

[Guide to the Council Minutes](#)

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

**TUESDAY, FEBRUARY 29, 2000,
WEDNESDAY, MARCH 1, 2000 AND
THURSDAY, MARCH 2, 2000**

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

CALL TO ORDER

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

In recognition of Black History Month, the meeting opened with a vocal rendition of O Canada, performed by Mr. Jermain Maxwell, a multi-talented rhythm and blues vocalist.

- 4.2 **CONFIRMATION OF MINUTES**

Councillor Disero, seconded by Councillor Kinahan, moved that the Minutes of the Special Council meetings held on the 19th and 27th days of January, 2000, be confirmed in the form supplied to the Members, which carried.

PRESENTATION OF REPORTS

February 29, 2000:

- 4.3 Councillor O'Brien presented the following Reports for consideration by Council:

Report No. 3 of The Administration Committee,
Report No. 3 of The Works Committee,
Report No. 3 of The Toronto Community Council,

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

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

- 4.4 Councillor O'Brien, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 5 of The Works Committee,

and moved, seconded by Councillor Davis, 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.

March 1, 2000:

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

Report No. 6 of The Administration Committee,

and moved, seconded by Councillor Minnan-Wong, 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.

4.6 **DECLARATIONS OF INTEREST**

Councillor Ashton declared his interest in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, in that his wife is an employee of the City of Toronto and a member of CUPE Local 79.

Councillor Augimeri declared her interest in Clause No. 26 of Report No. 3 of The North York Community Council, headed “Final Report – Official Plan and Zoning Amendment Application UDOZ-97-35 - V.V. DeMarco Properties Limited - 1415 Lawrence Avenue West - North York Humber”, in that a member of her family owns a condominium adjacent to the applicant’s property.

Councillor Balkissoon declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in the office of another Member of Council; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in the office of another Member of Council.

Councillor Cho declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office.

Councillor Gardner declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office.

Councillor Giansante declared his interest in Clause No. 4 of Report No. 4 of The Administration Committee, headed “Cost Benefit Analysis of the Telephone Systems Available to the City, the Centrex System vs. the PBX System”, in that his wife is an employee of Bell Canada.

Councillor Jones declared her interest in Item (f), entitled “Preliminary Report - Applications to Amend the Etobicoke Official Plan and Zoning Code - Oxford Hills Developments, 15 West Deane Park Drive, File No. 2309 (Markland-Centennial)”, as embodied in Clause No. 16 of Report No. 2 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, in that her husband is working as a consultant for an associate of the applicant.

Councillor Kelly declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office.

Councillor King declared her interest in Clause No. 23 of Report No. 3 of The North York Community Council, headed “Context Plan for the Southeast Bayview Node, North York Centre South”, insofar as it pertains to Thomas Clark House at 9 Barberry Place, in that a member of her extended family is the owner of this property.

Mayor Lastman declared his interest in Clause No. 7 of Report No. 2 of The Economic Development and Parks Committee, headed “Appointments to the Boards of Management for Business Improvement Areas and Amendments to the (former Toronto) Municipal Code Chapter 20, Business Improvement Areas (Various Wards)”, in that his son is the President of the Kennedy Road Business Improvement Area; and in Clause No. 45 of Report No. 4 of The Toronto Community Council, headed “Draft Official Plan Amendment - 145 Queen Street West (Downtown)”, in that the applicant’s solicitor is employed by the same law firm as his son who is not a real estate lawyer and does not personally act on this file.

Councillor Mahood declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office.

Councillor Mammoliti declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed

“Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office.

Councillor Shiner declared his interest in Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”, and in Item (b), entitled “Hiring of Support Staff by Members of Council”, as embodied in Clause No. 19 of such Report, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office; and in Clause No. 1 of Report No. 6 of The Administration Committee, headed “Collective Bargaining with the Canadian Union of Public Employees, Local 79”, insofar as it pertains to the re-opening of the issues related to the salaries of staff of Members of Council, in that a member of his family is an employee in his office; and in Clause No. 28 of Report No. 3 of The North York Community Council, headed “Final Report – Zoning Amendment UDZ-98-28 and UDSP-98-169 – Brown, Dryer, Karol - 62 and 64-68 Finch Avenue West and 8 Kensington Avenue - Ward 10 - North York Centre”, in that a member of his family owns a property in close proximity to the subject lands.

Councillor Valenti declared his interest in Clause No. 2 of Report No. 4 of The Works Committee, headed “Integration of Works Construction Contract Documents - Harmonized General Conditions of Contracts”, in that he has clients who are contractors; and in Clause No. 26 of Report No. 3 of The North York Community Council, headed “Final Report – Official Plan and Zoning Amendment Application UDOZ-97-35 - V.V. DeMarco Properties Limited - 1415 Lawrence Avenue West - North York Humber”, in that a member of his family owns the building located on the subject site.

CONSIDERATION OF REPORTS

CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION

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

Report No. 3 of The Administration Committee, Clause No. 1.

Report No. 3 of The Works Committee, Clause No. 1.

Report No. 3 of The Toronto Community Council, Clauses Nos. 1 and 2.

Report No. 3 of The Policy and Finance Committee, Clauses Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 17, 18 and 20.

Report No. 2 of The Community Services Committee, Clauses Nos. 1, 2, 3, 4 and 7.

Report No. 2 of The Economic Development and Parks Committee, Clauses Nos. 2, 3, 4, 10 and 11.

Report No. 3 of The Economic Development and Parks Committee, Clause No. 1.

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

Report No. 4 of The Works Committee, Clauses Nos. 1, 2, 3, 8, 12 and 13.

Report No. 5 of The Works Committee, Clauses Nos. 1, 2 and 3.

Report No. 4 of The Administration Committee, Clauses Nos. 1, 2, 3, 4, 5, 7, 9, 10, 11, 13 and 16.

Report No. 5 of The Administration Committee, Clause No. 1.

Report No. 6 of The Administration Committee, Clause No. 1.

Report No. 2 of The Etobicoke Community Council, Clauses Nos. 4 and 15.

Report No. 3 of The North York Community Council, Clauses Nos. 4, 23 and 31.

Report No. 2 of The Scarborough Community Council, Clause No. 16.

Report No. 4 of The Toronto Community Council, Clauses Nos. 2, 3, 6, 34, 35, 36, 37, 39, 41, 42 and 45.

Report No. 3 of The York Community Council, Clauses Nos. 1 and 6.

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

Report No. 3 of The Policy and Finance Committee, Clauses Nos. 5, 9, 11, 13 and 20.

Report No. 2 of The Community Services Committee, Clauses Nos. 1, 4 and 7.

Report No. 2 of The Economic Development and Parks Committee, Clauses Nos. 3, 4 and 10.

Report No. 2 of The Planning and Transportation Committee, Clause No. 2.

Report No. 4 of The Works Committee, Clauses Nos. 8, 12 and 13.

Report No. 5 of The Works Committee, Clauses Nos. 1, 2 and 3.

Report No. 4 of The Administration Committee, Clauses Nos. 4 and 11.

Report No. 3 of The North York Community Council, Clause No. 23.

Report No. 4 of The Toronto Community Council, Clause No. 45.

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.**

- 4.8 **Clause No. 10 of Report No. 4 of The Administration Committee, headed “F.G. Gardiner Expressway East Dismantling Project, Request for Authority to Acquire Property - (Ward 25 - Don River)”.**

Vote:

The Clause was adopted, without amendment.

Councillors Jakobek, Kelly and Moeser requested that their opposition to this Clause be noted in the Minutes of this meeting.

- 4.9 **Clause No. 1 of Report No. 3 of The Economic Development and Parks Committee, headed “Toronto’s 2008 Olympic and Paralympic Games Bid - All Wards”.**

Deputy Mayor Ootes in the Chair.

Motions:

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

“It is further recommended that:

- (1) the City Solicitor and the Chief Financial Officer and Treasurer be requested to ensure that the provincial guarantee for the approved 2008 Operating and Capital Budgets for all facilities and programs are satisfactory and provide protection to the City of Toronto from potential Olympic Games cost overruns, revenue shortfalls and any deficits; and

(2) the City Solicitor and the Chief Financial Officer and Treasurer be requested to report back to Council, through the Economic Development and Parks Committee, upon completion of discussions with the provincial government, on a satisfactory guarantee.”

(b) Councillor Johnston, seconded by Councillor Miller, moved that the Clause be amended by:

(1) adding thereto the following:

“It is further recommended that:

(a) there be no substantial changes to the Olympic Master Plan without the approval of City Council;

(b) TO-Bid be requested to report quarterly to the Economic Development and Parks Committee, through the Olympic Task Force, to ensure an open and public process; and

(c) the Chief Administrative Officer be requested to report to Council, through the Policy and Finance Committee, on the structure for the Olympic Organizing Committee and methods to ensure the protection of the public interest, such as an open and accountable process and appropriate financial controls.”; and

(2) amending the joint report dated February 11, 2000, from the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer, the Acting Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief General Manager, Toronto Transit Commission, by inserting in the first bullet point, under the heading “Other Matters Respecting Federal and Provincial Support”, after the word “infrastructure”, the words “, including transportation infrastructure,”, so that such phrase shall now read as follows:

“infrastructure, including transportation infrastructure, necessary for the Olympic Games to proceed;”.

- (c) Councillor Pantalone moved that the Clause be amended by amending the joint report dated February 11, 2000, from the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer, the Acting Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief General Manager, Toronto Transit Commission, by adding to Recommendation No. (6), under the heading “Economic Development”, the words “, including maximizing the creation of quality jobs”, so that such recommendation shall now read as follows:
- “(6) the Economic Development Office be requested to work with Tourism Toronto to maximize the economic potential that the Olympic Games can realize, including maximizing the creation of quality jobs;”.
- (d) Councillor Cho moved that:
- (1) the Clause be amended by adding thereto the following:
- “It is further recommended that the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer and the City Solicitor be requested to submit a joint report to the Economic Development and Parks Committee outlining a ‘wish list’ directed to the federal government for the 2008 Olympic Bid.”; and
- (2) Part (2) of motion (a) by Mayor Lastman be amended by adding thereto the words “such report to be submitted to the next meeting of City Council, through the Economic Development and Parks Committee”.
- (e) Councillor Walker moved that:
- (1) consideration of the Clause be deferred to the meeting of City Council scheduled to be held in May, 2000, having regard that this matter is not of an urgent nature; and
- (2) Council adopt the following recommendations:
- “It is recommended that:
- (a) an independent review of the TO-Bid be conducted by an organization such as KPMG or Lindquist Avey; and

- (b) the Commissioner of Economic Development, Culture and Tourism be requested to conduct public meetings to be held in the civic centres of the former cities of Etobicoke, Toronto, North York and Scarborough, in order to provide an opportunity for citizens to voice their views/concerns respecting the Toronto Olympic Bid.”
- (f) Councillor Kinahan moved that Parts (1) and (2) of motion (a) by Mayor Lastman be amended by pluralizing the word “guarantee”.
- (g) Councillor Jones moved that the Clause be amended by amending the joint report dated February 11, 2000, from the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer, the Acting Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief General Manager, Toronto Transit Commission, by:
- (1) inserting in Recommendation No. (8), under the heading “Social Equity”, after the words “Commissioner of Community and Neighbourhood Services”, the words “and the Medical Officer of Health”, so that such recommendation shall now read as follows:
- “(8) the Commissioner Community and Neighbourhood Services and the Medical Officer of Health be requested to work with community, voluntary and private sectors to respond with appropriate recommendations for policies, programs, social investments and community grants to meet the City’s public policy goals for social development and equity;”; and
- (2) adding to Recommendation No. (11), under the heading “Transportation”, the words “and that GO Transit also consider a connection from the Dixon Road Airport Strip to Union Station”, so that such recommendation shall now read as follows:
- “(11) the City of Toronto, in co-operation with the federal and provincial governments, ensure that Union Station receives the required improvements for TTC and GO Transit facilities in time for the Olympic Games in 2008 and that GO Transit also consider a connection from the Dixon Road Airport Strip to Union Station;”.

- (h) Councillor Prue moved that the Clause be amended by amending the joint report dated February 11, 2000, from the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer, the Acting Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief General Manager, Toronto Transit Commission, by deleting from Recommendation No. (19), under the heading "Planning", the words "wherever feasible", so that such recommendation shall now read as follows:

"(19) existing heritage buildings and heritage features on the waterfront be preserved and incorporated into new facilities;"

- (i) Councillor McConnell moved that the Clause be amended by adding thereto the following:

"It is further recommended that:

- (1) TO-Bid be requested to establish neighbourhood working groups in each of the 'rings' of the Olympic site, to ensure that, in addition to the City-wide civic engagement effort, local neighbourhoods have input into the design and planning of elements of the Olympic developments; and
- (2) on completion of the Social Impact Assessment, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Community and Neighbourhood Services be requested to submit a joint report to City Council, through the Economic Development and Parks Committee, outlining their assessment of the implications for local communities and particularly vulnerable people."

- (j) Councillor Adams moved that:

- (1) Part (2) of motion (a) by Mayor Lastman be amended by adding thereto the words "such report to address the financing for the Paralympic Games and an assurance that the City of Toronto will be protected"; and
- (2) the Clause be amended by adding thereto the following:

"It is further recommended that:

- (a) TO-Bid be requested to submit a report to City Council, through the Economic Development and Parks Committee, on the results of the Olympic and Media Village Design/Development competitions; and

- (b) the Commissioner of Economic Development, Culture and Tourism be requested to provide to all Members of Council, in a timely manner, all documents which may impact on the City of Toronto's commitment, including:
- (i) the International Olympic Committee's Bid Cities' Questionnaire and TO-Bid's response;
 - (ii) the Province of Ontario's guarantee, when finalized;
 - (iii) further commitments by the federal government, including for the Paralympic Games; and
 - (iv) the candidature documents, when signed."
- (k) Councillor Moscoe moved that the Clause be amended by adding thereto the following:
- "It is further recommended that TO-Bid be requested to work with the Toronto Transit Commission (TTC) to determine which key TTC stations need to be made accessible to ensure disabled access to Olympic and Paralympic venues."

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that the request outlined in Part (2)(b) of motion (e) by Councillor Walker had already been addressed by the Commissioner of Economic Development, Culture and Tourism in the report embodied in the Clause, ruled such motion redundant.

Councillor Walker challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 50	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 5	
Councillors:	Augimeri, Layton, McConnell, Moscoe, Walker

Carried by a majority of 45.

Votes:

Adoption of Part (1) of motion (e) by Councillor Walker:

Yes - 1 Councillor: Walker
No - 54 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 53.

Adoption of Part (2)(a) of motion (e) by Councillor Walker:

Yes - 10 Councillors: Augimeri, Bossons, Brown, Chow, Davis, McConnell, Miller, Minnan-Wong, Moscoe, Walker
No - 45 Mayor: Lastman Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 35.

Motion (c) by Councillor Pantalone carried.

Part (1) of motion (g) by Councillor Jones carried.

Part (2) of motion (g) by Councillor Jones carried.

Adoption of motion (h) by Councillor Prue:

Yes - 47	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Valenti, Walker
No - 8	
Councillors:	Ashton, Balkissoon, Davis, Duguid, Holyday, King, Soknacki, Tzekas

Carried by a majority of 39.

Part (2) of motion (b) by Councillor Johnston, seconded by Councillor Miller, carried.

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

Motion (f) by Councillor Kinahan carried.

Adoption of Part (2) of motion (d) by Councillor Cho:

Yes - 9	
Mayor:	Lastman
Councillors:	Berger, Cho, Li Preti, Mammoliti, Miller, Ootes, Soknacki, Walker
No - 46	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Valenti

Lost by a majority of 37.

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

Yes - 56	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

Part (1) of motion (b) by Councillor Johnston, seconded by Councillor Miller, carried.

Adoption of Part (1) of motion (d) by Councillor Cho:

Yes - 29	
Councillors:	Altobello, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Feldman, Gardner, Johnston, Kinahan, King, Korwin-Kuczynski, Li Preti, Mihevc, Miller, Minnan-Wong, O'Brien, Pantalone, Pitfield, Prue, Shaw, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 26	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Brown, Chong, Davis, Disero, Duguid, Flint, Giansante, Holyday, Jakobek, Jones, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Moeser, Moscoe, Nunziata, Ootes, Rae, Saundercook, Shiner

Carried by a majority of 3.

Part (1) of motion (i) by Councillor McConnell carried.

Part (2) of motion (i) by Councillor McConnell carried.

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

Motion (k) by Councillor Moscoe carried.

Adoption of Clause, as amended:

Yes - 54	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 2	
Councillors:	Bossons, Walker

Carried by a majority of 52.

In summary, Council amended this Clause by:

- (1) amending the joint report dated February 11, 2000, from the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer, the Acting Commissioner of Urban Development Services, the Commissioner of Works and Emergency Services, the Commissioner of Community and Neighbourhood Services, the City Solicitor and the Chief General Manager, Toronto Transit Commission, by:
 - (a) adding to Recommendation No. (6), under the heading "Economic Development", the words ", including maximizing the creation of quality jobs", so that such recommendation shall now read as follows:
 - "(6) the Economic Development Office be requested to work with Tourism Toronto to maximize the economic potential that the Olympic Games can realize, including maximizing the creation of quality jobs;"

- (b) inserting in Recommendation No. (8), under the heading “Social Equity”, after the words “Commissioner of Community and Neighbourhood Services”, the words “and the Medical Officer of Health”, so that such recommendation shall now read as follows:

“(8) the Commissioner Community and Neighbourhood Services and the Medical Officer of Health be requested to work with community, voluntary and private sectors to respond with appropriate recommendations for policies, programs, social investments and community grants to meet the City’s public policy goals for social development and equity;”;

- (c) adding to Recommendation No. (11), under the heading “Transportation”, the words “and that GO Transit also consider a connection from the Dixon Road Airport Strip to Union Station”, so that such recommendation shall now read as follows:

“(11) the City of Toronto, in co-operation with the federal and provincial governments, ensure that Union Station receives the required improvements for TTC and GO Transit facilities in time for the Olympic Games in 2008 and that GO Transit also consider a connection from the Dixon Road Airport Strip to Union Station;”;

- (d) deleting from Recommendation No. (19), under the heading “Planning”, the words “wherever feasible”, so that such recommendation shall now read as follows:

“(19) existing heritage buildings and heritage features on the waterfront be preserved and incorporated into new facilities;”;

- (e) inserting in the first bullet point, under the heading “Other Matters Respecting Federal and Provincial Support”, after the word “infrastructure”, the words “, including transportation infrastructure;”, so that such phrase shall now read as follows:

“infrastructure, including transportation infrastructure, necessary for the Olympic Games to proceed;”;

- (2) adding thereto the following:

“It is further recommended that:

- (a) there be no substantial changes to the Olympic Master Plan without the approval of City Council;

- (b) TO-Bid be requested to:
 - (i) work with the Toronto Transit Commission (TTC) to determine which key TTC stations need to be made accessible to ensure disabled access to Olympic and Paralympic venues;
 - (ii) submit a report to City Council, through the Economic Development and Parks Committee, on the results of the Olympic and Media Village Design/Development competitions;
 - (iii) establish neighbourhood working groups in each of the 'rings' of the Olympic site, to ensure that, in addition to the City-wide civic engagement effort, local neighbourhoods have input into the design and planning of elements of the Olympic developments; and
 - (iv) report quarterly to the Economic Development and Parks Committee, through the Olympic Task Force, to ensure an open and public process;
- (c) the City Solicitor and the Chief Financial Officer and Treasurer be requested to ensure that the provincial guarantees for the approved 2008 Operating and Capital Budgets for all facilities and programs are satisfactory and provide protection to the City of Toronto from potential Olympic Games cost overruns, revenue shortfalls and any deficits;
- (d) the City Solicitor and the Chief Financial Officer and Treasurer be requested to report back to Council, through the Economic Development and Parks Committee, upon completion of discussions with the provincial government, on satisfactory guarantees, such report to address the financing for the Paralympic Games and an assurance that the City of Toronto will be protected;
- (e) the Chief Administrative Officer be requested to report to Council, through the Policy and Finance Committee, on the structure for the Olympic Organizing Committee and methods to ensure the protection of the public interest, such as an open and accountable process and appropriate financial controls;
- (f) the Chief Administrative Officer, the Commissioner of Economic Development, Culture and Tourism, the Chief Financial Officer and Treasurer and the City Solicitor be requested to submit a joint report to the Economic Development and Parks Committee outlining a 'wish list' directed to the federal government for the 2008 Olympic Bid;

- (g) on completion of the Social Impact Assessment, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Community and Neighbourhood Services be requested to submit a joint report to City Council, through the Economic Development and Parks Committee, outlining their assessment of the implications for local communities and particularly vulnerable people; and
- (h) the Commissioner of Economic Development, Culture and Tourism be requested to provide to all Members of Council, in a timely manner, all documents which may impact on the City of Toronto's commitment, including:
 - (i) the International Olympic Committee's Bid Cities' Questionnaire and TO-Bid's response;
 - (ii) the Province of Ontario's guarantee, when finalized;
 - (iii) further commitments by the federal government, including for the Paralympic Games; and
 - (iv) the candidature documents, when signed."

4.10 **Clause No. 1 of Report No. 2 of The Planning and Transportation Committee, headed "Exemption from Part Lot Control of Certain Lands in Connection with the Purchase of Union Station by the City of Toronto and GO Transit (Trinity-Niagara, Downtown, Don River)".**

Motion:

Councillor Flint moved that the Clause be amended by amending the report dated January 24, 2000, from the Acting Commissioner of Urban Development Services:

- (1) to provide that the purpose of the exemption be expanded to allow "all easements, rights or interests in favour of Toronto Terminals Railway Limited or its assignees as may be required to give effect to the Purchase Agreement", in addition to the easement for the fibre optic cable network already identified in such report;
- (2) by amending the body of the report accordingly, by inserting the phrase "and such other easements, rights or interests contemplated by the Purchase Agreement":
 - (a) after the acronym "TTR" in the first paragraph of the section entitled "Comments"; and

- (b) after the phrase “fibre optic cable network” wherever such phrase appears in such report; and
- (3) by replacing Map 2 with Revised Map 2 which more accurately illustrates the rail corridor lands between Bay and Yonge Streets.

