

[Guide to the Council Minutes](#)

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

**TUESDAY, FEBRUARY 1, 2000,
WEDNESDAY, FEBRUARY 2, 2000 AND
THURSDAY, FEBRUARY 3, 2000**

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

CALL TO ORDER

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

The meeting opened with O Canada.

PRESENTATION OF REPORTS

February 1, 2000:

- 3.2 Councillor Flint presented the following Reports for consideration by Council:

Report No. 1 of The Special Committee to Review the
Final Report of the Toronto Transition Team,
Report No. 1 of The Toronto Community Council,
Report No. 2 of The Policy and Finance Committee,
Report No. 2 of The Administration Committee,
Report No. 1 of The Community Services Committee,
Report No. 1 of The Economic Development and Parks Committee,
Report No. 1 of The Planning and Transportation Committee,
Report No. 1 of The Works Committee,
Report No. 1 of The East York Community Council,
Report No. 1 of The Etobicoke Community Council,
Report No. 1 of The North York Community Council,

Report No. 1 of The Scarborough Community Council,
Report No. 2 of The Toronto Community Council,
Report No. 1 of The York Community Council, and
Report No. 1 of The Audit Committee,

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

- 3.3 Councillor Flint, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 2 of The Works Committee,

and moved, seconded by Councillor Jones, 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.

February 2, 2000:

- 3.4 Councillor Ootes, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 1 of The Striking Committee,

and moved, seconded by Councillor Nunziata, 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.

- 3.5 Councillor Mihevc, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 2 of The York Community Council,

and moved, seconded by Councillor Saundercook, 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.

- 3.6 Councillor Feldman, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 2 of The North York Community Council,

and moved, seconded by Councillor Flint, 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.

3.7 **DECLARATIONS OF INTEREST**

Councillor Altobello declared his interest in Clause No. 16 of Report No. 1 of The Scarborough Community Council, headed “Official Plan Amendment Application SP1999004, Zoning By-law Amendment Application SZ1999007, Douglas and Betty Woodall, 447 Birchmount Road, Birchmount Park Employment District (Ward 13 – Scarborough Bluffs)”, in that his family owns a property and the business located thereon in the area.

Councillor Augimeri declared her interest in Items (l) and (p), entitled “Preliminary Report - Official Plan and Zoning By-law Amendment No. UDOZ-99-27 - R & G Management Inc. - 1465 Lawrence Avenue West - North York Humber” and “Official Plan and Zoning Amendment No. UDOZ-97-35 - V.V. De Marco Properties Limited – 1415 Lawrence Avenue West - North York Humber”, respectively, as embodied in Clause No. 30 of Report No. 1 of The North York Community Council, headed “Other Items Considered by the Community Council”, in that a member of her family owns a condominium adjacent to the applicants’ properties.

Councillor Giansante declared his interest in Clause No. 2 of Report No. 1 of The Works Committee, headed “Prince Edward Viaduct - Don Section, Structure Modification - Contract No. T-71-99 (Midtown - Don River)”, insofar as it pertains to the amendment by Council related to Bell Canada, in that his wife is an employee of Bell Canada.

Councillor Jones declared her interest in Item (f), entitled “New Development Applications for the West District (Etobicoke)”, as embodied in Clause No. 16 of Report No. 1 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.

Mayor Lastman declared his interest in Clause No. 3 of Report No. 1 of The Economic Development and Parks Committee, headed “2000 Budgets - Business Improvement Areas”, in that his son is the President of the Kennedy Road Business Improvement Area; and further advised the Council that, having regard for the ruling by Judge J. Winkler of the Superior Court of Justice – Ontario, his pecuniary interest in the Toronto Police Association’s “True Blue” Campaign was so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence him, and therefore he is not required to declare an interest in Notice of Motion J(11), moved by Councillor Johnston, seconded by Councillor Miller, introducing a report from the City Solicitor respecting the “True Blue Campaign” by the Toronto Police Association, and matters related thereto.

Councillor O’Brien declared his interest in Clause No. 3 of Report No. 1 of The Works Committee, headed “Procedure for Eliminating Duplicate Street Names (All Wards)”, in that he resides on Laurel Avenue which is one of the streets affected by the proposed procedure.

Councillor Pitfield declared her interest in Clause No. 4 of Report No. 1 of The East York Community Council, headed "Request for Variance from Sign By-law Requirements for the Bank of Nova Scotia, at 802 O'Connor Drive", in that her spouse is employed by the Bank of Nova Scotia.

CONSIDERATION OF REPORTS
CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

3.8 The following Clauses were held by Council for further consideration:

Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, Clause No. 1.

Report No. 1 of The Toronto Community Council, Clause No. 1.

Report No. 2 of The Policy and Finance Committee, Clauses Nos. 3, 8, 9, 11, 13, 14 and 15.

Report No. 2 of The Administration Committee, Clauses Nos. 1, 2, 6, 9 and 11.

Report No. 1 of The Community Services Committee, Clauses Nos. 2, 5, 7, 8 and 12.

Report No. 1 of The Economic Development and Parks Committee, Clauses Nos. 2 and 4.

Report No. 1 of The Planning and Transportation Committee, Clauses Nos. 1, 3, 4, 5 and 6.

Report No. 1 of The Works Committee, Clauses Nos. 1, 2, 3, 4, 5, 6, 7, 8, 12 and 15.

Report No. 2 of The Works Committee, Clause No. 1.

Report No. 1 of The Etobicoke Community Council, Clauses Nos. 5 and 13.

Report No. 1 of The North York Community Council, Clauses Nos. 24 and 26.

Report No. 2 of The North York Community Council, Clause No. 1.

Report No. 1 of The Scarborough Community Council, Clauses Nos. 14 and 17.

Report No. 2 of The Toronto Community Council, Clauses Nos. 11, 32, 39, 40, 41 and 42.

Report No. 1 of The York Community Council, Clause No. 4.

Report No. 2 of The York Community Council, Clauses Nos. 1 and 2.

Report No. 1 of The Audit Committee, Clauses Nos. 1, 2 and 5.

Report No. 1 of The Striking Committee, Clauses Nos. 1 and 2.

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

Report No. 2 of The Policy and Finance Committee, Clauses Nos. 3 and 11.

Report No. 1 of The Planning and Transportation Committee, Clauses Nos. 1, 4 and 5.
Report No. 2 of The York Community Council, Clauses Nos. 1 and 2.

Report No. 1 of The Striking Committee, Clauses Nos. 1 and 2.

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.**

3.9 Clause No. 8 of Report No. 1 of The Community Services Committee, headed “Proposed Revision to Membership and Mandate of the Advisory Committee for New Emergency Shelter Sites”.

Motion:

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

“It is further recommended that the Advisory Committee for New Emergency Shelter Sites consist of the following Members of Council:

Councillor Duguid,
Councillor Berardinetti,
Councillor Jones,
Councillor Korwin-Kuczynski,
Councillor Layton,
Councillor McConnell,
Councillor Feldman,
Councillor Chong, and
Councillor Moeser.”

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

3.10 Clause No. 5 of Report No. 1 of The Etobicoke Community Council, headed “Traffic Concerns, Chartwell Road (Lakeshore-Queensway)”.

Motion:

Councillor Jones moved that the Clause be struck out and referred back to the Etobicoke Community Council for further consideration.

Vote:

The motion by Councillor Jones carried.

- 3.11 **Clause No. 11 of Report No. 2 of The Toronto Community Council, headed “Installation of ‘Stop’ Sign Control and Reduction of Speed Limit - Golden Avenue and Silver Avenue, Morrow Avenue and Silver Avenue (High Park)”.**

Motion:

Councillor Korwin-Kuczynski, seconded by Councillor Miller, moved that the Clause be amended by deleting Recommendation No. (2) of the Toronto Community Council and inserting in lieu thereof the following new Recommendation No. (2):

- “(2) one-hour parking, from 8:00 a.m. to 6:00 p.m., Monday to Saturday, be instituted on the west side of Golden Avenue, between Dundas Street West and the terminus of Golden Avenue.”

Votes:

The motion by Councillor Korwin-Kuczynski, seconded by Councillor Miller, carried.

The Clause, as amended, carried.

- 3.12 **Clause No. 42 of Report No. 2 of The Toronto Community Council, headed “Introduction of Permit Parking on the North Leg of Burnside Drive, Between Bathurst Street and the West Dead End of Burnside Drive (Midtown)”.**

Motion:

Councillor Bossons moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on February 29, 2000.

Vote:

The motion by Councillor Bossons carried.

- 3.13 **Clause No. 41 of Report No. 2 of The Toronto Community Council, headed “Draft By-laws - Official Plan Amendment and Rezoning - 275 Wallace Avenue (Davenport)”.**

Motion:

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

- “It is further recommended that:

- (a) the report dated January 24, 2000, from the Acting Commissioner of Urban Development Services, recommending that City Council adopt the amendments to the draft by-laws and conditions of approval attached to such report as Appendix 'A' and Appendix 'B', respectively, be adopted, subject to amending Appendix 'B' by inserting in Part (3), after the words 'CN's safety requirements will or', the words 'comparable safety requirements', so that Part (3) of Appendix 'B' shall now read as follows:

'(3) Recommendation 10 (xxix) related to the development of 275 Wallace Avenue be amended to read:

“that the owner agree that no building or unit in the project shall be occupied until the owner provides the Commissioner of Works and Emergency Services and CN a written report, with certification by a duly qualified professional engineer, outlining in detail how CN's safety requirements will or comparable safety requirements have been met.”
'; and

- (b) no further notice be given of the proposed amendments to the draft by-laws as noted in the January 24, 2000 report of the Acting Commissioner of Urban Development Services.”

Votes:

The motion by Councillor Silva carried.

The Clause, as amended, carried.

3.14 Clause No. 40 of Report No. 2 of The Toronto Community Council, headed “Draft By-laws - Official Plan Amendment, Rezoning and Draft Plan of Subdivision – 81 Turnberry Avenue and 101 Union Street (Davenport)”.

Motion:

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

“It is further recommended that the report dated January 25, 2000, from the Acting Commissioner of Urban Development Services, embodying the following recommendations, be adopted:

‘It is further recommended that:

- (1) City Council adopt the amendments to the draft by-laws and conditions of approval attached to this report as Appendix "A" and Appendix "B", respectively; and
- (2) no further notice be given of the proposed amendments to the draft by-laws as noted in the January 25, 2000 report of the Acting Commissioner of Urban Development Services.' "

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

- 3.15 **Clause No. 4 of Report No. 1 of The York Community Council, headed "Proposed By-law Regarding the Installation of Speed Humps on Atlas Avenue, Cherrywood Avenue, Northcliffe Boulevard and Westmount Avenue, Ward 28, York Eglinton".**

Motion:

Councillor Mihevc moved that the Clause be struck out and referred back to the York Community Council for further consideration.

Vote:

The motion by Councillor Mihevc carried.

- 3.16 **Clause No. 5 of Report No. 1 of The Audit Committee, headed "Expenses of Members of Council".**

Motion:

Councillor Berardinetti moved that the Clause be struck out and referred to the Administration Committee for further consideration at its meeting scheduled to be held on February 8, 2000.

Vote:

The motion by Councillor Berardinetti carried.

- 3.17 **Clause No. 7 of Report No. 1 of The Community Services Committee, headed "Implementation of the Tenant Defence Fund and Rental Housing Office".**

Motion:

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

“It is further recommended that the report dated January 25, 2000, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) Council confirm the process for administering grants from the Tenant Defence Fund as outlined in this report; and
- (2) Council approve the terms of reference for the Tenant Defence Sub-Committee as outlined in Appendix A.’ ”

Votes:

Adoption of motion by Councillor Walker:

Yes - 35	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Berger, Bossons, Cho, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Saundercook, Silva, Sinclair, Soknacki, Walker
No - 1	
Councillor:	Brown

Carried by a majority of 34.

The Clause, as amended, carried.

3.18 Clause No. 1 of Report No. 1 of The Special Committee to Review the Final Report of the Toronto Transition Team, headed “Community Council Boundaries”.

Motions:

- (a) Councillor Miller moved that, in accordance with the recommendations embodied in the report dated January 27, 2000, from the Chief Administrative Officer, consideration of this Clause be deferred to the next regular meeting of City Council scheduled to be held on February 29, 2000, and the Chief Administrative Officer, in consultation with the City Clerk, be requested to submit a report directly to such meeting on a process to establish the new Community Council boundaries in time for implementation in December 2000.

- (b) Councillor Moeser moved that the Clause be struck out and referred to the Administration Committee for further consideration.
- (c) Councillor Moscoe moved that motion (a) by Councillor Miller be amended by adding thereto the words “and the City Clerk be requested to develop a process for establishing the names for the new wards and report thereon directly to Council”.
- (d) Councillor Kelly moved that the Clause be struck out and referred to the Policy and Finance Committee for further consideration.
- (e) Councillor Flint moved that motion (b) by Councillor Moeser be amended by adding thereto the words “and Council direct that the Commissioner of Urban Development Services be consulted and involved in the preparation of the report related to the definition of the Community Council boundaries and any process related thereto”.

Votes:

Adoption of motion (d) by Councillor Kelly:

Yes - 10	
Mayor:	Lastman
Councillors:	Altobello, Berger, Disero, Gardner, Korwin-Kuczynski, Minnan-Wong, Pantalone, Rae, Saundercook
No - 35	
Councillors:	Ashton, Augimeri, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Shiner, Silva, Sinclair, Soknacki, Walker

Lost by a majority of 25.

Adoption of motion (c) by Councillor Moscoe:

Yes - 41	
Councillors:	Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Shiner, Silva, Sinclair, Soknacki, Walker
No - 6	
Mayor:	Lastman

Councillors: Altobello, Davis, Jones, Rae, Saundercook
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Carried by a majority of 35.

Motion (e) by Councillor Flint carried.

Adoption of motion (b) by Councillor Moeser, as amended:

Yes - 29
Mayor: Lastman
Councillors: Ashton, Augimeri, Berardinetti, Berger, Cho, Chong, Davis, Disero, Feldman, Flint, Gardner, Giansante, Holyday, Johnston, King, Lindsay Luby, Mammoliti, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Shiner, Silva, Sinclair, Soknacki, Walker
No - 15
Councillors: Altobello, Bossons, Brown, Chow, Duguid, Jones, Kelly, Korwin-Kuczynski, Mihevc, Miller, Pantalone, Pitfield, Prue, Rae, Saundercook

Carried by a majority of 14.

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

In summary, Council struck out and referred this Clause to the Administration Committee for further consideration, and Council directed that the Commissioner of Urban Development Services be consulted and involved in the preparation of the report related to the definition of the Community Council boundaries and any process related thereto.

3.19 Clause No. 1 of Report No. 1 of The Toronto Community Council, headed "Appeal - Front Yard Parking - 137 Westminster Avenue (High Park)".

Motion:

Councillor Miller moved that the Clause be struck out and referred back to the Toronto Community Council for further consideration.

Vote:

The motion by Councillor Miller carried.

3.20 Clause No. 8 of Report No. 2 of The Policy and Finance Committee, headed "Standards of Care in Retirement and Lodging Homes".

Motion:

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

“It is further recommended that, as recommended by the Advisory Committee on Homes for the Aged in the communication dated January 21, 2000, from the City Clerk, the Province of Ontario be requested to develop the mandatory Province-wide standards of resident care in retirement and lodging homes, as recommended in Recommendation No. (1) embodied in the report dated December 29, 1999, from the Commissioner of Community and Neighbourhood Services, in conjunction with the continuum of care concept.”

Votes:

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

3.21 **Clause No. 9 of Report No. 2 of The Policy and Finance Committee, headed “New York Law Suit Against Mid-Western Coal-Fired Power Plants”.**

Motions:

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

“It is further recommended that the Medical Officer of Health be requested to submit a report to the Board of Health on the health impacts of the recent announcement of emissions caps and the Emission Trading Commission which have been established by the Ministry of the Environment, such report to include consultation with the Ontario Medical Association and/or the Canadian Medical Association to determine the impact on the health of the citizens of Ontario.”

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

“It is further recommended that the City Solicitor and the Medical Officer of Health be requested to submit a joint report to the Policy and Finance Committee on how the City of Toronto can take Ontario Power Generation to court.”

Votes:

Motion (a) by Councillor Layton carried.

Motion (b) by Councillor Bossons carried.

The Clause, as amended, carried.

3.22 Clause No. 14 of Report No. 2 of The Policy and Finance Committee, headed “General Cleanliness of City Streets (All Wards)”.

Motions:

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

(1) adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words “and a pilot project within the area of the City where ‘Flower Pot’ garbage collection is presently operated for the City, such pilot project to be accomplished in co-operation with the Community Council committee established by the North York Community Council to phase out the use of ‘Flower Pots’ ”, so that such recommendation shall now read as follows:

“(3) appropriate staff, in consultation with Councillors, continue to develop the details of a pilot project for the downtown core area bounded by Bathurst Street, Bloor Street, Sherbourne Street and the Lake, including the adjustment of current work shifts, routing and associated operations, and a pilot project within the area of the City where ‘Flower Pot’ garbage collection is presently operated for the City, such pilot project to be accomplished in co-operation with the Community Council committee established by the North York Community Council to phase out the use of ‘Flower Pots’;” and

(2) adding thereto the following:

“It is further recommended that the additional pilot project be accomplished within the original budget allocated for this project and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on how resources so allocated will be shared.”

(b) Councillor Adams moved that the Clause be amended by amending Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, to provide that the area covered by the Bloor-Yorkville BIA be included in the “Clean Toronto” pilot project.

(c) Councillor Jones moved that the Clause be amended by adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words, “and Lake Shore Boulevard West, in the former City of Etobicoke, be included in the pilot project”.

(d) Councillor Saundercook moved that:

(1) the Clause be amended by deleting from Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words "Sherbourne Street" and inserting in lieu thereof the words "Broadview Avenue", so that such recommendation shall now read as follows:

"(3) appropriate staff, in consultation with Councillors continue to develop the details of a pilot project for the downtown core area bounded by Bathurst Street, Bloor Street, Broadview Avenue and the Lake, including the adjustment of current work shifts, routing and associated operations."; and

(2) all motions moved by Members of Council on this Clause, with the exception of Part (1) of this motion, be referred to the Works Committee for further consideration.

(e) Councillor Ashton 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 further report to the Works Committee on:

(1) the allocation of litter bins across the City;

(2) goals and objectives in the application of by-law enforcement; and

(3) enforcement of the anti-litter by-law and appropriate fines that make enforcement practical and effective;

such report to address the source of funding and the impact on the budget of the Works and Emergency Services Department."

(f) 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 provide appropriate information to all Members of Council for distribution to those individuals, in their respective Wards, who may be in violation of solid waste by-laws."

- (g) Councillor Berger moved that the Clause be amended by amending Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, to provide that Avenue Road, from Wilson Avenue to Lawrence Avenue West, be included in the “Clean Toronto” pilot project.
- (h) Councillor Chow 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 Works Committee, by the spring of 2000, on:
- (1) garbage collection from laneways; and
 - (2) commercial garbage collection during Statutory Holidays.”
- (i) Councillor Kelly moved that the Clause be amended by adding thereto the following:
“It is further recommended that the Chief Administrative Officer, in consultation with the Commissioner of Works and Emergency Services and appropriate senior staff, be requested to submit a report to the Budget Advisory Committee, during the 2000 Operating Budget process, on a comprehensive plan to keep the City of Toronto clean.”
- (j) Councillor Miller moved that Part (2) of motion (d) by Councillor Saundercook be amended by adding thereto the words “and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on potential measures to address the issue of fast food garbage”.

Deputy Mayor Ootes in the Chair.

- (k) Councillor Minnan-Wong moved that the Clause be amended by adding thereto the following:
“It is further recommended that, during the months of May to October, the Commissioner of Works and Emergency Services be directed to cut the grass on the former Metropolitan Toronto road allowances at least once per month.”
- (l) Councillor Disero moved that the Clause be amended by adding thereto the following:
“It is further recommended that all motions to include various areas of the City in the pilot project be adopted in principle, and the Commissioner of Works and Emergency Services be requested to submit a report to the Budget Advisory Committee, during

the 2000 Operating Budget process, on additional costs that would be incurred to include such additional locations.”

- (m) Councillor Pantalone 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 Works Committee on including the area bounded by Harbord Street, Ossington Avenue, Queen Street West and Bathurst Street in the ‘Clean Toronto’ pilot project.”

- (n) Councillor Cho moved that the Clause be struck out and referred back to the Works Committee for further consideration, together with all motions moved by Members of Council in this regard.

Vote on referral motion by Councillor Cho:

Motion (n) by Councillor Cho lost.

Motions:

- (o) Councillor Bussin moved that the Clause be amended by:

(1) adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words “and that the Woodbine development be included in the pilot project”; and

(2) adding thereto the following:

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

(a) meet with representatives of the Gerrard India Bazaar Neighbourhood to discuss the possibility of this East Toronto community being included in the pilot project and report thereon to the Works Committee; and

(b) determine a method by which a fair allocation of time for the use of street scrubbers for neighbourhoods across the City of Toronto can be achieved and submit a report thereon to the Policy and Finance Committee.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the next regular meeting of City Council to be held on February 29, 2000, through the Economic Development and Parks Committee, on the number of times the grass is cut on arterial road allowances, such report to address the cost and cutting cycle and whether an increased number of cuts can be accommodated within the 2000 Operating Budget.”

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

“It is further recommended that the Mayor be requested to write to the Minister of Transportation expressing the City of Toronto’s concerns about the appearance of all arterial roads where they intersect with the highways, and requesting the support of the Ministry in cleaning up these areas.”

Requests for Exemptions to Referral Motion:

Councillor Shiner, with the permission of Council, requested that motion (i) by Councillor Kelly be exempted from that part of motion (d) by Councillor Saundercook pertaining to the referral of all motions to the Works Committee.

Councillor Moeser, with the permission of Council, requested that his motion (p) be exempted from that part of motion (d) by Councillor Saundercook pertaining to the referral of all motions to the Works Committee.

Council concurred in the foregoing requests.

Votes:

Motion (j) by Councillor Miller carried.

Part (2) of motion (d) by Councillor Saundercook, as amended, save and except motions (i) and (p) by Councillors Kelly and Moeser, respectively, carried.

Part (1) of motion (d) by Councillor Saundercook carried.

Motion (i) by Councillor Kelly carried.

Motion (p) by Councillor Moeser carried.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) deleting from Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words "Sherbourne Street" and inserting in lieu thereof the words "Broadview Avenue", so that such recommendation shall now read as follows:

"(3) appropriate staff, in consultation with Councillors continue to develop the details of a pilot project for the downtown core area bounded by Bathurst Street, Bloor Street, Broadview Avenue and the Lake, including the adjustment of current work shifts, routing and associated operations."; and

- (2) adding thereto the following:

"It is further recommended that:

- (a) the Chief Administrative Officer, in consultation with the Commissioner of Works and Emergency Services and appropriate senior staff, be requested to submit a report to the Budget Advisory Committee, during the 2000 Operating Budget process, on a comprehensive plan to keep the City of Toronto clean;
- (b) the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the next regular meeting of City Council to be held on February 29, 2000, through the Economic Development and Parks Committee, on the number of times the grass is cut on arterial road allowances, such report to address the cost and cutting cycle and whether an increased number of cuts can be accommodated within the 2000 Operating Budget; and
- (c) the following motions be referred to the Works Committee for further consideration, and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on potential measures to address the issue of fast food garbage:

Moved by Councillor Adams:

'That the Clause be amended by amending Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, to provide that the area covered by the Bloor-Yorkville BIA be included in the "Clean Toronto" pilot project.'

Moved by Councillor Ashton:

'It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a further report to the Works Committee on:

- (1) the allocation of litter bins across the City;
- (2) goals and objectives in the application of by-law enforcement;
and
- (3) enforcement of the anti-litter by-law and appropriate fines that
make enforcement practical and effective;

such report to address the source of funding and the impact on the budget of the Works and Emergency Services Department.’

