunications Steering Committee on December 9, 1999, recommended to City Council that the PATH agreement with Stream Intelligent Networks Corp. be extended to include pedestrian tunnels beyond the downtown PATH system beneath road allowance and City parkettes, otherwise on the same terms and conditions that have been agreed to in the existing agreement.

The Telecommunications Steering Committee reports, for the information of City Council, having requested the Acting Commissioner of Urban Planning and Development Services, in consultation with the appropriate City Officials, to report back to the Telecommunications Steering Committee with a map of the extended area, including where it intersects with Toronto Hydro installations.

Background:

The Telecommunications Steering Committee, at its in-camera meeting on December 9, 1999, had before it a facsimile communication received by Councillor John Adams on December 8, 1999, from Mr. Franco G. Lofranco, Executive Director, Stream Intelligent Networks Corp., requesting an addition to the existing agreement with the City to include PATH tunnels beneath park lands.

(A copy of the aforementioned communication dated December 8, 1999, from the Executive Director, Stream Intelligent Networks Corp., is on file in the Office of the City Clerk.)

## **ATTACHMENT NO. 5**

Report dated December 13, 1999, from the Chief Administrative Officer, entitled “Administrative Implications of Bill 25 – the ‘Fewer Municipal Politicians Act, 1999’ ” (See Minute No. 14.75, Page 123.):

### Purpose:

This report provides Council with a summary of the provisions of Bill 25 that have a direct impact on Toronto City Council. The report presents an overview of the governance and administrative issues that will be brought into play as a consequence of this legislation.

### Financial Implications and Impact Statement:

This report has no direct financial implications. Because Bill 25 is likely to result in a fundamental redrawing of ward boundaries, it may be advantageous for Council to fast-track the harmonization of certain by-laws that are tied to old boundaries. Staff will report further on which by-law harmonizations should be expedited and on the financial implications.

### Recommendations:

It is recommended that:

- (1) the Chief Administrative Officer (CAO), in consultation with the City Clerk, review the impact of a 44-Member Council on the Council-Committee structure and report to Council on changes that may be necessary to the size of Council committees;
- (2) the CAO and the City Clerk review the implications of a smaller Council for the composition of agencies, boards and commissions and report thereon to the Striking Committee;
- (3) the Commissioners review the implications of Bill 25 for their timetables for harmonization of by-laws and report thereon to the relevant standing committees;
- (4) the Chief Financial Officer and Treasurer report to the Policy and Finance Committee on the implications of Bill 25 for the ward-by-ward analysis of assessment data; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

### Background:

On December 6, 1999 the Ontario Legislature approved the first reading of Bill 25, the "Fewer Municipal Politicians Act, 1999". This is an omnibus Act which restructures municipalities in Hamilton-Wentworth, Ottawa-Carleton, Haldimand-Norfolk and Sudbury. The Act also reduces the size of Toronto City Council, makes sundry amendments to the City of Toronto Act, 1997, the Municipal Act and a number of other pieces of legislation.

The changes that affect the City of Toronto are set out in Schedule F of the Bill. The Chief Administrative Officer sent an information bulletin about the Bill and a copy of Schedule F to all Members of Council on December 7, 1999.

Summary of Changes Affecting Toronto City Council:

In the CAO's information bulletin, it was noted that the effect of Bill 25 is to:

- reduce the size of Toronto City Council to the Mayor plus 44 Councillors;
- empower the Minister of Municipal Affairs and Housing to change the size of Council by regulation;
- remove the power of City Council to change the size of Council, using the provisions available to municipalities under Section 29 of the Municipal Act;
- establish that one Member of Council shall be elected in each ward;
- empower the Minister of Municipal Affairs and Housing to change the number of Councillors elected per ward by regulation;
- divide the City into 44 electoral wards, whose boundaries shall be prescribed by the Minister of Municipal Affairs and Housing by regulation;
- empower the Minister of Municipal Affairs and Housing to change the number of wards by regulation;
- remove the power of City Council to dissolve or change the number or boundaries of wards using provisions available to municipalities under sections 13, 13.1 or 13.2 of the Municipal Act;
- dissolve the existing Community Councils on December 1, 2000;
- permit City Council to enact a by-law to establish Community Councils, provided that:
  - the entire City is represented by Community Councils;
  - wards cannot be divided between more than one Community Council;
  - and
  - only members of City Council may be members of a Community Council; and
- potentially erode the extent of City Council's discretion in taking actions on behalf of its constituents by empowering the Minister of Municipal Affairs and Housing to "prescribe the matters that [the City of Toronto Act, 1997] permits or requires to be done or prescribed by regulation.