Votes:

The motion by Councillor Flint carried.

The Clause, as amended, carried.

4.11 **Clause No. 13 of Report No. 4 of The Administration Committee, headed “Harmonization of Lieu Time Policy (Non-Union)”.**

Motion:

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

“It is further recommended that:

- (1) the Executive Director of Human Resources be requested to submit the report requested in Recommendation No. (5) of the Administration Committee to the April 2000 meeting of the Personnel Sub-Committee; and
- (2) COTAPSAI be requested to provide its input to both the April and May 2000 meetings of the Personnel Sub-Committee on the issues set out in the Clause.”

Votes:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

4.12 **Clause No. 9 of Report No. 4 of The Administration Committee, headed “Declaration as Surplus and Sale of Rail Corridor Lands to GO Transit as Part of the Purchase of Union Station by the City of Toronto from Toronto Terminals Railway Company Limited (Trinity Niagara, Downtown, Don River)”.**

Motions:

- (a) Councillor Berardinetti moved that the Clause be amended by replacing Maps 1 and 2 appended to the report dated February 7, 2000, from the Acting Commissioner of Corporate Services, with revised Maps 1, 2 and 3.
- (b) Councillor Saundercook moved that the Clause be amended by adding the following words to Recommendation No. (1) embodied in the report dated February 7, 2000, from the Acting Commissioner of Corporate Services:

“subject to:

- (a) the future granting of any lands or easements to the City at no cost by GO Transit as may be necessary for the construction of the Front Street Extension; and
- (b) the sale, lease or any other future transaction involving GO Transit and any portion of this property first require written consent from the Commissioner of Works and Emergency Services to allow for the protection of any lands or easements that may be necessary for the construction of the Front Street Extension;”.

Votes:

Motion (a) by Councillor Berardinetti carried.

Motion (b) by Councillor Saundercook carried.

The Clause, as amended, carried.

4.13 **Clause No. 6 of Report No. 3 of The York Community Council, headed “Appointment of Members of Council to the York Community LACAC Panel and the York Community Museum Management Board”.**

Motion:

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

“It is further recommended that Councillor Frances Nunziata be appointed to the York Community Museum Management Board for a term expiring November 30, 2000, and until her successor is appointed.”

Votes:

The motion by Councillor Mihevc carried.

The Clause, as amended, carried.

4.14 **Clause No. 1 of Report No. 3 of The Toronto Community Council, headed “Tree Removal - 314/316 Avenue Road (Midtown)”.**

Motion:

Councillor Adams moved that the Clause be amended by striking out the recommendation of the Toronto Community Council and inserting in lieu thereof the following:

“It is recommended that, as recommended in Recommendation No. (2) embodied in the report dated January 4, 2000, from the Commissioner of Economic Development, Culture and Tourism, a permit for tree removal be issued conditional on the implementation of the landscape plan, prepared by Acme Environmentals Landscape Design Ltd., dated September 1999, revised October 1, 1999, subject to the applicant being requested to make a contribution of \$500.00 toward the Midtown Tree Project.”

Votes:

The motion by Councillor Adams carried.

The Clause, as amended, carried.

4.15 **Clause No. 10 of Report No. 3 of The Policy and Finance Committee, headed “Disposition of Domain Ride Equipment”.**

Vote:

The Clause was adopted, without amendment.

Councillor Augimeri requested that her opposition to this Clause be noted in the Minutes of this meeting.

4.16 **Clause No. 2 of Report No. 4 of The Toronto Community Council, headed “Temporary Licence - 319 Keele Street and Liquor Plebiscite (Davenport)”.**

Motion:

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

“It is further recommended that:

- (1) a liquor plebiscite be held in Ward 21, Davenport, during the November 2000 election; and
- (2) the report dated February 25, 2000, from the City Solicitor, be received.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

4.17 Clause No. 2 of Report No. 3 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 the Clause be received.

Vote:

The motion by Councillor Bossons carried.

4.18 Clause No. 3 of Report No. 4 of The Toronto Community Council, headed “Residential Demolition – 50 Lavinia Avenue (High Park)”.

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Korwin-Kuczynski moved that Council adopt the following recommendation:

“It is recommended that the report dated December 8, 1999, from the Acting Commissioner of Urban Planning and Development Services, be adopted.”

Votes:

The motion by Councillor Korwin-Kuczynski carried.

The Clause, as amended, carried.

4.19 **Clause No. 7 of Report No. 3 of The Policy and Finance Committee, headed “Issuance of Tax Receipts for Earlscourt Park Amphitheatre”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Disero moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the report (undated) from the Chief Financial Officer and Treasurer be adopted; and
- (2) the tax receipts also include ‘in-kind’ services and that cheques to suppliers for disbursements be issued directly by the Chief Financial Officer and Treasurer; and
- (3) the project proceed once full funding, by way of donations, is received.”

Votes:

The motion by Councillor Disero carried.

The Clause, as amended, carried.

4.20 **Clause No. 3 of Report No. 4 of The Works Committee, headed “City of Toronto Draft Sewer Use By-law Status Report”.**

Motion:

Councillor Jones moved that the Clause be amended by inserting, at the beginning of Recommendation No. (2) of the Works Committee, the words “that the Medical Officer of Health be requested to submit a report to the Works and Economic Development and Parks Committees, and”, so that such recommendation shall now read as follows:

- “(2) that the Medical Officer of Health be requested to submit a report to the Works and Economic Development and Parks Committees, and that Members of the Board of Health be invited to attend the aforementioned joint meeting.”.

Votes:

The motion by Councillor Jones carried.

The Clause, as amended, carried.

4.21 **Clause No. 17 of Report No. 3 of The Policy and Finance Committee, headed “Toronto District Heating Corporation Shareholder Approvals”.**

Motion:

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

“It is further recommended that the confidential report dated February 28, 2000, from the Chief Administrative Officer, be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of property interests of the municipality.”

Votes:

The motion by Councillor Ootes carried.

The Clause, as amended, carried.

4.22 **Clause No. 8 of Report No. 3 of The Policy and Finance Committee, headed “Development of a Request for Expression of Interest (EOI) for Telecommunications Use and/or Build of City Infrastructure”.**

Motion:

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

“It is further recommended that the Chief Administrative Officer be directed to also enter into discussions with the General Manager of Water and Wastewater Services in this regard.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.23 **Clause No. 5 of Report No. 4 of The Administration Committee, headed “Acquisition of CN Belt Line Railway in the Former City of York (Ward 28 - York Eglinton)”.**

Motion:

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

“It is further recommended that:

- (1) the Commissioner of Urban Development Services be requested to co-ordinate any adjacent site plan applications for projects under construction, now or in the future, with the intended use of this property; and
- (2) the Commissioner of Economic Development, Culture and Tourism be requested to undertake a development plan for the property under the terms of this report.”

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

4.24 **Clause No. 4 of Report No. 3 of The North York Community Council, headed “Tree Removal Request – 22 Dunsmore Gardens – North York Spadina”.**

Motion:

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

Vote:

The motion by Councillor Moscoe carried.

4.25 **Clause No. 16 of Report No. 4 of The Administration Committee, headed “Tax Adjustment - Municipal Act Section 442 and 443”.**

Motion:

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

“It is further recommended that the report dated February 25, 2000, from the Chief Financial Officer and Treasurer, entitled ‘723 Markham Street, Assessment #1904 05 1 070 02400 - Ward 23’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the recommended adjustment of \$209.83, as submitted in the report dated January 20, 2000, headed ‘Tax Adjustment - Municipal Act, Section 442 and 443’, to Administration Committee, be approved; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.’ ”

Votes:

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

4.26 Clause No. 3 of Report No. 4 of The Administration Committee, headed “Amending Fair Wage Schedules and Related Items”.

Motions:

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

“It is further recommended that the report dated February 25, 2000, from the Manager, Fair Wage and Labour Trades Office, embodying the following recommendation, be adopted:

‘It is recommended that the Manager, Fair Wage and Labour Trades Office, report back to the Administration Committee outlining the details and financial implications of using CUPE wage rates as the fair wage rate for non-construction classifications, such as janitorial workers or office cleaners, when the City procures these services.’ ”

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

“It is further recommended that the Manager, Fair Wage and Labour Trades Office, be requested to include in his forthcoming report to the Administration Committee on the financial implications of using CUPE wage rates as the fair wage rate for non-construction classifications, incremental costs and benefits and any other impacts of proposed changes or options.”

- (c) Councillor Holyday moved that the Clause be struck out and referred to the City Auditor, with a request that he submit a report to the Administration Committee on the fair wage policy used by the City of Toronto as compared to other jurisdictions.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that the City Auditor had advised the Council that it would not be appropriate to refer the matter to the City Auditor, ruled motion (c) by Councillor Holyday, out of order.

Councillor Holyday requested that his motion (c) be amended to provide that the Clause be referred to the Chief Financial Officer and Treasurer, in lieu of the City Auditor.

Deputy Mayor Ootes concurred in the request of Councillor Holyday and ruled such motion, as amended, in order.

Councillor Pantalone challenged the ruling of the Deputy Mayor.

Vote to Uphold Ruling of Deputy Mayor:

Yes - 33	
Mayor:	Lastman
Councillors:	Altobello, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, O'Brien, Ootes, Rae, Saundercook, Shaw, Soknacki
No - 13	
Councillors:	Adams, Augimeri, Chow, Johnston, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Moscoe, Nunziata, Pantalone, Prue, Silva

Carried by a majority of 20.

- (d) Councillor Moscoe moved that motion (c) by Councillor Holyday be referred to the Manager, Fair Wage and Labour Trades Office, with a request that he meet with Councillor Holyday to discuss the history of the Fair Wage and Labour Trades Office and its mandate to prevent the exploitation of City of Toronto workers.
- (e) Councillor Davis moved that motion (c) by Councillor Holyday be amended by adding thereto the words “and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Administration Committee on the impacts on small business and barriers to access to business with the City of Toronto should any such barriers exist”.

Withdrawal of Motion:

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

Vote on Referral:

Adoption of motion (e) by Councillor Davis:

Yes - 22 Councillors:	Adams, Ashton, Berger, Bossons, Chong, Davis, Duguid, Flint, Giansante, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, O'Brien, Ootes, Pitfield, Sinclair, Soknacki
No - 26 Mayor: Councillors:	Lastman Altobello, Augimeri, Berardinetti, Bussin, Cho, Chow, Feldman, Gardner, Jakobek, Kelly, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Valenti

Lost by a majority of 4.

Adoption of motion (c) by Councillor Holyday, without amendment:

Yes - 18 Councillors:	Adams, Berger, Bossons, Chong, Davis, Feldman, Holyday, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Minnan-Wong, O'Brien, Ootes, Pitfield, Soknacki
No - 31 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Duguid, Flint, Gardner, Giansante, Jakobek, Johnston, Jones, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Valenti

Lost by a majority of 13.

- (f) Councillor Bossons moved that the Clause be struck out and referred back to the Administration Committee, and the Manager, Fair Wage and Labour Trades Office, be requested to submit a further report to the Committee on a more acceptable Option 3 which addresses the concerns of the Independent Contractors' Association and small business.

Ruling by Deputy Mayor:

Deputy Mayor Ootes, having regard that Council had previously considered the referral of this Clause, ruled motion (f) by Councillor Bossons, out of order.

- (g) Councillor Chong moved that the Clause be amended by striking out the recommendation of the Administration Committee and inserting in lieu thereof the following:

“It is recommended that Option 3 embodied in the report dated December 22, 1999, from the Manager, Fair Wage and Labour Trades Office, be chosen as the recommended Option.”

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

“It is further recommended that the Manager, Fair Wage and Labour Trades Office, be requested to submit a report to Council, through the Administration Committee, on the feasibility of separating certain jobs from the policy, in particular those jobs which could possibly be open to small business.”

- (i) Councillor Davis moved that the Clause be amended by adding thereto the following:

“It is further recommended that:

- (1) the Commissioner of Economic Development, Culture and Tourism, and the Chief Administrative Officer be requested to submit a joint report to the Economic Development and Parks Committee on barriers and access issues for small- and medium-sized businesses in Toronto to gain access to City of Toronto contracts; and
- (2) the Manager, Fair Wage and Labour Trades Office, be requested to conduct an annual review of the annual incomes of employees of small businesses who are awarded City of Toronto contracts, as part of their annual audit process.”

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

“It is further recommended that the Chief Administrative Officer be requested to submit a report to the Administration Committee on alternative methods of establishing fair wage rates for the City of Toronto, in preparation for the next term of Council.”

- (k) Councillor Li Preti moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Manager, Fair Wage and Labour Trades Office, be requested to forward the fair wage schedule and related items to the Minister of Labour of

the Province of Ontario, with a recommendation that consideration be given to implementing similar recommendations to those adopted by the City of Toronto.”

Votes:

Adoption of motion (g) by Councillor Chong:

Yes - 15 Councillors:	Adams, Balkissoon, Berger, Bossons, Chong, Giansante, Holyday, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Saundercook, Shiner, Soknacki
No - 35 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Shaw, Silva, Sinclair, Tzekas, Valenti, Walker

Lost by a majority of 20.

Adoption of motion (a) by Councillor Pantalone:

Yes - 37 Mayor: Councillors:	Lastman Altobello, Augimeri, Berardinetti, Bussin, Cho, Chow, Disero, Filion, Flint, Giansante, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 15 Councillors:	Adams, Ashton, Balkissoon, Berger, Bossons, Chong, Davis, Duguid, Holyday, Kelly, Lindsay Luby, Miller, Minnan-Wong, O'Brien, Shiner

Carried by a majority of 22.

Motion (b) by Councillor Soknacki carried.

Adoption of motion (h) by Councillor King, moved by Councillor Lindsay Luby in the absence of Councillor King:

Yes - 27	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Cho, Chong, Davis, Duguid, Filion, Flint, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Moeser, O'Brien, Ootes, Pitfield, Shiner, Sinclair, Soknacki, Tzekas, Valenti
No - 25	
Mayor:	Lastman
Councillors:	Augimeri, Berardinetti, Bussin, Chow, Disero, Jakobek, Johnston, Jones, Kinahan, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Walker

Carried by a majority of 2.

Ruling by Deputy Mayor:

Councillor Miller requested Deputy Mayor Ootes to rule on whether Part (1) of motion (i) by Councillor Davis was in order.

Deputy Mayor Ootes, having regard to the nature of Part (1) of motion (i) by Councillor Davis, ruled such Part in order.

Vote:

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

Yes - 37	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Cho, Chong, Davis, Disero, Duguid, Filion, Flint, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Prue, Saundercook, Shiner, Sinclair, Soknacki, Tzekas, Valenti
No - 15	
Councillors:	Augimeri, Berardinetti, Bussin, Chow, Jakobek, Layton, Li Preti, McConnell, Miller, Moscoe, Pantalone, Rae, Shaw, Silva, Walker

Carried by a majority of 22.

Ruling by Deputy Mayor:

Mayor Lastman requested Deputy Mayor Ootes to rule on whether Part (2) of motion (i) by Councillor Davis was in order.

Deputy Mayor Ootes, having regard to the nature of Part (2) of motion (i) by Councillor Davis, ruled such Part out of order.

Votes:

Adoption of motion (j) by Councillor Kelly:

Yes - 16 Councillors:	Adams, Balkissoon, Berger, Bossons, Chong, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, O'Brien, Shiner, Sinclair, Soknacki, Valenti
No - 36 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Bussin, Cho, Chow, Davis, Disero, Duguid, Filion, Flint, Jakobek, Johnston, Jones, Kinahan, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Silva, Tzekas, Walker

Lost by a majority of 20.

Adoption of motion (k) by Councillor Li Preti:

Yes - 36 Mayor: Councillors:	Lastman Altobello, Ashton, Augimeri, Berardinetti, Berger, Bussin, Cho, Chow, Disero, Duguid, Filion, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, Pantalone, Pitfield, Prue, Rae, Shaw, Silva, Sinclair, Tzekas, Walker
No - 16 Councillors:	Adams, Balkissoon, Bossons, Chong, Davis, Flint, Giansante, Holyday, Kelly, Lindsay Luby, O'Brien, Ootes, Saundercook, Shiner, Soknacki, Valenti

Carried by a majority of 20.

Adoption of Clause, as amended:

Yes - 42

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

Carried by a majority of 32.

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

‘It is further recommended that:

- (1) the report dated February 25, 2000, from the Manager, Fair Wage and Labour Trades Office, embodying the following recommendation, be adopted:

‘It is recommended that the Manager, Fair Wage and Labour Trades Office, report back to the Administration Committee outlining the details and financial implications of using CUPE wage rates as the fair wage rate for non-construction classifications, such as janitorial workers or office cleaners, when the City procures these services.’;

- (2) the Manager, Fair Wage and Labour Trades Office, be requested to:
 - (a) forward the fair wage schedule and related items to the Minister of Labour of the Province of Ontario, with a recommendation that consideration be given to implementing similar recommendations to those adopted by the City of Toronto;
 - (b) include in his forthcoming report to the Administration Committee on the financial implications of using CUPE wage rates as the fair wage rate for non-construction classifications, incremental costs and benefits and any other impacts of proposed changes or options; and
 - (c) submit a report to Council, through the Administration Committee, on the feasibility of separating certain jobs from the policy, in particular those jobs which could possibly be open to small business; and

- (3) the Commissioner of Economic Development, Culture and Tourism, and the Chief Administrative Officer be requested to submit a joint report to the Economic Development and Parks Committee on barriers and access issues for small- and medium-sized businesses in Toronto to gain access to City of Toronto contracts.”

4.27 **Clause No. 1 of Report No. 4 of The Administration Committee, headed “Councillor’s Use of Corporate Vehicles”.**

Motion:

Councillor Moscoe moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on April 11, 2000.

Vote:

The motion by Councillor Moscoe carried.

4.28 **Clause No. 1 of Report No. 4 of The Works Committee, headed “Road Classification – Review of Outstanding Issues and Proposed Classifications (All Wards)”.**

Motions:

- (a) Councillor Shiner moved that the Clause be amended by adopting the following portions of Recommendations Nos. (1) and (3) of the North York Community Council embodied in the communication dated December 20, 1999, from the City Clerk, viz.:

“(1) the speed limit on Finch Avenue East, between Bayview Avenue and Don Mills Road, and on Bayview Avenue, between Cummer Avenue and Steeles Avenue East, be reduced to 50 kilometres per hour;” and

“(3) the following roads be classified as Local:

- (a)
 - (i) Blithfield Road;
 - (ii) Citation Drive;
 - (iii) Bayview Mews;
 - (iv) Hawksbury Drive, from Elkhorn to Sheppard Avenue;
 - (v) Burbank Drive;
 - (vi) Ruddington Drive;
 - (vii) Tollerton Avenue; and
 - (viii) Heathview Avenue; and

(b) McNicoll Avenue, from Gordon Baker Road to Bayview Avenue; be classified as a Collector Road;”.

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

- (1) deleting the proposed classification of “Collector” for Windermere Avenue, from Bloor Street to Saint Johns Road, and inserting in lieu thereof the classification of “Local”; and
- (2) adding thereto the following:

“It is further recommended that the Proposed Road Classification System be considered as a preliminary document to be evaluated in the broader context of goals for public health, sustainable transportation, environmental protection and the City of Toronto’s Official Plan.”

(c) Councillor Adams moved that the Clause be amended:

- (1) by adding thereto the following:

“It is further recommended that the communication dated February 24, 2000, from the Toronto Pedestrian Committee, be referred to the Commissioner of Works and Emergency Services for further consideration and report thereon to the Works Committee.”; and

- (2) to provide that consideration of the classification of the following roads in the Midtown Ward be deferred to the next meeting of City Council:

“Ward 23, Midtown (Toronto):

23-3	Barton Avenue	Albany Avenue to Brunswick Avenue
23-4	Barton Avenue	Bathurst Street to Albany Avenue
23-5	Bellair Avenue	Bloor Street West to Yorkville Avenue
23-7	Bernard Avenue	Spadina Road to Bedford Road
23-8	Brunswick Avenue	Barton Avenue to Lowther Avenue
23-10	Crescent Road	Yonge Street to Mount Pleasant Road
23-11	Cumberland Street	All
23-14	Forest Hill Road	St. Clair Avenue West to Kilbarry Road
23-17	Inglewood Drive	St. Clair Avenue East to Mount Pleasant Road
23-19	Lowther Avenue	Brunswick Avenue to St. George Avenue”.

- (d) Councillor Layton moved that the Clause be amended by striking out and referring the road classification for Dundas Street East, east of the Don River to Jones Avenue, back to the Works Committee for further consideration.
- (e) Councillor Disero moved that the Clause be amended by striking out and referring the road classification for Silverthorn Avenue, from Rowntree Avenue to the York Community Council boundary (Ward 21), back to the Works Committee for further consideration.

Votes:

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

Motion (d) by Councillor Layton carried.

Motion (e) by Councillor Disero carried.

Motion (a) by Councillor Shiner, insofar as it pertains to Recommendation No. (1) of the North York Community Council, carried.

Motion (a) by Councillor Shiner, insofar as it pertains to Recommendation No. (3)(a) of the North York Community Council, carried.

Motion (a) by Councillor Shiner, insofar as it pertains to Recommendation No. (3)(b) of the North York Community Council, carried.

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

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

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

The Clause, as amended, carried.