Moved by Councillor Berger:

‘That the Clause be amended by amending Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, to provide that Avenue Road, from Wilson Avenue to Lawrence Avenue West, be included in the “Clean Toronto” pilot project.’

Moved by Councillor Bussin:

‘That the Clause be amended by adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words “and that the Woodbine development be included in the pilot project”.’

Further moved by Councillor Bussin:

‘It is further recommended that the Commissioner of Works and Emergency Services be requested to:

- (1) meet with representatives of the Gerrard India Bazaar Neighbourhood to discuss the possibility of this East Toronto community being included in the pilot project and report thereon to the Works Committee; and
- (2) determine a method by which a fair allocation of time for the use of street scrubbers for neighbourhoods across the City of Toronto can be achieved and submit a report thereon to the Policy and Finance Committee.’

Moved by Councillor Chow:

‘It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, by the spring of 2000, on:

- (1) garbage collection from laneways; and
- (2) commercial garbage collection during Statutory Holidays.’

Moved by Councillor Disero:

‘It is further recommended that all motions to include various areas of the City in the pilot project be adopted in principle, and the Commissioner of Works and Emergency Services be requested to submit a report to the Budget Advisory Committee, during the 2000 Operating Budget process, on additional costs that would be incurred to include such additional locations.’

Moved by Councillor Jones:

‘That the Clause be amended by adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words, “and Lake Shore Boulevard West, in the former City of Etobicoke, be included in the pilot project”.’

Moved by Councillor King:

‘It is further recommended that the Mayor be requested to write to the Minister of Transportation expressing the City of Toronto’s concerns about the appearance of all arterial roads where they intersect with the highways, and requesting the support of the Ministry in cleaning up these areas.’

Moved by Councillor Korwin-Kuczynski:

‘It is further recommended that the Commissioner of Works and Emergency Services be requested to provide appropriate information to all Members of Council for distribution to those individuals, in their respective Wards, who may be in violation of solid waste by-laws.’

Moved by Councillor Minnan-Wong:

‘It is further recommended that, during the months of May to October, the Commissioner of Works and Emergency Services be directed to cut

the grass on the former Metropolitan Toronto road allowances at least once per month.’

Moved by Councillor Moscoe:

‘That the Clause be amended by adding to Recommendation No. (3) embodied in the report dated January 7, 2000, from the Commissioner of Works and Emergency Services, the words “and a pilot project within the area of the City where ‘Flower Pot’ garbage collection is presently operated for the City, such pilot project to be accomplished in co-operation with the Community Council committee established by the North York Community Council to phase out the use of ‘Flower Pots’ ”, so that such recommendation shall now read as follows:

“(3) appropriate staff, in consultation with Councillors, continue to develop the details of a pilot project for the downtown core area bounded by Bathurst Street, Bloor Street, Sherbourne Street and the Lake, including the adjustment of current work shifts, routing and associated operations, and a pilot project within the area of the City where ‘Flower Pot’ garbage collection is presently operated for the City, such pilot project to be accomplished in co-operation with the Community Council committee established by the North York Community Council to phase out the use of ‘Flower Pots’;”.’

Further moved by Councillor Moscoe:

‘It is further recommended that the additional pilot project be accomplished within the original budget allocated for this project and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on how resources so allocated will be shared.’

Moved by Councillor Pantalone:

‘It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on including the area bounded by Harbord Street, Ossington Avenue, Queen Street West and Bathurst Street in the “Clean Toronto” pilot project.’ ”

Mayor Lastman in the Chair.

3.23 **Clause No. 1 of Report No. 1 of The Audit Committee, headed “Review of Investigation of Sexual Assaults - Toronto Police Services”.**

Motion:

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

“It is further recommended that the report dated January 31, 2000, from the Chief Administrative Officer, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Access and Equity Unit facilitate the provision of required expertise through purchase of service agreements;
- (2) December 31, 2000 be set as the sunset date for the Sexual Assault Implementation Advisory Committee; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

3.24 **Clause No. 6 of Report No. 1 of The Planning and Transportation Committee, headed “Other Items Considered by the Committee”.**

Motion:

Councillor Layton moved that the Clause be received as information, subject to striking out and referring Item (d), entitled “Free Transit on Air Quality Advisory Days”, embodied therein, back to the Planning and Transportation Committee for further consideration and the hearing of depositions; and Council direct that the Members of the Toronto Cycling Committee be notified when this matter will again be before the Planning and Transportation Committee.

Vote:

The motion by Councillor Layton carried.

The Clause, as amended, was received as information.
Deputy Mayor Ootes in the Chair.

3.25 **Clause No. 26 of Report No. 1 of The North York Community Council, headed “Draft By-law to Stop Up and Close a Portion of the Public Highway Longview Drive and to Authorize the Sale Thereof”.**

Motion:

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

“It is further recommended that the report dated January 21, 2000, from the City Solicitor, embodying the following recommendation, be adopted:

‘It is recommended that Council confirm that the public hearing concerning the proposed by-law to stop up and close part of Longview Drive and to authorize the sale thereof was to be held by the North York Community Council rather than the Planning and Transportation Committee.’ ”

Votes:

The motion by Councillor Augimeri carried.

The Clause, as amended, carried.

Councillors Mammoliti and Nunziata requested that their opposition to this Clause be noted in the Minutes of this meeting.

3.26 **Clause No. 6 of Report No. 2 of The Administration Committee, headed “Expropriation of All Property Interests at 1560 Bayview Avenue for the Purpose of Establishing a Municipal Parking Lot (Ward 22 - North Toronto)”.**

Motion:

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

“It is further recommended that the President of the Toronto Parking Authority be requested to make every effort to relocate businesses that may be expropriated from 1560 Bayview Avenue and submit a report to the Administration Committee, during the expropriation process, on the results thereof.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

3.27 **Clause No. 2 of Report No. 1 of The Economic Development and Parks Committee, headed “Toronto City Youth Games - July 22 to 23, 2000 (All Wards)”.**

Motion:

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

“It is further recommended that Councillor Maria Augimeri (Black Creek) be appointed to co-ordinate and liaise on the implementation of the Toronto City Youth Games.”

Votes:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

3.28 **Clause No. 5 of Report No. 1 of The Community Services Committee, headed “Toronto Fire Services – ‘War On Fire’ ”.**

Motion:

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

“It is further recommended that the following motion be referred to the Community Services Committee, with a request that the Fire Chief report thereon to the Committee:

Moved by Councillor Adams:

‘It is recommended that City Council support the initiatives of the Fire Chief to request the Ministry of Municipal Affairs and Housing, Building Branch, to conduct a review of the Ontario Building Code and introduce the requirements for the construction of new residential dwellings to include mandatory fire sprinkler systems, in conjunction with smoke alarms, to provide built-in fire protection systems for the occupants of future residential dwellings, or, in the alternative, empower the City of Toronto to do so on its own.’ ”

Vote:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

3.29 **Clause No. 39 of Report No. 2 of The Toronto Community Council, headed “Residential Demolition - 80 Roxborough Street East (Midtown)”.**

Motion:

Councillor Adams moved that the Clause be amended by:

- (1) adding the following new condition No. (3) to the report dated December 9, 1999, from the Acting Commissioner of Urban Planning and Development Services:

“(3) the demolition permit will not be issued until a replacement building permit has been issued;” and

- (2) adding thereto the following:

“It is further recommended that the report dated January 27, 2000, from the Executive Director and Chief Building Official, be received.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

3.30 **Clause No. 3 of Report No. 1 of The Planning and Transportation Committee, headed “Exempting Non-Profit Housing from Planning Application Fees, Building Permit Fees and Parkland Dedication Payment Requirements”.**

Motion:

Councillor Moscoe moved that the Clause be amended by:

- (1) adding to Recommendation No. (1) embodied in the joint report dated December 21, 1999, from the Acting Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, as amended by the Planning and Transportation Committee, after the words “By-law No. 30152 of the former City of North York”, the words “and By-law No. 1944-0786 of the former City of Toronto as applicable”; so that such recommendation shall now read as follows:

“(1) Council exempt the following non-profit housing developments from the building fees payable under By-law No. 163-1998 and the parkland dedication

requirements under By-law No. 30152 of the former City of North York and By-law No. 1944-0786 of the former City of Toronto as applicable:

a 24 unit non-profit housing development at 647-657 Lawrence Avenue West;

30 St. Lawrence Street; and

1070 Queen Street East;

and, if possible, that the waiving of the permit fees for these projects be changed to a deferral of fees if deemed feasible during the course of discussions, and that the approval of the waiver of fees in no way imply that the project be subject to any lower design landscaping or site plan standards than any private sector project;”;

and adopting such recommendation, as so amended; and

- (2) striking out and referring the balance of the Clause, together with the confidential reports dated December 6, 1999, and January 27, 2000, from the City Solicitor, and the following motion, back to the Planning and Transportation Committee for further consideration, and requesting the Commissioner of Urban Development Services and the City Solicitor to submit a joint report thereon to the Planning and Transportation Committee:

Moved by: **Councillor Moscoe**

Seconded by: **Councillor Feldman**

“**WHEREAS** the Report of the Mayor’s Homelessness Action Task Force estimated that about 2,000 new below-market rental units are needed every year in Toronto just to meet the new demand; and

WHEREAS, in the City of Toronto, there have only been 159 and 203 rental starts (excludes lifelease units) in 1998 and 1999, respectively; and

WHEREAS City Council endorsed the Task Force’s Action Plan which contains 104 recommendations; and

WHEREAS Recommendation No. 79 in the final report states that ‘The City and its agencies, boards, and commissions should defer development charges, land use application fees, parks levies, hook-up fees and other charges for housing developments that meet affordability criteria.’; and

WHEREAS the City's Development Charges By-law, By-law No. 476-1999, exempts non-profit housing from development charges; and

WHEREAS the Councils of the former municipalities waived building permit fees and parkland dedication payment requirements for certain types of development, including commercial and industrial buildings, places of worship, publicly funded schools, hospitals and social housing (former City of Toronto); and

WHEREAS there are sufficient means to recoup the deferred planning application fees, building permit fees and parkland dedication payment requirements for non-profit housing developments on City-owned sites that subsequently convert from non-profit to for-profit; and

WHEREAS under the City's Let's Build program, twenty-two proposals have been submitted for expressions of interest to develop four City-owned sites;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) Council defer for all City-owned sites:
 - (i) planning application fees for non-profit housing developments;
 - (ii) building permit fees for non-profit housing developments; and
 - (iii) parkland dedication payment requirements for all non-profit housing developments, except where existing agreements which are registered on title required a parkland cash-in-lieu payment for future housing development;
- (b) for future non-profit housing developments, the appropriate parkland dedication by-law be amended to exclude the property from the parkland dedication payment requirement; and
- (c) the same definition of 'non-profit housing' as is used in the Development Charges By-law No. 476-1999 be used for this policy;
- (d) City officials be directed to defer collecting planning application fees, building permit fees and parkland dedication payment requirements, in accordance with the above recommendations; and
- (e) Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto."

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

3.31 **Clause No. 1 of Report No. 1 of The Works Committee, headed “Harmonization of Transit Shelter Agreements”.**

Motions:

- (a) Councillor Saundercook moved that the Clause be amended by amending Recommendation No. (2) embodied in the report dated November 29, 1999, from the Commissioner of Works and Emergency Services, as amended by the Works Committee, by deleting the year “2009”, and inserting in lieu thereof the date “September 1, 2007”, so that such recommendation shall now read as follows:

“(2) staff be directed to negotiate with Mediacom Inc. one harmonized agreement that would provide for revenue sharing or direct payment and installation of new shelters, that may expire later than December 31, 2005, but not beyond September 1, 2007;”.

- (b) Councillor Minnan-Wong 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:

- (1) Council reaffirm its commitment to the principle that major contracts be open to competition through either the tender call or Request for Proposals (RFP) process, so as to ensure that the taxpayers will obtain the highest possible value for such contracts;
- (2) Council direct the Commissioner of Works and Emergency Services to ensure that the competition process is fair, equitable, transparent and open, and, in all instances, represents a ‘level playing field’; and
- (3) the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on a recommended course of action that guarantees competition on the expiring contracts through either a tender call or an RFP.”

- (c) Councillor Duguid 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 give consideration to ‘state of the art’ shelter designs when negotiating one harmonized transit shelter agreement, such as the design modifications included in the former City of Scarborough Transit Shelter Agreement.”

- (d) Councillor Cho 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 harmonization of Transit Shelter Agreements be phased in with a fair and open tendering process, e.g.:
- (1) the contract for the former Municipality of Metropolitan Toronto and the former City of North York be combined together, expiring by 2005; and
 - (2) the contract with Scarborough Transit Shelter advertising expire in 2010;
- to provide for a fully harmonized shelter advertising contract by 2010.”
- (e) Councillor Davis moved that motion (d) by Councillor Cho be referred to the Works Committee for consideration at such time as the Commissioner of Works and Emergency Services submits a report to the Committee on the results of the negotiations.
- (f) Councillor Ashton moved that motion (a) by Councillor Saundercook be amended to provide that Recommendation No. (2) be further amended by inserting, after the words “new shelters”, the words “amongst other negotiated benefits”.
- (g) Councillor Mihevc moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Works and Emergency Services not accept, in the negotiations with Mediacom, any term or condition that would keep the terms of the agreement confidential.”
- (h) Councillor Moscoe moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the Commissioner of Works and Emergency Services, in developing the tender specifications or in any negotiations, include:
- (1) an improved standard for maintenance;
 - (2) enhanced shelter design; and
 - (3) recognition of the enhanced value of advertising should Toronto win the Olympic bid.”
- (i) Councillor Kinahan moved that motion (b) by Councillor Minnan-Wong be amended by adding thereto the following new Recommendation No. (4):

“(4) the Commissioner of Works and Emergency Services be requested to consider a tender or RFP process for an up to 10-year contract which contemplates:

- (a) getting the 310 former Municipality of Metropolitan Toronto shelters on December 31, 2000;
- (b) getting the 250 former City of North York shelters on November 26, 2001;
- (c) getting the 520 former City of Toronto shelters on December 31, 2005; and

if the contract term extends beyond seven years:

- (d) getting the 90 former Borough of East York shelters on May 7, 2006; and
- (e) getting the 250 former City of Scarborough shelters on September 1, 2007;

with the idea of retendering at the end of the contract, at which time the shelters of the former Cities of York and Etobicoke would be picked up on their current expiry dates.”

(j) Councillor Miller moved that the Clause be amended by:

- (1) adding to Recommendation No. (2) embodied in the report dated November 29, 1999, from the Commissioner of Works and Emergency Services, as amended by the Works Committee, the words “subject to the Commissioner being instructed to negotiate the earliest possible date for the harmonization of the contracts”; and
- (2) adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee specifically on the possibility of tendering the bus shelter advertising agreements in separate groups, rather than as a whole.”

(k) Councillor Shiner moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services, prior to the retention of a consultant, be requested to submit a report to the Works Committee on the choice of consultant; the qualifications of that consultant; and why such consultant was chosen.”

Votes:

Adoption of motion (i) by Councillor Kinahan:

Yes - 10	
Councillors:	Adams, Augimeri, Cho, Chow, Kinahan, Layton, McConnell, Moscoe, Nunziata, Pantalone
No - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker

Lost by a majority of 30.

Ruling by Deputy Mayor:

Councillor Miller, with the permission of Council, requested that a separate vote be taken on each Part of motion (b) by Councillor Minnan-Wong.

Deputy Mayor Ootes, having regard to the nature of motion (b) by Councillor Minnan-Wong, ruled that the vote be taken on such motion in its entirety.

Councillor Miller challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 34	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Feldman, Flint, Gardner, Holyday, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair
No - 14	
Councillors:	Ashton, Berger, Giansante, Johnston, Jones, Layton, McConnell, Mihevc, Miller, Minnan-Wong, O'Brien, Soknacki, Tzekas, Walker

Carried by a majority of 20.

Adoption of motion (b) by Councillor Minnan-Wong:

Yes - 21 Councillors: Augimeri, Berger, Bossons, Bussin, Cho, Chow, Holyday, Jones, Kinahan, Korwin-Kuczynski, Layton, Mahood, Minnan-Wong, Moscoe, Nunziata, O'Brien, Prue, Rae, Soknacki, Tzekas, Walker
No - 28 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Berardinetti, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Johnston, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Ootes, Pantalone, Pitfield, Saundercook, Shaw, Shiner, Silva, Sinclair

Lost by a majority of 7.

Motion (e) by Councillor Davis carried.

Motion (f) by Councillor Ashton carried.

Adoption of motion (j) by Councillor Miller:

Yes - 38 Councillors: Adams, Augimeri, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Prue, Rae, Shaw, Shiner, Sinclair, Soknacki, Tzekas, Walker
No - 12 Councillors: Altobello, Ashton, Berardinetti, Davis, Gardner, Kelly, Li Preti, Ootes, Pantalone, Pitfield, Saundercook, Silva

Carried by a majority of 26.

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

Yes - 41	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki
No - 10	
Councillors:	Brown, Bussin, Kinahan, Layton, Mahood, Minnan-Wong, Nunziata, Rae, Tzekas, Walker

Carried by a majority of 31.

Motion (c) by Councillor Duguid carried.

Motion (g) by Councillor Mihevc carried.

Motion (h) by Councillor Moscoe carried.

Motion (k) by Councillor Shiner carried.

Adoption of Clause, as amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Brown, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Johnston, Kelly, Kinahan, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, O'Brien, Ootes, Pantalone, Pitfield, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki
No - 17	
Councillors:	Augimeri, Bossons, Bussin, Cho, Chow, Holyday, Jones, Korwin-Kuczynski, Layton, Mahood, Minnan-Wong, Moscoe, Nunziata, Prue, Rae, Tzekas, Walker

Carried by a majority of 17.

In summary, Council amended this Clause by:

- (1) amending Recommendation No. (2) embodied in the report dated November 29, 1999, from the Commissioner of Works and Emergency Services, as amended by the Works Committee, by:
 - (a) inserting, after the words “new shelters”, the words “amongst other negotiated benefits”;
 - (b) deleting the year “2009”, and inserting in lieu thereof the date “September 1, 2007”; and
 - (c) adding thereto the words “subject to the Commissioner being instructed to negotiate the earliest possible date for the harmonization of the contracts”;

so that such recommendation shall now read as follows:

- “(2) staff be directed to negotiate with Mediacom Inc. one harmonized agreement that would provide for revenue sharing or direct payment and installation of new shelters amongst other negotiated benefits, that may expire later than December 31, 2005, but not beyond September 1, 2007, subject to the Commissioner being instructed to negotiate the earliest possible date for the harmonization of the contracts;”;
- (2) adding thereto the following:

“It is further recommended that:

 - (a) the Commissioner of Works and Emergency Services not accept, in the negotiations with Mediacom, any term or condition that would keep the terms of the agreement confidential;
 - (b) the Commissioner of Works and Emergency Services, in developing the tender specifications or in any negotiations, include:
 - (i) an improved standard for maintenance;
 - (ii) enhanced shelter design; and
 - (iii) recognition of the enhanced value of advertising should Toronto win the Olympic bid;
 - (c) the Commissioner of Works and Emergency Services be requested to:
 - (i) give consideration to ‘state of the art’ shelter designs when negotiating one harmonized transit shelter agreement, such as the design modifications included in the former City of Scarborough Transit Shelter Agreement; and

- (ii) submit a report to the Works Committee specifically on the possibility of tendering the bus shelter advertising agreements in separate groups, rather than as a whole;
- (d) the Commissioner of Works and Emergency Services, prior to the retention of a consultant, be requested to submit a report to the Works Committee on the choice of consultant; the qualifications of that consultant; and why such consultant was chosen; and
- (e) the following motion be referred to the Works Committee for consideration at such time as the Commissioner of Works and Emergency Services submits a report to the Committee on the results of the negotiations:

Moved by Councillor Cho:

‘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 harmonization of Transit Shelter Agreements be phased in with a fair and open tendering process, e.g.:

- (1) the contract for the former Municipality of Metropolitan Toronto and the former City of North York be combined together, expiring by 2005; and
- (2) the contract with Scarborough Transit Shelter advertising expire in 2010;

to provide for a fully harmonized shelter advertising contract by 2010.”
, ”

3.32 Clause No. 13 of Report No. 2 of The Policy and Finance Committee, headed “Year 2000 Vehicle Replacement Strategy - Release of Funds”.

Motion:

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

“It is further recommended that:

- (1) the Toronto Police Service be requested to work with the Fleet Management Division and consult with the Toronto Atmospheric Fund and the Energy Efficiency Office to investigate purchasing ultra low emission vehicles (ULV) and report thereon to the Works Committee by April 2000; and

- (2) the Acting Commissioner of Corporate Services be requested to submit an updated report to the Works Committee, by April 2000, on the progress realized by the City's agencies, boards and commissions in moving towards 'green' fleets and zero emissions."

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

Mayor Lastman in the Chair.

3.33 **Clause No. 4 of Report No. 1 of The Economic Development and Parks Committee, headed "Third Party Outdoor Advertising on City Property (All Wards)".**

Motion:

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

"It is further recommended that, having regard that the report dated January 4, 2000, from the Commissioner of Economic Development, Culture and Tourism, presents the results of a recent public opinion survey and seeks the authorization of City Council to continue with the development of a third party outdoor advertising program on City-owned lands and properties, all future sign locations identified in the outdoor advertising program be approved by the Community Council for the area in which such signs are to be located and staff be directed to consult with the local Ward Councillors and the affected communities on any sign location identified in their respective areas."

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

3.34 **Clause No. 1 of Report No. 2 of The Administration Committee, headed "Policy on Filling Vacancies on City Council".**

Motions:

- (a) Councillor Sinclair moved that the Clause be amended by deleting Recommendation No. (2) of the Administration Committee, viz.:

- “(2) that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking municipal office who has been convicted of a crime arising from his/her conduct as an elected official.”
- (b) Councillor Soknacki moved that the Clause be amended by deleting from Recommendations Nos. (1) and (2) embodied in the report dated October 21, 1999, from the City Clerk, the date “July 31” and inserting in lieu thereof the date “November 30”, so that such recommendations shall now read as follows:
- “(1) any vacancy in the office of the Mayor or a Councillor declared by Council prior to November 30 in the year prior to an election year be filled through the conduct of a by-election;
- (2) any vacancy in the office of the Mayor or a Councillor declared by Council after November 30 in the year prior to an election year be filled through an appointment;”.
- (c) Councillor Berardinetti moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (a) the vacancy in Ward 21, Davenport, be filled by an appointment of a qualified elector to serve the remainder of the term of office;
- (b) the procedure to be followed for the appointment be in accordance with the policy for filling vacancies on City Council, as set out in the report dated October 21, 1999, from the City Clerk;
- (c) the appointment of a qualified elector to fill the vacancy in Ward 21, Davenport, for the remainder of this term of Council, be considered by City Council at its regular meeting to be held on February 29, 2000; and
- (d) the necessary funds for the appointment be provided from the Corporate Contingency Account.”
- (d) Councillor Davis moved that the Clause be amended by deleting from Recommendation No. (2) of the Administration Committee the words “crime arising from his/her conduct as an elected official”, and inserting in lieu thereof the words “federal criminal offence”, so that such recommendation shall now read as follows:
- “(2) that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking municipal office who has been convicted of a federal criminal offence.”
- (e) Councillor Filion moved that the Clause be amended by deleting from Recommendations Nos. (1) and (2) embodied in the report dated October 21, 1999, from the City Clerk, the words “July 31 in the year prior to an election year” and inserting in lieu thereof the words “January 1 in the year of an election”.