As a housekeeping item, the Bill dissolves the Executive Committee established under the City of Toronto Act, 1997 and empowers City Council to establish an executive committee and its composition by by-law.

As a further housekeeping item, the Bill repeals the requirement, in the City of Toronto Act, 1997 (No. 2), that the City obtain Ontario Municipal Board approval in order to contribute to the TTC's capital costs.

This report considers some of the administrative implications of Bill 25 and has been prepared for Council's information.

Comments:

Provincial Policy Reversal:

The timing and content of Bill 25, insofar as it relates to the City of Toronto's wards, are curious. The policy directions set out in Schedule F are contradictory to the provincial government's policies and actions in this regard over the past several years.

The first draft of Bill 103, the City of Toronto Act, 1997 established a Council composed of the Mayor and 44 Councillors. However, prior to the Bill's passage in the legislature, the government introduced an amendment to increase the number of Councillors to 56. In 1998, the provincial government enacted an amendment to the legislation to further increase the size of Council to the Mayor plus 57 Councillors. Bill 25 reverses the provincial government's policy direction in this regard.

The City of Toronto Act, 1997 provided for two Members of Council per ward. The provincially-appointed Toronto Transition Team recommended that Council define single member wards for the 2000 election. Council took the provincial advice and spent more than a year developing boundaries for 57 wards. On April 14, 1999, the provincial government argued in court that City Council has the authority to establish the 57 wards. The province argued that Council has the authority to change the number of elected representatives per ward and to change the total number of elected members. The court agreed with the province. That was April 1999. Bill 25 takes away Council's authority in these matters.

Implications of Bill 25:

In addition to the obvious ramifications for people wishing to run for municipal office in the City of Toronto, the Fewer Municipal Politicians Act, 1999 also has implications for the administration of the city government. The Act impacts:

- the administration of the 2000 municipal election;
- the City's governance structure;
- the administration of area-specific by-laws;

- the administration and development of fiscal policy;
- communicating City services to the public; and
- the City's powers under the Municipal Act and the City of Toronto Act, 1997.

(a) Running the 2000 Municipal Election:

The most immediate and direct impact of Bill 25 is on the tasks the City has to undertake to prepare for and run the municipal election in November 2000. The City Clerk has outlined the issues and required actions in a separate report to Council, entitled "Establishing 44 Single Member Wards in the City of Toronto".

(b) Impact on the Governance Structure:

(i) Community Council Boundaries:

Bill 25 dissolves the existing Community Councils at the end of the present term of Council. New wards, if they are based on the boundaries of the present federal/provincial electoral ridings, will not conform with current Community Council boundaries for North York, York, East York and Toronto communities. The Bill also empowers Council to create new Community Councils.

Council has already undertaken to review the number and boundaries of the Community Councils. On April 13, 14 and 15, 1999, Council considered Clause No. 1 of Report No. 3 of The Special Committee to Review the Final Report of the Toronto Transition Team. The report recommended a set of principles to guide the review of Community Council boundaries. Council deferred consideration of the report and a number of associated motions to the first meeting of Council to be held in January 2000. Council also requested the CAO to report to Council on a process to establish the new Community Council boundaries in time for the next municipal election.

The effect of Bill 25 on the Community Council review process is to eliminate the status quo as an option. The CAO will report further in January as requested.

(ii) Composition of Standing Committees:

On February 2, 3 and 4, 1999, Council adopted Clause No. 1 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, which established the Council-Committee structure that was subsequently implemented in June 1999. With the exception of the Policy and Finance Committee, the size and



membership of the Standing Committees adhere to the principle that each member of Council sits on one Standing Committee. The current size of the committees is based upon a 58-member Council. It is recommended that the CAO, in consultation with the City Clerk, review the impact of a 44 Member Council on the Council-Committee structure and report to Council on changes that may be necessary to the size of Council committees.

(iii) Representation on Agencies, Boards and Commissions:

The Striking Committee appoints Members of Council to sit on the City's agencies, boards and commissions. The distribution of these appointments is based upon a pool of 57 Councillors, in addition to the Mayor. The reduction in the size of Council reduces the pool of Councillors available for these appointments. It is recommended that the CAO and City Clerk review the implications of a smaller Council for the composition of agencies, boards and commissions and report thereon to the Striking Committee.