Motion to Re-Open:

Councillor Adams, 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 Adams moved that the action of Council pertaining to Part (2) of his motion (c) be rescinded.

Votes:

The motion by Councillor Adams carried.

The Clause, as further amended, carried.

In summary, Council amended this Clause by:

- (1) striking out and referring the road classifications for the following streets back to the Works Committee for further consideration:
 - (a) Dundas Street East, east of the Don River to Jones Avenue; and
 - (b) Silverthorn Avenue, from Rowntree Avenue to the York Community Council boundary (Ward 21);
- (2) deleting the proposed classification of “Collector” for Windermere Avenue, from Bloor Street to Saint Johns Road, and inserting in lieu thereof the classification of “Local”;
- (3) adopting the following portions of Recommendations Nos. (1) and (3) of the North York Community Council embodied in the communication dated December 20, 1999, from the City Clerk, viz.:
 - “(1) the speed limit on Finch Avenue East, between Bayview Avenue and Don Mills Road, and on Bayview Avenue, between Cummer Avenue and Steeles Avenue East, be reduced to 50 kilometres per hour;”;
 - “(3) the following roads be classified as Local:
 - (a) (i) Blithfield Road;
 - (ii) Citation Drive;
 - (iii) Bayview Mews;
 - (iv) Hawksbury Drive, from Elkhorn to Sheppard Avenue;
 - (v) Burbank Drive;
 - (vi) Ruddington Drive;
 - (vii) Tollerton Avenue; and
 - (viii) Heathview Avenue; and

- (b) McNicoll Avenue, from Gordon Baker Road to Bayview Avenue; be classified as a Collector Road;"; and

- (4) adding thereto the following:

“It is further recommended that:

- (a) the Proposed Road Classification System be considered as a preliminary document to be evaluated in the broader context of goals for public health, sustainable transportation, environmental protection and the City of Toronto’s Official Plan; and
- (b) the communication dated February 24, 2000, from the Toronto Pedestrian Committee, be referred to the Commissioner of Works and Emergency Services for further consideration and report thereon to the Works Committee.”

4.29 Clause No. 7 of Report No. 4 of The Administration Committee, headed “Authority to Acquire Property for the Relocation of 51 Police Division (Ward 25 – Don River)”.

Motion:

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

“It is further recommended that:

- (1) the recommendation of the Budget Advisory Committee embodied in the confidential communication dated February 21, 2000, from the City Clerk, be adopted, such communication to remain confidential, in accordance with the provisions of the Municipal Act, given that it concerns acquisition of land, save and except the recommendation embodied therein, viz.:

‘The Budget Advisory Committee on February 21, 2000, recommended to Council that funding be provided to acquire property for the relocation of 51 Police Division (Ward 25 – Don River) from the City’s Land Acquisition Reserve Fund.’; and

- (2) the Toronto Police Services Board, in consultation with the Chief Administrative Officer, be requested to review its future plan to renovate and replace various police stations across the City and identify:
 - (a) how the proposed new boundaries will impact on the number and size of stations;
 - (b) how the design of new stations will facilitate community-based policing, and

- their impact on the environment;
- (c) the cost of these buildings;
 - (d) the possibility of being flexible in the design, in order that they reflect the local neighbourhood; and
 - (e) the impact of information technology on the size of the buildings.”

Votes:

The motion by Councillor Shiner carried.

The Clause, as amended, carried.

4.30 Clause No. 3 of Report No. 2 of The Community Services Committee, headed “New Provincial Rent Supplement Program”.

Motions:

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

“It is further recommended that the report dated February 24, 2000, from the Commissioner of Community and Neighbourhood Services, be adopted.”

- (a) Councillor Chong moved that motion (a) by Councillor Duguid be amended by adding thereto the words “subject to adding to Recommendation No. (1) the words ‘within the City of Toronto’, and inserting in Recommendation No. (2), after the word and acronym ‘by OHC’, the words ‘the Metropolitan Toronto Housing Authority’ ”.

Votes:

Motion (b) by Councillor Chong carried.

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

The Clause, as amended, carried.

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

“It is further recommended that the report dated February 24, 2000, from the Commissioner of Community and Neighbourhood Services, be adopted, subject to adding to Recommendation No. (1) the words ‘within the City of Toronto’, and inserting in

Recommendation No. (2), after the word and acronym 'by OHC', the words 'the Metropolitan Toronto Housing Authority', so that the recommendations embodied in such report shall now read as follows:

'It is recommended that:

- (1) Council endorse the position that any sales of scattered houses owned by the Ontario Housing Corporation (OHC) in the City of Toronto only proceed where there is a viable business plan to replenish and reinvest the proceeds of any sale of public housing assets into additional affordable housing opportunities within the City of Toronto;
- (2) any decisions regarding the disposition of public housing assets in Toronto be made jointly by OHC, the Metropolitan Toronto Housing Authority and the City;
- (3) Council's position be forwarded to the Minister of Municipal Affairs and Housing and to the Chairs of the Boards of the Ontario Municipal Housing Corporation and the Metropolitan Toronto Housing Authority (MTHA); and
- (4) the appropriate City officials take the necessary steps to give effect thereto.' "

4.31 **Clause No. 2 of Report No. 2 of The Economic Development and Parks Committee, headed "Hanlan's Point – Clothing Optional Beach Pilot Project (Downtown)".**

Motion:

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

"It is further recommended that:

- (1) the clothing optional beach be extended 100 metres to the lifeguard station; and
- (2) the confidential report dated February 16, 2000, from the City Solicitor, embodying the following recommendation, be adopted, the balance of such report 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:

'It is recommended that City Council request the Police Services Board to comment on its policy respecting its allocation of lifeguard services between the several beaches referred to in this report.' "

Votes:

The motion by Councillor Soknacki carried.

The Clause, as amended, carried.

4.32 **Clause No. 1 of Report No. 3 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 until the first meeting of the new City of Toronto Council.

Vote:

The motion by Councillor Adams carried.

4.33 **Clause No. 2 of Report No. 4 of The Works Committee, headed “Integration of Works Construction Contract Documents - Harmonized General Conditions of Contracts”.**

Motion to Re-Open:

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

“It is further recommended that the joint report dated February 28, 2000, from the Commissioner of Works and Emergency Services and the City Solicitor, embodying the following recommendations, be adopted:

‘It is recommended that, in the event Council wishes to adopt the recommendation of the Works Committee to incorporate final and binding arbitration on a trial basis for a period of one year:

- (1) the trial period commence May 1, 2000, and the General Conditions, as may be approved by Council, be included in all future tender documents

issued on or after April 3, 2000, rather than the date of February 1, 2000, as contained in the report of the Commissioner of Works and Emergency Services, dated January 4, 2000;

- (2) the trial basis be reorganized by a direction to the Commissioner of Works and Emergency Services to include the provision for final and binding arbitration for all claims in the amount of \$150,000.00 or less in the Information for Tenderers section of the tender documents for Works construction contracts, rather than by formal amendment to the General Conditions, and the Commissioner be so directed; and
- (3) Council approve, for the purpose of such arbitrations, the rules for the conduct of arbitrations contained in the document of the Canadian Construction Documents Committee (CCDC 40-1994), subject to the modifications set out in Appendix 1 attached to this report, and such rules, as modified, be incorporated by reference in the Information for Tenderers section of the tender documents for Works construction contracts.’ ”

Votes:

The motion by Councillor Saundercook carried.

The Clause, as amended, carried.

4.34 **Clause No. 1 of Report No. 3 of The Works Committee, headed “Compliance Program with Monetary Concession – Coca-Cola Bottling Ltd. (Ward 1)”.**

Motion:

- (a) Councillor Moscoe moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on April 11, 2000.

Vote on Deferral:

Adoption of motion (a) by Councillor Moscoe:

Yes - 19 Councillors: Adams, Augimeri, Berger, Bussin, Chong, Chow, Disero, Giansante, Jones, Kelly, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Sinclair, Valenti
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No - 22

Councillors: Altobello, Ashton, Berardinetti, Bossons, Davis, Duguid, Flint, Gardner, Holyday, Johnston, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Minnan-Wong, Mbeser, O'Brien, Ootes, Pitfield, Rae, Shiner, Soknacki

Lost by a majority of 3.

Motions:

- (b) Councillor Disero, on behalf of Councillor Moscoe, 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) Coca Cola Bottling Ltd. be requested to pay the full amount of the surcharge agreement, such funds to be held in trust; and
- (2) if, at the end of the compliance period, Coca Cola Bottling Ltd. meets their agreed upon reduction schedule and targets, the City refund 50 percent of the existing surcharge.”

- (c) 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 be requested to:

- (1) provide verbal status reports to the Works Committee on a quarterly basis; and
- (2) prior to the implementation of the reduction in fees, obtain a letter of undertaking from Coca-Cola Ltd. that they will complete the installation referred to in the Clause.”

Votes:

Adoption of motion (b) by Councillor Disero:

Yes - 12

Councillors:	Adams, Augimeri, Balkissoon, Bussin, Disero, Filion, Mammoliti, Mihevc, Minnan-Wong, Pantalone, Sinclair, Walker
No - 29	
Councillors:	Ashton, Berger, Bossons, Cho, Chong, Chow, Davis, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, Lindsay Luby, Mahood, Miller, Moeser, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Silva, Soknacki, Valenti

Lost by a majority of 17.

Motion (c) by Councillor Shiner carried.

The Clause, as amended, carried.

4.35 **Clause No. 2 of Report No. 3 of The Policy and Finance Committee, headed “Administration of Reserves and Reserve Funds”.**

Motions:

- (a) Councillor Balkissoon moved that the Clause be amended by deleting Recommendation No. (2)(d) embodied in the report dated February 7, 2000, from the Chief Financial Officer and Treasurer, and inserting in lieu thereof the following:

“(2)(d) the Chief Financial Officer and Treasurer shall be authorized to make contributions to any tax supported reserve or reserve fund, where it is not contrary to law, to reduce or eliminate unanticipated changes in future years’ tax rates that would otherwise occur based on changes in the surplus from year to year, subject to the Chief Financial Officer and Treasurer reporting on a surplus management policy, or to fund unfunded reserve and reserve funds in accordance with Council-approved policies for addressing such under-funding. Such contributions are to be reported to the Budget Advisory Committee no later than four weeks following the closing of the accounts for the prior year;”.

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

“It is further recommended that the Chief Financial Officer and Treasurer be requested to include, as an integral part of the quarterly Capital and Operating variance analysis reports, the movement of funds in and out of reserves and any expenditures related thereto.”

Votes:

Motion (a) by Councillor Balkissoon carried.

Motion (b) by Councillor Pitfield carried.

The Clause, as amended, carried.

4.36 **Clause No. 3 of Report No. 3 of The Policy and Finance Committee, headed “Financial Control By-law”.**

Motions:

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

(1) amending the draft by-law attached as Appendix “A” to the report dated February 1, 2000, from the Chief Financial Officer and Treasurer, by amending Section 9, entitled “Spending Authority – Capital Budget”, under Part I, headed “Budgets”, as follows:

(a) inserting in subsection (1)(a), after the words “the capital budget approved by Council establishes the”, the words “specific project scope and”;

(b) inserting in subsection (2)(a), prior to the words “a Department Head is authorized to approve expenditures in excess of the awarded contract price”, the words “subject to the provisions of subsection (9)(3)(a), below,”; and

(c) inserting in subsection (3)(a), after the words “a Department Head is authorized to approve additional expenditures where costs for a Capital Project”, the words “, as outlined in subsection (9)(1)(a), above,”;

so that subsections (1)(a), (2)(a) and (3)(a) shall now read as follows:

“(1) (a) the capital budget approved by Council establishes the specific project scope and spending authority for a Capital Project. Department Heads shall ensure that expenditures do not exceed the approved budget(s).”

“(2) (a) subject to the provisions of subsection (9)(3)(a), below, a Department Head is authorized to approve expenditures in excess of the awarded contract price for a Capital Project to a maximum

of 10 per cent of the original amount of the awarded contract, provided however that such additional amount shall not exceed \$500,000.00.”

- “(3) (a) a Department Head is authorized to approve additional expenditures where costs for a Capital Project, as outlined in subsection (9)(1)(a), above, increase to the extent that they exceed the original funding approval for the Capital Project by the lesser of 10 per cent or \$500,000.00, provided that excess funds are available in another Capital Project to fund the over-expenditure. If costs for a Capital Project exceed the original funding by more than 10 per cent or \$500,000.00 or excess funds are not available in another Capital Project, Council approval must be obtained before any payment can be made to incur the additional cost, except for purchases made under subsection 11(6). If subsection 11(6) applies, the approval of the Chief Administrative Officer is required before any payment may be made for the additional costs and such additional costs shall be reported to Council. If the additional funding is to be provided through the issuance of debentures, the Treasurer shall certify that such funding is within the City’s updated debt and financial obligation limit.”; and

- (2) adding thereto the following:

“It is further recommended that:

- (a) the Chief Financial Officer and Treasurer be requested to submit a report to the Policy and Finance Committee on a recommended standard structure for which 2001 budgets for all departments will be presented, incorporating activity-based costing and performance-based budgeting, and on any amendments to the Financial Control By-law that may be required as a result; and
- (b) the Policy and Finance Committee be requested to consider amending the reporting procedure on all reports related to financial policies, strategies and by-laws, to provide that such reports be routed to the Audit Committee and the Budget Advisory Committee for their review and comments.”
- (b) Councillor Moeser moved that Part (2)(b) of motion (a) by Councillor Balkissoon be referred to the Chief Administrative Officer and the Chief Financial Officer and Treasurer for further consideration and joint report thereon to the Policy and Finance Committee.

- (c) Councillor Lindsay Luby moved that Part (2)(b) of motion (a) by Councillor Balkissoon also be referred to the City Auditor for report thereon to the Policy and Finance Committee in conjunction with the joint report requested of the Chief Administrative Officer and the Chief Financial Officer and Treasurer.

Votes:

Motion (c) by Councillor Lindsay Luby carried.

Motion (b) by Councillor Moeser carried.

Adoption of Parts (1) and (2)(a) of motion (a) by Councillor Balkissoon:

Yes - 36 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berger, Bossons, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Gardner, Holyday, Jakobek, Jones, Kelly, Kinahan, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Saundercook, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 0

Carried, without dissent.

The Clause, as amended, carried.

4.37 Clause No. 18 of Report No. 3 of The Policy and Finance Committee, headed “Consolidation of Audit Activities”.

Motion:

Councillor Gardner 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 Policy and Finance Committee on the issue of governance and reporting relationships of the Toronto Police Services Board vis-à-vis City Council and the Ontario Civilian Commission on Policing Services.”

Votes:

The motion by Councillor Gardner carried.

The Clause, as amended, carried.

4.38 **Clause No. 2 of Report No. 2 of The Community Services Committee, headed “Toronto Report Card on Homelessness 2000”.**

Motions:

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

“It is further recommended that:

- (1) the Commissioner of Community and Neighbourhood Services and the City Solicitor be requested to investigate the feasibility of establishing an outreach team with experience in mental health and addiction problems to address those homeless individuals who refuse to use the shelter system; and
- (2) the Commissioner of Community and Neighbourhood Services be requested to:
 - (a) investigate, with the Ministry of Community and Social Services and the Ministry of Health and Long-Term Care, the feasibility of establishing a program similar to the ‘Registered Care Homes’ of St. Mungo’s in London, England, to provide for extended treatment of homeless people with severe health problems, such as mental, physical and old age; and
 - (b) discuss, with the Province of Ontario, the possibility of both support and funding for the development of an infirmary, a discharge strategy and additional harm reduction facilities.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on the feasibility of establishing a registry of homeless people and whether Toronto City Hall can be used as an address for homeless people.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee on a strategy for dealing with homeless clients with severe mental health problems.”

Votes:

Motion (a) by Councillor Pitfield carried.

Adoption of motion (b) by Councillor Mihevc:

Yes - 26	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Disero, Duguid, Flint, Jones, Kelly, Lindsay Luby, Mammoliti, Mihevc, Miller, Nunziata, Ootes, Pantalone, Saundercook, Sinclair, Soknacki
No - 5	
Councillors:	Feldman, Holyday, Li Preti, Mahood, Pitfield

Carried by a majority of 21.

Motion (c) by Councillor Li Preti carried.

The Clause, as amended, carried.

4.39 **Clause No. 2 of Report No. 4 of The Administration Committee, headed “Expenses of Members of Council”.**

Motions:

- (a) Councillor Soknacki moved that the Clause be amended by deleting from Recommendation No. (3) of the Audit Committee embodied in the communication dated February 4, 2000, from the City Clerk, as amended by the Administration Committee, the figure “\$600.00”, and inserting in lieu thereof the figure “\$300.00”, so that such recommendation shall now read as follows:
- “(3) Councillors be permitted to spend \$300.00 annually for sponsorships and donations per organization and be included in the Councillors’ Expense Policy;”;
- (b) Councillor Holyday moved that the Clause be amended by deleting Recommendation (II) of the Administration Committee and inserting in lieu thereof Recommendation No. (3) embodied in the joint report dated November 29, 1999, from the City Auditor and the City Clerk, viz.:
- “(3) the current practice of allowing Councillors to spend \$100.00 annually for sponsorships and donations per organization be formally included in the Councillors’ Expense Policy;”.

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

“It is further recommended that all business trips, business meetings, entertainment and other general expenses incurred by Members of Council, including all costs absorbed by departments, agencies, boards and commissions, be reported by the Chief Financial Officer and Treasurer to City Council, through the Administration Committee.”

- (d) Councillor Duguid moved that the Clause be amended by striking out Recommendation No. (5) of the Audit Committee, as amended by the Administration Committee, and inserting in lieu thereof the following:

“(5) Councillors be encouraged to obtain quotes from the City’s internal printing function, prior to obtaining printing services from an outside company, where time permits ;”.

- (e) Councillor Mahood moved that the Clause be amended to provide that consideration of Recommendation (I) of the Administration Committee be deferred to the next regular meeting of City Council scheduled to be held on April 11, 2000, viz.:

“(I) striking out the following Recommendations Nos. (1) and (2):

‘(1) business travel expenses incurred by Councillors be processed through the Council Services Unit of the Clerk’s Division and charged to the business travel account in the Council budget, and that the Council business travel budget and the travel budgets of the respective departments, agencies, boards and commissions be adjusted to reflect this change in policy;

(2) all business meeting, entertainment or other general expenses incurred by Councillors as Council appointees of an agency, board, commission or other body, be charged directly to the respective Councillor’s global budget, and that the City Clerk advise all agencies, boards, commissions and other bodies accordingly;’,

and inserting in lieu thereof the following new Recommendation No. (1):

‘(1) all agencies, boards and commissions be requested to report on an annual basis to the Administration Committee all business travel expenses of any Member of Council appointed to that agency, board or commission;’.”

- (f) Councillor Pitfield moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Corporate Services be directed to ensure that the policy for constituency office space for Members of Council is reported to

Council by January 2001, such policy to incorporate a provision for charge back based on square footage use.”

- (g) Councillor Nunziata moved that the Clause be amended to provide that the use of Councillors’ Global Budgets for the purpose of advertising Councillors’ names on the shirts of sports teams be prohibited.

Councillor Disero in the Chair.

- (h) Councillor Balkissoon moved that the Clause be amended by deleting Recommendation No. (5) of the Audit Committee, as amended by the Administration Committee, viz.:

“(5) if a Councillor wishes to use an outside company for printing services that quotes, including one from the City’s internal printing function be obtained, and the Council Services Unit be advised accordingly;”.

- (i) Councillor Miller moved that the Clause be amended to provide that, for greater certainty for the purpose of the relevant Council policies, sponsorships of sports teams in a Councillor’s Ward commencing prior to Nomination Day be deemed not to be advertising.

- (j) Councillor Cho moved that the Clause be amended by amending Recommendation No. (5) of the Audit Committee, as amended by the Administration Committee, to provide that the City’s internal printing function be required to give quotations for printing services within two days, and, in the event such quotes are not issued within the specified time frame, Councillors be permitted to use an outside printing service, subject to the quotation from the outside printing service being submitted to the Council Services Unit prior to the Councillor authorizing the commencement of the printing job.

- (k) Councillor Flint moved that the Clause be amended:

- (1) to provide that Recommendation No. (5) of the Audit Committee embodied in the communication dated February 4, 2000, from the City Clerk, be adopted, viz.:

“(5) with respect to Councillors paying for City souvenirs for community groups promoting the City, that only gifts available in the City’s Protocol office or the City Hall Gift Shop be reimbursed with the limitation that the unit cost cannot exceed \$50.00 per item and that the total amount expended per annum cannot exceed \$1,000.00;”; and

- (2) by adding thereto the following:

“It is further recommended that up to 500 City of Toronto corporate pins be issued, on request, to each Member of Council each year.”

- (l) Councillor Davis moved that the Clause be amended by:
- (1) amending Recommendation No. (5) of the Audit Committee, as amended by the Administration Committee, to provide that quotes for printing services from the City's internal printing function also include a delivery deadline; and
 - (2) adding thereto the following:

"It is further recommended that the City Clerk be requested to submit a report to the Administration Committee on the monthly reporting errors that occurred with respect to Councillors' Office Budgets, such report to include an explanation and action taken to rectify such errors."

Deputy Mayor Ootes in the Chair.

Votes:

Adoption of motion (e) by Councillor Mahood:

Yes - 18	Councillors: Ashton, Balkissoon, Brown, Chong, Duguid, Flint, Giansante, Jakobek, Jones, Li Preti, Mahood, Mammoliti, Nunziata, Ootes, Pitfield, Saundercook, Soknacki, Tzekas
No - 20	Councillors: Altobello, Augimeri, Berardinetti, Cho, Chow, Davis, Disero, Feldman, Filion, Holyday, Kelly, Kinahan, Mihevc, Miller, Moeser, Rae, Shiner, Silva, Sinclair, Walker

Lost by a majority of 2.