- (f) Councillor Mammoliti moved that the Clause be amended by striking out and referring Recommendation No. (2) of the Administration Committee to the City Solicitor for a report thereon to the Administration Committee.
- (g) Councillor Adams moved that the Clause be amended by adding to Recommendation No. (2) of the Administration Committee the words “such prohibition be in effect for a period of ten years from the date of conviction”, so that such recommendation shall now read as follows:
- “(2) that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking municipal office who has been convicted of a crime arising from his/her conduct as an elected official, such prohibition be in effect for a period of ten years from the date of conviction.”
- (h) Councillor Brown moved that the Clause be amended by deleting from Recommendation No. (2) of the Administration Committee the words “a crime arising from his/her conduct as an elected official” and inserting in lieu thereof the words “an offence arising from a specific breach of trust related to their position as an elected official”, so that such recommendation shall now read as follows:
- “(2) that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking municipal office who has been convicted of an offence arising from a specific breach of trust related to their position as an elected official.”

Votes:

Adoption of motion (f) by Councillor Mammoliti:

Yes - 8	
Councillors:	Brown, Cho, Disero, Feldman, Kelly, Kinahan, Li Preti, Mammoliti
No - 41	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Chong, Davis, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, King, Korwin Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Walker

Lost by a majority of 33.

Adoption of motion (a) by Councillor Sinclair:

Yes - 16 Councillors:	Ashton, Augimeri, Brown, Chong, Disero, Johnston, Kinahan, King, Korwin-Kuczynski, Li Preti, Mammoliti, Mihevc, Pantalone, Saundercook, Sinclair, Walker
No - 33 Mayor: Councillors:	Lastman Adams, Altobello, Berardinetti, Berger, Bossons, Cho, Davis, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Layton, Lindsay Luby, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Soknacki

Lost by a majority of 17.

Adoption of motion (d) by Councillor Davis:

Yes - 7 Mayor: Councillors:	Lastman Augimeri, Davis, Disero, Mammoliti, Saundercook, Soknacki
No - 43 Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, 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, Shiner, Silva, Sinclair, Walker

Lost by a majority of 36.

Adoption of motion (g) by Councillor Adams:

Yes - 9	
Mayor:	Lastman
Councillors:	Adams, Cho, Kelly, Kinahan, Layton, Mammoliti, McConnell, Moscoe
No - 40	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Walker

Lost by a majority of 31.

Adoption of motion (h) by Councillor Brown:

Yes - 39	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Bossons, Brown, Cho, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jones, Kelly, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki
No - 10	
Councillors:	Augimeri, Berger, Chong, Holyday, Johnston, Kinahan, Korwin-Kuczynski, Li Preti, O'Brien, Walker

Carried by a majority of 29.

Adoption of motion (e) by Councillor Filion:

Yes - 22 Councillors:	Augimeri, Brown, Cho, Duguid, Filion, Flint, Jones, Kelly, Kinahan, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Pitfield, Prue, Rae, Sinclair, Soknacki
No - 27 Mayor: Councillors:	Lastman Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Chong, Davis, Disero, Feldman, Giansante, Holyday, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Nunziata, Ootes, Pantalone, Saundercook, Shiner, Silva, Walker

Lost by a majority of 5.

Adoption of motion (b) by Councillor Soknacki:

Yes - 32 Councillors:	Adams, Augimeri, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Johnston, Jones, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Pantalone, Pitfield, Rae, Saundercook, Shiner, Sinclair, Soknacki, Walker
No - 17 Mayor: Councillors:	Lastman Altobello, Ashton, Berardinetti, Bossons, Holyday, Kelly, Kinahan, King, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Nunziata, Ootes, Prue, Silva

Carried by a majority of 15.

Adoption of Part (1) of motion (c) by Councillor Berardinetti:

Yes - 45	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Walker
No - 4	
Councillors:	Augimeri, Filion, Jones, Miller

Carried by a majority of 41.

The balance of motion (c) by Councillor Berardinetti carried.

Adoption of Clause, as amended:

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki
No - 10	
Councillors:	Ashton, Augimeri, Johnston, Kinahan, King, Korwin-Kuczynski, Li Preti, Moeser, Pantalone, Walker

Carried by a majority of 30.

In summary, Council amended this Clause by:

- (1) deleting from Recommendations Nos. (1) and (2) embodied in the report dated October 21, 1999, from the City Clerk, the date "July 31" and inserting in lieu thereof the date "November 30", so that such recommendations shall now read as follows:

- “(1) any vacancy in the office of the Mayor or a Councillor declared by Council prior to November 30 in the year prior to an election year be filled through the conduct of a by-election;
 - (2) any vacancy in the office of the Mayor or a Councillor declared by Council after November 30 in the year prior to an election year be filled through an appointment;”;
- (2) deleting from Recommendation No. (2) of the Administration Committee the words “a crime arising from his/her conduct as an elected official” and inserting in lieu thereof the words “an offence arising from a specific breach of trust related to their position as an elected official”, so that such recommendation shall now read as follows:
- “(2) that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking municipal office who has been convicted of an offence arising from a specific breach of trust related to their position as an elected official.”; and
- (3) adding thereto the following:
- “It is further recommended that:
- (a) the vacancy in Ward 21, Davenport, be filled by an appointment of a qualified elector to serve the remainder of the term of office;
 - (b) the procedure to be followed for the appointment be in accordance with the policy for filling vacancies on City Council, as set out in the report dated October 21, 1999, from the City Clerk;
 - (c) the appointment of a qualified elector to fill the vacancy in Ward 21, Davenport, for the remainder of this term of Council, be considered by City Council at its regular meeting to be held on February 29, 2000; and
 - (d) the necessary funds for the appointment be provided from the Corporate Contingency Account.”

Deputy Mayor Ootes in the Chair.

3.35 **Clause No. 15 of Report No. 2 of The Policy and Finance Committee, headed “City Contribution to Funding for the Toronto Waterfront Revitalization Task Force (All Wards)”.**

Motions:

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

“It is further recommended that the Chief Planner be requested to:

- (1) submit a report to the Planning and Transportation Committee on a recommended process for consultation on the forthcoming report from the Toronto Waterfront Revitalization Task Force which will be submitted in February, 2000; and
- (2) submit a report to the Policy and Finance Committee, in consultation with the Chief Financial Officer and Treasurer, on the disbursement of City of Toronto funds for this project.”

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

“It is further recommended that the City representatives on the Toronto Waterfront Revitalization Task Force be requested to seek the comments of the Toronto and Region Conservation Authority on the interim and any future reports of the Toronto Waterfront Revitalization Task Force, such comments to be appended to all Task Force reports.”

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

“It is further recommended that the City representatives on the Toronto Waterfront Revitalization Task Force be requested to ensure that the traditions of the City of Toronto government are respected with regard to planning approvals and community involvement, and that public involvement is provided for in an extensive fashion.”

Votes:

Motion (a) by Councillor Miller carried.

Motion (b) by Councillor Jones carried.

Motion (c) by Councillor Layton carried.

Adoption of Clause, as amended:

Yes - 44	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Cho, Disero, Duguid, Feldman, Fillion, Flint, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Walker
No - 0	

Carried, without dissent.

3.36 Clause No. 11 of Report No. 2 of The Administration Committee, headed “Amendment to the Council Procedural By-law - Submission of Reports to Council”.

Motion:

Councillor Adams moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on February 29, 2000.

Vote:

The motion by Councillor Adams carried.

3.37 Clause No. 8 of Report No. 1 of The Works Committee, headed “Household Hazardous Waste”.

Motion:

Councillor Adams 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 Works Committee on the results of an even more aggressive program to collect household hazardous waste, possibly at gas stations.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

3.38 **Clause No. 32 of Report No. 2 of The Toronto Community Council, headed “Tree Removal - 314/316 Avenue Road (Midtown)”.**

Motion:

Councillor Adams moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on February 29, 2000.

Vote:

The motion by Councillor Adams carried.

3.39 **Clause No. 4 of Report No. 1 of The Works Committee, headed “Integration of Works Construction Contract Documents - Harmonized General Conditions of Contracts”.**

Motion:

Councillor Saundercook moved that the Clause, together with the communication dated February 2, 2000, from Councillor Layton, and the communication dated February 2, 2000, from Urban Intelligence Inc., be struck out and referred back to the Works Committee for further consideration at its meeting scheduled to be held on February 7, 2000, and report thereon to the next regular meeting of City Council to be held on February 29, 2000.

Vote:

The motion by Councillor Saundercook carried.

3.40 **Clause No. 14 of Report No. 1 of The Scarborough Community Council, headed “Classical Chinese Garden Fundraising Committee Progress Report”.**

Motion:

Councillor Berardinetti moved that the Clause be amended by amending Recommendation No. (3) of the Scarborough Community Council to read as follows:

- “(3) refer Recommendation No. (3) to the Policy and Finance Committee, with a request that the Chief Financial Officer and Treasurer and the Commissioner of Economic Development, Culture and Tourism submit a joint report thereto, by April 2000, on the budgetary implications of this recommendation by the Fundraising Committee.”

Votes:

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

3.41 **Clause No. 15 of Report No. 1 of The Works Committee, headed “Compliance Program with Monetary Concession - Coca-Cola Bottling Ltd. (Ward 1)”.**

Motion:

Councillor Moscoe moved that consideration of the Clause be deferred to the next regular meeting of City Council to be held on February 29, 2000.

Vote:

The motion by Councillor Moscoe carried.

3.42 **Clause No. 9 of Report No. 2 of The Administration Committee, headed “Union Station Acquisition: Conditions for Closing and Business Case Analysis”.**

Motion:

Councillor McConnell 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 for its meeting scheduled to be held on March 21, 2000, indicating the status of the Walks and Gardens Trust, the amount of reserve funding that should be in the Walks and Gardens Trust account and possible uses for the funds, such report to address the feasibility of using the funds to finance the First Parliament Historical Site.”

Votes:

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

3.43 **Clause No. 2 of Report No. 2 of The Administration Committee, headed “Declaration as Surplus, Nos. 1160, 1180 and 1200 Lake Shore Boulevard East (Ward 26 - East Toronto)”.**

Motions:

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

“It is further recommended that future reports on the declaration of surplus and sale of properties include, in the recommendations, a statement indicating where the revenue from the sale of such properties will be deposited.”

- (b) Councillor Altobello moved that the Clause be struck out and referred back to the Administration Committee for further consideration; and the Acting Commissioner of Corporate Services be requested to submit a report to the Committee, for consideration therewith, on whether these properties have been evaluated to determine their suitability for affordable housing.

Vote:

Motion (b) by Councillor Altobello carried.

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

3.44 **Clause No. 2 of Report No. 1 of The Community Services Committee, headed “Response by the Minister of Health to Emergency Department Overcrowding”.**

Motions:

- (a) Councillor Johnston 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 Community Services Committee:

- (1) on the feasibility of conducting a pathological rather than numerical study based on classification of disease and injury of patients transported by Toronto Ambulance, in order that a prevention and home maintenance plan can be developed; and
- (2) providing statistical information respecting the number of calls both of a true emergency and non-emergency nature.”

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

“It is further recommended that City Council write to the Toronto District Health Council and the Ontario Ministry of Health:

- (1) expressing Council’s concern about back-logs impeding public access to hospital emergency rooms and the inefficient use of ambulance services; and
- (2) requesting the Toronto District Health Council to work with local health service providers to recommend to the Minister of Health steps to be taken in the areas of community and long-term care, mental health and primary care to reduce the high levels of demand on Toronto hospital emergency rooms.”

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

“It is further recommended that the following Motion be adopted:

Moved by: Councillor Duguid

Seconded by: Councillor Mihevc

‘**WHEREAS** provincial hospital restructuring and funding formula realignments have impacted the ability of hospital emergency admitting regimes to provide around-the-clock emergency medical services; and

WHEREAS hospital capacities and emergency room admitting volumes have reached a crisis level wherein patients’ health and safety is being placed at risk in critical situations; and

WHEREAS Toronto Ambulance have been required to re-route patients in critical condition, and under their immediate care, to hospitals not in the immediate vicinity; and

WHEREAS on Friday, January 14, 2000, an 18-year-old patient, being transported to Scarborough Hospital, Grace Division, was transported to Markham-Stouffville, because Scarborough (Grace) was on critical-care bypass (CCB) and closed to ambulance patients, and tragically passed away; and

WHEREAS the closing of hospital emergency departments in Toronto to incoming ambulances under the Critical Care Bypass designation has made the transportation time for patients in need of immediate emergency care potentially unsafe; and

WHEREAS Toronto Ambulance currently has a goal of training 150 Level II and 50 Level III staff as part of their 2000 Operating Budget; and

WHEREAS, at the present time, of 700 full-time equivalent staff in all paramedic levels, there are currently 120 Level III Advanced Care Medics, 30 Critical Care Medics, 100 Level II Intermediate Paramedics and 450 Level I Paramedics; and

WHEREAS the issue of transference of critically-injured or ill patients in the Greater Toronto Area is of immediate and life-saving concern and demands the attention and action of the Toronto Ambulance Service on an urgent basis, and that Council support the actions of the Mayor and General Manager of Toronto Ambulance;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto support and endorse the position taken by Toronto Ambulance and the Mayor of Toronto with regard to taking critical patients to the closest hospital, regardless of their Emergency Department status;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Community Services Committee on the efforts to implement a full advanced life support system whereby every ambulance would be staffed with a Level III medic and advise as to the viability of accelerating the training program to implement this level of service.’ ”

Votes:

Motion (a) by Councillor Johnston carried.

Motion (b) by Councillor Korwin-Kuczynski carried.

Motion (c) by Councillor Duguid carried.

The Clause, as amended, carried.

3.45 **Clause No. 24 of Report No. 1 of The North York Community Council, headed “Official Plan Amendment No. UDOP-99-35 - Peter Cheatley (1205373 Ontario Limited) - 76, 78, 80 and 84 Eglerslie Avenue - North York Centre”.**

Motions:

- (a) Councillor Moscoe moved that the Clause be amended by amending Recommendation No. (3) of the North York Community Council to read as follows:

“(3) City Council support this decision by requesting the City Solicitor to appear on behalf of Council’s decision at the Ontario Municipal Board and authorize the provision of such Legal and Planning staff in support of Council’s position, up to and including judicial review of the Board’s decision as may be required, such judicial review to be subject to the approval of City Council;”.

- (b) Councillor Gardner moved that the Clause be amended by striking out the recommendation of the North York Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated December 20, 1999, from the Director, Community Planning, North District, be adopted.”

- (c) Councillor Filion moved that motion (a) by Councillor Moscoe be amended by adding thereto the words “and that, at the conclusion of the Ontario Municipal Board hearing, staff be requested to report to Council, through the North York Community Council, on whether or not a judicial review is warranted”.

Votes:

Adoption of motion (b) by Councillor Gardner:

Yes - 27 Councillors:	Adams, Berger, Bossons, Brown, Cho, Chong, Disero, Feldman, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Layton, Lindsay Luby, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Walker
No - 14 Councillors:	Ashton, Augimeri, Chow, Duguid, Filion, Flint, Jones, Kinahan, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Tzekas

Carried by a majority of 13.

Having regard to the foregoing decision of Council, motions (a) and (c), by Councillors Moscoe and Filion, respectively, were not put to a vote.

The Clause, as amended, carried.

3.46 **Clause No. 1 of Report No. 2 of The North York Community Council, headed "Vacancy - City of Toronto Council – North York Humber – Ward 6".**

Appointment of a Person to the Office of Councillor – North York Humber

At 5:00 p.m. on February 2, 2000, in accordance with the Procedures for Filling a Councillor's Vacancy Through An Appointment, Deputy Mayor Ootes advised the Council that:

- (1) the purpose of this part of the meeting is to hear from those persons who have consented to accept the office of Councillor – North York Humber, if he/she is appointed by City Council to fill the vacancy as required under the provisions of the Municipal Act of the Province of Ontario;
- (2) the following persons had submitted nominations prior to this Council meeting:

Mr. Michael Alam;
Mr. Bob Churchill;
Mr. Harbhajan (Harry) Dhillon;
Mr. Michael Di Carlo;
Mr. Karim Nazerali;
Mr. Farid Omar;
Ms. Maria Rizzo;
Ms. Gina Severino;

Mr. Edward Sweet;
Mr. Paul Tallis;
Mr. Paul Valenti; and
Mr. Lorenzo Zeppieri; and

- (3) the following persons had subsequently withdrawn their names from the list of nominees to be considered to fill the subject vacancy:

Ms. Gina Severino; and
Mr. Lorenzo Zeppieri.

Deputy Mayor Ootes called upon a motion from the Council that those persons who submitted nominations to the City Clerk prior to this Council meeting and have consented to accept the office if they are appointed to fill the vacancy of City Councillor shall be considered for appointment to fill such vacancy.

Motion:

Moved by: **Councillor Feldman**

Seconded by: **Councillor Berger**

“**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 City Councillor, shall be considered for appointment to fill such vacancy:

Michael Alam;
Bob Churchill;
Harbhajan (Harry) Dhillon;
Michael Di Carlo;
Karim Nazerali;
Farid Omar;
Maria Rizzo;
Edward Sweet;
Paul Tallis; and
Paul Valenti.”

Vote:

The motion by Councillor Feldman, seconded by Councillor Berger, carried.

Deputy Mayor Ootes called upon the nominees present at this meeting to address the Council and the City Clerk determined the order of speaking by lot.

The following nominees addressed the Council and each Member of Council was permitted to ask one question of each candidate, if they so chose:

- Ms. Maria Rizzo addressed the Council and advised that she wished to withdraw as a nominee;
- Mr. Michael Alam addressed the Council and advised that he wished to stand for appointment; and
- Mr. Paul Valenti addressed the Council and advised that he wished to stand for appointment.

Vote Be Now Taken:

At this point in the proceedings, Councillor Cho, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yes - 18 Councillors:	Altobello, Berger, Bossons, Cho, Disero, Feldman, Filion, Gardner, Giansante, Holyday, Li Preti, Minnan-Wong, Pitfield, Prue, Saundercook, Shaw, Sinclair, Soknacki
No - 27 Mayor: Councillors:	Lastman Adams, Ashton, Berardinetti, Brown, Bussin, Chong, Duguid, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Shiner, Silva, Tzekas, Walker

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

No further nominees were present at the meeting to address the Council.

Deputy Mayor Ootes advised the Council that the appointment of one of the two following nominees would now proceed by way of written ballot:

Mr. Michael Alam; and
Mr. Paul Valenti.

Deputy Mayor Ootes requested Members of Council to indicate their choice on the ballot provided.

The City Clerk tallied the results of the appointment by ballot and advised the Council of the results, as follows:

For Michael Alam:

Councillor: Jones - 1.

For Paul Valenti:

Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Fillion, Flint, Gardner, Giansante, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker - 47.

The City Clerk declared that Mr. Paul Valenti, having received the votes of more than one-half of the number of the Members of Council present and voting, is appointed to the Office of City Councillor, Ward 6, North York Humber, for the remainder of this term of Council.

3.47 **Clause No. 2 of Report No. 1 of The Works Committee, headed “Prince Edward Viaduct - Don Section, Structure Modification – Contract No. T-71-99 (Midtown - Don River)”.**

Motions:

- (a) Mayor Lastman moved that the Clause be amended by striking out the recommendations of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Contract No. T-71-99, Tender Call No. 222-1999, for the installation of a safety fence on the Prince Edward Viaduct, be cancelled;
- (2) Toronto City Council support the proposed ‘Luminous Veil’ design for the Prince Edward Viaduct;
- (3) Toronto City Council provide funding support to a maximum of \$2.5 million, including GST/PST, to assist in the construction of the project;
- (4) the Project Steering Committee undertake a fund-raising initiative to raise the additional funds required to meet the project budget, and that construction commence after the project is fully funded.”

- (b) Councillor Saundercook moved that the Clause be amended by:
- (1) deleting from Recommendation No. (2) embodied in the report dated October 20, 1999, from the Commissioner of Works and Emergency Services, the figure “\$2.5 million”, and inserting in lieu thereof the figure “\$1.5 million”; and
 - (2) deleting Recommendation (B) of the Works Committee.
- (c) Councillor Pantalone moved that the Clause be amended by adding thereto the following:
- “It is further recommended that:
- (1) the Mayor be requested to write to the President and Chief Executive Officer of Bell Canada requesting that Bell Canada donate the full cost of the installation of the emergency telephone lines on the north side of the Prince Edward Viaduct; and
 - (2) the Commissioner of Works and Emergency Services be requested to contact other telecommunications providers to determine their interest in providing a cost-effective alternative to Bell Canada’s absurd \$100,000.00 (approximate) figure for providing the line on the north side of the Prince Edward Viaduct.”
- (d) Councillor McConnell moved that the Clause be amended by adding thereto the following:
- “It is further recommended that the City of Toronto support the Project Steering Committee through the creation of an interdepartmental staff team consisting of the Departments of Works and Emergency Services, Community and Neighbourhood Services, Urban Development Services and the Toronto Transit Commission.”
- (e) Councillor Duguid moved that Part (4) of motion (a) by Mayor Lastman be amended by adding thereto the words “and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in six months’ time, providing an update on the success of the fund-raising campaign, to date, and an analysis of the probability of the required funds being raised within a reasonable period of time”.
- (f) Councillor Berger moved that Part (4) of motion (a) by Mayor Lastman be amended by adding thereto the words “and further, if the Project Steering Committee has not raised the required funds to complete the project within six months, that the City of Toronto proceed with the installation of a safety barrier of its choice”.

- (g) Councillor Layton moved that Part (1) of motion (c) by Councillor Pantalone be amended by adding thereto the words “and that Bell Canada be requested to investigate the possibility of providing a solar-powered telephone, as provided by Toronto Hydro in High Park, and consult with Toronto Hydro on the development of the project”.

Votes:

Adoption of motion (f) by Councillor Berger:

Yes - 11	
Councillors:	Berger, Bossons, Brown, Flint, Giansante, Jones, Li Preti, Mahood, Pantalone, Saundercook, Walker
No - 36	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Gardner, Holyday, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Tzekas

Lost by a majority of 25.

Motion (e) by Councillor Duguid carried.

Adoption of motion (a) by Mayor Lastman, as amended:

Yes - 36	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Tzekas
No - 11	
Councillors:	Ashton, Bossons, Brown, Chong, Giansante, Holyday, King, Mahood, Minnan-Wong, Saundercook, Walker

Carried by a majority of 25.

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

Motion (g) by Councillor Layton carried.

Motion (c) by Councillor Pantalone, as amended, carried.

Adoption of motion (d) by Councillor McConnell:

Yes - 25	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Cho, Chong, Chow, Disero, Duguid, Filion, Johnston, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Pantalone, Silva, Sinclair, Tzekas, Walker
No - 21	
Councillors:	Altobello, Berardinetti, Berger, Bossons, Brown, Feldman, Flint, Gardner, Giansante, Holyday, Jones, King, Korwin-Kuczynski, Minnan-Wong, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner

Carried by a majority of 4.

Adoption of Clause, as amended:

Yes - 37	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Tzekas
No - 10	
Councillors:	Ashton, Bossons, Brown, Giansante, Holyday, King, Mahood, Minnan-Wong, Saundercook, Walker

Carried by a majority of 27.

In summary, Council amended this Clause by striking out the recommendations of the Works Committee and inserting in lieu thereof the following:

“It is recommended that:

- (1) Contract No. T-71-99, Tender Call No. 222-1999, for the installation of a safety fence on the Prince Edward Viaduct, be cancelled;
- (2) Toronto City Council support the proposed ‘Luminous Veil’ design for the Prince Edward Viaduct;
- (3) Toronto City Council provide funding support to a maximum of \$2.5 million, including GST/PST, to assist in the construction of the project;

- (4) the Project Steering Committee undertake a fund-raising initiative to raise the additional funds required to meet the project budget, and that construction commence after the project is fully funded; and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in six months' time, providing an update on the success of the fund-raising campaign, to date, and an analysis of the probability of the required funds being raised within a reasonable period of time;
- (5) the Mayor be requested to write to the President and Chief Executive Officer of Bell Canada requesting that Bell Canada:
 - (a) donate the full cost of the installation of the emergency telephone lines on the north side of the Prince Edward Viaduct; and
 - (b) investigate the possibility of providing a solar-powered telephone, as provided by Toronto Hydro in High Park, and consult with Toronto Hydro on the development of the project;
- (6) the Commissioner of Works and Emergency Services be requested to contact other telecommunications providers to determine their interest in providing a cost-effective alternative to Bell Canada's absurd \$100,000.00 (approximate) figure for providing the line on the north side of the Prince Edward Viaduct; and
- (7) the City of Toronto support the Project Steering Committee through the creation of an interdepartmental staff team consisting of the Departments of Works and Emergency Services, Community and Neighbourhood Services, Urban Development Services and the Toronto Transit Commission."