(iv) Procedural By-law:

Council will need to enact amendments to the Procedural By-law to reflect any changes to the governance structure consequent to the passage of Bill 25.

(c) Administration of By-laws:

Since amalgamation, all departments have been engaged in a process of reviewing and, where appropriate, harmonizing the by-laws of the former municipalities. This is an ongoing, multi-year process. Bill 25 raises issues with respect to some of the by-laws that have not yet been harmonized.

Several planning instruments, including Official Plans and Zoning By-laws apply to prescribed geographic areas of the City. Because of Bill 25, these areas will no longer coincide with all ward or Community Council boundaries. This means that, until these by-laws are harmonized, different by-laws will apply in different parts of the same ward. This does not prevent staff from administering the by-laws, however, it is likely to create inconvenience and confusion for Members of Council, both as ward representatives and members of Community Councils which oversee the administration of these by-laws. Therefore, it may be advantageous to move quickly on the development of a harmonized Zoning By-law.

The Commissioner of Works and Emergency Services submitted a progress report (October 31, 1999) to the Works Committee in which he summarized by-law harmonization priorities for 1999 and 2000. Because these by-laws

apply to geographically specific areas and relate to Community Council responsibilities, it may be advantageous to expedite the harmonization of a number of the transportation by-laws.

It is recommended that the Commissioners review the implications of Bill 25 for their timetables for harmonization of by-laws and report thereon to the relevant standing committees.

(d) Fiscal Policies:

The revenues from pre-existing development charges that were collected in the former municipalities must be spent in geographically specific areas that will no longer coincide with ward or Community Council boundaries.

Of more concern, is the impact of the new ward boundaries on the development of new tax policies. All tax policy work and analysis to date has been undertaken on a ward basis. Unless OPAC can change its systems to accommodate the new ward boundaries in time for the next assessment, it may be difficult to compare the impacts of old and new assessments on a ward basis. The City may need to encourage OPAC to expedite necessary changes to its systems.

It is recommended that the Chief Financial Officer and Treasurer report to the Policy and Finance Committee on the implications of Bill 25 for the ward-by-ward analysis of assessment data.

(e) Communicating with the Public:

Recreation centres' catchment areas are typically ward based. The recreation user guides that are distributed to the public are produced on that basis. The definition of new wards and Community Council areas may require the Economic Development, Culture and Tourism Department to rethink the production and distribution of the guides.

(f) Council's Powers:

Recently the Mayor has pointed out the need for the City to have sufficient legislative and financial tools to carry out its responsibilities and protect the quality of life for its inhabitants. The City has also supported AMO in advocating for more permissive municipal legislation. On November 23, 1999, Council adopted Part 1 of Toronto City Council's Strategic Plan. A key goal spelled out in the plan states that: "The City has appropriate legislative authority, financial tools and organizational structures and processes to undertake the responsibilities and achieve goals that support and enhance the City's quality of life within its financial capacity."

Bill 25 actually removes powers from the City that are available to other municipalities in Ontario. These include the power to change the size of Council and to define ward boundaries. These powers are taken over by the Minister of Municipal Affairs and Housing. The Bill also empowers the Minister to use regulations to “prescribe the matters that the [City of Toronto Act, 1997] permits or requires to be done”. The latter power could erode City Council’s discretion in taking actions in the best interests of its constituents.

Bill 25 also makes changes to the Municipal Elections Act which limit the ability of municipalities to place referendum questions on the municipal ballot. This issue is discussed in more detail in the City Clerk’s report on ward boundaries.

Conclusions:

The Fewer Municipal Politicians Act, 1999 has immediate implications for the City’s preparations for the next municipal election. It also brings a number of administrative issues into play. Area-specific by-laws will no longer be aligned with ward and Community Council boundaries. It will still be possible to administer these by-laws but it may be advantageous to expedite the harmonization of Zoning By-laws and transportation by-laws.

Bill 25 also removes powers from the City. This makes the Mayor’s and Council’s advocacy for adequate legislative and financial tools at the municipal level more poignant. Bill 25 represents a sudden reversal in provincial policies and actions regarding the size of Toronto City Council.

This report has been prepared to bring potential issues to Council’s attention. Staff will report further to the appropriate standing committees on specific actions that need to be taken and the cost implications of such actions.