Adoption of motion (b) by Councillor Holyday:

Yes - 12	Councillors: Ashton, Brown, Chong, Flint, Holyday, Jones, Mahood, Nunziata, Ootes, Pitfield, Sinclair, Soknacki
No - 26	Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Cho, Chow, Davis, Disero, Duguid, Feldman, Filion, Giansante, Jakobek, Kelly, Kinahan, Li Preti, Mammoliti, Mihevc, Miller, Moeser, Rae, Saundercook, Shiner, Silva, Tzekas, Walker

Lost by a majority of 14.

Adoption of motion (a) by Councillor Soknacki:

Yes - 17	
Councillors:	Berardinetti, Brown, Cho, Chong, Chow, Feldman, Flint, Giansante, Holyday, Jones, Miller, Nunziata, Ootes, Rae, Shiner, Sinclair, Soknacki
No - 22	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Davis, Disero, Duguid, Filion, Jakobek, Kelly, Kinahan, Li Preti, Mahood, Mammoliti, Mihevc, Moeser, Pitfield, Saundercook, Silva, Tzekas, Walker

Lost by a majority of 5.

Permission to Withdraw Motion:

Councillor Balkissoon, with the permission of Council, withdrew his motion (h).

Adoption of motion (d) by Councillor Duguid:

Yes - 33	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Brown, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Jones, Kelly, Kinahan, Li Preti, Mahood, Mammoliti, Mihevc, Moeser, Nunziata, Ootes, Pitfield, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 6	
Councillors:	Augimeri, Cho, Chow, Holyday, Miller, Rae

Carried by a majority of 27.

Part (1) of motion (l) by Councillor Davis carried.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motion (j) by Councillor Cho, redundant.

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

Yes - 27	
Councillors:	Adams, Augimeri, Balkissoon, Berardinetti, Brown, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Jones, Kinahan, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Pitfield, Silva, Sinclair, Tzekas, Valenti, Walker
No - 14	

Councillors:	Altobello, Ashton, Cho, Giansante, Holyday, Jakobek, Kelly, Li Preti, Mahood, Nunziata, Rae, Saundercook, Shiner, Soknacki
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Carried by a majority of 13.

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

Yes - 12	
Councillors:	Chow, Duguid, Feldman, Filion, Flint, Holyday, Jones, Mahood, Mammoliti, Mihevc, Pitfield, Valenti
No - 27	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Davis, Disero, Giansante, Jakobek, Kelly, Kinahan, Li Preti, Miller, Moeser, Nunziata, Ootes, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas

Lost by a majority of 15.

Adoption of motion (c) by Councillor Mammoliti:

Yes - 34	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chow, Davis, Feldman, Flint, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 7	
Councillors:	Ashton, Chong, Disero, Duguid, Filion, Moeser, Silva

Carried by a majority of 27.

Adoption of motion (f) by Councillor Pitfield:

Yes - 25	
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Brown, Chong, Chow, Disero, Filion, Giansante, Jakobek, Kelly, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Rae, Saundercook, Silva, Soknacki, Walker
No - 16	
Councillors:	Ashton, Augimeri, Cho, Davis, Duguid, Feldman, Flint, Holyday, Jones, Kinahan, Li Preti, Mammoliti, Shiner, Sinclair, Tzekas, Valenti

Carried by a majority of 9.

Adoption of motion (g) by Councillor Nunziata:

Yes - 14	
Councillors:	Augimeri, Berardinetti, Cho, Flint, Giansante, Holyday, Jakobek, Jones, Mahood, Nunziata, Pitfield, Rae, Shiner, Walker
No - 27	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Brown, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Kelly, Kinahan, Li Preti, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 13.

Motion (i) by Councillor Miller carried.

Adoption of Part (2) of motion (l) by Councillor Davis:

Yes - 8	
Councillors:	Adams, Altobello, Ashton, Brown, Davis, Jones, Mammoliti, Tzekas
No - 33	
Councillors:	Augimeri, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Kelly, Kinahan, Li Preti, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Valenti, Walker

Lost by a majority of 25.

Adoption of Clause, as amended:

Yes - 32 Councillors:	Adams, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Fillion, Flint, Jones, Kelly, Kinahan, Li Preti, Mihevc, Miller, Minnan-Wong, Moeser, Ootes, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 9 Councillors:	Altobello, Ashton, Giansante, Holyday, Jakobek, Mahood, Mammoliti, Nunziata, Pitfield

Carried by a majority of 23.

In summary, Council amended this Clause:

- (1) by striking out Recommendation No. (5) of the Audit Committee, as amended by the Administration Committee, and inserting in lieu thereof the following:

“(5) Councillors be encouraged to obtain quotes from the City’s internal printing function, prior to obtaining printing services from an outside company, where time permits, such quotes to include a delivery deadline;”;
- (2) to provide that, for greater certainty for the purpose of the relevant Council policies, sponsorships of sports teams in a Councillor’s Ward commencing prior to Nomination Day be deemed not to be advertising; and
- (3) by adding thereto the following:

“It is further recommended that:

 - (a) up to 500 City of Toronto corporate pins be issued, on request, to each Member of Council each year;
 - (b) all business trips, business meetings, entertainment and other general expenses incurred by Members of Council, including all costs absorbed by departments, agencies, boards and commissions, be reported by the Chief Financial Officer and Treasurer to City Council, through the Administration Committee; and
 - (c) the Commissioner of Corporate Services be directed to ensure that the policy for constituency office space for Members of Council is reported to Council by January

2001, such policy to incorporate a provision for charge back based on square footage use.”

4.40 **Clause No. 31 of Report No. 3 of The North York Community Council, headed “Ontario Municipal Board Decision and Legal Proceedings – 15 - 17 Lorraine Drive – North York Centre”.**

Motion:

Councillor Filion moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on April 11, 2000.

Vote:

The motion by Councillor Filion carried.

4.41 **Clause No. 11 of Report No. 2 of The Economic Development and Parks Committee, headed “Parks and Recreation Division - Food Service Review (All Wards)”.**

Motions:

(a) Councillor Cho moved that the Clause be struck out and referred back to the Economic Development and Parks Committee for further consideration, and the Commissioner of Economic Development, Culture and Tourism be requested to conduct further community consultation in this regard.

(b) Councillor Miller moved that Council adopt the following recommendations:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on:

- (1) methods to ensure that small business private operators are encouraged and multinational brands discouraged or prevented from succeeding in the bids; and
- (2) methods to enhance the efficiency and quality of the directly-operated food service outlets.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to canvass the community for their cultural food preferences and include such information in his report to the Economic Development and Parks Committee.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on the impact of this program on youth employment.”

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on:

- (1) opportunities to provide for enhanced community partnership agreements; and
- (2) methods to encourage employment for youth.”

Vote:

Adoption of motion (a) by Councillor Cho:

Yes - 24	
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Cho, Chow, Davis, Disero, Feldman, Flint, Gardner, Holyday, Jakobek, Jones, Li Preti, Mammoliti, Miller, Nunziata, Shiner, Silva, Sinclair, Tzekas, Valenti, Walker
No - 12	
Councillors:	Ashton, Augimeri, Brown, Chong, Giansante, Kelly, Kinahan, Moeser, Ootes, Pitfield, Rae, Saundercook

Carried by a majority of 12.

Having regard to the foregoing decision of Council, motions (b), (c), (d) and (e) were not put to a vote but were, together with the Clause, referred to the Economic Development and Parks Committee.

4.42 **Clause No. 15 of Report No. 2 of The Etobicoke Community Council, headed “Proposed Temporary Closure of Fasken Drive/Campus Road (Rexdale-Thistleton)”.**

Motion:

Councillor Giansante moved that the Clause be amended by amending Recommendation No. (3) of the Etobicoke Community Council to provide that the new Recommendation No. (4) added to the report dated February 15, 2000, from the Director, Transportation Services - District 2, shall now read as follows:

- “(4) the Greater Toronto Airports Authority be responsible for the protection of the City of Toronto against any liability as a result of the road closure.”

Votes:

The motion by Councillor Giansante carried.

The Clause, as amended, carried.

4.43 **Clause No. 6 of Report No. 4 of The Toronto Community Council, headed “Connaught Avenue at Eastern Avenue - Request for Larger One-Way Signs (East Toronto)”.**

Having regard that the Clause was submitted without recommendation:

Motion:

Councillor Jakobek moved that Council adopt the following recommendations:

“It is recommended that:

- (a) the report dated February 24, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) the Chief General Manager, Toronto Transit Commission (TTC), be requested to advise staff of the Russell complex located on Connaught Avenue to respect the existing one-way traffic regulation on Connaught Avenue and that vehicular access to the complex is limited to Queen Street East; and
- (2) this report be forwarded to the Toronto Police Service for any action deemed necessary to enforce the existing one-way designation on Connaught Avenue at Eastern Avenue.’; and

- (b) the Commissioner of Works and Emergency Services be directed to reposition and enlarge the existing one-way directional signs on Connaught Avenue at Eastern Avenue to ensure visibility.”

Votes:

The motion by Councillor Jakobek carried.

The Clause, as amended, carried.

- 4.44 **Clauses Nos. 34, 35, 36, 37, 39, 41 and 42 of Report No. 4 of The Toronto Community Council, headed “Drain Grant Appeal - 28 Morton Road (East Toronto)”, “Drain Grant Appeal - 103 Alton Avenue (East Toronto)”, “Drain Grant Appeal - 28 Silver Birch Avenue (East Toronto)”, “Drain Grant Appeal - 69 Woodrow Avenue (East Toronto)”, “Drain Grant Appeal - 251 Bingham Avenue (East Toronto)”, “Drain Grant Appeal - 59 Gainsborough Road (East Toronto)” and “Drain Grant Appeal - 31 Glen Stewart Avenue (East Toronto)”, respectively.**

Ruling by Deputy Mayor:

Deputy Mayor Ootes ruled that, having regard that City Council, at its meeting held on May 11 and 12, 1999, by its adoption of Clause No. 3 of Report No. 7 of The Works and Utilities Committee, headed “Sewer Connection Blockage Inspection and Repair Program, and Tree Root Removal and Grants Policy”, as amended, established a policy which stipulates that appeals related to drain grant claims be delegated, in the first instance, to the appropriate Community Council for report thereon to Council, through the Administration Committee, consideration of these Clauses by City Council would require that such policy be re-opened first for further consideration.

Motion to Re-Open:

Councillor Shiner, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 3 of Report No. 7 of The Works and Utilities Committee, headed “Sewer Connection Blockage Inspection and Repair Program, and Tree Root Removal and Grants Policy”, be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 26	
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Giansante, Holyday, Jakobek, Kinahan, Mihevc, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Silva, Sinclair, Walker
No - 8	
Councillors:	Feldman, Flint, Gardner, Jones, Kelly, Palacio, Saundercook, Shiner

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

Motion:

Councillor Shiner moved that:

- (1) these Clauses be struck out and referred to the Works Committee for further consideration; and
- (2) Council also 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, for consideration therewith, on the current drain grant appeal process and what amendments would be required to ensure an appropriate method for dealing with drain grant appeals.”

Vote:

Adoption of motion by Councillor Shiner:

Yes - 22	
Councillors:	Adams, Altobello, Ashton, Augimeri, Brown, Cho, Chong, Davis, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Minnan-Wong, Pitfield, Saundercook, Shiner, Silva
No - 12	
Councillors:	Berardinetti, Berger, Bussin, Disero, Jakobek, Mihevc, Moeser, Nunziata, Ootes, Palacio, Sinclair, Walker

Carried by a majority of 10.

4.45 **Clause No. 4 of Report No. 3 of The Policy and Finance Committee, headed “Purchasing Policies and By-law”.**

Motion:

Councillor Miller moved that the Clause, together with following draft motions by Councillors Adams, Duguid and Layton, be referred to the Administration Committee for further consideration.

Draft Motion by Councillor Adams:

“That the Clause be amended by amending the by-law set out in Appendix ‘B’ to the report dated February 3, 2000, from the Chief Financial Officer and Treasurer, by:

- (1) amending paragraph (9)(3)(a)(ii) by deleting the words ‘is equal to or less than the Approval of Council’, and substituting the words ‘greater than \$1 million and less than or equal to \$10 million’, and amending paragraph (8)(2)(b) to read ‘the amount of the Award is greater than \$1 million and less than or equal to \$10 million’, so that paragraph (9)(3) shall now read as follows:

‘(9) (3) A Standing Committee to which a Bid or Proposal is referred under subsection (1) shall

(a) be authorized to make an Award if,

(i) the conditions specified in subsection 8(2), with the exception of the monetary limit set out in clause 8(2)(b), or the conditions specified in subsection 8(3), as applicable, are met, and

(ii) the amount of the Award is greater than \$1 million and less than or equal to \$10 million, or

(b) make a recommendation to Council.’; and

- (2) amending Section (3), ‘Ethics in Purchasing’, by adding the following paragraph:

‘Once a Call, Request or Solicitation has been issued, lobbyists shall be required to disclose communications relating to all meetings, written correspondence and telephone discussions that they have had with any Member of Council, City official, appointed member of any City board, agency, commission, task force, or related organization to promote or oppose any bid, tender, or proposal. This disclosure must be made to the City Clerk, in a form satisfactory to the City Clerk, within five business days of the communication and must be made prior to the scheduled opening of the bid, tender or proposal. Disclosure documents must be made available to the public and posted in a timely fashion on the City’s website.’; and

- (3) adding the following definition:

‘“Lobbyist” includes an individual who is paid to communicate with Members of Council, City officials, and/or appointed members of City agencies, boards, commissions, task forces, and other related organizations to promote or oppose any Bidder or Proponent.’”

Draft Motion by Councillor Duguid:

“That the Clause be amended by amending the by-law set out in Appendix ‘B’ to the report dated February 3, 2000, from the Chief Financial Officer and Treasurer, by:

- (1) amending the definition of ‘Departmental Direct Purchase Limit’ in Section 1 by deleting the reference to subsection 5(2) and inserting instead reference to subsection 5(3); and
- (2) deleting clause 9(3)(a)(i) and inserting in lieu thereof the following:
 - ‘(i) the conditions specified in subsection 8(2) or in subsection 8(3), as applicable, are met with the exception of the monetary limit set out in clause 8(2)(b)’,

so that subsection 9(3) reads as follows:

- ‘(3) A Standing Committee to which a Bid or Proposal is referred under subsection 9(1) shall
 - (a) be authorized to make an Award if,
 - (i) the conditions specified in subsection 8(2) or in subsection 8(3), as applicable, are met with the exception of the monetary limit set out in clause 8(2)(b), and
 - (ii) the amount of the Award is equal to or less than the Approval by Council, or
 - (b) make a recommendation to Council.’ ”

Draft Motion by Councillor Layton:

“That the Clause be amended by amending the by-law set out in Appendix ‘B’ to the report dated February 3, 2000, from the Chief Financial Officer and Treasurer, by inserting the following new paragraph after paragraph (13), ‘Access to Bids’, and renumbering the following paragraph accordingly:

- ‘(14) Environmental Procurement:

All Calls, Requests and Solicitations shall have regard to the City’s Environmental Procurement Policy.’ ”

Vote:

The motion by Councillor Miller carried.

Motion to Re-Open:

Councillor Adams, 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.

Motions:

(a) Councillor Adams moved that the Clause be amended:

(1) by referring Recommendation No. (1) embodied in the report dated February 3, 2000, from the Chief Financial Officer and Treasurer, to the Administration Committee, viz.:

“(1) new Purchasing Policies for the Ban of Purchase of Products Manufactured in Factories where Children are used as Slave Labour, Canadian Content and Live Animal Testing, outlined in Appendix ‘A’ of this report be adopted;”;

(2) to provide that Recommendations Nos. (2) and (3) embodied in the report dated February 3, 2000, from the Chief Financial Officer and Treasurer, be adopted, and Appendix “B” to such report, as amended by the Policy and Finance Committee, be implemented as the City of Toronto’s Interim Purchasing By-law, with the understanding that the Administration Committee’s deliberations on Recommendation No. (1), above, may recommend amendments to the Interim Purchasing By-law, and subject to further amending Appendix “B” as follows:

(a) by deleting from the definition of “Departmental Direct Purchase Limit”, in Section 1, “Definitions”, the reference to “subsection 5(2)”, and inserting in lieu thereof reference to “subsection 5(3)”, so that such definition shall now read as follows:

“ ‘Departmental Direct Purchase Limit’ means the maximum dollar amount that any Department Head may expend to procure goods and services directly rather than through the offices of the Purchasing Agent, such

amount not to exceed \$10,000.00 or such increased amount as approved by the Chief Administrative Officer in accordance with subsection 5(3);”;

(b) by amending clause 8(2)(b) to read as follows:

“(b) the amount of the Award is equal to or less than the Approval by Council and is equal to or less than \$1 million;”;

(c) by amending Section 9, “Standing Committee and Council”, as follows:

(i) by deleting clause (3)(a)(i) and inserting in lieu thereof the following:

“(i) the conditions specified in subsection 8(2) or in subsection 8(3), as applicable, are met with the exception of the monetary limit set out in clause 8(2)(b);”;

(ii) by deleting clause (3)(a)(ii) and inserting in lieu thereof the following:

“(ii) the amount of the Award is equal to or less than the Approval by Council and is greater than \$1 million and less than or equal to \$5 million;”;

so that subsection 9(3) shall now read as follows:

“A Standing Committee to which a Bid or Proposal is referred under subsection 9(1) shall

(a) be authorized to make an Award if,

(i) the conditions specified in subsection 8(2) or in subsection 8(3), as applicable, are met with the exception of the monetary limit set out in clause 8(2)(b), and

(ii) the amount of the Award is equal to or less than the Approval by Council and is greater than \$1 million and less than or equal to \$5 million, or

(b) make a recommendation to Council.”;

(d) inserting the following new Section 14, and renumbering the existing Section 14 as Section 15:

“14. Environmental Procurement:

All Calls, Requests and Solicitations shall have regard to the City’s Environmental Procurement Policy.”; and

(3) by adding thereto the following:

“It is further recommended that the following proposed amendments to the Purchasing By-law embodied in the communication dated March 1, 2000, from Councillor Adams, be referred to the Administration Committee for further consideration:

Moved by Councillor Adams:

‘That:

(1) Section 3, “Ethics and Purchasing”, be amended by adding the following paragraph:

“Once a Call, Request, or Solicitation has been issued, lobbyists shall be required to disclose communications relating to all meetings, written correspondence and telephone discussions that they have had with any Member of Council, City official, appointed member of any City board, agency, commission, task force, or related organization to promote or oppose any bid, tender or proposal. This disclosure must be made to the City Clerk, in a form satisfactory to the City Clerk, within five business days of the communication and must be made prior to the scheduled opening of the bid, tender or proposal. Disclosure documents must be made available to the public and posted in a timely fashion on the City’s website.”; and

(2) the following new definition be added to Section 1, “Definitions”:

“ ‘Lobbyist’ includes an individual who is paid to communicate with Members of Council, City officials and/or appointed members of City agencies, boards, commissions, task forces and other related organizations, to promote or oppose any Bidder or Proponent.” ’
”

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

“It is further recommended that the following new Section 14 incorporated in the Interim Purchasing By-law be referred to the Chief Financial Officer and Treasurer, with a request that she submit a report to the Policy and Finance Committee on the cost and effects to the City of Toronto if such Section is included in the final Purchasing By-law:

‘14. Environmental Procurement:

All Calls, Requests and Solicitations shall have regard to the City’s Environmental Procurement Policy.’ ”

Votes:

Motion (a) by Councillor Adams carried.

Motion (b) by Councillor Shiner carried.

The Clause, as amended, carried.

4.46 Clause No. 4 of Report No. 2 of The Etobicoke Community Council, headed “Traffic Concerns on Prince Edward Drive (South) and Berry Road (Lakeshore-Queensway)”.

Motion:

Councillor Holyday moved that the Clause be amended by striking out the recommendations of the Etobicoke Community Council and inserting in lieu thereof the following:

“It is recommended that the report dated February 15, 2000, from the Director, Transportation Services, District 2, be adopted.”

Votes:

Adoption of motion by Councillor Holyday:

Yes - 11	
Councillors:	Adams, Berger, Cho, Davis, Disero, Giansante, Holyday, Kelly, Minnan-Wong, Palacio, Valenti
No - 24	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bussin, Chow, Duguid, Feldman, Flint, Gardner, Jakobek, Jones, Kinahan, Mihevc, Miller, Nunziata, Ootes, Pitfield, Prue, Rae, Shiner, Silva, Sinclair

Lost by a majority of 13.

The Clause was adopted, without amendment.

Motion to Re-Open:

Councillor Jones, 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 Jones moved that, having regard that Council adopted the recommendations of the Etobicoke Community Council, the Clause be amended by adding thereto the following:

“It is further recommended that Recommendation No. (1) embodied in the report dated February 29, 2000, from the Commissioner of Works and Emergency Services, be adopted, viz.:

- ‘(1) should Council adopt the Etobicoke Community Council recommendation for an all-way stop at Prince Edward Drive and Berry Road, then bus bays should be deleted from the reconstruction plans;’.”

Vote:

Adoption of motion by Councillor Jones:

Yes - 29 Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Cho, Chong, Chow, Disero, Duguid, Feldman, Gardner, Jakobek, Jones, Kelly, Kinahan, Mihevc, Miller, Nunziata, Ootes, Palacio, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Valenti
No - 3 Councillors: Davis, Giansante, Holyday

Carried by a majority of 26.

The Clause, as amended, carried.