3.48 **Clause No. 12 of Report No. 1 of The Community Services Committee, headed "Update on the City of Toronto Squeegee Diversion Strategy".**

Motion:

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

"It is further recommended that the Commissioner of Community and Neighbourhood Services, in consultation with the Chief of Police, be requested to submit a status report to the Community Services Committee, by the end of June 2000, on the impact of the Safe Streets Act and the relationship of the Squeegee Diversion Program to this legislation."

Votes:

The motion by Councillor Kinahan carried.

The Clause, as amended, carried.

3.49 **Clause No. 12 of Report No. 1 of The Works Committee, headed “Draft Environmental Plan - Acceleration of Investment in Sustainable Energy”.**

Motions:

- (a) Councillor Layton moved that the Clause be amended by striking out the recommendations embodied in the communication dated December 22, 1999, from Councillor Jack Layton, Chair, Environmental Task Force, and inserting in lieu thereof the following:

“It is recommended that the City of Toronto request the Toronto Hydro Electrical System Corporation to seek approval from the Ontario Energy Board for the right to implement measures to support financing of sustainable energy, including:

- (1) the use of a surcharge (Systems Benefits Charge) applied to all Toronto Hydro customers, to generate funds that could be used to fund sustainable energy projects;
- (2) a Toronto Hydro rate structure based primarily on consumption rather than fixed service charges;
- (3) Toronto Hydro net billing offering for customer generation of green power (including customer generation that is collectively owned); and
- (4) a rate mechanism for investment in sustainable energy similar to the load reduction adjustment mechanism applied to gas distribution utilities;

and that the City of Toronto monitor the proceedings of the Ontario Energy Board and intervene in support of these initiatives, if necessary.”

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

“It is further recommended that:

- (1) City Council request Toronto Hydro to include, as part of its upcoming rate approval request to the Ontario Energy Board, expenditures so as to give effect to its mandate from City Council ‘to operate in a manner that will protect and enhance the City’s urban forest’; and
- (2) Toronto Hydro be requested to inform City Council of its actions in this regard.”

Votes:

Motion (a) by Councillor Layton carried.

Motion (b) by Councillor Pantalone carried.

The Clause, as amended, carried.

3.50 **Clause No. 3 of Report No. 1 of The Works Committee, headed “Procedure for Eliminating Duplicate Street Names (All Wards)”.**

Motions:

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

“It is further recommended that:

- (1) the Commissioner of Works and the Commissioner of Works and Emergency Services be requested to obtain up-to-date statistics regarding the number of residents on all duplicate streets; and
- (2) Humber Boulevard in Ward 3 (Kingsway Humber) be renamed Old Mill Trail.”

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

“It is further recommended that, as part of the process to eliminate duplicate street names, the Commissioner of Works and Emergency Services be requested to determine:

- (1) when the street was named; and
- (2) after what historical event, person or figure the street was named.”

- (c) Councillor Johnston 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 Works Committee on:

- (1) the inclusion of a public consultation process which would provide for public hearings on street name changes at the Community Councils; and
- (2) the inclusion of additional criteria related to geographic separation in setting priorities for street naming.”

- (d) Councillor Walker moved that the Clause, save and except that portion pertaining to Humber Boulevard in Ward 3 (Kingsway Humber), be struck out and referred back to the Works Committee for further consideration, together with Part (1) of motion (a) by Councillor Lindsay Luby and motions (b) and (c) by Councillors Prue and Johnston, respectively; and the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, for consideration therewith, on the inclusion of a public consultation process through the Community Councils.

Votes:

Adoption of motion (d) by Councillor Walker:

Yes - 22	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Berardinetti, Berger, Brown, Cho, Disero, Feldman, Flint, Johnston, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Ootes, Rae, Shiner, Sinclair, Soknacki, Walker
No - 9	
Councillors:	Ashton, Bossons, Chong, Duguid, Giansante, Holyday, Pantalone, Pitfield, Prue

Carried by a majority of 13.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having been requested by Councillor Holyday to permit the City Solicitor to now address Council, ruled such request out of order, as Council was now in the process of voting on this Clause.

Councillor Shiner challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 20	
Mayor:	Lastman

Councillors:	Ashton, Berger, Cho, Disero, Duguid, Flint, Johnston, Kinahan, Lindsay Luby, Mammoliti, McConnell, Mihevc, Ootes, Pantalone, Pitfield, Rae, Saundercook, Soknacki, Walker
No - 13 Councillors:	Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Feldman, Giansante, Holyday, Mahood, Prue, Shiner, Sinclair

Carried by a majority of 7.

Adoption of Part (2) of motion (a) by Councillor Lindsay Luby:

Yes - 27 Mayor: Councillors:	Lastman Ashton, Augimeri, Berger, Brown, Cho, Chong, Disero, Duguid, Feldman, Flint, Giansante, Kinahan, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Ootes, Pitfield, Rae, Saundercook, Shiner, Sinclair, Soknacki, Walker
No - 8 Councillors:	Altobello, Berardinetti, Bossons, Bussin, Holyday, Johnston, Pantalone, Prue

Carried by a majority of 19.

In summary, Council struck out and referred the Clause, save and except that portion pertaining to Humber Boulevard in Ward 3 (Kingsway Humber), back to the Works Committee for further consideration, together with the following motions; and requested the Commissioner of Works and Emergency Services to submit a report to the Works Committee, for consideration therewith, on the inclusion of a public consultation process through the Community Councils:

Moved by Councillor Johnston:

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

- (1) the inclusion of a public consultation process which would provide for public hearings on street name changes at the Community Councils; and
- (2) the inclusion of additional criteria related to geographic separation in setting priorities for street naming.”

Moved by Councillor Lindsay Luby:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to obtain up-to-date statistics regarding the number of residents on all duplicate streets.”

Moved by Councillor Prue:

“It is further recommended that, as part of the process to eliminate duplicate street names, the Commissioner of Works and Emergency Services be requested to determine:

- (1) when the street was named; and
- (2) after what historical event, person or figure the street was named.”

Council also adopted the following recommendation:

“It is recommended that Humber Boulevard in Ward 3 (Kingsway Humber) be renamed Old Mill Trail.”

3.51 Clause No. 5 of Report No. 1 of The Works Committee, headed “Summer Twice-a-Week Garbage Collection”.

Having regard that the Clause was submitted without recommendation:

Motions:

- (a) Councillor Saundercook moved that Council adopt the following recommendation:
“It is recommended that the report dated December 20, 1999, from the Commissioner of Works and Emergency Services, be adopted.”
- (b) Councillor Mihevc moved that Council adopt the following recommendation:
“It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in January 2001, providing a comparison of the areas that have had or not had twice-a-week garbage collection, such report to address, in particular:
 - (1) costs;
 - (2) general cleanliness and public health considerations; and
 - (3) environmental issues, such as the volume of garbage, and whether such volume has increased or decreased.”
- (c) Councillor Augimeri moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee on the feasibility of substituting the second weekly summer garbage pick-up with either an organics yard waste or recycling pick-up, depending on need and in consultation with the local Ward Councillors.”

Ruling by Deputy Mayor:

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

Motions:

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

“It is recommended that the Commissioner of Works and Emergency Services be requested to develop a stringent strategy to endorse the existing garbage by-laws.”

Permission to Withdraw Motion:

Councillor Mammoliti, with the permission of Council, withdrew his motion (d).

Motions:

- (e) Councillor King moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to include, in any survey conducted on the twice-a-week summer garbage collection, public input on all the different collections, e.g.: garbage, recycling, etc., the results of such public consultation to be submitted to the Works Committee in January 2001.”

- (f) Councillor Prue moved that motion (a) by Councillor Saundercook be amended by adding thereto the words “subject to striking out and referring Recommendations Nos. (3) and (4), embodied therein, back to the Commissioner, with a request that he submit a report to the Works Committee respecting curbside collection being implemented based on the ward structures or the new Community Council structure”.
- (g) Councillor Nunziata moved that the Clause be amended to provide that twice-a-week curbside garbage collection be implemented, in those areas of the former City of York which abut the former City of Toronto, in 2001 rather than 2002.
- (h) Councillor Bossons moved that the Clause be amended by striking out Recommendations Nos. (1) and (2) embodied in the report dated December 20, 1999,

from the Commissioner of Works and Emergency Services, and referring such recommendations to the Works Committee for further consideration.

- (i) Councillor Minnan-Wong moved that Council adopt the following recommendation:

“It is recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the North York Community Council on the method by which the residents are going to be notified on the implementation of the summer twice-a-week garbage collection.”

- (j) Councillor Walker moved that the Clause be struck out and referred back to the Works Committee for further consideration.

Vote Be Now Taken:

At this point in the proceedings, Councillor Soknacki, with the permission of Council, moved that, in accordance with subsection 37(e) of the Council Procedural By-law, the vote be now taken, the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Berardinetti, Berger, Bossons, Brown, Chong, Chow, Disero, Feldman, Flint, Giansante, Jones, Kelly, King, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Nunziata, Pantalone, Pitfield, Prue, Saundercook, Silva, Soknacki, Tzekas
No - 16	
Councillors:	Altobello, Ashton, Augimeri, Bussin, Cho, Duguid, Holyday, Johnston, Korwin-Kuczynski, Layton, McConnell, O'Brien, Ootes, Shiner, Sinclair, Walker

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

Vote on Referral Motion:

Adoption of motion (j) by Councillor Walker:

Yes - 10	
Councillors:	Bossons, Brown, Bussin, Cho, Giansante, Holyday, Johnston, Prue, Rae, Walker

No - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Berger, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas

Lost by a majority of 25.

Motion:

- (k) Councillor Shiner moved that the Clause be amended by amending the report dated December 20, 1999, from the Commissioner of Works and Emergency Services, by:
- (1) deleting from Recommendation No. (3) the year "2001" and inserting in lieu thereof the year "2002"; and
 - (2) deleting from Recommendation No. (4) the year "2002" and inserting in lieu thereof the year "2001".

Votes:

Adoption of motion (h) by Councillor Bossons:

Yes - 10	
Councillors:	Augimeri, Bossons, Bussin, Cho, Holyday, Johnston, Jones, McConnell, Rae, Walker
No - 33	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Berger, Brown, Chong, Disero, Duguid, Feldman, Flint, Giansante, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas

Lost by a majority of 23.

Adoption of motion (f) by Councillor Prue:

Yes - 23	
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Councillors:	Ashton, Augimeri, Bossons, Bussin, Cho, Chong, Duguid, Giansante, Holyday, Johnston, Jones, Kelly, Layton, McConnell, Mihevc, Nunziata, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Walker
No - 21	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Brown, Disero, Feldman, Flint, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, O'Brien, Ootes, Shiner, Silva, Sinclair, Soknacki, Tzekas

Carried by a majority of 2.

Having regard to the foregoing decision of Council, motions (g) and (k) by Councillors Nunziata and Shiner, respectively, were declared redundant.

Motion (b) by Councillor Mihevc carried.

Adoption of motion (e) by Councillor King, moved by Councillor Saundercook in the absence of Councillor King:

Yes - 31	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Giansante, Holyday, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mihevc, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Saundercook, Shaw, Tzekas, Walker
No - 13	
Councillors:	Berardinetti, Berger, Flint, Li Preti, Mahood, Mammoliti, McConnell, Minnan-Wong, Rae, Shiner, Silva, Sinclair, Soknacki

Carried by a majority of 18.

Adoption of motion (i) by Councillor Minnan-Wong:

Yes - 19	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Berger, Chong, Duguid, Feldman, Flint, Holyday, Jones, Li Preti, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Shaw, Shiner, Sinclair, Tzekas
No - 25	
Councillors:	Altobello, Berardinetti, Bossons, Brown, Bussin, Cho, Disero, Giansante, Johnston, Kelly, Korwin-Kuczynski, Layton, Mahood, Mihevc, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Soknacki, Walker

Lost by a majority of 6.

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

Yes - 37	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Disero, Duguid, Feldman, Flint, Giansante, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas
No - 7	
Councillors:	Bussin, Holyday, Johnston, Jones, Nunziata, Pitfield, Walker

Carried by a majority of 30.

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the report dated December 20, 1999, from the Commissioner of Works and Emergency Services, be adopted, subject to striking out and referring Recommendations Nos. (3) and (4), embodied therein, back to the Commissioner, with a request that he submit a report to the Works Committee respecting curbside collection being implemented based on the ward structures or the new Community Council structure, viz.:

- “(3) for 2001, twice-a-week summer curbside garbage collection be implemented in the remainder of the Toronto Community; and
- (4) for 2002, twice-a-week summer curbside garbage collection be implemented in Etobicoke, East York, York and Scarborough.”; and
- (2) the Commissioner of Works and Emergency Services be requested to:
 - (a) submit a report to the Works Committee, in January 2001, providing a comparison of the areas that have had or not had twice-a-week garbage collection, such report to address, in particular:
 - (i) costs;
 - (ii) general cleanliness and public health considerations; and
 - (iii) environmental issues, such as the volume of garbage, and whether such volume has increased or decreased; and
 - (b) include, in any survey conducted on the twice-a-week summer garbage collection, public input on all the different collections, e.g.: garbage, recycling, etc., the results of such public consultation to be submitted to the Works Committee in January 2001.”

3.52 **Clause No. 13 of Report No. 1 of The Etobicoke Community Council, headed “Ontario Municipal Board Appeals by Outlook Investments and Development Limited for Etobicoke Official Plan and Zoning Code, Amendment Applications - 5055 Dundas Street West, File No. Z-2299 (Kingsway-Humber)”.**

Motion:

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

“It is further recommended that:

WHEREAS Outlook Investments and Development Limited (“Outlook”) submitted an application on June 9, 1999, for amendments to the Official Plan and Zoning By-law in respect of the lands at 5055 Dundas Street West, formerly the Michael Power School site, to permit apartment buildings and townhouses containing a total of 755 dwelling units; and

WHEREAS Outlook resubmitted its application with substantial revisions on August 11, 1999 and September 2, 1999, with further modifications in October, 1999, to permit a development containing 1,275 dwelling units, (the “Outlook Application”); and

WHEREAS on November 2, 1999, Outlook appealed the Outlook Application to the Ontario Municipal Board (the “OMB”); and

WHEREAS the OMB has scheduled February 11, 2000, for a pre-hearing conference in respect of the appeal of the Outlook Application; and

WHEREAS the report (January 11, 2000) from the Director of Community Planning, West District, recommends that Council direct the City Solicitor to support the Outlook application before the OMB, subject to certain conditions; and

WHEREAS as found in Clause No. 13 of Report No. 1 of the Etobicoke Community Council, the Etobicoke Community Council has recommended the refusal of the Outlook Application; and

WHEREAS staff of Community Planning, West District are currently preparing a review of the former Etobicoke City Centre Secondary Plan (the “Secondary Plan Review”); and

WHEREAS staff of Community Planning, West District, are currently reviewing an application by the Society of Franciscan Fathers of Ontario (the “Franciscan Fathers’ Application”) with respect to part of the former St. Joseph’s High School abutting the west side of the subject lands; and

WHEREAS it is premature for the OMB to consider the Outlook Application until the Secondary Plan Review and the review of the Franciscan Fathers’ Application have both been completed and considered by Council;

NOW THEREFORE BE IT RESOLVED THAT the recommendations of the Etobicoke Community Council as contained in Clause No. 13 of Report No. 1 of The Etobicoke Community Council be adopted;

AND BE IT FURTHER RESOLVED THAT the Director of Community Planning, West District, be directed to complete the Secondary Plan Review and the review of the Franciscan Fathers’ Application for submission to the Etobicoke Community Council, as soon as possible;

AND BE IT FURTHER RESOLVED THAT the City Solicitor advise the OMB that:

- (1) it is the position of City Council that it would be premature for the OMB to consider the Outlook Application in advance of the completion and consideration by City Council of the Secondary Plan Review and the review of the Franciscan Fathers’ Application; and

- (2) City Council request the OMB to set a date for a further pre-hearing conference to report upon the progress of the Secondary Plan Review and the review of the Franciscan Fathers' Application."

Votes:

Adoption of motion by Councillor Kinahan:

Yes - 32 Councillors:	Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Layton, Li Preti, Mahood, Mammoliti, Mihevc, Nunziata, O'Brien, Ootes, Pitfield, Prue, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 5 Councillors:	Disero, Kelly, McConnell, Pantalone, Rae

Carried by a majority of 27.

The Clause, as amended, carried.

3.53 **Clause No. 2 of Report No. 1 of The Audit Committee, headed "1998 Management Letter - Summary - Community Centres and Arenas".**

Motion:

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

"It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to ensure that Boards of Management, such as the Leaside Gardens Board, be a part of the Committee that is set up to standardize the policies pertaining to Recreation Centres to improve the whole communications process, as it may relate to their respective Boards."

Votes:

The motion by Councillor Pitfield carried.

Adoption of Clause, as amended:

Yes - 38 Councillors: Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Chong, Disero, Duguid, Feldman, Filion, Flint, Holyday, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas
No - 1 Councillor: McConnell

Carried by a majority of 37.

- 3.54 **Clause No. 17 of Report No. 1 of The Scarborough Community Council, headed “Official Plan Amendment Application SC-P19990010, Zoning By-law Amendment Application SC-Z19990018, Teblie Enterprises Inc., 2899 Eglinton Avenue East, Eglinton Community (Ward 15 – Scarborough City Centre)”.**

Motion:

Councillor Ashton moved that the Clause be amended by striking out and referring to the Planning and Transportation Committee the following portion of the recommendation of the Scarborough Community Council for consideration of the allocation of Section 37 funds in the context of City Council’s policy on the Capital Revolving Fund for Affordable Housing:

“subject to the following amendments:

- (1) under (A) Official Plan, amend Recommendation No. (2)(16)(2) by striking out the words ‘the City’s Capital Revolving Fund for Affordable Housing’ and substitute in lieu thereof the words ‘the City’; and
- (2) under (B) Zoning By-law, amend Recommendation (3)(3.1.1.) by striking out the words ‘The funds will be directed to the City’s Capital Revolving Fund for Affordable Housing’, and substitute in lieu thereof the following:

‘Twenty-five percent of the funds will be directed to the City’s Capital Revolving Fund for Affordable Housing and seventy-five percent of the funds will be directed to support the proposed McCowan Road Park.’ ”,

so that the recommendation of the Scarborough Community Council shall now read as follows:

“The Scarborough Community Council, after considering the deputations and based on the finding of fact, conclusions and recommendations contained in the report dated December 9, 1999, from the Director of Community Planning, East District, recommends that the report of the Director of Community Planning, East District, be adopted.”

Vote:

The motion by Councillor Ashton carried.

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Ashton, 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 Ashton moved that the Clause be further amended to provide that all funds received pursuant to Section 37 of the Planning Act be used as the City may determine and that City Council's determination of the allocation of the Section 37 payments be reflected in the Section 37 agreement to be entered into with the owner.

Votes:

The motion by Councillor Ashton carried.

The Clause, as further amended, carried.

3.55 **IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE**

February 1, 2000:

Procedural Motion:

Deputy Mayor Ootes moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of Notice of Motion J(9), moved by Councillor Adams, seconded by Councillor Moscoe, respecting an update from legal counsel regarding the Telus Integrated Communications Inc. application to the Canadian Radio-Television and Telecommunications Commission, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 6:35 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 on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act, in that these matters pertain to litigation or potential litigation and are otherwise subject to Solicitor/Client privilege:

- (a) Clause No. 1 of Report No. 2 of The Works Committee, headed “Toronto’s Integrated Solid Waste Resource Management (TIRM) Disposal Request for Proposals Process and Price Proposal Submission by Rail Cycle North”; and
- (b) Motion J(9).

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, at 6:40 p.m., to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:03 p.m., and met in public session in the Council Chamber.

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

3.56 Deputy Mayor Ootes called upon Motion J(9), as follows:

Moved by: **Councillor Adams**

Seconded by: **Councillor Moscoe**

“**WHEREAS** City Council established the Telecommunications Steering Committee in February 1999, to develop a corporate-wide, strategic City approach and plan for telecommunication issues, including the use of the public rights-of-way (ROW) managed by the City; and

WHEREAS management of City ROW requires balancing essential and competing demands on the same property in order to protect the public interest, the health and safety of communities, the existing facilities of local government, and other ROW users; and

WHEREAS City Council has adopted ROW principles, including the principle that municipalities have the right to receive fair compensation associated with the access to, use and occupancy of, public rights-of-way (ROW) and the value of the rights granted; and

WHEREAS City Council at its meeting of July 27, 28, 29 and 30, 1999, authorized the City Solicitor and the Telecommunications Steering Committee to represent City interests at the Federation of Canadian Municipalities in a test case at the Canadian Radio-Television and Telecommunications Commission (CRTC) on municipal ROW management rights involving Leducor and the City of Vancouver, as well as to respond, as required, in the event that any CRTC Applications were made specific to Toronto; and

WHEREAS Council at its meeting of October 26 and 27, 1999, similarly authorized the Chief Administrative Officer and City Solicitor to represent City interests with the Association of Municipalities of Ontario in presenting municipal ROW management and fair compensation issues to the Ontario Energy Board (OEB) in its consideration of a new model natural gas franchise agreement; and

WHEREAS the City of Toronto was served on December 23, 1999, with an Application from Telus Integrated Communications Inc. (Telus) to the CRTC, seeking an interim order for 'access' to City of Toronto ROW; and

WHEREAS the City of Toronto made written submission to the OEB on December 6, 1999, and an oral presentation on January 25, 2000, served its written Answer on the Telus CRTC Application on January 21, 2000, and made written submission to the CRTC respecting the Canada-wide Public Notice on the Vancouver-Leducor case on January 28, 2000;

NOW THEREFORE BE IT RESOLVED THAT Council, at its meeting of February 1, 2, and 3 2000, receive a confidential up-date from legal counsel on City actions and position on the aforementioned matters, the implications for the public, the City and protection of municipal ROW, and the approach required to ensure consistency across jurisdictions given the commonalties of the issues under consideration.”

Council also had before it, during consideration of Motion J(9), a confidential communication dated January 26, 2000, from Mr. Andrew J. Roman, Miller Thomson, Barristers and Solicitors, addressed to Councillor John Adams, such communication to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains legal advice which is subject to Solicitor/Client privilege.

Vote:

Motion J(9) was adopted, without amendment.

Report of Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that, as recommended in Motion J(9), Council, at its in-camera session, had received a confidential update from legal counsel.

Deputy Mayor Ootes further reported that Council, at its in-camera session, had issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act, having regard that they pertain to Solicitor/Client privilege.

3.57 Clause No. 1 of Report No. 2 of The Works Committee, headed “Toronto’s Integrated Solid Waste Resource Management (TIRM) Disposal Request for Proposals Process and Price Proposal Submission by Rail Cycle North”.

Report of Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that Council, at its in-camera session, had deferred consideration of this Clause pending further information from the City Solicitor.

February 2, 2000:*Procedural Motion:*

Deputy Mayor Ootes moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of Notice of Motion J(10), moved by Councillor Miller, seconded by Councillor Adams, respecting a confidential report from the City Solicitor regarding the Oak Ridges Moraine, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 7:04 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Motion J(10), in accordance with the provisions of the Municipal Act, in that this matter pertains to litigation or potential litigation and is otherwise subject to Solicitor/Client privilege.

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, at 7:08 p.m., to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 8:17 p.m., and met in public session in the Council Chamber.