**ATTACHMENT NO. 6**

Report dated December 13, 1999, from the Acting Commissioner of Urban Planning and Development Services, entitled "Task Force on Raves" (See Minute No. 14.76, Page 124.):

Purpose:

At its meeting on November 23, 24 and 25, 1999, Council passed the following resolution:

**"NOW THEREFORE BE IT RESOLVED THAT** the Acting Commissioner of Urban Planning and Development Services, in consultation with the appropriate staff, be requested to present a formal protocol directly to Council at its next meeting, which recognizes the need for regulation of rave/dance events, and ensures that such events are both safe for attendees and closely monitored by City staff;

**AND BE IT FURTHER RESOLVED THAT** a Task Force on Raves be established under the leadership of the Acting Commissioner of Urban Planning and Development Services, composed of all interested Members of Council."

Financial Implications and Impact Statement:

There appear to be no immediate financial implications. This aspect will form part of the six-month monitoring of the protocol.

Recommendations:

It is recommended that:

- (1) Council endorse the attached protocol for safe operation of raves;
- (2) the impact of the protocol be evaluated in six months' time; and
- (3) since the purpose of the Task Force has been met by development of the protocol, interested Members of Council join the Safe Dance Committee in order to continue to participate in monitoring of issues and actions relating to raves.

Background:

A Task Force, chaired by Councillor Nunziata and co-chaired by Councillor Chow, met on Friday, December 10, 1999, with a large group representing all facets of the operation of dance events, or "raves". Participants included: rave organizers, Toronto Ravers' Information Project (TRIP), community members, security firms, Toronto Ambulance, Toronto Health Unit, Toronto Police Service, Toronto Fire Services, and Municipal Licensing and Standards. A list of participants at both the Toronto Safe Dance Committee and the Task force is attached as Appendix "B".

Comments:

The Task Force met to build on work initiated by the Toronto Safe Dance Committee, which has been working with participants for several months, and had met on the morning of Friday December 10, 1999, to further refine a draft protocol.

At the meeting of the Task Force, the Protocol (Appendix "A") was developed, based on the work of the Toronto Safe Dance Committee, and there was consensus. Given that the protocol has been developed, the work of the Task Force has been completed, however, to ensure that interested Members of Council continue to be kept up to date on actions and issues, it is recommended that they join the existing Safe Dance Committee which will continue to meet.

There was some discussion of the need for new or expanded legislation to regulate dance events. There already exist Zoning By-laws, Property Standards By-laws, Noise By-laws, Debris By-laws, the Licensing By-laws, the Ontario Building Code, and the Fire Code which, when applied in a co-ordinated and consistent manner, provide a powerful set of regulatory tools.

The Municipal Licensing and Standards Divisional structure includes a Co-ordinator for each District who will have, as part of his/her responsibilities, the issue of raves. Toronto Police Services have indicated that they will be recommending that each Police Division have one person designated as a single point of contact with respect to raves.

It is intended that compliance with the protocol will be continuously monitored over the next six months, following which the impact will be the subject of discussion at the Safe Dance Committee and a report prepared to the Planning and Transportation Committee.

Conclusions:

Consensus has been reached amongst a wide-ranging group of persons having a direct interest in the safe operation of raves. This consensus is reflected in the attached protocol.

Contact:

Harold Bratten  
Acting Executive Director  
Municipal Licensing and Standards  
Urban Planning and Development Services  
12<sup>th</sup> Floor, East Tower  
Toronto City Hall  
397-4634 (tel); 392-8805 (fax)  
hbratten@city.toronto.on.ca

List of Attachments: (on file in the Office of the City Clerk)

Attachment No. 1, Appendix "A": Protocol  
Attachment No. 2, Appendix "B": Participants in Task Force Meeting Regarding  
Safe Operation of Dance Events, December 10<sup>th</sup>, 1999

## **ATTACHMENT NO. 7**

Report dated December 13, 1999, from the Commissioner of Works and Emergency Services, entitled "Expropriation of Property Interests for the Opening of a New Public Lane at the Rear of Premises Nos. 357 to 399 Bartlett Avenue North, and 448 to 492 Salem Avenue North (Davenport)" (See Minute No. 14.78, Page 128.):

### Purpose:

To obtain City Council authority for staff to commence the formal expropriation proceedings for the lands required to facilitate the construction of a new north-south public lane extending between Bartlett Avenue North and Salem Avenue North.