4.47 **Clause No. 1 of Report No. 3 of The York Community Council, headed “Draft By-law - Alteration of Atlas Avenue, Cherrywood Avenue, Northcliffe Boulevard and Westmount Avenue - Ward 28, York Eglinton”.**

Having regard that the Clause was submitted without recommendation:

Motions:

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

“It is recommended that:

- (1) the draft by-law from the City Solicitor with respect to traffic calming measures on Atlas Avenue, Cherrywood Avenue, Northcliffe Boulevard and Westmount Avenue, be approved; and
- (2) the issue of traffic calming in school areas and the role of School Advisory Committees be referred to the Commissioner of Works and Emergency Services for inclusion in the report on harmonizing traffic calming methodologies.”

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

“It is further recommended that the policy for streets that are bounded by schools be revised to allow for a petition by the Parent Council to be considered by City Council.”

- (c) Councillor Disero moved that motion (b) by Councillor Davis be referred to the Commissioner of Works and Emergency Services, with a request that he address the concerns raised therein in his forthcoming report to the Works Committee on the review of procedures for traffic calming measures.

Votes:

Motion (c) by Councillor Disero carried.

Having regard to the foregoing decision of Council, Part (2) of motion (a) by Councillor Mihevc, was declared redundant.

Adoption of Part (1) of motion (a) by Councillor Mihevc:

Yes - 34	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Mihevc, Miller, Nunziata, Ootes, Palacio, Pitfield, Prue, Rae, Shiner, Silva, Sinclair, Valenti
No - 1	
Councillor:	Minnan-Wong

Carried by a majority of 33.

The Clause, as amended, carried.

4.48 **Clause No. 14 of Report No. 3 of The Policy and Finance Committee, headed “Credit and/or Debit Card Payment Method - Taxes”.**

Motion to Re-Open:

Councillor Prue, 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 Prue moved that the Clause be struck out and referred back to the Policy and Finance Committee for further consideration.

Vote:

The motion by Councillor Prue carried.

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

February 29, 2000:

Motion:

Deputy Mayor Ootes, at 6:12 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 6 of Report No. 3 of The Policy and Finance Committee, headed “City Power Purchase in the Competitive Market”, in accordance with the provisions of the Municipal Act, having regard that such Clause contains information related to the security of a property interest of the municipality.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 6:25 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 7:29 p.m., and met in public session in the Council Chamber.

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

4.50 **Clause No. 6 of Report No. 3 of The Policy and Finance Committee, headed “City Power Purchase in the Competitive Market”.**

Motions:

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 Moscoe:

“That the Clause be amended by adding thereto the following:

‘It is further recommended that the report dated February 28, 2000, from the Chief Administrative Officer, be adopted, subject to amending Recommendation No. (1), embodied therein, to read as follows:

“(1) Toronto Hydro and the Chief Administrative Officer be encouraged to negotiate a municipal access agreement pertaining to telecommunications, using their best efforts to conclude such negotiations and develop a mutually-acceptable municipal access agreement by September 2000;”;

so that the recommendations embodied in such report shall now read as follows, the balance of such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information related to the security of a property interest of the municipality:

“It is recommended that:

- (1) Toronto Hydro and the Chief Administrative Officer be encouraged to negotiate a municipal access agreement pertaining to telecommunications, using their best efforts to conclude such negotiations and develop a mutually-acceptable municipal access agreement by September 2000;
- (2) the requirement contained within the Shareholder Direction that Toronto Hydro protect and enhance the City’s urban forest be considered within the context of overall performance assessment of Toronto Hydro, rather than being a condition of the power purchase agreement;
- (3) City staff, in conjunction with Toronto Hydro, develop high-level performance criteria pertaining to the City’s objectives articulated in the Shareholder’s Direction against which Toronto Hydro’s overall performance will be assessed, including their impact on the City’s return, and that the City’s Tree Advocate, among others, be consulted on the development of these measures; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.” ’ ’

Votes:

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

March 1, 2000:*Motion:*

Deputy Mayor Ootes, at 3:15 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider Clause No. 1 of Report No. 6 of The Administration Committee, headed "Collective Bargaining with the Canadian Union of Public Employees, Local 79", in accordance with the provisions of the Municipal Act, having regard that such Clause contains information related to labour negotiations.

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 3:25 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 3:37 p.m., and met in public session in the Council Chamber.

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

4.51 **Clause No. 1 of Report No. 6 of The Administration Committee, headed "Collective Bargaining with the Canadian Union of Public Employees, Local 79".**

Report of the Committee of the Whole:

Deputy Mayor Ootes advised that the Council had reconvened in public session for the purpose of considering a motion by Councillor Pantalone to re-open the decision of Council from its Special Meeting held on October 5, 1999, to consider the Memorandum of Agreement between the City and the TCEU, Local 416, insofar as it pertains to the application of the wage increase to:

- (1) salaries for Members of Council;

- (2) salaries for staff of Members of Council; and
- (3) salaries for all exempt staff and management staff on the active payroll as of October 5, 1999.

Votes:

Vote to re-open the decision of Council from its Special Meeting held on October 5, 1999, insofar as it pertains to salaries for Members of Council:

Yes - 28 Councillors:	Adams, Augimeri, Bossons, Cho, Chow, Davis, Disero, Filion, Gardner, Holyday, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Ootes, Pantalone, Rae, Shiner, Sinclair, Soknacki, Valenti
No - 16 Mayor: Councillors:	Lastman Altobello, Berardinetti, Berger, Bussin, Duguid, Flint, Giansante, King, Lindsay Luby, Miller, Moeser, Nunziata, O'Brien, Pitfield, Saundercook

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

Vote to re-open the decision of Council from its Special Meeting held on October 5, 1999, insofar as it pertains to salaries for staff of Members of Council:

Yes - 23 Councillors:	Adams, Augimeri, Berardinetti, Berger, Bossons, Bussin, Disero, Duguid, Flint, Holyday, Kinahan, Korwin-Kuczynski, Layton, McConnell, Minnan-Wong, Moeser, O'Brien, Ootes, Rae, Saundercook, Sinclair, Soknacki, Tzekas
No - 15 Councillors:	Altobello, Chow, Davis, Filion, Giansante, Johnston, Jones, Lindsay Luby, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Pitfield, Valenti

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

Vote to re-open the decision of Council from its Special Meeting held on October 5, 1999, insofar as it pertains to salaries for all exempt staff and management staff on the active payroll as of October 5, 1999:

<p>Yes - 20 Councillors: Berardinetti, Berger, Chow, Disero, Duguid, Flint, Giansante, Holyday, Kelly, Kinahan, Layton, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Rae, Sinclair, Soknacki</p>
<p>No - 19 Councillors: Adams, Altobello, Augimeri, Bussin, Chong, Davis, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, McConnell, Moeser, Moscoe, Pantalone, Saundercook, Shiner, Tzekas</p>

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

Motion:

Deputy Mayor Ootes, at 3:47 p.m., moved that Council now resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to resume consideration of Clause No. 1 of Report No. 6 of The Administration Committee, headed "Collective Bargaining with the Canadian Union of Public Employees, Local 79", in accordance with the provisions of the Municipal Act, having regard that such Clause contains information related to labour negotiations.

Vote:

The motion by Deputy Mayor Ootes carried.
Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 3:51 p.m., to meet privately in the Council Chamber to consider the above matter, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 5:15 p.m., and met in public session in the Council Chamber.

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

Report of the Committee of the Whole:

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) Mayor Lastman moved that the Clause be amended by amending the recommendations embodied in the confidential report dated February 29, 2000, from the Executive Director of Human Resources, as amended by the Administration Committee, by adding to Recommendation No. (2) the words “such authority to be limited to those matters that are administrative and not monetary in nature”.
- (b) Councillor Miller moved that the Clause be amended by:
- (1) deferring consideration of Recommendations Nos. (2), (4) and (5) embodied in the confidential report dated February 29, 2000, from the Executive Director of Human Resources; and
- (2) adding thereto the following:
- “It is further recommended that the Executive Director of Human Resources be requested to seek the authority outlined in such recommendations, if required, on the 14th day after the ‘No Board’ report is issued, through the Administration Committee and Council, at Special Meetings called for such purpose on 24 hours’ notice.”
- (c) Councillor Mihevc moved that motion (a) by Mayor Lastman be amended by adding thereto the words “for example, promotions and grievances, and the Executive Director of Human Resources be requested to submit a report to the Administration Committee, in the event further instructions are required with respect to administrative matters”.

Votes:

Adoption of motion (b) by Councillor Miller:

Yes - 9	
Councillors:	Augimeri, Jones, Kinahan, Mahood, Miller, Pantalone, Prue, Rae, Walker
No - 35	
Mayor:	Lastman
Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pitfield, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti

Lost by a majority of 26.

Motion (c) by Councillor Mihevc carried.

Motion (a) by Mayor Lastman carried, as amended.

Adoption of the recommendations embodied in the confidential report dated February 29, 2000, from the Executive Director of Human Resources, as amended, save and except Recommendation No. (1):

Yes - 41	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pitfield, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 4	
Councillors:	Miller, Pantalone, Prue, Rae

Carried by a majority of 37.

Adoption of Recommendation No. (1) embodied in the confidential report dated February 29, 2000, from the Executive Director of Human Resources:

Yes - 45	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

Motion to Re-Open:

Councillor Altobello, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, the vote previously taken by Council on the motion by Councillor Pantalone to re-open the decision of Council from its Special Meeting held on October 5, 1999, to consider the Memorandum of Agreement between the City and the TCEU, Local 416, insofar as it pertains to the application of the wage increase to salaries for Members of Council, staff of Members of Council and all exempt staff and management staff on the active payroll as of October 5, 1999, be re-opened for further consideration and that such motion be adopted.

Vote:

Adoption of motion by Councillor Altobello:

Yes - 38	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 4	
Councillors:	Disero, Kinahan, Pitfield, Walker

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

Motions:

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

“It is further recommended that the 1998 lump sum payment (\$400.00) eligible for those who did not get a 1998 wage increase, and the 1999 (2 percent), 2000 (2.17 percent) and 2001 (3.2 percent) wage increases as set out in the Memorandum of Agreement between the City and the TCEU, Local 416, approved by City Council at its meeting on October 5, 1999, be extended to all exempt staff and management staff on the active payroll as of March 1, 2000.”

- (b) Councillor Johnston moved that motion (a) by Mayor Lastman be amended to include Members of Council.

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

“It is further recommended that the Executive Director of Human Resources be requested to develop a process to determine remuneration for Members of Council, such remuneration to take effect for the new term of Council, and report thereon to the Administration Committee.”

- (d) Councillor Kinahan moved that the matter of the extension of salary increases for Members of Council, together with the motions related thereto, be referred to the Administration Committee for further consideration and report thereon to the next regular meeting of City Council scheduled to be held on April 11, 2000.

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

“It is further recommended that the Executive Director of Human Resources be requested to investigate the economic factors that affect salaries for Members of Council and report thereon to the Administration Committee.”

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

“It is further recommended that the resignation of Councillor Pantalone from the Collective Bargaining Advisory Panel be accepted.”

Votes:

Adoption of motion (d) by Councillor Kinahan:

Yes - 7	
Mayor:	Lastman
Councillors:	Davis, Holyday, Jones, Kinahan, Ootes, Sinclair
No - 36	
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Jakobek, Johnston, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mahood, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Soknacki, Tzekas, Valenti, Walker

Lost by a majority of 29.

Adoption of motion (c) by Councillor Lindsay Luby:

Yes - 31

Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mahood, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Prue, Sinclair, Soknacki, Tzekas, Walker
No - 12	
Councillors:	Altobello, Berardinetti, Giansante, Holyday, Li Preti, Miller, Pantalone, Pitfield, Rae, Saundercook, Silva, Valenti

Carried by a majority of 19.

Adoption of motion (b) by Councillor Johnston:

Yes - 21	
Councillors:	Adams, Augimeri, Bossons, Chong, Chow, Disero, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mihevc, Miller, O'Brien, Pantalone, Rae, Saundercook, Silva, Sinclair, Valenti
No - 22	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Berger, Davis, Duguid, Filion, Flint, Giansante, Holyday, Jakobek, Lindsay Luby, Mahood, Minnan-Wong, Nunziata, Ootes, Pitfield, Prue, Soknacki, Tzekas, Walker

Lost by a majority of 1.

Motion (e) by Councillor Holyday carried.

Adoption of motion (a) by Mayor Lastman, without amendment:

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Chong, Chow, Davis, Disero, Duguid, Fillion, Flint, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 2	
Councillors:	Holyday, Pitfield

Carried by a majority of 38.

Motion (f) by Councillor Pantalone carried.

The Clause, as amended, carried.

In summary, Council amended this Clause by:

- (1) amending the recommendations embodied in the confidential report dated February 29, 2000, from the Executive Director of Human Resources, as amended by the Administration Committee, by adding to Recommendation No. (2) the words “such authority to be limited to those matters that are administrative and not monetary in nature, for example, promotions and grievances, and the Executive Director of Human Resources be requested to submit a report to the Administration Committee, in the event further instructions are required with respect to administrative matters”, so that such recommendations shall now read as follows:

“It is recommended that:

- (a) the Executive Director of Human Resources, in consultation with the City Solicitor, be authorized to request the Minister of Labour to issue ‘No-Board’ reports pursuant to the provisions of the Labour Relations Act (the ‘Act’) for the Union’s bargaining units, as may be appropriate;
- (b) the Executive Director of Human Resources, in consultation with the City Solicitor, be authorized to alter and harmonize some or all of the terms and conditions of

employment for members of the Union in a manner consistent with the City's comprehensive settlement proposals to the Union, as submitted to the Administration Committee for its meeting of March 1, 2000; that such action be taken upon the expiry of the sixteen (16) day time period under the Act following the issuance by the Minister of Labour of the 'No-Board' reports that may be requested by the City, such authority to be limited to those matters that are administrative and not monetary in nature, for example, promotions and grievances, and the Executive Director of Human Resources be requested to submit a report to the Administration Committee, in the event further instructions are required with respect to administrative matters;

- (c) notwithstanding the request for 'No Board' reports, staff continue to negotiate with the Union towards a settlement which is acceptable to the Union and the City;
- (d) should significant progress in negotiating a settlement continue to be impeded by the Union's position on having one collective agreement covering the four bargaining units, staff be instructed to request the Chair of the Administration Committee to call a Special Meeting of the Administration Committee and the Mayor to call a Special Meeting of Toronto City Council for the purpose of considering an application for First Contract Arbitration under the Act, prior to the end of March 2000;
- (e) the law firm of Hicks Morley be retained and authorized, in consultation with the City Solicitor, the Executive Director of Human Resources and the Chair of the Administration Committee, to take all necessary steps to protect the legal interests of the City relating to any illegal strike activity; and
- (f) the Executive Director of Human Resources provide the Administration Committee with an in-camera update on the status of collective bargaining as required on 24 hours' notice."; and

(2) adding thereto the following:

"It is further recommended that:

- (a) the 1998 lump sum payment (\$400.00) eligible for those who did not get a 1998 wage increase, and the 1999 (2 percent), 2000 (2.17 percent) and 2001 (3.2 percent) wage increases as set out in the Memorandum of Agreement between the City and the TCEU, Local 416, approved by City Council at its Special meeting on October 5, 1999, be extended to all exempt staff and management staff on the active payroll as of March 1, 2000;

- (b) the Executive Director of Human Resources be requested to:
 - (i) develop a process to determine remuneration for Members of Council, such remuneration to take effect for the new term of Council, and report thereon to the Administration Committee; and
 - (ii) investigate the economic factors that affect salaries for Members of Council and report thereon to the Administration Committee; and
- (c) the resignation of Councillor Pantalone from the Collective Bargaining Advisory Panel be accepted.”

March 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(14), moved by Councillor Adams, seconded by Councillor Miller, respecting the City’s position at an upcoming hearing on the Oak Ridges Moraine, which carried, more than two-thirds of Members present having voted in the affirmative.

Motion:

Deputy Mayor Ootes, at 4:35 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 remaining 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. 5 of The Administration Committee, headed “Administrative and Underwriting Services for Employee Benefits”;
- (b) Clause No. 16 of Report No. 3 of The Scarborough Community Council, headed “Billboard Signs Court Case”; and
- (c) Motion J(14).

Vote:

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 4:40 p.m., to meet privately in the Council Chamber to consider the above matters, in accordance with the provisions of the Municipal Act.

Committee of the Whole rose, reconvened as Council at 5:13 p.m., and met in public session in the Council Chamber.

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

4.52 **Clause No. 1 of Report No. 5 of The Administration Committee, headed “Administrative and Underwriting Services for Employee Benefits”.**

Report of the 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 the Clause.

Motion:

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

“It is further recommended that City Council extend its appreciation to the Benefits Carrier Working Group and to Sun Life Assurance Company of Canada Inc. and Manulife Financial for their contributions of time and effort to this process.”

Vote:

The motion by Councillor Miller carried.

The Clause, as amended, carried.

4.53 **Clause No. 16 of Report 2 of The Scarborough Community Council, headed “Billboard Signs Court Case”.**

Report of the Committee of the Whole:

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.

Motion:

Moved by Councillor Moeser:

“That consideration of this Clause be deferred to the next meeting of City Council scheduled to be held on April 11, 2000.”

Vote:

The motion by Councillor Moeser carried.

4.54 Deputy Mayor Ootes called upon Motion J(14), as follows:

Moved by: Councillor Adams

Seconded by: Councillor Miller

“**WHEREAS** on May 1, 2000, the Ontario Municipal Board was scheduled to consider an appeal of Town of Richmond Hill OPA 200 and York Region OPA 20, which allow for the expansion of the urban boundary onto the Oak Ridges Moraine; and

WHEREAS at the same hearing, the Ontario Municipal Board will be considering a number of appeals from private landowners in the Town of Richmond Hill to develop land on the Oak Ridges Moraine; and

WHEREAS the Town of Richmond Hill has voted to defer consideration of OPA 200; and

WHEREAS despite the Town’s deferral, the Ontario Municipal Board will continue to hear the private appeals; and

WHEREAS the Council of the City of Toronto, at the in-camera portion of its meeting held on February 1, 2, and 3, 2000, issued confidential instructions to staff pertaining to the City’s participation in the hearing, such instructions to remain confidential in accordance with the Municipal Act, having regard that they are subject to Solicitor/Client privilege; and

WHEREAS the City Solicitor must take certain actions in respect of the City of Toronto’s position at the upcoming hearing, and, in that respect, has prepared the attached confidential report dated February 29, 2000, entitled ‘The Oak Ridges Moraine – Town of Richmond Hill OPA 200, York Region OPA 20 and Related Private Official Plan Amendments and Development Applications Before the Ontario Municipal Board’; and

WHEREAS at its meeting on February 24, 2000, the Oak Ridges Moraine Council Steering Committee recommended that City Council consider certain expenditures to raise

public awareness of the significance of the moraine, which expenditures must be undertaken immediately to ensure an impact in advance of the upcoming hearing;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to a confidential report dated February 29, 2000, from the City Solicitor, and that Council also give consideration to the report dated February 28, 2000, from the Commissioner of Works and Emergency Services.”

Council also had before it, during consideration of Motion J(14), the following:

- (i) report (February 28, 2000) from the Commissioner of Works and Emergency Services, entitled “Richmond Hill OPA 200, the Oak Ridges Moraine” (See Attachment No. 1, Page 148.);
- (ii) confidential report (February 29, 2000) from the City Solicitor, entitled “The Oak Ridges Moraine – Town of Richmond Hill OPA 200, York Region OPA 20 and Related Private Official Plan Amendments and Development Applications Before the Ontario Municipal Board”, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to Solicitor/Client privilege; and
- (iii) confidential report (March 1, 2000) from the City Solicitor, entitled “Oak Ridges Moraine Application for a New Policy Applicable to the Oak Ridges Moraine Under the Environmental Bill of Rights, 1992”, such report now public in its entirety (See Attachment No. 1, Page 148.).

Report of the Committee of the Whole:

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(14):

Motion:

Moved by Councillor Adams:

“That Motion J(14) be adopted, subject to adding thereto the following new Operative Paragraphs:

‘AND BE IT FURTHER RESOLVED THAT:

- (a) the report dated February 28, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations, be adopted:

“It is recommended that Council adopt the following recommendations of the Oak Ridges Moraine Council Steering Committee from its meeting held on February 24, 2000:

- (1) City Council support Non-Government Organizations and Associations (NGOs) in their efforts to raise and sustain public awareness to protect and preserve the Oak Ridges Moraine, providing their vision and the City’s are similar, in the amount of up to \$100,000.00, subject to the approval of the Oak Ridges Moraine Council Steering Committee; and
 - (2) City Council approve a Councillor and media bus tour of the moraine and a media and public awareness campaign, to be organized by Corporate Services, to protect the moraine. and for staff to develop additional materials and activities required for raising public awareness of the need to save the Oak Ridges Moraine lands because of the potential impact of overdevelopment of the moraine on Toronto, in the amount of up to \$20,000.00.”; and
- (b) the City Solicitor be authorized to take all necessary actions to secure full party status at the Richmond Hill Ontario Municipal board hearing involving the private Official Plan amendments and development applications, and to actively participate in any portion of the hearing related to the expansion of the urban boundary and environmental policy, and the implications thereof;
- (c) the confidential report dated March 1, 2000, from the City Solicitor, entitled “Oak Ridges Moraine Application for a New Policy Applicable to the Oak Ridges Moraine Under the Environmental Bill of Rights, 1992”, be adopted, subject to amending Recommendation No. (1) embodied therein, to indicate that Councillors Adams and Miller, with Councillor Saundercook as alternate, are authorized to apply pursuant to s.61(2) of the Environmental Bill of Rights, 1992, so that the recommendations embodied in such report shall now read as follows:

“It is recommended that:

- (1) Councillors Adams and Miller, with Councillor Saundercook as alternate, be authorized to apply pursuant to s.61(2) of the Environmental Bill of Rights, 1992 (the “EBR”) to seek a review of the need for a new provincial policy applicable to development on the Oak Ridges Moraine;
- (2) the City Solicitor be authorized to assist in the preparation of the materials in support of such an application in accordance with the requirements of the EBR;

- (3) the City Solicitor be authorized to take such steps as may be necessary, in the opinion of the City Solicitor, in relation to any such application and its effect on pending proceedings at the Ontario Municipal Board (“OMB”); and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

AND BE IT FURTHER RESOLVED THAT Councillors Jones and Moeser be appointed to the Oak Ridges Moraine Council Steering Committee.’ ”

Votes:

The motion by Councillor Adams carried.