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

3.58 Deputy Mayor Ootes called upon Motion J(10), as follows:

Moved by: Councillor Miller

Seconded by: Councillor Adams

“**WHEREAS** the Council of the City of Toronto, by Notice of Motion at its meeting of November 23, 24 and 25, 1999, instructed the City Solicitor to maintain a watching brief at the Richmond Hill and Uxbridge Ontario Municipal Board hearings because of the potential impact of development on the Oak Ridges Moraine; and

WHEREAS the Council of the City of Toronto, at its meeting of December 14, 15 and 16, 1999, directed that the City seek party status at the Ontario Municipal Board hearings (OMB) and directed the City Solicitor to advise the Ontario Municipal Board accordingly at the Richmond Hill OMB hearings; and

WHEREAS the Council of the City of Toronto, at its meeting of December 14, 15 and 16, 1999, directed that 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, hydrology and ecology of the Oak Ridges Moraine and that 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

WHEREAS the Council of the City of Toronto at its meeting of December 14, 15 and 16, 1999, established 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; and

WHEREAS the Steering Committee met on January 7, 2000, and received an update from staff on the discussions that had taken place to that date and the Steering Committee requested that staff prepare a report to City Council at its meeting of February 1, 2 and 3, 2000, to advise of discussions with respect to the partnership opportunities and the City’s position at the upcoming Ontario Municipal Board hearing in Richmond Hill; and

WHEREAS the City Solicitor must take certain actions to ensure the City of Toronto's position at the Ontario Municipal Board hearing at the next prehearing, which is scheduled for late March 2000 with the full hearing to commence on May 1, 2000, and in that respect has prepared the attached confidential report dated January 28, 2000, entitled 'Richmond Hill Ontario Municipal Board – Richmond Hill OPA 200, the Oak Ridges Moraine';

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned confidential report dated January 28, 2000, from the City Solicitor.”

Council also had before it, during consideration of Motion J(10), a confidential report dated January 28, 2000, from the City Solicitor, such report to remain confidential in accordance with the provisions of the Municipal Act, having regard that it contains legal advice pertaining to potential litigation.

Motion:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(10):

Moved by Councillor Pantalone:

“That Motion J(10) be amended by adding thereto the following new Operative Paragraph:

‘AND BE IT FURTHER RESOLVED THAT the City of Toronto request the federal government to participate in the upcoming hearings on the Oak Ridges Moraine, given its historical environmental interest in the area (e.g., the Rouge River) and given its stewardship of endangered species and fisheries and given its land holdings in the Greater Toronto Area.’ ”

Votes:

The motion by Councillor Pantalone carried.

Motion J(10), as amended, carried.

Report of Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that City Council, at its in-camera session, had also issued confidential instructions to staff, such instructions to remain confidential in accordance with the provisions of the Municipal Act, having regard that they pertain to potential litigation.

February 3, 2000:

Procedural Motion:

Deputy Mayor Ootes moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of Notice of Motion J(16), moved by Councillor Flint, seconded by Councillor Sinclair, introducing confidential reports respecting the Woodbine Racetrack, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 3:55 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. 1 of Report No. 2 of The Works Committee, headed “Toronto’s Integrated Solid Waste Resource Management (TIRM) Disposal Request for Proposals Process and Price Proposal Submission by Rail Cycle North”, in that this matter pertains to litigation or potential litigation and is otherwise subject to Solicitor/Client privilege;
- (b) Clause No. 6 of Report No. 1 of The Works Committee, headed “TIRM Disposal Request for Proposals – Submission by Ref-Fuel Canada Ltd.”, in that this matter pertains to litigation or potential litigation and is otherwise subject to Solicitor/Client privilege;
- (c) Clause No. 7 of Report No. 1 of The Works Committee, headed “Garbage Collection - 915 Lake Shore Boulevard East”, in that this matter is subject to Solicitor/Client privilege; and
- (d) Motion J(16), in that this matter is subject to Solicitor/Client privilege.

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, at 4:00 p.m., to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 5:10 p.m., and met in public session in the Council Chamber.

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

3.59 Clause No. 1 of Report No. 2 of The Works Committee, headed “Toronto's Integrated Solid Waste Resource Management (TIRM) Disposal Request for Proposals Process and Price Proposal Submission by Rail Cycle North”.

Motion:

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

Moved by Councillor Saundercook:

“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:

- (1) based on the correspondence received from Rail Cycle North by the Commissioner of Works and Emergency Services, advising that Rail Cycle North has deleted their exceptions on their base bid and that their base bid is firm and binding with the exceptions deleted, the recommendation from the Works Committee regarding the proposal from Rail Cycle North be received for information;
- (2) the Commissioner of Works and Emergency Services proceed to complete the evaluation process for the TIRM Request for Proposals for Disposal Services and report thereon to the Works Committee; and
- (3) the joint report dated February 2, 2000, from the Commissioner of Works and Emergency Services and the City Solicitor, embodying the following recommendation, be adopted:

“It is recommended that Council accept the deletion by Rail Cycle North, as contained in its letters of February 1, 2000, of the exception to its prices.” ’ ”

Votes:

The motion by Councillor Saundercook carried.

The Clause, as amended, carried.

3.60 **Clause No. 6 of Report No. 1 of The Works Committee, headed “TIRM Disposal Request for Proposals - Submission by Ref-Fuel Canada Ltd.”.**

Motion:

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

Moved by Councillor Bossons:

“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 Works Committee providing a detailed explanation as to the process that has been followed to this point in time respecting this matter.’ ”

Votes:

The motion by Councillor Bossons carried.

The Clause, as amended, carried.

3.61 **Clause No. 7 of Report No. 1 of The Works Committee, headed “Garbage Collection - 915 Lake Shore Boulevard East”.**

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 Saundercook 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 Clause, together with the confidential report dated January 30, 2000, from the City Solicitor, be received.”

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

“It is further recommended that the confidential report dated January 30, 2000, from the City Solicitor, be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that such report contains legal advice which is subject to Solicitor/Client privilege, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) Council not interpret generally the grandfathering policy adopted by the former City of Toronto in 1995, but that it offer to entertain any claims by persons on the applicability of the grandfathering policy to then existing waste collection and determine the matters on a case by case basis, including the terms of settlement and release of such claims; and
 - (2) should Council determine that, in the circumstances of the claim by the property owner at 915 Lake Shore Boulevard East, solid waste collection should be resumed to the premises on the terms accorded to grandfathered premises, such resumption should be conditional on the receipt of a release from the property owner in respect of any claim respecting the termination or failure to collect solid waste from and after 1995.”
- (c) Councillor Bossons moved that the Clause be amended by deleting from the recommendation of the Works Committee the words “for six bags”, so that such recommendation shall now read as follows:

“The Works Committee recommends that the grandparenting policy for properties receiving City garbage collection in 1995 be interpreted in such a way that twice-a-week garbage collection be reinstated at 915 Lake Shore Boulevard East.”

Votes:

Adoption of motion (a) by Councillor Saundercook:

Yes - 17	
Councillors:	Altobello, Augimeri, Berardinetti, Brown, Cho, Disero, Feldman, Kinahan, Li Preti, Mammoliti, Minnan-Wong, Pantalone, Pitfield, Saundercook, Silva, Soknacki, Tzekas
No - 21	
Mayor:	Lastman
Councillors:	Ashton, Bossons, Bussin, Chong, Duguid, Flint, Giansante, Jones, Kelly, King, Lindsay Luby, McConnell, Mihevc, Nunziata, O’Brien, Ootes, Prue, Rae, Shaw, Walker

Lost by a majority of 4.

Motion (b) by Councillor King carried.

Motion (c) by Councillor Bossons carried.

The Clause, as amended, carried.

3.62 Deputy Mayor Ootes called upon Motion J(16), as follows:

Moved by: **Councillor Flint**

Seconded by: **Councillor Sinclair**

“**WHEREAS** City Council at its meeting held on December 14, 15 and 16, 1999, re-opened 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)’, for further consideration; and

WHEREAS Council subsequently adopted, as amended, a Notice of Motion pertaining to the status of the City’s application for revocation of the Minister’s Zoning Order and other related matters, and in so doing, adopted the following:

‘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, The 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

WHEREAS the following confidential reports have been prepared in response to Council’s request:

- (1) (January 14, 2000) from the Commissioner of Works and Emergency Services;
- (2) (January 21, 2000) from the Acting Commissioner of Urban Development Services; and
- (3) (February 1, 2000) from the Acting Commissioner of Urban Development Services and the City Solicitor;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned confidential reports.”

Council also had before it, during consideration of Motion J(16), the confidential reports listed in such Motion, such reports to remain confidential having regard that they contain legal advice subject to solicitor/client privilege.

Report of Committee of the Whole:

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that no motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(16).

Motion:

Councillor Brown moved that Motion J(16) be referred to the Economic Development and Parks Committee, together with the confidential reports referred to therein, for consideration at its next meeting scheduled to be held on February 14, 2000.

Vote:

The motion by Councillor Brown carried.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

3.63 Deputy Mayor Ootes called upon Notice of Motion I appearing on the Order Paper, as follows:

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 of Ontario 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 of Ontario; 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.”

Motion:

Councillor Walker moved that consideration of Motion I be deferred to the regular meeting of City Council scheduled to be held on April 11, 2000.

Vote:

The motion by Councillor Walker carried.

- 3.64 Councillor Flint moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(2), and that the

first Operative Paragraph embodied therein be adopted, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Ashton

“**WHEREAS** City Council at its meeting held on April 13, 14 and 15, 1999, adopted, as amended, Clause No. 1 of Report No. 4 of The Striking Committee, headed ‘Revised Council Meeting Schedule’; and

WHEREAS City Council at its held meeting on December 14, 15 and 16, 1999, further amended its 2000 Schedule of Meetings to accommodate revisions to the 2000 Capital and Operating Budget Schedules; and

WHEREAS the 2000 Council and Committee Schedule of Meetings has scheduled the regular meetings of Planning and Transportation Committee, for the months of March, April and May, to coincide with the meetings of the Economic Development and Parks Committee; and

WHEREAS similar meeting conflicts occurred between Economic Development and Parks Committee and Planning and Transportation Committee, in 1999, which resulted in Planning and Transportation having difficulty in maintaining quorum because the matters considered by these two Committees have more in common than with other Committees; and

WHEREAS Statutory Holidays in March, April and May necessitate some Standing Committees having to meet on the same day during these months; and

WHEREAS, for these three months, it would be preferable for Planning and Transportation Committee to meet on the same day as Administration Committee because the items considered by these two Committees have less in common than items considered by the Planning and Transportation and the Economic Development and Parks Committees, and would result in enabling Planning and Transportation Committee to maintain quorum;

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 Striking Committee, headed ‘Revised Council Meeting Schedule’ be re-opened for further consideration, only insofar as it pertains to the regular meetings of the Planning and Transportation Committee scheduled for March 20, 2000, April 17, 2000 and May 15, 2000;

AND BE IT FURTHER RESOLVED THAT Council consider rescheduling the March, April and May 2000 Planning and Transportation Committee meetings to take

place on the same days that Administration Committee meets, e.g.: March 21, 2000, April 25, 2000, and May 16, 2000.”

Vote:

The balance of Motion J(2) was adopted, without amendment.

- 3.65 Councillor King moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(3) and that the first Operative Paragraph embodied therein be adopted, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor King

Seconded by: Councillor Saundercook

“**WHEREAS** City Council at its meeting held on December 14, 15 and 16, 1999, by its adoption of Clause No. 3 of Report No. 6 of The Works Committee, headed ‘Waste Diversion Organization and Blue Box Funding’, decided to request the Association of Municipalities of Ontario (AMO) to include a representative from the City of Toronto who is a member of the Works Committee to sit as one of its members on the Waste Diversion Organization’s Board of Directors; and

WHEREAS AMO has appointed four representatives to the said Waste Diversion Organization’s Board of Directors, namely: Councillor Terry Cassidy, City of Quinte West; Councillor Peter Partington, Regional Municipality of Niagara; John Jardine, Commissioner of Environmental Services and City Engineer, City of London; and Councillor Joan King, City of Toronto; and

WHEREAS Councillor King, who was previously appointed to the City’s Economic Development and Parks Committee, has expressed an interest in transferring her Standing Committee appointment to the Works Committee; and

WHEREAS the Works Committee has been operating with fewer than the 10 members set out in the Council Procedural By-law, and the Economic Development and Parks Committee has been operating with one additional member;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 6 of The Striking Committee, headed ‘Appointments to Standing Committees and Other Committees of Council, Various Boards and Special Purpose Bodies’, which was adopted, as amended, by City Council on May 11 and 12, 1999, be re-opened for further consideration, insofar as it pertains to Councillor King’s Standing Committee appointment only;

AND BE IT FURTHER RESOLVED THAT Councillor Joan King be transferred from the Economic Development and Parks Committee to the Works Committee for a term expiring November 30, 2000.”

Motion to Re-Open:

Councillor Shiner moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 6 of The Striking Committee, headed “Appointments to Standing Committees and Other Committees of Council, Various Boards and Special Purpose Bodies”, be re-opened for further consideration, insofar as it pertains to the full membership of both the Economic Development and Parks Committee and the Works Committee, and be referred to the Striking Committee, together with Motion J(3), for appointment of those Members of Council who may be interested in serving on such Committees, the vote upon which was taken as follows:

Yes - 12	
Councillors:	Augimeri, Bossons, Brown, Bussin, Flint, Johnston, Kinahan, Li Preti, Mihevc, Pitfield, Shiner, Sinclair
No - 27	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Berger, Cho, Chong, Duguid, Feldman, Filion, Giansante, Holyday, Jones, Kelly, King, Lindsay Luby, Mahood, Mammoliti, McConnell, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Walker

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

Vote:

Adoption of the balance of Motion J(3), without amendment:

Yes - 32	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chong, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Ootes, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair
No - 7	
Councillors:	Berger, Bossons, Brown, Mammoliti, Pantalone, Shiner, Walker

Carried by a majority of 25.

- 3.66 Councillor Moscoe moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Moscoe

Seconded by: Councillor Feldman

“**WHEREAS** former North York Council on March 2, 1994, approved the recommendation of the Planning Advisory Committee that the application at 647-657 Lawrence Avenue West be approved to permit a three-storey, 24-unit apartment building with a maximum FSI of 1.45, subject to Site Plan Approval; and

WHEREAS the applicant did not receive provincial funding for non-profit housing and was unable to proceed with development at that time; and

WHEREAS City of Toronto Council established the Capital Revolving Fund for Affordable Housing in 1999 to promote and facilitate the construction of affordable housing and Out of the Cold/Darchei Noam secured funding to develop the site for affordable housing and has received Site Plan Approval; and

WHEREAS the proposed development for a three-storey, 24-unit apartment building with an FSI of 1.38 is substantially the same as what was approved on March 2, 1994; and

WHEREAS the conditions of approval of the former City of North York Council have been met and it is appropriate to enact the draft zoning by-law for this property; and

WHEREAS Section 34(17) of the Planning Act R.S.O. 1990, Chapter p.13, as amended, provides that where a change is made in a proposed by-law after the holding of the public meeting, Council shall determine whether any further notice is to be given in respect of the proposed by-law; and

WHEREAS minor changes have been made to the proposed zoning by-law after the holding of the public meeting;

NOW THEREFORE BE IT RESOLVED THAT Council determine that no further notice is to be given in respect of the proposed by-law.”

Vote:

Motion J(4) was adopted, without amendment.

- 3.67 Councillor Duguid moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(5), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Layton

“**WHEREAS** it has been reported that Provincial Housing Minister Tony Clement has instructed the Chairman of the Ontario Housing Corporation (OHC) to develop a plan to sell some or all of its single-family and semi-detached housing units by December 2000; and

WHEREAS there are an estimated 5,800 such houses in Ontario and 400 such houses in Toronto; and

WHEREAS there are over 100,000 people on Toronto’s waiting lists for public housing placements, with an estimated wait for a public housing unit of 17 years; and

WHEREAS the Province of Ontario recently divested \$25 million, which should have been directed to housing purposes, from the Federal Transfer of Funds under the Devolution of Housing CMHC-Ontario Agreement, and of which an additional \$10 million remains uncommitted; and

WHEREAS this provincial proposal suggests that the provincial government is attempting to wring the housing portfolio dry prior to downloading this responsibility to the municipalities; and

WHEREAS the Minister of Municipal Affairs and Housing is requesting the OHC to sell-off housing units and inasmuch as this action has a timetable which will adversely affect the supply of assisted-housing in Ontario and particularly the City of Toronto, and must be acted upon with urgency;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto Council condemn the Government of Ontario’s proposal suggesting that the Ontario Housing Corporation sell some or all of its single-family and semi-detached units by December, 2000;

AND BE IT FURTHER RESOLVED THAT City of Toronto Council request the Mayor of Toronto to write to the Minister of Municipal Affairs and Housing expressing Toronto City Council’s outrage at this initiative, and advising the Minister of the need for more, rather than less, affordable housing.”

Motion:

Councillor Moscoe moved that Motion J(5), together with the following motion, be referred to the Community Services Committee for consideration:

Moved by Councillor Moscoe:

“AND BE IT FURTHER RESOLVED THAT the City cease the process begun by Metropolitan Toronto to sell off similar housing stock and refer the matter to the Community Services Committee to consider the best use of these structures.”

Vote:

The motion by Councillor Moscoe carried.

- 3.68 Councillor Duguid moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(6), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Mihevc

“WHEREAS provincial hospital restructuring and funding formula realignments have impacted the ability of hospital emergency admitting regimes to provide around-the-clock emergency medical services; and

WHEREAS hospital capacities and emergency room admitting volumes have reached a crisis level wherein patients’ health and safety is being placed at risk in critical situations; and

WHEREAS Toronto Ambulance have been required to re-route patients in critical condition, and under their immediate care, to hospitals not in the immediate vicinity; and

WHEREAS on Friday, January 14, 2000, an 18-year-old patient, being transported to Scarborough Hospital, Grace Division, was transported to Markham-Stouffville, because Scarborough (Grace) was on critical-care bypass (CCB) and closed to ambulance patients, and tragically passed away; and

WHEREAS the closing of hospital emergency departments in Toronto to incoming ambulances under the Critical Care Bypass designation has made the transportation time for patients in need of immediate emergency care potentially unsafe; and

WHEREAS Toronto Ambulance currently has a goal of training 150 Level II and 50 Level III staff as part of their 2000 Operating Budget; and

WHEREAS, at the present time, of 700 full-time equivalent staff in all paramedic levels, there are currently 120 Level III Advanced Care Medics, 30 Critical Care Medics, 100 Level II Intermediate Paramedics and 450 Level I Paramedics; and

WHEREAS the issue of transference of critically-injured or ill patients in the Greater Toronto Area is of immediate and life-saving concern and demands the attention and action of the Toronto Ambulance Service on an urgent basis, and that Council support the actions of the Mayor and General Manager of Toronto Ambulance;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto support and endorse the position taken by Toronto Ambulance and the Mayor of Toronto with regard to taking critical patients to the closest hospital, regardless of their Emergency Department status;

AND BE IT FURTHER RESOLVED THAT the Commissioner of Works and Emergency Services be requested to submit a report to the Community Services Committee on the efforts to implement a full advanced life support system whereby every ambulance would be staffed with a Level III medic and advise as to the viability of accelerating the training program to implement this level of service.”

Note:

Council considered Motion J(6) with Clause No. 2 of Report No. 1 of The Community Services Committee, headed “Response by the Minister of Health to Emergency Department Overcrowding”. (See Minute No. 3.44, Page 48.)

- 3.69 Councillor Feldman moved that, in accordance with the provisions of the Council Procedural By-law, leave be granted to introduce and debate the following Notice of Motion J(7), which carried:

Moved by: **Councillor Feldman**

Seconded by: **Councillor Moscoe**

“**WHEREAS** several properties around the plaza, school, park and community centre, in the heart of the Bathurst Manor Community, are zoned as RM4 – Multiple-Family Dwellings Fourth Density Zone in the zoning by-law of the former City of North York; and

WHEREAS some of these properties zoned RM4 are designated in the Official Plan of the former City of North York as RD-1 – Residential Density One, which is the lowest density residential district in that official plan; and

WHEREAS the central part of the Bathurst Manor Community is a stable, low density residential area; and

WHEREAS some of the uses which are existing on these lands zoned RM4 are low density residential uses such as single detached houses; and

WHEREAS the RM4 zone permits higher density and a wider range of uses that may not be appropriate in this low density area; and

WHEREAS Council has the authority under Section 38 of the Planning Act to pass an interim control by-law to restrict land uses in a defined area, for a period not exceeding one year from the passage of the by-law, when Council has directed that a review or study be undertaken in respect of land use planning policies in the defined area; and

WHEREAS the Acting Commissioner of Urban Development Services concurs with the recommendations embodied in this Motion;

NOW THEREFORE BE IT RESOLVED THAT the Director of Community Planning – North District be directed to study and report on the suitability of amendments to the Official Plan and the Zoning By-law of the former City of North York, for the lands now zoned RM4 in this area, to bring the range of permitted uses more in line with the uses that now exist on these lands;

AND BE IT FURTHER RESOLVED THAT Council enact an interim control by-law, generally in the form of the Draft By-law attached hereto as Appendix ‘A’, applying to the lands now zoned RM4 in this area, generally bounded by Arlstan Drive and Maxwell Street on the north, Candis Drive and Goddard Street on the east, Combe Avenue on the south, and Shaftesbury Street on the west, for a period of one year, limiting the permitted uses to single detached and semi-detached dwellings.”

Council also had before it, during consideration of Motion J(7), a draft by-law “To designate an Interim Control Area in the Central part of the Bathurst Manor Community”, a copy of which is on file in the Office of the City Clerk.

Vote:

Adoption of Motion J(7), without amendment:

Yes - 37
Councillors: Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Bussin, Disero, Duguid, Feldman, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0

Carried, without dissent.

- 3.70 Mayor Lastman moved that, in accordance with the provisions of the Council Procedural By-law, leave be granted to introduce and debate the following Notice of Motion J(8), which carried:

Moved by: Mayor Lastman

Seconded by: Deputy Mayor Ootes

“**WHEREAS** Toronto City Council at its meeting held on December 14, 15 and 16, 1999, adopted, without amendment, Clause No. 22 of Report No. 8 of The Administration, Committee, headed ‘Employment Contract – Chief Administrative Officer’; and

WHEREAS the Mayor, Deputy Mayor and the Chair of the Administration Committee have submitted the attached joint confidential report dated January 21, 2000, in furtherance to this matter;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned joint confidential report dated January 21, 2000, from the Mayor, Deputy Mayor and the Chair of the Administration Committee, and that such report be adopted.”

Council also had before it, during consideration of Motion J(8), a joint confidential report dated January 21, 2000, from the Mayor, Deputy Mayor and the Chair of the Administration Committee.

Vote:

Adoption of Motion J(8), without amendment:

Yes - 45
Mayor: Lastman
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Duguid, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0

Carried, without dissent.

In summary, Council adopted Motion J(8) without amendment, and, in so doing, adopted, without amendment, the joint confidential report dated January 21, 2000, from the Mayor, Deputy Mayor and the Chair of the Administration Committee, such joint report to remain confidential in its entirety, in accordance with the provisions of the Municipal Act, having regard that such joint report contains personal information regarding employee negotiations.

- 3.71 Councillor Johnston moved that, in accordance with the provisions of the Council Procedural By-law, leave be granted to introduce and debate the following Notice of Motion J(11), which carried:

Moved by: Councillor Johnston

Seconded by: Councillor Miller

“WHEREAS City Council, at its Special Meeting held on January 27, 2000, adopted a Notice of Motion regarding the ‘True Blue Campaign’ of the Toronto Police Association; and

WHEREAS in adopting the Motion, as amended, Council requested the City Solicitor to submit a report directly to Council for its meeting to be held on February 1, 2 and 3, 2000, on the status of the Toronto Police Services Board’s actions in this regard; and

WHEREAS the City Solicitor has prepared a report dated January 31, 2000;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned report dated January 31, 2000 from the City Solicitor.”