### Financial Implications and Impact Statement:

Additional funds will be necessary to complete the expropriation of the lands required to construct the new public lane. A further report identifying the actual funds required will be submitted, together with the report seeking final approval of the expropriation. The land acquisition cost will be back-charged in its entirety to the benefiting property owners.

### Recommendations:

It is recommended that:

- (1) authority be granted for the expropriation of all rights, title and interests, for public lane purposes, of certain lands described, in the City of Toronto and Province of Ontario, as PARTS 1, 2, 3, 7, 9, 10, 11, 14, 17, 18, 21, 23, 28, 29, 31, 34, 38 and 39 on Plan 66R-17213;
- (2) authority be granted for the expropriation of temporary working easements, for a 3-month period, from Premises Nos. 462 and 474 Salem Avenue North and 397 and 399 Bartlett Avenue North, to the extent necessary to undertake any work that is required on these properties to facilitate the construction of the public lane, and for a permanent drainage easement over lands identified as PART 16 on Plan 66R-17213;
- (3) authority be granted to serve and publish Notices of Applications for Approval to Expropriate said property interests, to forward to the Chief Inquiry Officer any requests for hearings that are received and to report the Inquiry Officer's recommendations to Council for its consideration; and
- (4) authority be granted for the appropriate City Officials to take whatever action is necessary to give effect thereto, including the introduction in City Council of any bills that might be necessary.

### Background:

Former Toronto City Council, at its meeting of February 6 and 7, 1995, adopted Clause 2 in Report No. 3 of the City Services Committee and, in so doing, approved the opening of the subject public lane as a local improvement on the initiative plan, at an estimated cost of \$29,000.00. Subsequently, former Toronto City Council, at its meeting of July 10, 1997, in considering a communication (July 10, 1997) from Councillor Betty Disero (Agenda Item No. 41), instructed appropriate City staff to take the necessary steps for expropriation proceedings of Premises Nos. 357 to 399 Bartlett Avenue North and 448 to 492 Salem Avenue North. I understand that Councillor Disero is submitting an Order Paper Motion to consider this matter.

Comments:

Under the policy of former Toronto City Council, the opening of a new public lane is carried out as a local improvement under the provisions of the Local Improvement Act, provided 75 percent of the abutting property owners, representing 75 percent of the value of the lots liable to be affected by the lane opening, are in favour of the work. Furthermore, the City will acquire the lands required for the opening of the public lane and back-charge the entire cost of land assembly to the benefiting property owners.

The opening of a new public lane at the rear of Premises Nos. 357-399 Bartlett Avenue North and 448-492 Salem Avenue North, as shown on the attached sketch dated December 1, 1994, requires the acquisition of 35 individual parcels of privately-owned property. The \$29,000.00 in land acquisition costs referred to in the above-noted Clause was based on the results of a petition, at that time, which indicated that all property owners, with the exception of one, would convey the required lands to the City for nominal consideration. The lands that are owned by the one remaining property owner would have to be expropriated.

Since that time, however, the City has only been able to acquire 19 of the 35 required properties, despite the results of the initial petition wherein the abutting owners indicate their willingness to convey the lands. Although former Toronto City Council had instructed staff, in 1997, to proceed with the expropriation of the required lands, staff of the Facilities and Real Estate Division of Corporate Services have continued their negotiations with the remaining property owners, in order to minimize the expropriation costs. Of the remaining 16 property owners, it appears that settlements may be reached with approximately half of them, however, it will be necessary to expropriate the required lands from the remaining property owners. It is recommended that City staff be authorized to commence expropriation proceedings for all 16 properties for which agreement has not yet been reached. This would avoid further delays to the land acquisition process which has now been ongoing for several years. In the event that some or all of the remaining properties are conveyed voluntarily, then it would not be necessary to proceed with the expropriation of these properties.

As a result of the ongoing negotiations and settlements, the estimated cost of



acquiring the required lands for the establishment of the public lane will increase. I note that, in the above-noted Clause, it was indicated that \$29,000.00 was an estimated amount and that, if the actual cost exceeds the estimated cost, the assessment would be for the actual cost. The total actual amount will be back-charged to the benefiting property owners.

In addition to the expropriation of the 16 properties, it is also recommended that the City expropriate temporary working easements for four of the expropriated properties, for a 3-month period from the time of possession of the expropriated lands. This would allow City staff to enter onto these private properties, during the 3-month period, to undertake any work that is necessary, such as the removal of fences and garages, to facilitate the construction of the public lane. A permanent easement is also required over the northerly portion of Premises No. 462 Salem Avenue North, identified as PART 16 on Plan 66R-17213, for the construction and maintenance of a sewer connection between the new public lane and Salem Avenue North.