Motion J(14), as amended, carried.

Further Report of the Committee of the Whole:

Deputy Mayor Ootes further reported that City Council, at the in-camera portion of its meeting, had also issued confidential instructions to staff respecting Motion J(14), such instructions to remain confidential in accordance with the provisions of the Municipal Act, having regard that the instructions are subject to Solicitor/Client privilege.

MOTIONS (NOTICE PREVIOUSLY GIVEN) AND NOTICES OF MOTION

- 4.55 Councillor Disero 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(1), which carried:

Moved by: Councillor Ootes

Seconded by: Councillor Disero

“**WHEREAS** City Council at its Special meeting held on January 19, 2000, by its adoption, without amendment, of Notice of Motion J(1), moved by Councillor Berardinetti, seconded by Councillor Silva, accepted the resignation of Councillor Dennis Fotinos and declared the Office of Councillor, Ward 21, Davenport, to be vacant in accordance with the provisions of the Municipal Act; and

WHEREAS City Council at its meeting held on February 1, 2 and 3, 2000, by its adoption, as amended, of Clause No. 1 of Report No. 2 of The Administration Committee, headed ‘Policy on Filling Vacancies on City Council’, adopted a policy for filling vacancies on

Council which provides, in part, that 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; and

WHEREAS City Council determined that the vacancy in Ward 21, Davenport, would be filled by the appointment of a qualified elector to serve the remainder of the term of office, in accordance with the adopted policy, and that Council would consider such appointment at its regular meeting to be held on February 29, March 1 and 2, 2000;

NOW THEREFORE BE IT RESOLVED THAT Council consider the appointment of a person to fill the vacancy in the office of Councillor, Ward 21, Davenport, at 5:00 p.m. on Wednesday, March 1, 2000.”

Council also had before it, during consideration of Motion J(1), the following communications, copies of which are on file in the office of the City Clerk:

- (i) (February 28, 2000) from Mr. C. Palacio, advising that, having regard that he will be a nominee to fill the vacancy in Ward 21, he will be taking an unpaid leave of absence from his current duties as Executive Assistant to Councillor Disero effective March 1, 2000; and
- (ii) from the following, in support of the appointment of Mr. Palacio as City Councillor for Ward 21:
 - (January 7, 2000) from Ms. J. Dileo, Chair, Police Community Partnership;
 - (January 7, 2000) from Mr. D. Fotinos, former Councillor, Ward 21;
 - (January 10, 2000) from the Police Community Partnership in 12 Division;
 - (January 14, 2000) from Ms. A. Zapletal, Chair, Bloorcourt Village BIA;
 - (January 18, 2000) from Mr. and Mrs. Fratia, Constituents, Ward 21;
 - (January 18, 2000) from Ms. E. Stickland, Founding Member, GE Task Force;
 - (January 24, 2000) from Ms. F. Venezia, Co-Chair, Police Community Partnership, 14 Division;
 - (January 28, 2000) from Mr. J. Magalhaes, Community Assistant, and Ms. P. Goncalves, Administrative Assistant, Davenport, Ward 21;
 - (January 31, 2000) from Ms. G. Russo, Co-ordinator, Corso Italia BIA;
 - (February 1, 2000) from Mr. T. Puopolo, Executive Director, Dovercourt Boys' and Girls' Club;
 - (February 18, 2000) from Ms. P. Muscat, Constituent, Ward 21; and
 - (undated) from Mr. F. Del Core, Constituent, Ward 21; and
- (iii) (undated) from Mr. Chaitanya Kalevar, requesting Council's support for his appointment as the Councillor for Ward 21.

Vote:

Motion J(1) was adopted, without amendment.

Appointment of a Person to the Office of Councillor – Toronto Davenport:

At 6:30 p.m., on March 1, 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 – Toronto Davenport, 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; and
- (2) the following persons had submitted nominations prior to this Council meeting:

Mr. Jason Balgopal;
Mr. Leslie Felix;
Mr. Michael Foderick;
Mr. Chaitanya Kalevar;
Ms. Diana-De Maxted;
Mr. Farid Omar;
Mr. Cesar Palacio; and
Mr. Didier Pomerleau.

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 Rae

Seconded by: Councillor Disero

“**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 in Toronto Davenport, shall be considered for appointment to fill such vacancy:

Mr. Jason Balgopal;
Mr. Leslie Felix;
Mr. Michael Foderick;
Mr. Chaitanya Kalevar;

Ms. Diana-De Maxted;
Mr. Farid Omar;
Mr. Cesar Palacio; and
Mr. Didier Pomerleau.”

Vote:

The motion by Councillor Rae, seconded by Councillor Disero, 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:

Mr. Chaitanya Kalevar;
Mr. Jason Balgopal;
Mr. Leslie Felix;
Mr. Farid Omar;
Mr. Didier Pomerleau;
Mr. Cesar Palacio;
Ms. Diana-De Maxted; and
Mr. Michael Foderick.

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

Mr. Jason Balgopal;
Mr. Leslie Felix;
Mr. Michael Foderick;
Mr. Chaitanya Kalevar;
Ms. Diana-De Maxted;
Mr. Farid Omar;
Mr. Cesar Palacio; and
Mr. Didier Pomerleau.

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 Jason Balgopal:

Councillor: Pitfield – 1.

For Leslie Felix:

None.

For Michael Foderick:

None.

For Chaitanya Kalevar:

None.

For Diana-De Maxted:

None.

For Farid Omar:

Councillor: Miller – 1.

For Cesar Palacio:

Mayor: Lastman

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Chow, Davis, Disero, Duguid, Gardner, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker - 37.

For Didier Pomerleau:

Councillors: Bossons, Flint, Jones, Prue – 4.

The City Clerk declared that Mr. Cesar Palacio, 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 21, Toronto Davenport, for the remainder of this term of Council.

Councillor Cesar Palacio, with the permission of Council, addressed the Council and expressed his appreciation for his appointment to the Office of City Councillor, Ward 21, Toronto Davenport.

- 4.56 Councillor Walker moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(2), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Prue

“**WHEREAS** 50 percent of Toronto’s households are tenant households, and

WHEREAS it is a well documented fact that voter turnout among tenants is low because tenants tend to be more transient than homeowners and are often in a different apartment from one enumeration to the next, and

WHEREAS the registration process for those not on the voter’s list for the 1999 provincial election was a difficult and frustrating one; and

WHEREAS now, more than ever, tenants need every opportunity to vote because the affordability of their homes is under threat through the Tenant Protection Act, and especially vacancy decontrol, as well as harassment, declining maintenance, demolition and conversion; and

WHEREAS it is in the interest of the municipality to raise voter participation among its constituents; and

WHEREAS Council must act on this matter now, in order to allow sufficient time to prepare for a municipal enumeration of tenants;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council take all necessary actions to ensure that a municipal enumeration of tenants in high rise apartments takes place prior to the civic election on November 13, 2000, in order to ensure there are no impediments in exercising their franchise; and the City Clerk be requested to submit a report on this issue by no later than the May 2000 meeting of Toronto City Council.”

Council also had before it, during consideration of Motion J(2), a communication (February 29, 2000) from the City Clerk, forwarding the recommendation of the Tenant Defence Sub-Committee pertaining to Motion J(2). (See Attachment No. 2, Page 155.)

Motion:

Councillor Holyday moved that Motion J(2) be referred to the Administration Committee for further consideration, and the City Clerk be requested to submit a report thereon to the Committee, for consideration therewith.

Vote:

The motion by Councillor Holyday carried.

- 4.57 Councillor Walker moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(3), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Walker

Seconded by: Councillor Kinahan

“**WHEREAS** City Council, on February 1, 2, and 3, 2000, adopted, as amended, Clause No. 7 of Report No. 1 of The Community Services Committee, headed ‘Implementation of the Tenant Defence Fund and Rental Housing Office’, and, in part, confirmed the process for administering grants from the Tenant Defence Fund, approved the Terms of Reference for the Tenant Defence Sub-Committee and requested the Chair of the Sub-Committee to Restore Rent Control to canvass existing members of that Sub-Committee, and report back on the membership of the new Tenant Defence Sub-Committee; and

WHEREAS Council, on November 23, 24 and 25, 1999, by its adoption, as amended, of Clause No. 1 of Report No. 10 of The Policy and Finance Committee, headed ‘Implementation of a Tenant Defence Fund’, approved funding for the Tenant Defence Fund for a total budget of \$300,000.00; and

WHEREAS Council directed that the membership of the Tenant Defence Sub-Committee will be eight Councillors, initially to be selected from the membership of the former Sub-Committee to Restore Rent Control, and appointed the Chair of the Sub-Committee to Restore Rent Control as the Chair of the Tenant Defence Sub-Committee; and

WHEREAS the Sub-Committee to Restore Rent Control met on February 21, 2000, and made recommendations for appointment to the Tenant Defence Sub-Committee; and

WHEREAS it is important that the Tenant Defence Sub-Committee begin to meet immediately to monitor the Tenant Defence Fund Program which provides assistance and

grants to tenants wishing to dispute applications for above-guideline applications at the Ontario Rental Housing Tribunal; and

WHEREAS a component of the Tenant Defence Fund which the Tenant Defence Sub-Committee is responsible for overseeing is the establishment of an Outreach/Co-ordinating Team to work with tenant groups, and as hearings before the Ontario Rental Housing Tribunal are happening in rapid succession, it is important that this Outreach/Co-ordinating Team be established immediately to assist tenants at these hearings;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) in addition to Councillor Walker having been appointed as the Chair of the Tenant Defence Sub-Committee, the following additional Members of Council be appointed to the Tenant Defence Sub-Committee for a term of office expiring on November 30, 2000, and until their successors are appointed:

Councillor Kinahan;
Councillor McConnell;
Councillor Mihevc;
Councillor Moscoe;
Councillor Prue;
Councillor Rae; and
Councillor Tzekas;

- (2) the following Members of Council be appointed to the Tenant Defence Sub-Committee as alternate members, and in the absence of the full member, be included in quorum and have full voting privileges:

Councillor Korwin-Kuczynski as alternate to Councillor Rae; and
Councillor Pitfield as alternate to Councillor Prue;

- (3) the report (February 17, 2000) from the Commissioner of Community and Neighbourhood Services regarding the selection of the Outreach/Co-ordinating Team for the Tenant Defence Fund, be adopted;
- (4) the Commissioner of Community and Neighbourhood Services report quarterly to the Tenant Defence Sub-Committee, and to each member of Council, with an evaluation of hearings before the Ontario Rental Housing Tribunal, indicating which hearings have had involvement with the Federation of Metro Tenants Associations, who have represented tenant groups at the hearings, the number of successful applications by tenant groups, and what financial awards were made by the Tribunal; and

- (5) the Greater Toronto Tenants Association be requested, if they wish, to also report quarterly to the Tenant Defence Sub-Committee with an evaluation of their activities with respect to successes in their representation of tenant groups at hearings of the Tribunal.”

Council also had before it, during consideration of Motion J(3), the following report and communications:

- (i) (February 17, 2000) from the Commissioner of Community and Neighbourhood Services, entitled “Selection of Outreach/Co-ordinating Team for Tenant Defence Fund” (See Attachment No. 3, Page 156.);
- (ii) (February 28, 2000) from Ms. J. McLeod, Chairperson, and Mr. P. York, Organizer, Greater Toronto Tenants’ Association, a copy of which is on file in the office of the City Clerk; and
- (iii) (March 2, 2000) from Ms. J. McLeod, Chairperson, and Mr. P. York, Organizer, Greater Toronto Tenants’ Association, a copy of which is on file in the office of the City Clerk.

Motions:

Councillor Davis moved that Motion J(3) be adopted, subject to amending the Operative Paragraph by:

- (1) adding the following to Recommendation No. (2):
“Councillor Adams as alternate to Councillor Tzekas; and
Councillor Davis as alternate to Councillor Mihevc;”, and
- (2) adding to Recommendation No. (3) the words “subject to the Federation of Metro Tenants Associations signing a sub-contract agreement with the Greater Toronto Tenants Association for funding of 25 percent of the organizing component of the Tenant Defence Fund, with an upset limit of \$35,000.00, such sub-contract agreement to be approved by the Tenant Defence Sub-Committee at its next regular meeting”, so that such recommendation shall now read as follows:
“(3) the report (February 17, 2000) from the Commissioner of Community and Neighbourhood Services regarding the selection of the Outreach/Co-ordinating Team for the Tenant Defence Fund, be adopted, subject to the Federation of Metro Tenants Associations signing a sub-contract agreement with the Greater Toronto Tenants Association for funding of 25 percent of the organizing component of the Tenant Defence Fund, with an upset limit of \$35,000.00, such sub-contract

agreement to be approved by the Tenant Defence Sub-Committee at its next regular meeting;”.

Votes:

The motion by Councillor Davis carried.

Adoption of Motion J(3), as amended:

Yes - 35	
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, Li Preti, Mammoliti, Mihevc, Miller, Nunziata, Ootes, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

In summary, Council, by its adoption of Motion J(3), as amended, adopted the report dated February 17, 2000, from the Commissioner of Community and Neighbourhood Services, embodying the following recommendations, subject to the Federation of Metro Tenants Associations signing a sub-contract agreement with the Greater Toronto Tenants Association for funding of 25 percent of the organizing component of the Tenant Defence Fund, with an upset limit of \$35,000.00, such sub-contract agreement to be approved by the Tenant Defence Sub-Committee at its next regular meeting:

“It is recommended that:

- (1) Council encourage the Federation of Metro Tenants Associations and the Greater Toronto Tenants Association to work co-operatively to ensure that as many tenants as possible will receive the benefits of the Tenant Defence Fund in dealing with ‘above guideline rent increase’ applications and express appreciation for their efforts to date;
- (2) the Commissioner of Community and Neighbourhood Services establish a Tenant Defence Fund project steering committee consisting of City staff, representatives of the Federation of Metro Tenants Associations and the Greater Toronto Tenants Association and such other community representatives that the Commissioner may consider appropriate;

- (3) the Commissioner of Community and Neighbourhood Services enter into a purchase of service agreement with the Federation of Metro Tenants Associations in order to provide outreach and co-ordination of services to tenants related to the Tenant Defence Fund, subject to the Commissioner approving any sub-contracts with other parties, and in a form satisfactory to the Commissioner and the City Solicitor;
- (4) the appropriate City officials be authorized to take all necessary action to give effect to these recommendations.”

4.58 Councillor Moeser moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(4), moved by Councillor Jakobek, seconded by Councillor Disero, and, in the absence of Councillor Jakobek, moved by Councillor Moeser, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moeser

Seconded by: Councillor Disero

“**WHEREAS** City Council at its meeting held on May 11 and 12, 1999, by its adoption, as amended, of Clause No. 1 of Report No. 6 of The Striking Committee, headed ‘Appointment of Members of Council to Standing and Other Committees of Council, Various Boards and Special Purpose Bodies’, decided to nominate one candidate only, namely Councillor Tom Jakobek, for appointment as the City of Toronto Municipal Council Member representative on the Toronto District Health Council (TDHC) for a term of office expiring on November 30, 2000, rather than the two listed in the Minister of Health’s guidelines for this appointment; and

WHEREAS TDHC, in a communication from the Chair dated January 12, 2000, has advised the City Clerk that District Health Council Members are appointed by Provincial Cabinet, on the advice of the Minister of Health, and reiterated that the Minister of Health’s guidelines require that two candidates must be nominated for each position on Council; and

WHEREAS TDHC also advised that it forwarded to the Minister of Health the name of Councillor Tom Jakobek as the City’s nominee as a Member of the City of Toronto Council, but the Special Assistant, Public Appointments in the Minister’s Office, has indicated that no further action will be taken on this municipal appointment until they receive two nominees for this outstanding position;

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 ‘Appointment of Members of Council to Standing and Other Committees of Council, Various Boards and Special Purpose Bodies’, be re-opened for further

consideration, only insofar as it relates to the appointment of Councillor Tom Jakobek to the Toronto District Health Council;

AND BE IT FURTHER RESOLVED THAT such appointment be referred back to the Striking Committee for further consideration, in light of the aforementioned communication dated January 12, 2000, from the Chair of TDHC.”

Council also had before it, during consideration of Motion J(4), a communication (January 12, 2000) from Ms. I. Blidner, Chair, Toronto District Health Council, a copy of which is on file in the office of the City Clerk.

Votes:

The first Operative Paragraph embodied in Motion J(4) carried, more than two-thirds of Members present having voted in the affirmative.

The balance of Motion J(4) was adopted, without amendment.

- 4.59 Councillor Johnston moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration 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 Johnston

Seconded by: Councillor Prue

“**WHEREAS** March 1, 2000, is St. David’s Day, Patron Saint of Wales; and

WHEREAS it is a date of great importance to the Welsh people abroad and in the City of Toronto;

NOW THEREFORE BE IT RESOLVED THAT the Members of City Council extend their sincere best wishes to the Welsh Community of the City of Toronto for a Happy Saint David’s Day;

AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to forward this resolution to the St. David’s Society.”

Vote:

Motion J(5) was adopted, without amendment.

- 4.60 Councillor Disero moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration 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 Disero

Seconded by: Councillor Jakobek

“**WHEREAS** Council on June 9, 10 and 11, 1999, adopted, as amended, Clause No. 28 in Report No. 8 of The Toronto Community Council, thereby authorizing the preparation of a local improvement recommendation on the initiative plan for the opening of a public lane, extending westerly from Spring Grove Avenue, between 34 and 36 Spring Grove Avenue and at the rear of 1697 to 1703 St. Clair Avenue West; and

WHEREAS as a result of negotiations with staff, the owner of the aforesaid lane has submitted an Offer to Sell the lane with an irrevocable date for acceptance of March 9, 2000;

WHEREAS the Commissioner of Works and Emergency Services has prepared a report (February 25, 2000) recommending that the proposed public lane be opened as a local improvement on the initiative plan; and

WHEREAS the Commissioner of Corporate Services has prepared a report (February 28, 2000) recommending acceptance of the aforesaid Offer, which report needs to be considered by City Council prior to the irrevocable date of the Offer of March 9, 2000;

NOW THEREFORE BE IT RESOLVED THAT City Council consider the report (February 25, 2000) from the Commissioner of Works and Emergency Services, and the report (February 28, 2000) from the Commissioner of Corporate Services, respecting the opening of this public lane and adopt the recommendations contained in these reports.”

Council also had before it, during consideration of Motion J(6), the following reports (See Attachment No. 4, Page 160.):

- (i) (February 25, 2000) from the Commissioner of Works and Emergency Services, entitled “Opening of a Public Lane South of St. Clair Avenue West, Extending Westerly from Spring

Grove Avenue, Between Premises Nos. 34 and 36 Spring Grove Avenue (Davenport)”;
and

- (ii) (February 28, 2000) from the Commissioner of Corporate Services, entitled “Acquisition of Lands for the Opening of a Public Lane South of St. Clair Avenue West, Extending Westerly from Spring Grove Avenue, Between Premises Nos. 34 and 36 Spring Grove Avenue (Ward 21 - Davenport)”.

Note:

Motion J(6) was adopted, without amendment, and, in so doing, Council adopted:

- (a) the report dated February 25, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations:

“It is recommended that:

- (1) a public lane, 3.05m in width, extending westerly from Spring Grove Avenue between Premises Nos. 34 and 36 Spring Grove Avenue and at the rear of Premises Nos. 1697 to 1703 St Clair Avenue West, shown hatched on the attached Plan SYE2925, be opened as a local improvement on the initiative plan, at an estimated cost of \$70,397.66;
- (2) as the following lot abutting on the work in my opinion is not benefited by the work, it be exempt in the by-law for undertaking the work from special assessment and that the amount of special assessment which would otherwise be chargeable thereon be assessed against the other benefiting lots:

<u>Lot</u>	<u>Plan</u>	<u>Property</u>	<u>Frontage on Work</u>	<u>Recommended Exemption</u>
Pt. 45	1736Y	36 Spring Grove Avenue	11.44 m	11.44 m

- (3) as the following lot abutting on the work is not benefited by the work to the same extent as the other abutting lots, the By-law for undertaking the work include the reduction shown below in the special assessment which would otherwise be chargeable thereon and that the entire cost of the work be specially assessed as if it were the cost in respect of the reduced frontage but the whole of the lot granted the reduction shall be charged with the special assessment as so reduced:

Frontage Recommended

<u>Lot</u>	<u>Plan</u>	<u>Property</u>	<u>on Work</u>	<u>Exemption</u>
Pt. 46	1736Y	34 Spring Grove Avenue	32.38 m	30.761 m

(4) the payment of the cost of this work in the estimated amount of \$70,397.66, be paid by lump sum or, alternatively, spread over a period of 10 years and that, if the actual cost exceeds or falls short of the estimated cost, the assessment shall be for such actual cost;

(5) as this improvement is purely local in character, the sum of \$70,397.66 or 100 percent of the estimated cost be levied upon the following properties (all measurements are more or less):

Lane as opened, north side, at the rear of Premises Nos. 1697 to 1703 St Clair Avenue West and abutting Premises No. 36 Spring Grove Avenue, less an exemption of 11.44m, in respect of Premises No. 36 Spring Grove Avenue.....21.03m

Lane as opened, west end, abutting Premises No. 1705 St Clair Avenue West, a distance of 3.05m.....3.05m

Lane as opened, south side, abutting Premises No. 34 Spring Grove Avenue, less an allowance totalling 30.761m, in respect of Premises No. 34 Spring Grove Avenue.....1.619m; and

(6) the appropriate City Officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that might be necessary.”; and

(b) the report dated February 28, 2000, from the Commissioner of Corporate Services, embodying the following recommendations:

“It is recommended that:

(1) the Offer to Sell from Maria Salituro to sell the lands shown on the attached Plan SYE2925 to the City for a sale price of \$55,000.00, plus an amount equal to the amount of the special assessment that is specially assessed upon the Vendor’s property at 1705 St. Clair Avenue West, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Executive Director of Facilities and Real Estate be authorized to accept the Offer on behalf of the City;

- (2) authority be given to acquire the right-of-way interest over the lands shown on Plan SYE2925 from the owners of 36 Spring Grove Avenue for a nominal sum at no cost to these owners;
- (3) the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses, extending the conditional period of the Agreement of Purchase and Sale as may be necessary to enable the City to satisfy the Local Improvement Condition discussed in the body of this report and amending the closing date to such earlier or later date as he considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

4.61 Councillor Moscoe moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(7), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Moscoe

Seconded by: Councillor Feldman

“**WHEREAS** 1000 Finch Avenue West is a building located in North York Spadina (Ward 8); and

WHEREAS the attached article from the Toronto Star indicates that there were \$9.6 million of tax arrears incurred against this building; and

WHEREAS for some reason, the City has cancelled the certificate of arrears registered against the building and the building has been sold to ‘Kenneth Dusang who heads Deal Makers of Canada Inc.’, costing the City an amount equivalent to a one percent increase in the residential tax rate (\$9.6M);

NOW THEREFORE BE IT RESOLVED THAT the City Auditor be requested to conduct an investigation of this matter and report thereon, directly to Council at its next meeting, in camera, with particular attention to who authorized the cancellation of the certificate of arrears and what or who prompted its cancellation.”