Council also had before it, during consideration of Motion J(11), copies of the following:

- (i) a report dated January 31, 2000, from the City Solicitor. (See Attachment No. 1, Page 134.);
- (ii) the ruling by Judge J. Winkler of the Superior Court of Justice – Ontario, advising that Mayor Lastman’s pecuniary interest in the Toronto Police Association’s “True Blue” Campaign is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence him, and that he is not required to declare an interest in matters related thereto, a copy of which is on file in the Office of the City Clerk;
- (iii) a press release issued by the Toronto Police Association, entitled “Toronto Police Association Stops ‘Operation True Blue’ ”, a copy of which is on file in the Office of the City Clerk; and
- (iv) a statement made by Mayor Lastman, entitled “Statement from Toronto Mayor Mel Lastman Regarding Conflict of Interest Ruling and Recent Actions of the Toronto Police Union”, a copy of which is on file in the Office of the City Clerk.

Motions:

- (a) Councillor Johnston moved that Motion J(11) be amended by adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the report dated January 31, 2000, from the City Solicitor, be received;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to report further on future developments to Members of Council at each Council meeting until the issue of the ‘True Blue’ campaign has been resolved;

AND BE IT FURTHER RESOLVED THAT City Council express its confidence in Deputy Chief Bob Kerr and our admiration for his courage;

AND BE IT FURTHER RESOLVED THAT the Toronto Police Services Board be requested to hold its meetings at City Hall.”

- (b) Councillor Layton moved that Motion J(11) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the opinion of the Superior Court of Justice be referred to the City Solicitor for his observations on the broad matters and public policy implications for Members of Council.”

- (c) Councillor Bossons moved that Motion J(11) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the President of the Toronto Police Association be urged to:

- (1) apologize for the damage done to the Police Force and to the relationship between the Toronto Police Service and the citizens of the City of Toronto; and
- (2) resign from the Toronto Police Association.”

- (d) Councillor Chow moved that Motion J(11) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council:

- (1) urge the Toronto Police Services Board to uphold every part of the by-law approved by City Council at its special meeting held on January 27, 2000;
- (2) urge the Toronto Police Services Board and the Chief of Police to take whatever steps are available to:
 - (a) require the Toronto Police Association (TPA) to refund to contributors any funds raised through ‘Operation True Blue’; and
 - (b) restrain the Toronto Police Association (TPA), and/or the telemarketing company, from maintaining lists or records of persons who have contributed funds, or who have refused to contribute funds, to the TPA for or in support of political activities; and
- (3) support the Ontario Chiefs of Police in requesting the Province of Ontario to amend the Police Services Act to ensure police services in Ontario are politically neutral.”

(e) Councillor Kinahan moved that:

(1) Motion J(11) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Provincial Attorney General be requested to investigate whether criminal conduct has taken place by any member of the Toronto Police Association Executive in respect of the attempted intimidation of Deputy Chief Bob Kerr.”; and

(2) motion (c) by Councillor Bossons be amended by inserting, after the word “President”, the words “and Executive”.

(f) Councillor Ashton moved that Motion J(11) be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT Council urge the members of the Toronto Police Association to use the appropriate mechanism in their constitution to formally review its leadership.”

Permission to Withdraw Motion:

Councillor Bossons, with the permission of Council, withdrew Part (2) of her motion (c).

Vote:

Adoption of Motion J(11), as amended by motions (a), (b), (c) as amended, (d), (e) and (f), by Councillors Johnston, Layton, Bossons, Chow, Kinahan and Ashton, respectively:

Yes - 36	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Flint, Gardner, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Nunziata, O’Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

In summary, Council adopted Motion J(11), subject to adding thereto the following new Operative Paragraphs:

“AND BE IT FURTHER RESOLVED THAT the report dated January 31, 2000, from the City Solicitor, be received;

AND BE IT FURTHER RESOLVED THAT the City Solicitor be requested to report further on future developments to Members of Council at each Council meeting until the issue of the ‘True Blue’ campaign has been resolved;

AND BE IT FURTHER RESOLVED THAT City Council express its confidence in Deputy Chief Bob Kerr and our admiration for his courage;

AND BE IT FURTHER RESOLVED THAT the Provincial Attorney General be requested to investigate whether criminal conduct has taken place by any member of the Toronto Police Association Executive in respect of the attempted intimidation of Deputy Chief Bob Kerr;

AND BE IT FURTHER RESOLVED THAT Council urge the members of the Toronto Police Association to use the appropriate mechanism in their constitution to formally review its leadership;

AND BE IT FURTHER RESOLVED THAT the Toronto Police Services Board be requested to hold its meetings at City Hall;

AND BE IT FURTHER RESOLVED THAT Council:

- (1) urge the Toronto Police Services Board to uphold every part of the by-law approved by City Council at its special meeting held on January 27, 2000;
- (2) urge the Toronto Police Services Board and the Chief of Police to take whatever steps are available to:
 - (a) require the Toronto Police Association (TPA) to refund to contributors any funds raised through ‘Operation True Blue’; and
 - (b) restrain the Toronto Police Association (TPA), and/or the telemarketing company, from maintaining lists or records of persons who have contributed funds, or who have refused to contribute funds, to the TPA for or in support of political activities;
- (3) support the Ontario Chiefs of Police in requesting the Province of Ontario to amend the Police Services Act to ensure police services in Ontario are politically neutral;

AND BE IT FURTHER RESOLVED THAT the President and Executive of the Toronto Police Association be urged to apologize for the damage done to the Police Force and to the relationship between the Toronto Police Service and the citizens of the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the opinion of the Superior Court of Justice be referred to the City Solicitor for his observations on the broad matters and public policy implications for Members of Council.”

- 3.72 Councillor Chow moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Chow

Seconded by: Councillor Rae

“**WHEREAS** the Cecil Community Centre Board of Management has requested that City Council appoint five citizen members to the Board, in place of five members who have left the Board of Management; and

WHEREAS the Board of Management will be meeting prior to the next regularly scheduled meeting of City Council, and may experience quorum difficulties if these five members are not appointed by Council as soon as possible;

NOW THEREFORE BE IT RESOLVED THAT Ted Brown, Olive Ing, Christine Laws, Sonja Nerad and Rachel Smith be appointed to the Cecil Community Centre Board of Management to replace Lenore Cabral, Sharon May, Cynthia Sherwood, She-King Wong and James Zhang, until November 30, 2000, on an interim basis, at the pleasure of Council, and until their successors are appointed.”

Council also had before it, during consideration of Motion J(12), a communication dated December 21, 1999, from the Executive Director, Cecil Community Centre, a copy of which is on file in the Office of the City Clerk.

Vote:

Motion J(12) was adopted, without amendment.

- 3.73 Councillor Adams moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Adams

Seconded by: Councillor Augimeri

“**WHEREAS** the Assessment and Tax Policy Task Force considered, at its meeting held on January 25, 2000, a report dated January 12, 2000, from the Chief Financial Officer and Treasurer, respecting the Impact of Taxes on Property Class Changes – Capped Property Classes, and recommending that:

- ‘(1) the Province of Ontario be requested to amend the Municipal Act, effective 2000, so that taxes for properties which change class from an uncapped property class (i.e., residential, farmland, etc.) to a capped property class (i.e., multi-residential, commercial or industrial) are calculated based on frozen assessments determined using the methodology used under Provincial assessment policy prior to CVA implementation; and
- (2) where a property is reclassified into a capped property class, OPAC be requested to provide both the frozen realty assessment and current value assessment on the assessment roll returned to the municipality’; and

WHEREAS during consideration of this matter, the Task Force had before it a communication dated January 24, 2000, from Councillor Layton, recommending that:

- ‘(1) the Minister of Finance be requested to make regulations under Sections 442.4 and 447.34.1 of the Municipal Act, as amended by Bill 14, so that Section 442.4 and 447.34.1 apply to properties which, due to a change in classification, became subject to the property tax cap under Part XXII.1 of the Act;
- (2) the City ensure that the regulations allow for the appropriate rebate to be paid on 1999 taxes paid by reclassified properties to reflect the level of taxation which would have applied had the provision been in place in 1999 in a fashion consistent to that provided for new construction;
- (3) the Task Force introduce a Notice of Motion to consider and approve its recommendations on this matter at the meeting of City Council on February 1st in order to facilitate the resolution of the issue prior to the issuance of the final tax bill for the year 2000; and

- (4) the City staff work closely with Ministry staff to expedite the processing of this request for regulations.’; and

WHEREAS recommendations arising from the Task Force would not be considered by the Policy and Finance Committee until its meeting to be held on February 17, 2000; and

WHEREAS, in order to facilitate the resolution of this issue prior to the issuance of the final tax bill for the year 2000, the Task Force requested its Chair and Vice-Chair to submit a Notice of Motion respecting this matter;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the report dated January 12, 2000, from the Chief Financial Officer and Treasurer be adopted; and
- (2) the recommendations contained in the communication dated January 24, 2000, from Councillor Layton be adopted.”

Council also had before it, during consideration of Motion J(13), the following (See Attachment No. 2, Page 137.):

- (i) a report dated January 12, 2000, from the Chief Financial Officer and Treasurer, entitled “Impact of Taxes on Property Class Changes - Capped Property Classes”;
- (ii) a communication dated January 24, 2000, from Councillor Jack Layton, Don River; and
- (iii) a report dated February 1, 2000, from the Chief Financial Officer and Treasurer, entitled “Tax Rebate: Impact of Taxes on Property Class Changes”.

Vote:

Motion J(13) was adopted, without amendment.

- 3.74 Councillor Pitfield moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Pitfield

Seconded by: Councillor Ootes

“**WHEREAS** the former Town of Leaside Council on August 11, 1947, passed By-law No. 1077, being a by-law to stop up and close certain lanes and to convey portions of the said lanes to the respective adjoining property owners, in accordance with the terms set out in the report of the Town Planning Committee adopted in Council on September 9, 1946; and

WHEREAS one of the lanes stopped up and closed as a public lane runs from Laird Drive to Sutherland Drive, lying between Vanderhoof Avenue and Parkhurst Boulevard, as shown on registered Plan 1925, a portion of which is located at the rear of 47 Vanderhoof Avenue; and

WHEREAS the then Mayor and Clerk were authorized to execute and deliver conveyances thereof to the said owners in accordance with the said report; and

WHEREAS the conveyance of the parcel of closed lane adjoining 47 Vanderhoof Avenue was not completed; and

WHEREAS a copy of the said Town Planning Committee report is no longer on file in the City's records so that it is necessary to obtain Council's approval of the terms upon which the remaining portions of closed lane are to be conveyed; and

WHEREAS the current owner of 47 Vanderhoof Avenue has requested the City to expedite the conveyance to her of that portion of the closed lane abutting her property in order for her to obtain a building permit on the terms set out in the Ontario Municipal Board decision and order of July 26, 1999; and

WHEREAS a delay in completing the conveyance will result in additional expenses to the owner of 47 Vanderhoof Avenue and will prevent her from proceeding with the renovations in a timely fashion to avoid any further damage that could be caused by inclement winter weather conditions;

NOW THEREFORE BE IT RESOLVED THAT City Council give consideration to the attached report dated January 31, 2000, from the Acting Commissioner of Corporate Services respecting the conveyance of the parcel of City-owned land located at the rear of 47 Vanderhoof Avenue, and that the recommendations in such report be adopted.”

Council also had before it, during consideration of Motion J(14), a report dated January 31, 2000, from the Acting Commissioner of Corporate Services, entitled “Conveyance of the Closed Portion of Lane Located at the Rear of 47 Vanderhoof Avenue”. (See Attachment No. 3, Page 145.)

Vote:

Motion J(14) was adopted, without amendment, and, in so doing, Council adopted the report dated January 31, 2000, from the Acting Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

- (1) the portion of the closed lane located at the rear of 47 Vanderhoof Avenue and shown as Part 2 on Plan 64R-16453 be conveyed to the owner of 47 Vanderhoof Avenue, Rhonda Kotlarchuk, for the consideration of Fifteen Dollars (\$15.00), subject to any other terms and conditions which the City Solicitor deems necessary or appropriate to protect the City's interest;
- (2) the Purchaser be required to furnish a survey of the lands being conveyed and pay an administration fee of \$300.00, on closing;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable;
- (4) the City Solicitor be authorized to complete the other outstanding conveyances which were authorized by the former Town of Leaside By-law 1077 passed on August 11, 1947, on the same terms and conditions as set out herein, as and when the adjoining property owners entitled to purchase a portion of the closed lane request a conveyance; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

3.75 Councillor Rae moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Rae

Seconded by: Councillor McConnell

“WHEREAS Councillors and recreation centre users were surprised last weekend by notices of impending reductions in service levels, including permanent Sunday closings of some facilities; and

WHEREAS the service levels at local recreation centres was exhaustively debated at Council; and

WHEREAS the budget for the Parks and Recreation Division was set with a general understanding that it provided for established service levels; and

WHEREAS budgetary pressures have led to sudden and severe changes in service levels;

NOW THEREFORE BE IT RESOLVED THAT the implementation of significant changes to the levels of service provided at recreation centres be recognized as a budget variance, and that no changes in service levels be implemented, prior to the approval of the 2000 Operating Budget, without appropriate budget variance approvals through the Policy and Finance Committee.”

Council also had before it, during consideration of Motion J(15), a listing entitled “Summary of In-Year Service Charges - South District”, a copy of which is on file in the Office of the City Clerk.

Motions:

- (a) Councillor Rae moved that Motion J(15) be referred to the Policy and Finance Committee, and Council direct that no change in service delivery be implemented unless so approved by Council.
- (b) Councillor Cho moved that Motion J(15) be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee identifying local community or recreation centres that do not have any programs or provide services, and outlining a plan to serve these facilities so that all such facilities are treated fairly across the new City of Toronto.”

Ruling by Deputy Mayor:

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

Councillor Cho challenged the ruling of the Deputy Mayor:

Vote to Uphold Ruling of Deputy Mayor:

Yes - 32 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chong, Disero, Duguid, Feldman, Filion, Flint, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Nunziata, O’Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Tzekas
No - 4 Councillors:	Berger, Cho, Giansante, Li Preti

Carried by a majority of 28.

Motions:

- (c) Councillor Bussin moved that Council also adopt the following recommendations:

“It is recommended that the Commissioner of Economic Development, Culture and Tourism be requested to:

- (1) meet with each Member of Council and provide, in detail, what the impact of such proposed service level changes on their community centres will be; and
- (2) notify each Member of Council as to the appropriate Standing Committee date and time at which this matter will be considered.”

- (d) Councillor Mihevc moved that Council also adopt the following recommendations:

“It is recommended that the Chief Administrative Officer be requested to develop a policy, for consideration by Council, on the authorities that staff have and do not have to make service level adjustments as a result of budget variances.”

Votes:

Adoption of motion (a) by Councillor Rae:

Yes - 32	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Berger, Bussin, Chong, Disero, Duguid, Feldman, Filion, Flint, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Minnan-Wong, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Silva, Tzekas, Walker
No - 4	
Councillors:	Bossons, Cho, Holyday, Mammoliti

Carried by a majority of 28.

Adoption of motion (c) by Councillor Bussin:

Yes - 32 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chong, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, O'Brien, Ootes, Pantalone, Pitfield, Rae, Saundercook, Silva, Tzekas, Walker
No - 3 Councillors:	Berger, Mammoliti, Minnan-Wong

Carried by a majority of 29.

Motion (d) by Councillor Mihevc carried.

In summary, Council referred Motion J(15) to the Policy and Finance Committee, and directed that no change in service delivery be implemented unless so approved by Council.

Council also adopted the following recommendations:

“It is recommended that:

- (1) the Chief Administrative Officer be requested to develop a policy, for consideration by Council, on the authorities that staff have and do not have to make service level adjustments as a result of budget variances; and
- (2) the Commissioner of Economic Development, Culture and Tourism be requested to:
 - (a) meet with each Member of Council and provide, in detail, what the impact of such proposed service level changes on their community centres will be; and
 - (b) notify each Member of Council as to the appropriate Standing Committee date and time at which this matter will be considered.”

- 3.76 Councillor Minnan-Wong moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate of the following Notice of Motion J(17), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Minnan-Wong

Seconded by: Councillor Chong

“**WHEREAS** the Ontario Municipal Board has before it an application for Official Plan Amendment, rezoning and plan of subdivision for a property known municipally as 20 Bond Avenue; and

WHEREAS the Ontario Municipal Board has before it a settlement agreement between the developer (Glenarda Properties) and the adjacent residential community (Charnwood Residents); and

WHEREAS the industries on Scarsdale Road have some concerns that they would like addressed in order to ensure the continued operations of these industries and protect the efficient vehicular operations on Scarsdale Road; and

WHEREAS if the City of Toronto does not endorse these minutes of settlement on or before the 3rd day of February, 2000, the parties will not be bound by these minutes of settlement; and

WHEREAS in such case, these minutes will be deemed to be entirely without prejudice and Glenarda will be at liberty to pursue whatever form of development for the subject property that it wishes, and the Citizens Working Group (CWG) and the Don Mills Residents Inc. (DMRI) will be at liberty to pursue whatever position they wish in response;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council support this negotiated agreement and direct staff to work to a resolution among all parties subject to the following:
- (2) the City Solicitor advise the Ontario Municipal Board of City Council's actions, and seek to ensure that all appropriate implementation mechanisms, including all draft plan conditions are secured;
- (3) the appropriate City Staff be directed to continue discussions with the industry representatives to resolve among other items: pavement width on Scarsdale Road; truck turning radii at the Bond/Scarsdale intersection; improvements to facilitate truck access to the driveways into the industries, such improvements might include increased radii, rolled curbs, hard surface parts of the City

boulevards; investigate traffic management measures on Scarsdale Road to identify areas for parking prohibitions at strategic locations, and pick-up and drop-off for the schools in the area; and

- (4) the appropriate City staff be directed to discuss such matters as treatment of the residential/industrial interface at the north and east edges of the proposed development to provide visual screening.”

Council also had before it, during consideration of Motion J(17), a copy of the Minutes of Settlement between the developer (Glenarda Properties) and the adjacent residential community (Charnwood Residents), a copy of which is on file in the Office of the City Clerk.

Vote:

Motion J(17) was adopted, without amendment.

- 3.77 Councillor Feldman moved that the necessary provisions of the Council Procedural By-law be waived to permit introduction and debate 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 Ootes

Seconded by: Councillor Feldman

“**WHEREAS** City Council at its meeting held on February 2, 2000, appointed Paul Valenti as Councillor for North York Humber to replace the former Councillor Judy Sgro, whose resignation was accepted by Council on December 14 1999; and

WHEREAS it is necessary to make appointments to fill those positions held by the former Councillor Sgro;

NOW THEREFORE BE IT RESOLVED THAT Paul Valenti, Council appointee for North York Humber (Ward 6) be appointed to serve on the following Committees and Boards of Trustees in place of the former Councillor Judy Sgro:

- (1) the Works Committee, for a term of office expiring on November 30, 2000;
- (2) Metro Toronto Pension Plan, Board of Trustees, for a term of office expiring on November 30, 2000, and until his successor is appointed;
- (3) Metro Toronto Police Benefit Fund, Board of Trustees for a term of office expiring on November 30, 2000, and until his successor is appointed;
- (4) Metro Toronto Police Benefit Fund Committee for a term of office expiring on November 30, 2000, and until his successor is appointed;

- (5) Toronto Fire Department Superannuation and Benefit Fund Committee for a term of office expiring on November 30, 2000, and until his successor is appointed;
- (6) Toronto Civic Employees Pension and Benefit Fund Committee for a term of office expiring on November 30, 2000, and until his successor is appointed; and
- (7) York Employees' Pension and Benefit Fund Committee for a term of office expiring on November 30, 2000, and until his successor is appointed.”

Vote:

Motion J(18) was adopted, without amendment.

BILLS AND BY-LAWS

- 3.78 On, February 1, 2000, at 4:00 p.m., Councillor Moscoe, seconded by Councillor Feldman, 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. 83	By-law No. 4-2000	To designate an Interim Control Area in the Central Part of the Bathurst Manor Community.
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- 3.79 On February 1, 2000, at 7:07 p.m., Councillor Kinahan, seconded by Councillor Nunziata, 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. 91	By-law No. 5-2000	To confirm the proceedings of the Council at its meeting held on the 1st day of February, 2000,
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the vote upon which was as follows:

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chow, Disero, Duguid, Feldman, Flint, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

- 3.80 On February 2, 2000, at 8:23 p.m., Councillor Altobello, seconded by Councillor Bussin, 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. 92	By-law No. 6-2000	To confirm the proceedings of the Council at its meeting held on the 1st and 2nd days of February, 2000,
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the vote upon which was as follows:

Yes - 33 Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Disero, Duguid, Feldman, Fillion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, King, Layton, Li Preti, Lindsay Luby, Miller, Minnan-Wong, Nunziata, Ootes, Pantalone, Shiner, Silva, Sinclair, Tzekas
No - 1 Councillor: O'Brien

Carried by a majority of 32.

- 3.81 On February 3, 2000, at 6:46 p.m., Councillor Soknacki, seconded by Councillor Mihevc, 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, without dissent:

Bill No. 2	By-law No. 7-2000	To adopt an Amendment to the Official Plan for the former City of Toronto respecting lands known as Nos. 130 Gerrard Street East, 337 Jarvis Street and 12, 14, 16 and 18 Horticultural Avenue.
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Bill No. 3	By-law No. 8-2000	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as Nos. 130 Gerrard Street East, 337 Jarvis Street and 12, 14, 16, and 18 Horticultural Avenue.
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Bill No. 4	By-law No. 9-2000	To amend Section 15 of By-law No. 438-86 of the former City of Toronto respecting the Index of Exceptions.
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Bill No. 5	By-law No. 10-2000	To amend the former City of North York By-law No. 7625 with respect to lands municipally known as 1549 Avenue Road.
Bill No. 6	By-law No. 11-2000	To amend further By-law No. 10649 of the former City of Toronto with respect to pensions and other benefits.
Bill No. 7	By-law No. 12-2000	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 8	By-law No. 13-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 9	By-law No. 14-2000	To amend further Metropolitan By-law No. 109-86 respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 10	By-law No. 15-2000	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 11	By-law No. 16-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Balmy Avenue, Euclid Avenue, Glenholme Avenue, Munro Street.
Bill No. 12	By-law No. 17-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Golden Avenue, Guest Avenue, Hillsdale Avenue West, Morrow Avenue, Silver Avenue, Sorauren Avenue, Swanwick Avenue, The Esplanade, Triller Avenue.
Bill No. 13	By-law No. 18-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 14	By-law No. 19-2000	To amend further Metropolitan By law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 15	By-law No. 20-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 16	By-law No. 21-2000	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 17	By-law No. 22-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 18	By-law No. 23-2000	To amend further By-law No. 23504 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 19	By-law No. 24-2000	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 20	By-law No. 25-2000	To stop up and close a portion of the public highway Longview Drive and to authorize the sale thereof.
Bill No. 21	By-law No. 26-2000	To designate certain lands on a registered plan not subject to Part Lot Control in the Centennial Community.
Bill No. 22	By-law No. 27-2000	To adopt Amendment No. 1035 of the Official Plan for the former City of Scarborough.
Bill No. 23	By-law No. 28-2000	To adopt Amendment No. 1034 of the Official Plan for the former City of Scarborough.

Bill No. 24	By-law No. 29-2000	To adopt Amendment No. 1039 of the Official Plan for the former City of Scarborough <i>[as amended]</i> .
Bill No. 25	By-law No. 30-2000	To adopt Amendment No. 1040 to the Official Plan for the former City of Scarborough.
Bill No. 26	By-law No. 31-2000	To adopt Amendment No. 1036 of the Official Plan for the former City of Scarborough.
Bill No. 27	By-law No. 32-2000	To amend Scarborough Zoning By-law No. 8786, the Birchcliff Community Zoning By-law.
Bill No. 28	By-law No. 33-2000	To amend Scarborough Zoning By-law No. 10048, the Eglinton Community Zoning By-law <i>[as amended]</i> .
Bill No. 29	By-law No. 34-2000	To amend Scarborough Zoning By-law No. 24892, the Employment Districts Zoning By-law with respect to the Birchmount Park Employment District.
Bill No. 30	By-law No. 35-2000	Being a by-law to further amend Scarborough Zoning By-law Number 10217, the Agricultural Holding By-law, as amended, and By-law No. 14402, as amended, with respect to the Malvern Community.
Bill No. 31	By-law No. 36-2000	To remove a Site Plan Control Area (West Hill Community).
Bill No. 32	By-law No. 37-2000	To amend Scarborough By-law No. 10327, with respect to the West Hill Community.
Bill No. 33	By-law No. 38-2000	To designate certain lands on a Registered Plan not subject to Part Lot Control in the Guildwood Community.