Conclusions:

The negotiations for the acquisition of the lands required for the construction of the proposed north-south public lane extending between Salem Avenue North and Bartlett Avenue North have reached a point where it is now necessary for City staff to commence formal expropriation proceedings.

Staff of the Legal Services and the Facilities and Real Estate Divisions of Corporate Services have been consulted in the preparation of this report.

Contact:

John Mende, 392-7713  
Manager, Traffic Planning, Transportation Services, District 1

David C. Kaufman, General Manager  
Transportation Services Division

Barry H. Gutteridge, Commissioner  
Works and Emergency Services

**ATTACHMENT NO. 8**

Joint report dated December 14, 1999, from the Executive Director of Information Technology and City Clerk, entitled "Computer Requirements – Council Offices" (See Minute No. 14.80, Page 132.):

Purpose:

This report responds to a Notice of Motion moved by Councillor Adams at Toronto City Council on December 14, 1999.

Funding Sources, Financial Implications and Impact Statement:

The following tables outline the financial impacts if Council were to upgrade computers acquired by Councillors which are outside the standard allocation of equipment. Funds will be required from the 2000 Budget to offset the expenses detailed under options A, B, and C. Alternatively, the affected Councillors will have to absorb the costs within their own global office budgets.

Option A:			Annual	Full
Install upgrade	\$67.50	58	\$1,305	\$3,915
Replicate machine image	\$67.50	58	\$1,305	\$3,915
Migrate data	\$67.50	58	\$1,305	\$3,915
Lease Cost @ \$1,300/year for 3 years	\$3,900	58	\$75,600	\$226,800
<b>Total</b>			<b>\$79,515</b>	<b>\$238,545</b>

Option A(I):			Annual	Full
Install upgrade	\$67.50	58	\$978.75	\$3,915
Replicate machine image	\$67.50	58	\$978.75	\$3,915
Migrate data	\$67.50	58	\$978.75	\$3,915
Lease Cost @ \$977.59/year for 4 years	\$3,900	58	\$56,700	\$226,800
<b>Total</b>			<b>\$59,636</b>	<b>\$238,545</b>

Option B:					
Install upgrade			\$67.50	58	\$3,915
Replicate machine image			\$67.50	58	\$3,915
Migrate data			\$67.50	58	\$3,915
Machines as is with compliant standard corporate software			\$400	58	\$23,200
<b>Total</b>					<b>\$34,945</b>

Option C:

Upgrade machines to 64mb RAM and 6.4gb HD	\$331	58	\$19,198
Install upgrade	\$67.50	58	\$3,915
Replicate machine image	\$67.50	58	\$3,915
Migrate data	\$67.50	58	\$3,915
Install with compliant standard corporate software	\$400	58	\$23,200
<b>Total</b>			<b>\$54,143</b>

All options are exclusive of any applicable taxes.

Recommendations:

It is recommended that Toronto City Council receive this report for information purposes.

Reference/Background/History:

Currently, each Council office is provided with three desktop computers and one laptop computer. At their own initiative, many Councillors acquired additional computers that are now non-Year 2000 compliant.

Comments:

Currently, twelve (12) Council offices have the standard computer allocation, thirty-five (35) Council offices have computers above the standard configuration that are not Y2K ready, and ten (10) offices have computers above the standard that are Y2K ready. Of those offices that have computers above the standard configuration that are not Y2K ready, the number of computers above the standard ranges from one (1) to four (4).

All computers within the standard allocation will be Year 2000 ready as of January 1, 2000. In order to accommodate the additional computers that have been acquired by members of Council, one of the following options (refer to page 1) must be pursued:

Option A – provides the most flexibility and long term benefits by allowing for upgrade/replacement during the lease term.

Option B – utilizes surplus hardware from the Desktop Rollout project and provides a computer with standard corporate software and that should last for a couple of years.

Option C – utilizes the same surplus hardware but incorporates hardware upgrades to increase memory and speed to make the machines more robust and allow for future expansion.

Conclusions:

It is recommended that Toronto City Council receive this report for information purposes. The Executive Director of Information & Technology concurs with this report.

Contact Name:

Jim Hart  
Director of Council and Support Services  
392-8676

Jim Andrew  
Executive Director, Information & Technology  
392-8421

Novina Wong  
City Clerk  
397-4633