Council also had before it, during consideration of Motion J(7), a copy of an article from the February 22, 2000 edition of the Toronto Star, entitled “\$9.6 Million Taxes Owed on Building”, a copy of which is on file in the office of the City Clerk.

Motion:

Councillor Miller moved that Motion J(7) be amended by striking out the Operative Paragraph embodied therein and inserting in lieu thereof the following new Operative Paragraphs:

“NOW THEREFORE BE IT RESOLVED THAT the Chief Financial Officer and Treasurer be requested to report fully to the next meeting of the Administration Committee to be held on March 21, 2000, on the full chronology of events surrounding 1000 Finch Avenue West, from the time of first delinquency to the present, including the actions currently being taken to mitigate the risk of financial loss, such report to also address:

- (1) the areas in the collection process of 1000 Finch Avenue West where improvements could be made;
- (2) the current policy of the City of Toronto on collection efforts for outstanding taxes and corrective action being taken to ensure that all of the City’s tax receivables are secured and not at financial risk;
- (3) all outstanding tax arrears, penalties and interest, and collection efforts connected therewith, and all accounts in litigation; and
- (4) the status of the largest twenty (20) tax receivable accounts;

AND BE IT FURTHER RESOLVED THAT the City Auditor be requested to review and report to City Council, through the Audit Committee, as part of his 2000 workplan, on the efficiency and effectiveness of the tax collection process, including the adequacy of the City’s systems for the collection of tax arrears.”

Votes:

The motion by Councillor Miller carried.

Motion J(7), as amended, carried.

4.62 Councillor Pitfield 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: Councillor Pitfield

Seconded by: Councillor Bossons

“**WHEREAS** City Council, at its meeting held on February 1, 2 and 3, 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 report directly to Council, for each meeting, on future developments, until the issue of the ‘True Blue’ campaign has been resolved; and

WHEREAS the City Solicitor has prepared the attached report dated February 25, 2000;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the aforementioned report dated February 25, 2000, from the City Solicitor, and that such report be adopted.”

Council also had before it, during consideration of Motion J(8), a report (February 25, 2000) from the City Solicitor, entitled “Development in Matters Relating to Toronto Police Association’s ‘True Blue’ Campaign”. (See Attachment No. 5, Page 166.)

Vote:

Motion J(8) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated February 25, 2000, from the City Solicitor, embodying the following recommendation:

“It is recommended that the City Solicitor be requested to report on further legal developments in the ‘True Blue’ matter, only when such developments occur.”

- 4.63 Mayor Lastman moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(9), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Mayor Lastman

Seconded by: Councillor Filion

“**WHEREAS** it is in the public interest for the City to provide regular access to information on food safety in Toronto restaurants; and

WHEREAS some former City of Toronto Municipal Councils received regular staff reports on tickets, convictions and closures of restaurants which were found to be operating in unsafe or unsanitary conditions; and

WHEREAS Public Health staff have been directed to report back by April, through the Board of Health, on a comprehensive program for the inspection of restaurants, including a method of grading and public notification;

NOW THEREFORE BE IT RESOLVED THAT, pending consideration of the staff report, staff, through the Board of Health, provide City Council with regular reports on tickets, convictions and closures affecting restaurants in the City of Toronto.”

Council also had before it, during consideration of Motion J(9), a News Release (March 2, 2000) entitled “Toronto Restaurant Inspection Blitz Continues”, a copy of which is on file in the office of the City Clerk.

Motion:

Councillor Shiner (on behalf of Councillor Miller insofar as it pertains to the first new Operative Paragraph) moved that Motion J(9) be adopted, subject to adding thereto the following new Operative Paragraphs:

“**AND BE IT FURTHER RESOLVED THAT** the Board of Health be requested to ensure that all categories of restaurants (i.e. small, franchise, fast food, etc.) are inspected;

AND BE IT FURTHER RESOLVED THAT the City Auditor be requested to conduct a review in relation to the food inspection program at the Public Health Division, with particular emphasis on:

- (a) compliance with legislative requirements, both in terms of the extent of food testing and the levying of appropriate penalties;
- (b) an evaluation of the effectiveness and efficiency of the current and proposed service delivery model, including the adequacy of management and staffing levels, the appropriateness of administrative procedures and quality assurance programs; and
- (c) a comparison of policies and practices with other municipalities;

such report to be submitted jointly to the Audit Committee and the Board of Health, by the April 2000 meeting of the Board of Health, if possible.”

Votes:

The motion by Councillor Shiner carried.

Motion J(9), as amended, carried.

- 4.64 Councillor Saundercook moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(10), 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 Saundercook**

Seconded by: **Councillor Miller**

“**WHEREAS** the establishment at 2446-2448 Bloor St. W., known as ‘The Fan’, ‘Billy Bob’s’ and the ‘Wedgewood Restaurant’ straddles two former municipalities, with the rear of the building being located in the former City of York, and the front of the building being located in the former City of Toronto; and

WHEREAS the Alcohol and Gaming Commission has announced that on March 29th and 30th, they will be holding a hearing in the community to decide on the latest liquor licence application submitted by this establishment; and

WHEREAS Toronto City Council in 1999 passed three contradictory motions originating from two Community Councils, and

WHEREAS the first motion from York Community Council deals exclusively with the City exercising its right to formally object to the Alcohol and Gaming Commission issuing liquor licences, under section 7.1 of Regulation 719, clause 6(2)h of the Liquor Licence Act; and

WHEREAS the first motion also directs Council to send this motion to Toronto Community Council for their records; and

WHEREAS the second motion, also from York Community Council, passed concurrently with the first, contradicts the first motion by requesting action from Toronto Community Council, as compared to ‘for their records’; and

WHEREAS the second motion also requests that Council express its opposition to the issuance of a building permit for a rooftop patio; and

WHEREAS the Divisional Court in Ontario, through a prior decision, ordered the City to issue a building permit for the patio, rendering the legality of second motion questionable; and

WHEREAS a third motion from Toronto Community Council, passed by City Council within a six-month period from the first motion, without the necessary re-opening of the item

(liquor licences for the above named establishment) as required under the Council Procedural By-law, requests conditions on the licence, in contradiction to the first two motions;

NOW THEREFORE BE IT RESOLVED THAT, in accordance with Section 46 of the Council Procedural By-law, Clause No. 33 of Report No. 9 of The Toronto Community Council, headed 'Building Permit - Construction of a Third Floor Patio - 2446-2448 Bloor Street West – "The Fan", "Billy Bob's" and "The Wedgewood Restaurant" (York Humber, High Park)' and Clause No. 9 of Report No. 5 of The York Community Council, headed '2446-2448 Bloor Street West, "The Fan", "Billy Bob's" and the "Wedgewood Restaurant" Ward 27, York Humber and Ward 19, High Park', be re-opened for further consideration, having regard for the timing of the hearing;

AND BE IT FURTHER RESOLVED THAT Council declare the previous three motions all null and void, and replace them with the following to indicate the will of Toronto City Council:

"BE IT RESOLVED THAT TORONTO CITY COUNCIL:

- (1) advise the Alcohol and Gaming Commission of the community's serious concerns regarding the possibility of noise and other problems arising from the issuance of a liquor licence for a rooftop patio at 2446-2448 Bloor Street West, and
- (2) request the Alcohol and Gaming Commission not to grant any additional liquor licences, or expansion of existing licences, for the establishment at 2446-2448 Bloor Street West, unless the community interests are fully and clearly addressed;

AND BE IT FURTHER RESOLVED THAT, given the past involvement of City Legal in the history of this site, Council request staff of City Legal to be in attendance at the hearing, to provide clarity and act as a resource to the community."

Vote:

The balance of Motion J(10) was adopted, without amendment.

- 4.65 Councillor Mihevc moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(11), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Mayor Lastman

“**WHEREAS** at its meeting on July 27, 28, 29 and 30, 1999, City Council refused the Official Plan and rezoning applications by Goldlist Properties for 310 and 320 Tweedsmuir Avenue in the (former) City of York; and

WHEREAS the applications would result in the demolition of 246 purpose-built, rental apartments and the construction of two 25-storey condominium towers and 36 four-storey condominium townhouses; and

WHEREAS on February 18, 2000, the Ontario Municipal Board issued a decision, on the appeal by Goldlist Properties, which permits the demolition of the existing rental housing and the construction of two 25-storey condominium apartment towers (250 units), thirteen condominium units, and a 9-storey replacement rental apartment building (146 units); and

WHEREAS the 146 replacement rental units represent 60 percent of the total existing rental apartments and 100 percent of the affordable apartment units at the site; and

WHEREAS the Ontario Municipal Board, in issuing its decision, determined the following:

- (1) the Board found that there is a social, as well as an economic, cost associated with the redevelopment of the site and that the public interest would be well-served by the developer assisting in every way to relocate existing tenants;
- (2) the Board acknowledged that some of the existing tenants, particularly some of the elderly, may suffer from the effects of relocation syndrome;
- (3) the Board acknowledged that there is a very low vacancy rate for affordable units in the City of Toronto and a general shortage of affordable housing;
- (4) the Board stated that the decision will result in a net loss, as existing apartment units will be demolished and only replaced by 60 percent of new apartment units, and only partially addresses a much larger housing problem in the City of Toronto; and
- (5) the Board acknowledged that the decision only represents a partial solution; and

WHEREAS it is the City’s policy to make gains in affordable rental housing and to ensure that there is no net loss; and

WHEREAS there are currently six applications affecting approximately 400 rental apartment units in the City at risk of being demolished through other development applications; and

WHEREAS the Greatwise (North York) and Tweedsmuir applications will result in the combined net loss of 267 purpose-built, rental apartments; and

WHEREAS the Tenant Protection Act (TPA) repealed all municipal powers to prohibit demolition of rental housing; and

WHEREAS the TPA is meant to address landlord/tenant matters and the Board, through this decision, has provided for an enhanced tenant compensation and relocation package greater than that offered by the TPA; and

WHEREAS there are no effective tools to restrict demolition of rental housing;

NOW THEREFORE BE IT RESOLVED THAT City Council, yet again, request that the provincial government recognize the significant limitations of the TPA and introduce new legislative tools to prevent demolition and require full replacement, as appropriate, and to enhance the provisions offered to the tenants affected by demolition of their housing.”

Motion:

Councillor Moeser moved that Motion J(11) be referred to the appropriate Standing Committee.

Votes:

Adoption of motion by Councillor Moeser:

Yes - 12 Councillors:	Altobello, Giansante, Holyday, Kelly, Korwin-Kuczynski, Lindsay Luby, Mahood, Mammoliti, Ootes, Rae, Saundercook, Shaw
No - 37 Councillors:	Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Jakobek, Johnston, Jones, Kinahan, Layton, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Pantalone, Pitfield, Prue, Shiner, Silva, Soknacki, Tzekas, Valenti, Walker

Lost by a majority of 25.

Adoption of Motion J(11), without amendment:

Yes - 52	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

- 4.66 Councillor Miller moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(12), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Miller

Seconded by: Councillor Chow

“**WHEREAS** City Council on October 28, 29 and 30, 1998, by its adoption, as amended, of Clause No. 2 of Report No. 11 of The Emergency and Protective Services Committee, headed ‘Holistic Practitioner Licensing Category’, and its adoption of By-law No. 806-1998, amended the Licensing By-law No. 20-85, to control the negative consequences of ‘body rub’ parlours; and

WHEREAS the by-law amendment also applies to certain holistic health practices, such as acupuncture; and

WHEREAS the by-law, as written, has the unintended effect of making some standard acupuncture procedures unlawful; and

WHEREAS staff originally intended to report on revisions to this by-law by March 2000, which would have allowed anomalies to be addressed; and

WHEREAS the process required means the report will not be ready for some time; and

WHEREAS there is considerable concern in the acupuncture community regarding this by-law; and

WHEREAS there is no consensus regarding whether the City should be regulating this health profession at all;

NOW THEREFORE BE IT RESOLVED THAT City of Toronto By-law No. 20-85, as amended, be further amended by deleting reference to ‘acupuncture’ from the list of practices covered under ‘Holistic Practitioners’ or ‘Holistic Centres’;

AND BE IT FURTHER RESOLVED THAT staff report further, after consultation with the acupuncture community and the Province of Ontario, on an appropriate mechanism to regulate the health profession of acupuncture.”

Motion:

Councillor Moscoe moved that Motion J(12) be referred to the Planning and Transportation Committee.

Vote:

The motion by Councillor Moscoe carried.

- 4.67 Councillor Duguid moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(13), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Duguid

Seconded by: Councillor Feldman

“**WHEREAS** the federal government, in December 1999, announced new funding for homelessness, a significant portion of which will be directed to Toronto; and

WHEREAS most of the funds will flow in the three fiscal years commencing in April 2000, but some ‘Community Plans and Research’ funds are available in the fiscal year ending March 31, 2000, to flow to specific projects and community agencies through the City budget; and

WHEREAS authorization for these funds to flow in March 2000 is required before the next meeting of City Council; and

WHEREAS City staff have identified several planning and research activities which can proceed quickly and which the federal government is prepared to support, including research and inventory for the homeless health strategy in partnership with the Toronto District Health Council, project planning costs for new shelters and Let's Build housing, support to the Aboriginal Steering Committee and to service planning for Housing Help Centres and other activities;

NOW THEREFORE BE IT RESOLVED THAT the City accept a transfer, prior to March 31, 2000, of up to \$120,000.00 from Human Resources Development Canada, at no net cost to the City, for planning and research activities related to homeless services and affordable housing, and the Commissioner of Community and Neighbourhood Services be given pre-budget approval to spend these funds for the agreed purposes, subject to normal City spending authorities and to such terms and conditions as the City and Human Resources Development Canada may agree to;

AND BE IT FURTHER RESOLVED THAT the Budget Advisory Committee be requested to incorporate the expenditure and revenue for this initiative as part of the 2000 Operating Budget of the Shelter, Housing and Support Division;

AND BE IT FURTHER RESOLVED THAT, notwithstanding normal City purchasing procedures, approval given to provide up to \$30,000.00 of these funds to the Toronto District Health Council, on a sole-source basis, for research and inventory for the homeless health strategy;

AND BE IT FURTHER RESOLVED THAT the City, if required, enter into an agreement with the federal government regarding these funds, to the satisfaction of the City Solicitor."

Vote:

Motion J(13) was adopted, without amendment.

- 4.68 Councillor Adams moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(15), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Adams

Seconded by: Councillor Moscoe

“**WHEREAS** City Council, at its meeting of September 28 and 29, 1999, adopted, as amended, Clause No. 17 of Report No. 7 of The Policy and Finance Committee, thereby authorizing the entering into of an agreement with Leducor Communications Ltd. [or its corporate affiliate Worldwide Fiber (F.O.T.S.) Ltd.] to permit Leducor to install telecommunications equipment and cable at various railway crossing locations throughout the City of Toronto; and

WHEREAS the terms and conditions of the agreement, as approved by City Council, included the requirement that the agreement would eventually be superseded by a municipal access agreement to allow Leducor to expand its facilities beyond the railway crossing locations; and

WHEREAS the Telecommunications Steering Committee, at its meeting held on February 14, 2000, received a confidential briefing from staff concerning the progress of discussions with Leducor, and directed staff to continue discussions with a view to bringing forward a recommendation on an agreement to the Policy and Finance Committee for its meeting of February 17, 2000, or, failing that, to City Council for its meeting of February 29, 2000; and

WHEREAS the Commissioner of Works and Emergency Services, in consultation with the City Solicitor, has, therefore, prepared a confidential report (February 28, 2000) to City Council concerning this matter; and

WHEREAS for the reasons outlined in the aforementioned confidential report, it is important that City Council consider this matter prior to the March break;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report (February 28, 2000) from the Commissioner of Works and Emergency Services and that such confidential report be adopted.”

Council also had before it, during consideration of Motion J(15), a confidential report dated February 28, 2000, from the Commissioner of Works and Emergency Services, such report to remain confidential, save and except the recommendations embodied therein, in accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of property interests of the municipality.

Vote:

Motion J(15) was adopted, without amendment, and, in so doing, Council adopted the confidential report dated February 28, 2000, from the Commissioner of Works and Emergency Services, embodying the following recommendations, the balance of such report to remain confidential, in

accordance with the provisions of the Municipal Act, having regard that it contains information pertaining to the security of property interests of the municipality:

“It is recommended that:

- (1) approval be given to enter into a Term Letter Agreement with WFI Urbanlink Ltd. (or Affiliate) to authorize the installation and maintenance of conduits and fibre optic cables within certain public highways, subject to the terms and conditions generally as set out in this report and such other terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and City Solicitor;
- (2) the appropriate City officials be authorized to negotiate and finalize a Municipal Access Agreement (MAA) for telecommunications purposes with WFI Urbanlink Ltd. (or its Corporate Affiliate) on such terms and conditions as may be required to protect the City’s interests, provided that such agreement is in accordance with the principles established in the Term Letter Agreement;
- (3) the requirement to pay further processing fees related to the MAA be waived based on the reasonable terms and conditions negotiated to protect the City’s interests, and as this fee was already paid in the context of the Street Crossing Agreement; and
- (4) the appropriate City officials be authorized to take the necessary steps to implement the foregoing, including the introduction in Council of any Bills that may be required.”

4.69 Councillor Flint moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(16), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Flint

Seconded by: Councillor Moscoe

“**WHEREAS** Allstate Insurance Company of Canada et al, challenged, through a Court Application, subsection 14(2) and section 15 of Part 6 of Schedule 24 of By-law No. 20-85 of the former Metropolitan Council, being a by-law for the licensing, regulating and governing of trades, callings, businesses and occupations in the City of Toronto, as amended, pertaining to Collision Reporting Centres (CRC); and

WHEREAS subsection 14(2) of Part 6 of Schedule 24 to By-law No. 20-85 prohibits any person in a CRC from recommending a body shop or vehicle repair facility to any vehicle owner; and

WHEREAS section 15 of Part 6 of Schedule 24 to By-law No. 20-85 requires that a sign be posted in CRCs stating that representatives of insurance companies on the premises cannot recommend a body shop or repair facility; and

WHEREAS by a decision dated November 5, 1999, the Ontario Court of Justice declared subsection 14(2) and section 15 of Part 6 of Schedule 24 to By-law No. 20-85 of the former Metropolitan Council invalid on the basis that these provisions contravene the right of freedom of expression of the insurance companies, contrary to section 2(b) of the Canadian Charter of Rights and Freedoms; and

WHEREAS the Commissioner of Urban Development Services has prepared the attached confidential report dated February 28, 2000, seeking direction from Council in the appeal of this decision; and

WHEREAS City Council's direction to appeal is required to ensure that deadlines imposed by the Court's rules of practice are met and to ensure that there is no delay which may prejudice City Council's position in this matter;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the confidential report dated February 28, 2000, from the Commissioner of Urban Development Services; and that such report be adopted."

Council also had before it, during consideration of Motion J(16), a confidential report dated February 28, 2000, from the Commissioner of Urban Development Services, such report to remain confidential, save and except the recommendations embodied therein, in accordance with the provisions of the Municipal Act, having regard that it pertains to litigation.

Vote:

Motion J(16) was adopted, without amendment, and, in so doing, Council adopted the confidential report dated February 28, 2000, from the Commissioner of Urban Development Services, embodying the following recommendations, the balance of such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it pertains to litigation:

"It is recommended that:

- (1) City Council appeal the decision of the Ontario Court of Justice in Allstate Insurance Company of Canada et al. v. City of Toronto to the Court of Appeal for Ontario;
- (2) City Council retain the law firm of Borden & Elliot as counsel for the City in this matter; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto."