Bill No. 34	By-law No. 39-2000	To amend Scarborough Zoning By-law No. 10327, as amended, with respect to the West Hill Community.
Bill No. 35	By-law No. 40-2000	To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 2000.
Bill No. 36	By-law No. 41-2000	To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.
Bill No. 37	By-law No. 42-2000	To authorize agreements respecting the issue and sale of debentures.
Bill No. 38	By-law No. 43-2000	To exempt part of the lands commonly known as Phase II of the Woodbine Park Development, being certain lots and blocks within Plan of Subdivision 66M-2332, from the provisions of subsection 50(5) of the Planning Act.
Bill No. 39	By-law No. 44-2000	To designate certain lands on a registered plan not subject to Part Lot Control.
Bill No. 40	By-law No. 45-2000	To adopt an amendment to the Official Plan in respect of No. 275 Wallace Avenue.
Bill No. 41	By-law No. 46-2000	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as 275 Wallace Avenue.
Bill No. 42	By-law No. 47-2000	To exempt part of the lands commonly known as 1 and 11 Granlea Road, 21 Calvin Avenue and 4 Vonda Avenue, being certain lots within Plan of Subdivision 3896 (formerly City of North York), from the provisions of subsection 50(5) of the Planning Act.

Bill No. 43	By-law No. 48-2000	A by-law to establish a Tenant Supports Grant Program.
Bill No. 46	By-law No. 49-2000	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 Dufferin Park Avenue by the installation of speed humps from Gladstone Avenue to Havelock Street.
Bill No. 47	By-law No. 50-2000	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 Gladstone Avenue between College Street and Sylvan Avenue and Lindsey Avenue between Dufferin Street and Havelock Street by the installation of speed humps.
Bill No. 48	By-law No. 51-2000	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 Gore Vale Avenue by the installation of speed humps from Queen Street West to Dundas Street West.
Bill No. 49	By-law No. 52-2000	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 Heydon Park Road by the installation of speed humps from Dovercourt Road to Rusholme Road.

Bill No. 50	By-law No. 53-2000	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 Eastern Avenue between Trinity Street and Cherry Street by the construction of a pedestrian refuge centre median island.
Bill No. 51	By-law No. 54-2000	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 Crawford Street by the installation of speed humps from Dundas Street West to College Street.
Bill No. 54	By-law No. 55-2000	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. 55	By-law No. 56-2000	To layout and dedicate certain land for public lane purposes to form part of the public lane system west of Lightbourn Avenue extending between Chandos Avenue and Beaver Avenue.
Bill No. 56	By-law No. 57-2000	To layout and dedicate certain land for public lane purposes to form part of the public lane south of Silver Avenue extending westerly from Morrow Avenue.
Bill No. 57	By-law No. 58-2000	To layout and dedicate certain land for public lane purposes to form part of the public lane system in the block bounded by Keele Street, Lloyd Avenue, Mulock Avenue and Hirons Street.

Bill No. 58	By-law No. 59-2000	To layout and dedicate certain land for public highway purposes to form part of the public highway York Mills Road.
Bill No. 59	By-law No. 60-2000	To layout and dedicate certain land for public lane purposes to form part of the public lane system in the block bounded by Davenport Road, Bedford Road and Dupont Street.
Bill No. 60	By-law No. 61-2000	To layout and dedicate certain land for public highway purposes to form part of the public highway Mount Pleasant Road.
Bill No. 61	By-law No. 62-2000	To layout and dedicate certain land for public highway purposes to form part of the public highway Sheppard Avenue West.
Bill No. 62	By-law No. 63-2000	To layout and dedicate certain land for public highway purposes to form part of the public highway Dufflaw Road.
Bill No. 63	By-law No. 64-2000	To layout and dedicate certain land for public highway purposes to form part of the public highway Jarvis Street.
Bill No. 64	By-law No. 65-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Swanwick Avenue.
Bill No. 65	By-law No. 66-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Logan Avenue.
Bill No. 66	By-law No. 67-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 67	By-law No. 68-2000	To amend further Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.

Bill No. 68	By-law No. 69-2000	To amend City of North York By-law 7625 in respect of lands municipally known as 647 to 657 Lawrence Avenue West.
Bill No. 69	By-law No. 70-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 70	By-law No. 71-2000	To amend By-law No. 30518 of the former City of North York.
Bill No. 71	By-law No. 72-2000	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 72	By-law No. 73-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 73	By-law No. 74-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 74	By-law No. 75-2000	To amend By-law No. 30358, as amended, of the former City of North York.
Bill No. 75	By-law No. 76-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 76	By-law No. 77-2000	To establish the dates and times of advance votes for the 2000 municipal election.
Bill No. 77	By-law No. 78-2000	To authorize the payment of rebates to persons who make contributions to candidates for office on the municipal council in the 2000 municipal election.
Bill No. 78	By-law No. 79-2000	To provide for the use of voting and vote-counting equipment for municipal elections.

Bill No. 79	By-law No. 80-2000	To authorize the use of languages other than English in notices, forms (other than prescribed forms) and other information for the 2000 municipal election.
Bill No. 80	By-law No. 81-2000	To amend the former Borough of East York By-law No. 92-93, being a by-law "To regulate traffic on roads in the Borough of East York".
Bill No. 81	By-law No. 82-2000	To amend By-law No. 20-96 of the former Borough of East York, being a By-law to provide for overnight permit parking on former Borough Streets.
Bill No. 82	By-law No. 83-2000	To amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the north west corner of Manitoba Street and Grand Avenue and municipally known as 67 Grand Avenue.
Bill No. 84	By-law No. 84-2000	To adopt an amendment to the Official Plan in respect of No. 81 Turnberry Avenue.
Bill No. 85	By-law No. 85-2000	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as No. 81 Turnberry Avenue.
Bill No. 86	By-law No. 86-2000	To adopt an amendment to the Official Plan in respect of No. 101 Union Street.
Bill No. 87	By-law No. 87-2000	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to the lands known as No. 101 Union Street.
Bill No. 88	By-law No. 88-2000	A By-law To Exempt Lands from Part Lot Control.

Bill No. 89	By-law No. 89-2000	To appoint Councillor Lindsay Luby as a member of the Toronto Transit Commission to fill a vacancy and hold office for the unexpired remainder of the term.
Bill No. 90	By-law No. 90-2000	To amend further Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the Licensing, regulating and governing of trades, callings, business and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto.

3.82 On February 3, 2000, at 6:47 p.m., Councillor Soknacki, seconded by Councillor Mihevc, 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:

Bill No. 44	By-law No. 91-2000	To amend By-law No. 671-1999 respecting By-law No. 15-92 of the former Municipality of Metropolitan Toronto.
Bill No. 45	By-law No. 92-2000	To interpret, and to amend certain by-laws respecting, By-law No. 181-81 of the former Municipality of Metropolitan Toronto,

the vote upon which was as follows:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Flint, Gardner, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

- 3.83 On February 3, 2000, at 6:48 p.m., Councillor Kinahan, seconded by Councillor Pitfield, 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. 93	By-law No. 93-2000	To confirm the proceedings of the Council at its meeting held on the 1st, 2nd and 3rd days of February, 2000,
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the vote upon which was as follows:

Yes - 35	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Flint, Gardner, Johnston, Jones, Kelly, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

OFFICIAL RECOGNITIONS:

3.84 **Condolence Motion**

February 2, 2000:

Mayor Lastman, seconded by Councillor Disero, moved that:

“WHEREAS we are here today to pay tribute to a wonderful, kind man who devoted his life to his family, his City and his Country; and

WHEREAS Joe Foti was a beautiful man, he was the best man and he was loved by everyone; and

WHEREAS Joe Foti was a tremendous Canadian, he was a fantastic Citizen of Toronto and he enriched our City and made our Toronto a better place; and

WHEREAS Joe Foti was a friend to everyone from Prime Ministers to Premiers, to people on the street. He was the sweetest man. He was always happy, always upbeat and always there when you needed him; and

WHEREAS Joe Foti was fiercely proud of his community and his Italian heritage. He was a champion of our City and one of our great Canadian patriots. Joe Foti was a credit to our Country; and

WHEREAS Joe Foti was famous for his annual barbeque and everyone was invited from Prime Ministers to Premiers to Mayor to Councillors and everyone was warmly welcomed with a hug and a grin; and

WHEREAS Joe Foti received our City's highest honour, the Key to our City, during a celebration of his life last October;

NOW THEREFORE BE IT RESOLVED THAT Mayor Lastman and Members of Toronto City Council offer their official condolences to the family of Joe Foti and recognize his memory by a moment of silence.”

Leave to introduce this Motion was granted and the Motion carried unanimously.

Council rose and observed a Moment of Silence in memory of the late Mr. Foti.

3.85 Presentations/Introductions/Announcements:

February 1, 2000:

Mayor Lastman, during the morning session of the meeting, introduced the students of the following schools, present at the meeting:

- Grades 5 and 6 students of St. William Public School; and
- Derrydown Public School.

Mayor Lastman, during the afternoon session of the meeting, introduced the 30 Millennium Babies who were born on January 1, 2000, and their parents, present in the Council Chamber; advised the Council that scrolls and “welcome” packages (containing posters, books and baby surprises) were being presented to each Millennium Baby family; invited Councillor Augimeri and Councillor Chow, the Child and Youth Advocate, to the podium to address the Council; presented a commemorative scroll to Baby “A” to mark the occasion; and invited Members of Council to participate in the Millennium Babies celebration being held in the Members’ Lounge.

February 2, 2000:

Mayor Lastman, during the morning session of the meeting, introduced the students of York School, present at the meeting:

February 3, 2000:

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the parents of Councillor Jane Pitfield, Mr. and Mrs. Toller, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced Councillor Paul Valenti, Ward 6, North York Humber, the newest Member of City Council, present at this meeting, and invited Councillor Valenti to address the Council.

3.86 **MOTIONS TO VARY PROCEDURE**

Vary the order of proceedings of Council:

February 1, 2000:

Mayor Lastman, at the commencement of the meeting, moved that, having regard that the North York Community Council will be holding a Special Meeting at 8:00 p.m. today to consider the matter of filling the vacancy in North York Humber by appointment, Council vary the order of its proceedings to now consider the following Notice of Motion J(1) and, in accordance with the provisions of the Council Procedural By-law, leave be granted to introduce and debate such Notice of Motion, which carried:

Moved by: **Councillor Feldman**

Seconded by: **Councillor Flint**

“**WHEREAS** City Council at its meeting held on December 14, 15 and 16, 1999, by its adoption, as amended, of Notice of Motion J(1), moved by Councillor Berardinetti, seconded by Councillor Feldman, declared the Office of Councillor, North York Humber, to be vacant, as required under the provisions of the Municipal Act; and

WHEREAS Council decided that the vacancy in the office of Councillor, North York Humber, would be filled by appointment; and

WHEREAS Council also adopted a process to fill the vacancy which provides that the North York Community Council will consider the appointment of a person to fill the vacancy in the office of Councillor, North York Humber, and make recommendation thereon to City Council for its meeting to be held on February 1, 2 and 3, 2000; and

WHEREAS the North York Community Council has scheduled a special meeting to be held at 8:00 p.m. on Tuesday, February 1, 2000, to consider the appointment of a person to fill the vacancy in the office of Councillor, North York Humber;

NOW THEREFORE BE IT RESOLVED THAT Council recess at 7:00 p.m. on Tuesday, February 1, 2000, in order to permit Members of Council the opportunity to attend the special meeting of the North York Community Council scheduled for 8:00 p.m. that day;

AND BE IT FURTHER RESOLVED THAT City Council consider Report No. 2 of The North York Community Council respecting the appointment of a person to fill the vacancy in the office of Councillor, North York Humber, at 5:00 p.m. on Wednesday, February 2, 2000.”

Votes:

The first Operative Paragraph embodied in Motion J(1) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(1) was adopted, without amendment.

(See Minute No. 3.46, Page 51, for the appointment of a person to the office of Councillor, North York Humber.)

Councillor Walker, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 7 of Report No. 1 of The Community Services Committee, headed “Implementation of the Tenant Defence Fund and Rental Housing Office”, immediately following Council’s review of the “Green Sheets” for this meeting, which carried.

Councillor Saundercook, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Clause No. 1 of Report No. 1 of The Works Committee, headed “Harmonization of Transit Shelter Agreements”, at 2:00 p.m. today, which carried.

Councillor Moscoe, during the morning session of the meeting, moved that Council vary the order of its proceedings to consider Notice of Motion J(9), moved by Councillor Adams, seconded by Councillor Moscoe, respecting an update from legal counsel regarding the Telus Integrated Communications Inc. application to the Canadian Radio-Television and Telecommunications Commission, at the in-camera portion of the meeting to be held today, which carried.

Mayor Lastman, during the morning session of the meeting, proposed that Council vary the order of its proceedings to:

- (a) hold the in-camera portion of this meeting at 5:00 p.m. today;
- (b) consider Notices of Motions on the Order Paper for this meeting of Council at 2:00 p.m. on Wednesday, February 2, 2000; and

- (c) consider the appointment of the Councillor for North York Humber at 5:00 p.m. on Wednesday, February 2, 2000.

Council concurred in the proposal by Mayor Lastman.

Councillor Feldman, at 2:50 p.m., moved that Council vary the order of its proceedings, to now consider Notice of Motion J(7), moved by Councillor Feldman, seconded by Councillor Moscoe, regarding an interim control by-law for the area bounded by Arlstan Drive and Maxwell Street on the north, Candis Drive and Goddard Street on the east, Combe Avenue on the south and Shaftesbury Street on the west, which carried.

Deputy Mayor Ootes, at 5:00 p.m., proposed that Council conclude its consideration of Clause No. 1 of Report No. 1 of The Works Committee, headed "Harmonization of Transit Shelter Agreements", prior to holding the in-camera portion of this meeting.

Council concurred in the proposal by Deputy Mayor Ootes.

Waive the provisions of the Procedural By-law related to meeting times:

February 1, 2000:

Deputy Mayor Ootes, at 12:30 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 12:30 p.m. recess, in order to conclude consideration of Clause No. 14 of Report No. 2 of The Policy and Finance Committee, headed "General Cleanliness of City Streets (All Wards)", the vote upon which was taken as follows:

Yes - 21	
Councillors:	Adams, Augimeri, Bussin, Disero, Duguid, Flint, Giansante, Holyday, Kelly, King, Lindsay Luby, Mammoliti, McConnell, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Silva, Soknacki
No - 24	
Councillors:	Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Filion, Gardner, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mihevc, Moscoe, Shiner, Sinclair, Tzekas, Walker

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

Deputy Mayor Ootes, during the in-camera portion of the meeting, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:00 p.m. recess, as previously decided by Council, in order to provide sufficient time to meet

in public session and confirm the proceedings of this portion of the meeting, which carried, without dissent.

February 2, 2000:

Deputy Mayor Ootes, during the in-camera portion of the meeting, 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 Notices of Motions J(9) and J(10) and to provide sufficient time to meet in public session and confirm the proceedings of this portion of the meeting, which carried, without dissent.

3.87 ATTENDANCE

Councillor Rae, seconded by Councillor Pitfield, moved that the absence of Councillors Balkissoon and Jakobek from this meeting of Council be excused, which carried.

February 1, 2000	9:43 a.m. to 12:30 p.m.*	2:13 p.m. to 6:35 p.m.*	Roll Call 3:28 p.m.	Roll Call 5:01 p.m.	Ctte. of the Whole in-Camera 6:40 p.m.	7:03 p.m. to 7:08 p.m.*
Lastman	x	x	-	x	x	x
Adams	x	x	x	x	x	x
Altobello	x	x	-	x	x	x
Ashton	x	x	x	-	x	x
Augimeri	x	x	-	x	x	x
Balkissoon	-	-	-	-	-	-
Berardinetti	x	x	x	x	x	x
Berger	x	x	x	x	x	x
Bossons	x	x	x	x	x	x
Brown	x	x	x	x	x	x
Bussin	x	x	-	x	x	x
Cho	x	x	x	x	-	-
Chong	x	x	-	x	-	-
Chow	x	x	x	x	x	x
Davis	x	x	-	x	x	x
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2000

February 1, 2000	9:43 a.m. to 12:30 p.m.*	2:13 p.m. to 6:35 p.m.*	Roll Call 3:28 p.m.	Roll Call 5:01 p.m.	Ctte. of the Whole in-Camera 6:40 p.m.	7:03 p.m. to 7:08 p.m.*
Feldman	x	x	x	x	x	x
Filion	x	x	-	x	-	-
Flint	x	x	x	x	x	x
Gardner	x	x	-	x	-	-
Giansante	x	x	x	x	x	x
Holyday	x	x	x	x	x	x
Jakobek	-	-	-	-	-	-
Johnston	x	x	-	-	-	-
Jones	x	x	x	x	x	x
Kelly	x	x	-	x	x	x
Kinahan	x	x	x	x	x	x
King	x	x	x	-	-	-
Korwin-Kuczynski	x	x	x	x	x	x
Layton	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x
Li Preti	x	x	-	x	x	x
Mahood	x	x	-	x	x	x
Mammoliti	x	x	-	-	-	-
McConnell	x	x	x	-	x	x
Mihevc	x	x	x	x	x	x
Miller	x	x	x	-	-	-
Minnan-Wong	x	x	x	x	-	-
Moeser	x	x	-	x	x	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	x	x
O'Brien	x	x	x	-	x	x
Ootes	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x

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February 1, 2000	9:43 a.m. to 12:30 p.m.*	2:13 p.m. to 6:35 p.m.*	Roll Call 3:28 p.m.	Roll Call 5:01 p.m.	Ctte. of the Whole in-Camera 6:40 p.m.	7:03 p.m. to 7:08 p.m.*
Pitfield	x	x	-	x	x	x
Prue	x	x	-	-	x	x
Rae	x	x	-	x	x	x
Saundercook	x	x	x	x	x	x
Shaw	x	x	x	x	x	x
Shiner	x	x	x	-	x	x
Silva	x	x	x	x	x	x
Sinclair	x	x	-	x	x	x
Soknacki	x	x	x	x	x	x
Tzekas	x	x	x	x	x	x
Walker	x	x	x	x	x	x
Total	54	54	36	45	45	45

* Members were present for some or all of the time period indicated.

February 2, 2000	9:43 a.m. to 12:30p.m.*	Roll Call 12:29 p.m.	2:13 p.m. to 7:04 p.m.*	Roll Call 2:17 p.m.	Ctte. of the Whole in-camera 7:08 p.m.	Roll Call 8:21 p.m.	8:17 p.m. to 8:24 p.m.*
Lastman	x	-	x	-	x	-	-
Adams	x	x	x	x	x	x	x
Altobello	x	x	x	x	x	x	x
Ashton	x	-	x	x	x	-	-
Augimeri	x	x	x	x	x	x	x
Balkissoon	-	-	-	-	-	-	-
Berardinetti	x	x	x	x	x	x	x
Berger	x	-	x	x	x	x	x
Bossons	x	x	x	x	x	x	x
Brown	x	x	x	x	x	x	x
Bussin	x	x	x	x	x	x	x
Cho	x	x	x	-	x	x	x
Chong	x	-	x	-	x	x	x
Chow	x	-	x	-	x	-	-

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February 2, 2000	9:43 a.m. to 12:30p.m.*	Roll Call 12:29 p.m.	2:13 p.m. to 7:04 p.m.*	Roll Call 2:17 p.m.	Ctte. of the Whole in-camera 7:08 p.m.	Roll Call 8:21 p.m.	8:17 p.m. to 8:24 p.m.*
Davis	x	-	x	-	-	-	-
Disero	x	x	x	-	x	x	x
Duguid	x	x	x	x	x	x	x
Feldman	x	x	x	x	x	x	x
Filion	x	x	x	-	x	x	x
Flint	x	x	x	x	x	x	x
Gardner	x	-	x	-	-	-	-
Giansante	x	-	x	x	x	x	x
Holyday	x	x	x	x	x	x	x
Jakobek	-	-	-	-	-	-	-
Johnston	x	x	x	x	x	-	-
Jones	x	x	x	x	x	x	x
Kelly	x	x	x	x	x	-	-
Kinahan	x	-	x	-	x	x	x
King	x	x	x	x	x	x	x
Korwin-Kuczynski	x	x	x	-	-	-	-
Layton	x	x	x	x	x	x	x
Lindsay Luby	x	x	x	x	x	x	x
Li Preti	x	x	x	-	x	x	x
Mahood	x	x	x	x	x	-	-
Mammoliti	x	-	x	x	x	-	-
McConnell	x	x	x	-	x	-	-
Mihevc	x	x	x	x	x	x	x
Miller	x	x	x	x	x	x	x
Minnan-Wong	x	-	x	-	x	x	x
Moeser	x	-	x	-	-	-	-
Moscoe	x	x	x	-	-	-	-
Nunziata	x	x	x	x	x	x	x
O'Brien	x	x	x	-	x	x	x
Ootes	x	x	x	x	x	x	x

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February 2, 2000	9:43 a.m. to 12:30p.m.*	Roll Call 12:29 p.m.	2:13 p.m. to 7:04 p.m.*	Roll Call 2:17 p.m.	Ctte. of the Whole in-camera 7:08 p.m.	Roll Call 8:21 p.m.	8:17 p.m. to 8:24 p.m.*
Pantalone	x	x	x	-	x	x	x
Pitfield	x	x	x	x	x	-	-
Prue	x	x	x	-	x	-	-
Rae	x	-	x	x	x	-	-
Saundercook	x	x	x	x	-	-	-
Shaw	x	x	x	x	-	-	-
Shiner	x	x	x	-	x	x	x
Silva	x	x	x	x	x	x	x
Sinclair	x	x	x	x	x	x	x
Soknacki	x	x	x	x	-	-	-
Tzekas	-	-	x	-	x	x	x
Walker	x	x	x	x	x	-	-
Total	53	40	54	34	46	34	34

* Members were present for some or all of the time period indicated.

February 3, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 3:55 p.m.*	Ctte. of the Whole in-camera 4:00 p.m.	5:10 p.m. to 6:49 p.m.*
Lastman	x	x	x	x	-	x
Adams	-	-	-	-	-	-
Altobello	x	x	x	x	x	x
Ashton	-	x	-	x	x	x
Augimeri	-	x	x	x	x	x
Balkissoon	-	-	-	-	-	-
Berardinetti	-	x	x	x	x	x
Berger	x	x	x	x	-	-
Bossons	-	x	x	x	x	x
Brown	x	x	x	x	x	x
Bussin	-	x	-	x	x	x
Cho	-	x	x	x	x	x

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February 3, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 3:55 p.m.*	Ctte. of the Whole in-camera 4:00 p.m.	5:10 p.m. to 6:49 p.m.*
Chong	x	x	x	x	x	x
Chow	x	x	x	x	-	x
Davis	-	-	-	-	-	-
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	x	x	x	x
Filion	-	-	-	x	x	-
Flint	x	x	x	x	x	x
Gardner	-	x	-	x	-	x
Giansante	x	x	x	x	x	x
Holyday	x	x	x	x	x	-
Jakobek	-	-	-	-	-	-
Johnston	x	x	x	x	-	x
Jones	x	x	-	x	x	x
Kelly	-	x	x	x	x	x
Kinahan	x	x	x	x	x	x
King	x	x	-	x	x	x
Korwin-Kuczynski	x	x	-	x	-	-
Layton	x	x	-	x	-	x
Lindsay Luby	x	x	x	x	x	x
Li Preti	x	x	-	x	x	x
Mahood	x	x	-	x	-	-
Mammoliti	-	x	-	x	x	x
McConnell	x	x	x	x	x	x
Mihevc	x	x	x	x	x	x
Miller	-	-	-	-	-	-
Minnan-Wong	x	x	-	x	x	x
Moeser	-	-	-	-	-	-

Minutes of the Council of the City of Toronto
February 1, 2 and 3, 2000

February 3, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 3:55 p.m.*	Ctte. of the Whole in-camera 4:00 p.m.	5:10 p.m. to 6:49 p.m.*
Moscoe	-	-	-	-	-	-
Nunziata	x	x	-	x	x	x
O'Brien	x	x	-	x	x	x
Ootes	-	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Pitfield	x	x	x	x	x	x
Prue	x	x	-	x	x	x
Rae	x	x	x	x	x	x
Saundercook	x	x	x	x	x	x
Shaw	-	x	x	x	-	x
Shiner	-	x	x	x	-	x
Silva	x	x	-	x	x	x
Sinclair	-	x	-	x	-	-
Soknacki	x	x	-	-	x	x
Tzekas	-	x	-	x	x	x
Walker	x	x	x	x	x	x
Total	34	48	30	48	38	43

* Members were present for some or all of the time period indicated.

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

ATTACHMENT NO. 1

Report dated January 31, 2000, from the City Solicitor, entitled "Status of Toronto Police Services Board Actions regarding the 'True Blue' Campaign of the Toronto Police Association". (See Minute No. 3.71, Page 95.):

Purpose:

The purpose of this report is to respond to a request made by City Council for a report on the status of the Toronto Police Services Board actions regarding the "True Blue" campaign of the Toronto Police Association.

Financial Implications and Impact Statement:

There are no financial implications from receipt of this report.

Recommendation:

It is recommended that this report be received for information.

Background:

At its meeting held on January 27, 2000, City Council requested the City Solicitor to submit a report directly to City Council for its meeting to be held on February 1, 2 and 3, 2000, on the status of the Toronto Police Services Board actions regarding the "True Blue" campaign of the Toronto Police Association.

Comments:

On January 28, 2000, the Toronto Police Services Board held a confidential special meeting to consider what actions it might take in response to the "True Blue" campaign initiated by the Toronto Police Association.

At that meeting the Board undertook the following steps:

- (1) it adopted By-law No. 130, a copy of which is attached to this report, amending rules previously adopted by the Board for management of the Toronto Police Service. This By-law contains provisions governing how members of the Toronto Police Service can solicit funds and attempts to prohibit the type of fundraising methods used in the "True Blue" campaign;
- (2) it directed its legal counsel to seek an injunction to restrain the Toronto Police Association's "True Blue" campaign, in the event there is no compliance with terms of the new By-law; and

- (3) it urged the provincial government to review legislation governing police services to specifically address the relationship between political activity and police associations.

It must be emphasized that, given the rapidity of developments in this matter, it is possible that the status of the situation will have changed by the time this report is considered by City Council.

Conclusions:

The Toronto Police Services Board has undertaken a number of actions to attempt to address the issues that have arisen as a result of the Toronto Police Association's "True Blue" campaign.

Contact:

Albert H. Cohen
Director, Litigation
Legal Division
Telephone: 392-8041
Fax: 397-5624
E-mail: ACohen0@city.toronto.on.ca

TORONTO POLICE SERVICES BOARD

BY-LAW No. 130

**To amend By-law No. 99 establishing rules
for the effective management of
the Toronto Police Service**

WHEREAS, pursuant to Regulation 123/98 of the Police Services Act, police officers who are engaged as authorized representatives of a police association do not commit misconduct under subclause 2(1)(f)(iii) of the Code of Conduct only by virtue of the fact that they are engaged in the solicitation of gratuities, subscriptions or other similar contributions;

AND WHEREAS, pursuant to subclause 2(1)(a)(xi) of Regulation 123/98, such activities must nevertheless be conducted in a manner which is not likely to bring discredit upon the reputation of the police service;

AND WHEREAS any method of such solicitation which involves or could possibly give rise to the appearance of coercion, intimidation or the conferring of any preferred status is likely to bring discredit upon the reputation of the police service.

The Toronto Police Services Board HEREBY ENACTS as follows:

1. By-law No. 99, a by-law "To make rules for the effective management of the Toronto Police Service" (hereinafter called the "By-law") is amended by adding the following therefor:

4.5.9 SOLICITATION FOR POLITICAL ACTIVITY

The solicitation and/or receipt of funds by any member for the purpose of engaging in any political activity is prohibited.

Any solicitation of funds by any member in which the means, manner or method employed involves or could possibly involve the appearance of:

- coercion, intimidation, or the possibility of any contribution which is not entirely voluntary, or;
- the conferring of any preferred status,

is prohibited.

Without limiting the generality of the foregoing, this by-law prohibits the following:

- solicitation by way of telemarketing, e-mail, facsimile or any other method whereby the party solicited can be identified;
- solicitation whereby any party making a contribution receives a decal, insignia, button, card or any other object which identifies the bearer as a contributor to the police association.

The foregoing prohibitions apply to actions taken, whether directly or indirectly, by or on behalf of members as they may relate to solicitations on behalf of any police association.

2. This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED THIS 28th day of January 2000.

Norman Gardner
Chairman

ATTACHMENT NO. 2

Report dated January 12, 2000, from the Chief Financial Officer and Treasurer, entitled "Impact of Taxes on Property Class Changes – Capped Property Classes". (See Minute No. 3.73, Page 101.):

Purpose:

This report provides the information requested by City Council regarding the financial implications for properties which change property class during the capping period.

Financial Implications:

From 1998 to 1999, approximately 193 properties changed property class from an uncapped class to a capped class. This generated approximately \$408,572.00 in increased tax revenue, of which the City's share was \$164,359.00. If the recommendations found in this report are adopted, this amount would be charged to Tax Deficiencies.

Recommendations:

It is recommended that:

- (1) the Province of Ontario be requested to amend the Municipal Act, effective 2000, so that taxes for properties which change class from an uncapped property class (i.e., residential, farmland, etc.) to a capped property class (i.e., multi-residential, commercial or industrial) are calculated based on frozen assessments determined using the methodology used under provincial assessment policy prior to Current Value Assessment (CVA) implementation; and
- (2) where a property is reclassified into a capped property class, OPAC be requested to provide both the frozen realty assessment and current value assessment on the assessment roll returned to the municipality.

Background:

At its meeting on July 27, 28, 29, and 30, 1999, City Council adopted Clause No. 19 of Report No. 4 of The Policy and Finance Committee, headed "Impact of Taxes on New Construction – Capped Property Classes". At that time, Council amended the Clause by adding the following:

"It is further recommended that:

‘WHEREAS City Council has before it a report recommending that the Province of Ontario be requested to amend legislation so that taxes for new construction on vacant or excess land be calculated based on frozen assessment determined using the methodology used under the provincial assessment policy prior to Current Value Assessment (CVA) methodology;

WHEREAS there are a number of properties that have changed property classes, and for those that changed, especially from an uncapped to a capped class (e.g. Residential to Multi-residential, Commercial, or Industrial) the properties are taxed essentially at full CVA;

NOW THEREFORE BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be requested to submit a report to the next meeting of the Assessment and Tax Policy Task Force to be held in September 1999 on the financial implications of these class changes.”

Comments:

Section 447(5) of the Municipal Act (“the Act”) requires any municipality that implemented a cap for the business property classes to maintain a Frozen Assessment Listing (the Listing). The Listing for 1998 was based on the “assessment roll as most recently revised” and was received from the province in May 1998.

The 1998 Listing reflected assessment information, as of December 1997, for each property in the business property classes. The information included on the Listing for each property was the total 1997 assessment, commercial assessment, business assessment, vacant commercial assessment and non-business assessment. For the 1999 and 2000 tax years, the Act requires that the Frozen Assessment Listing to be maintained and updated to reflect changes in CVA assessment as shown on the annual assessment roll.

In general, the Act requires changes to the frozen listing under four major categories: (1) new construction; (2) improvements; (3) property class changes; and (4) year end changes due to vacancies. The different methodologies and calculations that are required for these scenarios are set out in my report dated April 1, 1999.

The Act sets out how the frozen assessment is to be calculated, where a change in use of a property results in the property being reclassified into a different property class during the capping period (i.e., 1998 to 2000).

There are three main changes in property class which would affect the capped or uncapped taxes for a property. These class change categories, and the resulting changes to the frozen assessment listing, are as follows:

(a) Within the Capped Classes:

Under the legislation, if a property changes from the commercial to the industrial class, no adjustment is made to the frozen assessment for the property. However, the CVA tax change, and resulting cap or clawback, is recalculated based on the tax rate in the new class. The maximum effect of this type of class change would be that the property would change from a capped to clawback situation, or vice versa, due to the difference in tax rates between the commercial and industrial property classes.

Where a property changes from commercial or industrial to multi-residential, the frozen assessment is adjusted so that any frozen commercial realty assessment is converted from commercial to residential, and any frozen business assessment is deleted. The CVA tax levied is then recalculated, based on the revised frozen assessment, and the tax rate is the rate applied to the multi-residential class. There are under 40 properties that can be found in this scenario resulting in a tax loss of less than \$95,000.00. As these changes occur within capped classes, the only change results from the application of the different tax rate and the deletion of frozen business, which provides equity within the classes. No changes are recommended to this method of calculation for this type of property shift.

(b) Capped to Uncapped:

This class change category affects properties where a change in use between 1998 and 1999 resulted in a property being reclassified in 1999 into one of the uncapped classes (i.e., residential, farmlands, managed forests, pipelines, or exempt). Approximately 950 properties in the City of Toronto fall into this category in 1999. In these cases, the change results in the property or the portion of the property that has shifted from a capped class to an uncapped class being taxed at the full CVA tax rates which result in approximately \$1.4 million in additional taxes at the CVA rates being collected for the residential portions of the properties. The shift to CVA is consistent with changes to the residential class. As a result, no changes are recommended to this method of calculation for this type of property shift.

(c) Uncapped to Capped:

The treatment of properties that move from uncapped classes to capped classes does not seem to be fair with respect to other business properties in the capped classes. It is similar to the original legislated treatment of new construction, in that these properties are at a competitive disadvantage as they do not benefit from capping when they shift. The province amended legislation in December 1999 (Bill 14), that provides for new construction to be valued at

pre-CVA levels and benefit from capping provisions. This section recommends that the same treatment be extended to built properties that shift property classes from uncapped to capped.

Section 447.9(2) of the Act requires that, where a change in use results in a change in classification from any of the uncapped classes (i.e., residential, farmland, managed forests, pipelines, or exempt) to a capped class (i.e., multi-residential, commercial or industrial), the frozen assessment for the property is recalculated using the municipal factor. Business assessment, if applicable, is calculated using the average business factor for the new class.

As noted in previous reports, the use of the municipal factor when calculating the revised frozen assessment results in the new taxes for the property equating to CVA-level taxes. The municipal factor calculation moves the average effective tax rate for reclassified properties to the municipal average for the new property class (i.e., 4.6 percent for newly-classified multi-residential properties, 7.5 percent for newly-classified commercial properties, and 10.2 percent for newly-classified industrial properties). If a property changes from the residential property class, where the average effective tax rate is 1.21 percent, to one of the capped property classes where the average effective tax rate is significantly higher, the tax impact of the municipal calculation is severe.

There are approximately 193 properties in the City of Toronto that fall into this class change category. The total tax increase, due to the change in property class, is approximately \$408,572.00, of which the City's share is approximately \$164,359.00. The average tax increase for these properties is \$2,116.00. If the recommendations in this report are adopted and the province amends legislation, these amounts would revert from tax revenues to tax deficiencies.

It is recommended that the province be requested to amend the legislation so that taxes for reclassified properties be based on frozen assessments determined using the methodology used under the provincial assessment policy prior to CVA implementation. This calculation would involve having the frozen assessment determined based on similar properties in the vicinity and is consistent with City Council's request to the province regarding the methodology currently used to calculate frozen assessments for new construction. Frozen assessments determined in this manner would re-create what the realty taxes would have been on the property under the old assessment system and would extend capping protection to reclassified properties where CVA results in large tax increases. This would also be consistent with the recently adopted legislation (Bill 14) concerning the treatment of new construction which requires for OPAC to provide up to six comparable properties to assist in determining the frozen assessment listing for the new construction. This methodology is most defensible in that it maintains existing assessment levels, resulting in the same tax treatment for all properties within the same class.

Conclusion:

Capping protection was recommended for 1998 through 2000 for the business property classes, as an interim measure to ensure that significant tax changes would not occur for any properties in the capped property classes, until full analysis of all the tax policy tools could be undertaken prior to the next reassessment.

The province is currently in the process of updating the 1996 CVA values to a 1999 base. The entire issue of taxation of properties in the capped property classes is currently underway, as part of the Business Reference Group's comprehensive review. It is anticipated that City Council will be considering various tax policy options with respect to the business property classes early in 2000.

The legislated calculation for the frozen assessment of properties that move into the capped property classes during the capping period (1998 to 2000) should be amended so that the taxes would be calculated in the same manner as that used prior to CVA and capping protection applied to that value. This method maintains historical levels of assessment and will result in no significant tax changes during the capping period.

The province should be requested to amend the legislation, effective 2000, so that taxes for properties that are reclassified into one of the capped classes are calculated based on frozen assessments determined using provincial assessment policy to CVA implementation. This would parallel the policies found in Bill 14 with respect to new construction.

The entire issue of taxation of properties in the capped property classes is currently underway as part of the Business Reference Group's comprehensive review. The Group and the Sub-Groups are meeting and will be providing reports in February/March 2000 with recommendations for Council.

Contact Names:

Paul Wealleans, 397-4208
Mark D'Souza, 395-6739

Communication dated January 24, 2000, from Councillor Jack Layton, entitled "Impact of Taxes on Property Class Changes – Capped Property Classes", addressed to the Chair, Assessment and Tax Policy Task Force:

In consultation with the Finance Department officials, I am proposing an amendment to the report which will capture reclassified properties within our request to the Minister for regulations. Specifically, these motions will allow fair treatment for those properties which fell through the cracks when the "cap" on commercial taxation was instituted. There are fewer than 200 properties which were reclassified from residential

to commercial at a time when they were missed by the cap but their owners are suffering unduly. The approach recommended below is parallel to the strategy we are recommending for new construction.

Recommendations:

It is recommended that:

- (1) the Minister of Finance be requested to make regulations under Sections 442.4 and 447.34.1 of the Municipal Act, as amended by Bill 14, so that Sections 442.4 and 447.34.1 apply to properties which, due to a change in classification, became subject to the property tax cap under Part XXII.1 of the Act;
- (2) the City ensure that the regulations allow for the appropriate rebate to be paid on 1999 taxes paid by reclassified properties to reflect the level of taxation which would have applied had the provision been in place in 1999, in a fashion consistent to that provided for new construction;
- (3) the Task Force introduce a Notice of Motion to consider and approve its recommendations on this matter at the meeting of City Council on February 1, 2000, in order to facilitate the resolution of the issue prior to the issuance of the final tax bill for the year 2000; and
- (4) the City staff work closely with Ministry staff to expedite the processing of this request for regulations.

Report dated February 1, 2000, from the Chief Financial Officer and Treasurer, entitled "Tax Rebate: Impact on Property Class Changes":

Purpose:

This report provides information relating to the financial implications of the recommendations in the report dated January 12, 2000, from the Chief Financial Officer and Treasurer, entitled "Impact of Taxes on Property Class Changes - Capped Property Classes", and a communication dated January 24, 2000, from Councillor Layton, which were considered at the Assessment and Tax Policy Task Force meeting held January 25, 2000.

Financial Implications:

It is estimated that rebates for properties that changed from an uncapped class to a capped class for 1998 and 1999 would total \$328,698.00 (City share), as well as \$164,349.00 for 2000. The total estimated tax relief (City share) would be \$493,047.00, for the three years.

Background:

At its meeting held on January 25, 2000, the Assessment and Tax Policy Task Force considered a report entitled, "Impact of Taxes on Property Class Changes - Capped Property Classes", from the Chief Financial Officer and Treasurer, as well as a communication dated January 24, 2000, from Councillor Layton. The Task Force requested the Chair and Vice-Chair to submit a Notice of Motion directly to Council recommending that:

- (1) the report (January 12, 2000) from the Chief Financial Officer and Treasurer, be adopted; and
- (2) the recommendations contained in the communication (January 24, 2000) from Councillor Layton, be adopted.

Comments:

The recommendations contained in the Chief Financial Officer and Treasurer's report dated January 12, 2000, (that recommended change be effective for 2000 onwards) and in Councillor Layton's communication dated January 24, 2000, (that recommended change be effective for 1998 onwards) were adopted by the Task Force. The Minister of Finance is being requested to prescribe a regulation, under the Municipal Act, to ensure that taxes for properties that change from an uncapped property class (residential, exempt, farm) to a capped property class (multi-residential, commercial and industrial) are based on frozen assessments determined using the methodology used under provincial assessment policy in place prior to CVA implementation. Frozen assessment determined in this manner would re-create what the property taxes would have been on the property under the old assessment system and would extend capping protection to these properties. This would be consistent with the recently adopted legislation (Bill 14) concerning the treatment of new construction.

Should the regulation be prescribed by the province, it is estimated that \$164,349.00 (City share) would relate to the tax year 2000, with an additional estimated rebate of \$328,698.00 for 1998 and 1999.

Conclusion:

If the province prescribes a regulation to reflect the recommendations to protect properties that change from an uncapped property class to a capped property class, it is estimated that the total cost to the City would be \$493,047.00, of which \$164,349.00 would relate to 2000 and \$328,698.00 would be a rebate for 1998 and 1999.

Contact Names:

Paul Wealleans, 397-4208

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ATTACHMENT NO. 3

Report dated January 31, 2000, from the Acting Commissioner of Corporate Services, entitled "Conveyance of the Closed Portion of Lane Located at the Rear of 47 Vanderhoof Avenue (Ward 1 - East York)". (See Minute No. 3.74, Page 102.):

Purpose:

To recommend the terms and conditions upon which the City should complete the conveyance of the closed portion of lane at the rear of 47 Vanderhoof Avenue and any other remaining portions of the closed lane running from Laird Drive to Sutherland Drive and lying between Vanderhoof Avenue and Parkhurst Boulevard.

Financial Implications and Impact Statement:

Revenue in the amount of \$315.00 will realized from the conveyance of each parcel of closed lane.

Recommendations:

It is recommended that:

- (1) the portion of the closed lane located at the rear of 47 Vanderhoof Avenue and shown as Part 2 on Plan 64R-16453 be conveyed to the owner of 47 Vanderhoof Avenue, Rhonda Kotlarchuk, for the consideration of Fifteen Dollars (\$15.00), subject to any other terms and conditions which the City Solicitor deems necessary or appropriate to protect the City's interest;
- (2) the Purchaser be required to furnish a survey of the lands being conveyed and pay an administration fee of \$300.00, on closing;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable;
- (4) the City Solicitor be authorized to complete the other outstanding conveyances which were authorized by the former Town of Leaside By-law No. 1077 passed on August 11, 1947, on the same terms and conditions as set out herein, as and when the adjoining property owners entitled to purchase a portion of the closed lane request a conveyance; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

On August 11, 1947, the former Town of Leaside Council passed By-law No. 1077, being a by-law to stop up and close nine lanes in the vicinity and to convey portions of the said lanes to the respective adjoining property owners, in accordance with the terms set out in the report of the Town Planning Committee adopted in Council on September 9, 1946. The By-law further authorized the (then) Mayor and Clerk to execute and deliver conveyances to the said owners, in accordance with the terms of the said report, however, a copy of the aforementioned report, outlining the terms of sale, is not available, as East York Records staff advise that their records do not go back to 1946.

One of the lanes stopped up and closed by By-law No. 1077 runs from Laird Drive to Sutherland Drive, lying between Vanderhoof Avenue and Parkhurst Boulevard, as shown on registered Plan 1925 in the Town of Leaside. Although By-law No. 1077 was registered on title in 1950, and a number of conveyances were completed shortly thereafter, it appears that the conveyance of the parcel adjoining 47 Vanderhoof Avenue was not completed.

Comments:

A request has been received from the solicitor for Rhonda Kotlarchuk, the owner of 47 Vanderhoof Avenue, for the City to convey the parcel of land located at the rear of her property which was stopped up and closed as a lane by By-law No. 1077. The owner advises that the City parcel of land, having a north/south measurement of 10 feet by an east/west measurement of 25 feet, has for many years been assessed within the property limits of 47 Vanderhoof Avenue, with appropriate taxes being paid for the parcel. The owner further advises that proposed renovations to 47 Vanderhoof Avenue required an application to the Committee of Adjustment for minor variances. On March 16, 1999, the Committee of Adjustment approved a variance to the side yard setback requirement, but refused a variance to the floor space index requirements. The owner appealed the decision to the Ontario Municipal Board. The OMB decision and order of July 26, 1999, allowed the appeal and a variance in floor space index was authorized, subject to a number of conditions, including the condition that, prior to issuance of a building permit, the owner obtain title to the portion of closed lane abutting her property. The owner has requested that the conveyance be expedited by the City, in order for her to be able to obtain the building permit, avoid additional expenses and avoid any further damage that could be caused by inclement winter weather conditions.

In order to facilitate this request in a timely manner, staff attempted to gather historical information respecting this lane closure.

In the absence of a copy of the Town Planning Committee report which set the terms of sale, staff have had to rely on Registry Office records to try to ascertain the terms of sale that were approved by Town of Leaside Council. It appears that deeds were prepared and executed by the (then) Mayor and Clerk and then forwarded to adjoining owners for registration. The amount of consideration paid for each parcel conveyed to adjoining property owners was Fifteen Dollars (\$15.00), subject to any easements for public utilities or municipal services. At various times since 1950, owners have registered their deeds on title. Conveyance of the parcel at the rear of 47 Vanderhoof Avenue was not completed. It is not clear whether the deed was executed and delivered but never registered by the owner or whether a deed was never prepared.

On the basis of the aforementioned history, the following agreement has been reached with the owner of 47 Vanderhoof Avenue as to the terms of conveyance:

- (1) the Purchaser shall provide a plan of survey delineating the area to be conveyed;
- (2) the Purchaser shall pay the sum of Fifteen Dollars (\$15.00), on closing, for Part 2 on Plan 64R-16453, being the portion of closed lane abutting the Purchaser's property;
- (3) the Purchaser shall pay an administration fee of \$300.00, on closing;
- (4) the Purchaser shall agree to any other terms and conditions which the City Solicitor deems necessary or appropriate to protect the City's interest;
- (5) the City Solicitor shall prepare the required transfer/deed document;
- (6) the Purchaser shall be responsible for the registration of the transfer/deed document; and
- (7) the date of closing of this transaction shall be as soon as possible following Council approval.

Conclusions:

The former Town of Leaside By-law No. 1077 passed on August 11, 1947, stopped up and closed certain lanes and authorized the sale of parcels to adjoining property owners and further authorized the (then) Mayor and Clerk to execute and deliver conveyance documents to the said owners. In the absence of the Town Planning Committee report which set out the terms of sale and relying upon Registry Office records, it would appear that each parcel was to be conveyed for the consideration of Fifteen Dollars (\$15.00), with the owners being responsible to register their respective deeds. The request for the City to convey the parcel of closed lane located at the rear

of 47 Vanderhoof Avenue, being Part 2 on Plan 64R-16453, to the adjoining property owner under similar terms as the original authority is considered reasonable. Council authority should also be obtained to complete the other outstanding transactions which were authorized by By-law No. 1077, on the same terms and conditions as set out herein, as and when the adjoining property owners entitled to purchase a portion of the closed lane request a conveyance.

Contact:

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(A copy of the map referred to in the above report is on file in the office of the City Clerk.)