- 4.70 Councillor Mihevc moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(17), moved by Councillor Mihevc, seconded by Councillor Feldman, and, in the absence of Councillor Feldman, seconded by Councillor Shiner, which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Mihevc

Seconded by: Councillor Shiner

“**WHEREAS** there is confusion over the existing Access and Equity Committees of former municipalities; and

WHEREAS pursuant to Recommendation No. (2) of the Task Force on Community Access and Equity and clarification of the term ‘Employment Equity’, adopted, as amended, by the Council of the City of Toronto at its meeting held December 14, 15 and 16, 1999, which reads as follows:

‘Community Councils establish working groups on access, equity and human rights issues as the needs currently exist or arise and permit membership on these working groups to include individuals who work or reside in the City.’;

NOW THEREFORE BE IT RESOLVED THAT the North York Committee on Community, Race and Ethnic Relations, the Etobicoke Multicultural and Race Relations Committee, the Scarborough Race Relations Committee and the Toronto Mayor’s Committee on Community and Race Relations continue on an interim basis until the end of December, 2000, or until the Community Councils have decided on the establishment of working groups on access, equity and human rights issues;

AND BE IT FURTHER RESOLVED THAT these committees receive secretariat and program support from within existing resources;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer report to Council, through the Administration Committee, on terms of reference for access and equity working groups established by Community Councils, such terms of reference to include:

- (1) promoting Access and Equity concerns related to program activities under the jurisdiction of community councils; and
- (2) engaging in volunteer outreach activities related to Access and Equity issues broadly understood;

AND BE IT FURTHER RESOLVED THAT the Chief Administrative Officer continue the process to establish an appointment protocol for members of the new City-wide access and equity committees which Council created at its meeting on December 14, 15 and 16, 1999.”

Vote:

Motion J(17) was adopted, without amendment.

- 4.71 Councillor Jakobek moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(18):

Moved by: Councillor Jakobek

Seconded by: Councillor Shiner

“**WHEREAS** the Budget Advisory Committee has just completed its initial review of the 2000 Preliminary Operating Budget; and

WHEREAS the 2000 Preliminary Operating Budget is currently \$57.2 million over a zero budget for 2000; and

WHEREAS the \$57.2 million increase consists of real pressures including \$31.3 million in provincial downloading; \$17.3 million in requests from agencies, boards and commissions; \$1.7 million in net increases for new service changes and \$7 million in other non-program expenditures, excluding capital impacts associated with the Toronto Transit Commission subsidy loss; and

WHEREAS the City is committed to delivering a zero tax rate increase for the third year in a row; and

WHEREAS the 2000 Operating Budget will not be approved by City Council until its Special Meeting of April 26 and 27, 2000;

NOW THEREFORE BE IT RESOLVED THAT effective immediately, the following action be taken until Council approval of the 2000 Operating Budget:

- (1) no new service changes by City departments;
- (2) no new service changes or expansions by agencies, boards or commissions;
- (3) no changes to existing service levels;
- (4) program spending be limited to basic operating expenditures only; and

- (5) all discretionary spending be frozen.”,

the vote upon which was taken as follows:

Yes - 27	
Mayor:	Lastman
Councillors:	Altobello, Balkissoon, Berardinetti, Berger, Chong, Chow, Davis, Disero, Duguid, Flint, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Mahood, Mammoliti, Minnan-Wong, Nunziata, Ootes, Pitfield, Saundercook, Shaw, Shiner, Sinclair, Valenti
No - 26	
Councillors:	Adams, Ashton, Augimeri, Bossons, Brown, Bussin, Cho, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Mihevc, Miller, Moeser, Moscoe, O'Brien, Pantalone, Prue, Rae, Silva, Soknacki, Tzekas, Walker

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

Motion Not Introduced:

Having regard that the motion to waive Notice did not carry, the foregoing Motion was not introduced.

- 4.72 Councillor Johnston moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(19), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Johnston

Seconded by: Councillor Mihevc

“**WHEREAS** there is overwhelming support for a barrier free City by 2008 for Toronto’s Olympic Bid; and

WHEREAS the needs of people with disabilities have not been addressed equally with those of other marginalized groups in Ontario; and

WHEREAS it is estimated that approximately 17 percent of the people living in the Province of Ontario have some form of disability; and

WHEREAS by 2011 it is estimated that one in every six Ontarians will be over the age of 65 and the over-75 population will more than double; and

WHEREAS it is an established fact that increasing age results in some form of a disability;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Toronto request the Premier of Ontario to enact, expeditiously, the long-awaited and promised ‘Ontarians With Disabilities Act’.”

Vote:

Adoption of Motion J(19), without amendment:

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

Carried, without dissent.

- 4.73 Councillor Davis moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(20), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Davis

Seconded by: Mayor Lastman

“**WHEREAS** at its meeting on July 27, 28, 29 and 30, 1999, City Council refused the Official Plan and rezoning applications by Goldlist Properties for 310 and 320 Tweedsmuir Avenue in the (former) City of York; and

WHEREAS the application has been approved by the Ontario Municipal Board, subject to finalization of a number of matters including site plan approval; and

WHEREAS the Oakwood Vaughan Secondary Plan contains general objectives regarding urban design applicable to the secondary plan area within which the project is located and regard should be given to these general objectives, as well as to site planning matters, including but not limited to, setback, shadow impact, access and egress, landscaping of the site and massing of the development in the review of any site plan application relating to the development; and

WHEREAS on February 18, 2000, the Ontario Municipal Board issued a decision, on the appeal by Goldlist Properties, which permits the demolition of the existing rental housing and the construction of two 25-storey condominium apartment towers (250 units), thirteen condominium units, and a 9-storey replacement rental apartment building (146 units); and

WHEREAS the 146 replacement rental units represent 60 percent of the total existing rental apartments and 100 percent of the affordable apartment units at the site; and

WHEREAS the Ontario Municipal Board, in issuing its decision, determined the following:

- (1) the Board found that there is a social as well as an economic cost associated with the redevelopment of the site and that the public interest would be well-served by the developer assisting, in every way, to relocate existing tenants;
- (2) the Board acknowledged that some of the existing tenants, particularly some of the elderly, may suffer from the effects of relocation syndrome;
- (3) the Board acknowledged that there is a very low vacancy rate for affordable units in the City of Toronto and a general shortage of affordable housing;
- (4) the Board stated that the decision will result in a net loss, as existing apartment units will be demolished and only replaced by 60 percent of new apartment units, and only partially addresses a much larger housing problem in the City of Toronto; and
- (5) the Board acknowledged that the decision only represents a partial solution; and

WHEREAS it is the City's policy to make gains in affordable rental housing and to ensure that there is no net loss; and

WHEREAS there are currently six applications affecting approximately 400 rental apartment units in the City at risk of being demolished through other development applications; and

WHEREAS the Greatwise (North York) and Tweedsmuir applications will result in the combined net loss of 267 purpose-built, rental apartments; and

WHEREAS the Tenant Protection Act (TPA) repealed all municipal powers to prohibit demolition of rental housing; and

WHEREAS the TPA is meant to address landlord/tenant matters and the Board, through this decision, has provided for an enhanced tenant compensation and relocation package greater than that offered by the TPA; and

WHEREAS the TPA has failed as a strategy to stimulate the production of new rental housing;

NOW THEREFORE BE IT RESOLVED THAT City staff work closely with Councillor Davis and the local community to resolve outstanding site planning matters regarding the location of the two 25-storey condominium apartment towers, thirteen condominium units, and the 9-storey replacement rental apartment building, to ensure that the impact of these buildings is mitigated;

AND BE IT FURTHER RESOLVED THAT the proposed new buildings reinforce the character of the area in terms of the relationship of buildings to the street, light, view and privacy for the existing and future residents, in addition to the location of driveways and pedestrian access.”

Motion:

Councillor Mihevc moved that Motion J(20) be amended by deleting from the first Operative Paragraph the name “Councillor Davis”, and inserting in lieu thereof the words “the local Ward Councillors”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** City staff work closely with the local Ward Councillors and the local community to resolve outstanding site planning matters regarding the location of the two 25-storey condominium apartment towers, thirteen condominium units, and the 9-storey replacement rental apartment building, to ensure that the impact of these buildings is mitigated;”.

Votes:

The motion by Councillor Mihevc carried.

Motion J(20), as amended, carried.

- 4.74 Councillor Ootes 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(21), which carried, more than two-thirds of Members present having voted in the affirmative:

Moved by: Councillor Ootes

Seconded by: Councillor Disero

“**WHEREAS** on March 1, 2000, Mr. Cesar Palacio was appointed by City of Toronto Council as Councillor for Davenport to replace the former Councillor Dennis Fotinos, whose resignation was accepted by Council on February 1 and 2, 2000; and

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

NOW THEREFORE BE IT RESOLVED THAT Councillor Cesar Palacio be appointed to serve on the following Committees, Task Forces, and Business Improvement Areas, in place of the former Councillor Dennis Fotinos:

- (1) the Works Committee for a term of office expiring on November 30, 2000;
- (2) the Olympic Task Force for a term of office expiring on November 30, 2000;
- (3) the Road Allowance Task Force for a term of office expiring on November 30, 2000;
- (4) the Bloorcourt Village Business Improvement Area for a term of office expiring on November 30, 2000, and until his successor is appointed;
- (5) the Bloordale Village Business Improvement Area for a term of office expiring on November 30, 2000, and until his successor is appointed;
- (6) the Dovercourt Village Business Improvement Area for a term of office expiring on November 30, 2000, and until his successor is appointed; and
- (7) the St. Clair Gardens Business Improvement Area for a term of office expiring on November 30, 2000, and until his successor is appointed;

AND BE IT FURTHER RESOLVED THAT, in view of the specialized knowledge required, the following positions held by the former Councillor Fotinos be referred to the Striking Committee for recommendation thereon to City Council, and that the City Clerk be

requested to canvass Members of Council for their interest in these appointments, and submit a list of interested Members to the Striking Committee for its consideration:

- (1) the Telecommunications Steering Committee for a term of office expiring on November 30, 2000;
- (2) the Greater Toronto Services Board (Member) for a term of office expiring on November 30, 2000, and until his successor is appointed; and
- (3) the Association of Municipalities of Ontario, Board of Directors, as a City of Toronto Caucus Representative, for a term of office expiring at the Annual meeting of AMO in August 2000.”

Vote:

Motion J(21) was adopted, without amendment.

BILLS AND BY-LAWS

- 4.75 On February 29, 2000, at 7:30 p.m., Councillor King, seconded by Councillor Moeser, 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. 152	By-law No. 94-2000	To confirm the proceedings of the Council at its meeting held on the 29th day of February, 2000,
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the vote upon which was as follows:

Yes - 42	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Pitfield, Prue, Rae, Shaw, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 1	
Councillor:	Walker

Carried by a majority of 41.

- 4.76 On March 1, 2000, at 7:29 p.m., Councillor Adams, seconded by Councillor Giansante, 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. 153	By-law No. 95-2000	To confirm the proceedings of the Council at its meeting held on the 29th day of February and the 1st day of March, 2000,
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the vote upon which was as follows:

Yes - 38	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Pantalone, Prue, Rae, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 0	

Carried, without dissent.

- 4.77 On March 2, 2000, at 4:03 p.m., Councillor Holyday, seconded by Councillor Mihevc, 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. 154	By-law No. 96-2000	To confirm the proceedings of the Council at its meeting held on the 29th day of February, and the 1st and 2nd days of March, 2000,
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the vote upon which was as follows:

Yes - 32	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, Li Preti, Mihevc, Minnan-Wong, Moeser, Ootes, Pitfield, Rae, Saundercook, Shiner, Silva, Valenti, Walker
No - 0	

Carried, without dissent.

- 4.78 On March 2, 2000, at 4:05 p.m., Councillor Kelly, seconded by Councillor Berardinetti, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 94	By-law No. 97-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 95	By-law No. 98-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 96	By-law No. 99-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 97	By-law No. 100-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 98	By-law No. 101-2000	To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 99	By-law No. 102-2000	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 100	By-law No. 103-2000	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 101	By-law No. 104-2000	To amend By-law No. 2958-94 of the former City of York, being a By-law "To regulate traffic on City of York Roads".

Bill No. 102	By-law No. 105-2000	To amend By-law No. 196-84 of the former City of York, being a By-law “To regulate traffic on City of York Roads”.
Bill No. 103	By-law No. 106-2000	To enact a by-law pursuant to Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the designation of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 104	By-law No. 107-2000	To amend Chapter 134 of the Etobicoke Municipal Code, a by-law providing for the construction and maintenance of fire routes in the geographic area of Etobicoke, a by-law of the former City of Etobicoke.
Bill No. 105	By-law No. 108-2000	To amend Metropolitan Toronto By-law No. 20-85, a by-law “Respecting the licensing, regulating and governing of trades, callings, businesses and occupations in the Metropolitan Area”, a by-law of the former Municipality of Metropolitan Toronto, and to amend By-law 90-2000, a by-law amending By-law No. 20-85.
Bill No. 106	By-law No. 109-2000	To amend By-law No. 888-1999 respecting By-law No. 380-74 of the former City of Toronto with respect to pensions and other benefits.
Bill No. 107	By-law No. 110-2000	To exempt part of the lands commonly known as 65 to 81 Drewry Avenue, being certain lots within Plan of Subdivision 66M-2343 (formerly City of North York), from the provisions of subsection 50(5) of the <u>Planning Act</u> .

Bill No. 108	By-law No. 111-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 12 McKee Avenue, 33 Doris Avenue and 21 Church Avenue.
Bill No. 111	By-law No. 112-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 150 Finch Avenue West.
Bill No. 112	By-law No. 113-2000	To designate certain lands on a Registered Plan not subject to Part Lot Control in the Scarborough Village Community.
Bill No. 113	By-law No. 114-2000	To amend the Wexford Community Zoning By-law No. 9511.
Bill No. 114	By-law No. 115-2000	To amend the L'Amoreaux Community Zoning By-law No. 12466.
Bill No. 115	By-law No. 116-2000	To further amend Scarborough Zoning By-law Number 10217, the Agricultural Holding By-law, as amended, and By-law Number 14402, as amended, with respect to the Malvern Community.
Bill No. 116	By-law No. 117-2000	To establish certain lands as a municipal highway.
Bill No. 117	By-law No. 118-2000	To designate the property at 395 Brunswick Avenue (William Thompson House) as being of architectural and historical value or interest.
Bill No. 118	By-law No. 119-2000	To designate the property at 397 Brunswick Avenue (William Thompson House) as being of architectural and historical value or interest.
Bill No. 119	By-law No. 120-2000	To designate the property at 399 Brunswick Avenue (William Thompson House) as being of architectural and historical value or interest.

Bill No. 120	By-law No. 121-2000	To amend Chapter 400 of the Toronto Municipal Code, the Traffic and Parking Code, a by-law of the former City of Toronto, respecting the designation of a private roadway at 30 and 38 Avenue Road as a fire route.
Bill No. 121	By-law No. 122-2000	To establish Tax Ratios for the 2000 Taxation Year.
Bill No. 122	By-law No. 123-2000	To amend further Metropolitan Toronto By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 123	By-law No. 124-2000	To amend further former Metropolitan Toronto By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 124	By-law No. 125-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 125	By-law No. 126-2000	To amend By-law No. 912-1998, being "A By-law to authorize the erection, operation, use and maintenance of parking machines on the highways under the jurisdiction of the City of Toronto, including the setting of fee amounts or fee scales", to replace parking meters with parking machines in certain locations within the City of Toronto.
Bill No. 126	By-law No. 127-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Mapleview Avenue and Muriel Avenue.
Bill No. 127	By-law No. 128-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting College Street.

Bill No. 128	By-law No. 129-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Hamilton Street.
Bill No. 129	By-law No. 130-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Davenport Road.
Bill No. 130	By-law No. 131-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 131	By-law No. 132-2000	To extend the effect of By-law No. 54-1999 being a by-law to designate 740 Ellesmere Road, Lots 1 to 107 inclusive, Registered Plan 66M-2330 not subject to Part Lot Control in the Dorset Park Community.
Bill No. 132	By-law No. 133-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 133	By-law No. 134-2000	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 134	By-law No. 135-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 135	By-law No. 136-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 136	By-law No. 137-2000	To amend further former Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 137	By-law No. 138-2000	To amend further Metropolitan By-law No. 22-76, respecting School Bus Loading Zones on certain former Metropolitan Roads.

Bill No. 138	By-law No. 139-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 139	By-law No. 140-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 140	By-law No. 141-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 141	By-law No. 142-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Montclair Avenue and Summerhill Avenue.
Bill No. 142	By-law No. 143-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Front Yard Parking.
Bill No. 143	By-law No. 144-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Edgewood Avenue, Elm Avenue, Hilton Avenue, Lytton Boulevard, Montclair Avenue, Roxborough Street West, Rusholme Road, Spadina Road, Stafford Street, Summerhill Avenue.
Bill No. 144	By-law No. 145-2000	To amend the former City of Toronto Municipal Code Ch. 297, Signs, respecting No. 10 Dundas Street East.
Bill No. 145	By-law No. 146-2000	To amend the former Municipality of Metropolitan Toronto By-law No. 118 respecting No. 10 Dundas Street East.
Bill No. 146	By-law No. 147-2000	To amend Zoning By-law No. 438-86, as amended, respecting lands within the Vale of Avoca Ravine.

Bill No. 147	By-law No. 148-2000	To exempt certain lands comprising a portion of the rail corridor from Subdivision and Part Lot Control.
Bill No. 150	By-law No. 149-2000	To suspend the operation of the North York Performing Arts Centre Corporation Board.
Bill No. 151	By-law No. 150-2000	To amend Chapters 320 and 324 of the Etobicoke Zoning Code and Site Specific By-law Number 13584 with respect to certain lands located at 1875 Martin Grove Road.

4.79 On March 2, 2000, at 5:41 p.m., Councillor Miller, seconded by Councillor Berger, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 148	By-law No. 151-2000	A by-law to establish procedures and authority for the procurement of goods and services and to repeal Interim Purchasing By-law No. 57-1998, as amended.
Bill No. 149	By-law No. 152-2000	To confer certain authorities and responsibilities with respect to the commitment of funds and the payment of accounts of the City of Toronto and other related matters.

4.80 On March 2, 2000, at 5:41 p.m., Councillor Miller, seconded by Councillor Berger, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws, which carried:

Bill No. 109	By-law No. 153-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 110	By-law No. 154-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

- 4.81 On March 2, 2000, at 5:42 p.m., Councillor Shiner, seconded by Councillor Miller, 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. 155	By-law No. 155-2000	To confirm the proceedings of the Council at its meeting held on the 29th day of February, and the 1st and 2nd days of March, 2000,
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the vote upon which was as follows:

Yes - 34	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, Miller, Minnan-Wong, Nunziata, Ootes, Palacio, Pitfield, Prue, Rae, Shiner, Sinclair, Silva
No - 1	
Councillor:	Holyday

Carried by a majority of 33.

OFFICIAL RECOGNITIONS:

4.82 **Condolence Motion:**

February 29, 2000:

Mayor Lastman, seconded by Councillors Altobello, Ashton, Balkissoon, Berardinetti, Cho, Duguid, Kelly, Mahood, Moeser, Shaw, Soknacki and Tzekas, moved that:

“**WHEREAS** the Mayor and Members of City of Toronto Council are deeply saddened to learn of the passing of former Scarborough Mayor, Gus Harris, at the age of ninety-one years; and

WHEREAS Mr. Harris’ distinguished public service career spanned forty years, having first entered public life in 1949, as School Trustee for Scarborough Area 1 in the election held in December 1948; and

WHEREAS Mr. Harris served the people of Scarborough as Councillor, Deputy Reeve and Reeve, Controller and representative of Scarborough on the former Metropolitan Toronto Council, and was elected Mayor in 1978, which office he held until his retirement at the age of eighty in 1988; and

WHEREAS the ease with which Gus Harris won many elections with a minimum of campaign expenditure and publicity confounded observers and gained the admiration of colleagues; and

WHEREAS Mr. Harris always gracefully declined any attempt by Scarborough Council to officially recognize his outstanding record of service and will be remembered for his unpretentious manner, his fairness and great integrity; and

WHEREAS Mr. Harris was predeceased by his daughter Jane and his beloved wife Anna;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of Members of City Council, an expression of sincere sympathy to the Harris family, especially his sons Peter and David and daughters Pat and Rose.”

Leave to introduce the Motion was granted and the Motion was adopted unanimously.

Council rose and observed a moment of silence in memory of the late Mr. Harris.

4.83 **Presentations/Introductions/Announcements:**

February 29, 2000:

Mayor Lastman, during the morning session of the meeting, extended, on behalf of the Members of Council, the appreciation and gratitude of City Council to David Boothby, Chief of Police, on the occasion of his retirement, for his exemplary service and contribution time and energy to enhancing the quality of life in the City of Toronto during his 36-year tenure as a Member of the Toronto Police Service, the last five years as Chief of Police; invited Chief Boothby to the podium to address the Council and presented Chief Boothby with the City’s highest honour, a key to the City of Toronto, inscribed with the words:

“To Toronto Police Chief David Boothby. You have served more than 2.3 million people with honour and dignity. You have touched all our lives, Chief, and helped make our Toronto the greatest City in the world.”

Mayor Lastman, during the morning session of the meeting, welcomed Councillor Paul Valenti, the newly-appointed Member of Council for Ward 6, North York Humber.

Mayor Lastman, during the morning session of the meeting, introduced the students of Secord Public School, present at this meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced Councillor Fabio Rubini, from Narni, Terni, Italy, present at this meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the Grade 5 students of York School, present at this meeting.

Councillor Berardinetti, during the afternoon session of the meeting, with the permission of Council, introduced the new Commissioner of Corporate Services, Ms. M. Joan Anderton, and the new Commissioner of Urban Development Services, Ms. Paula Dill, present at this meeting.

March 1, 2000:

Councillor Duguid, during the morning session of the meeting, with the permission of Council, advised the Council that 'Nikita' had created the "Millennium Bear of Hope", a project to raise funds to eliminate homelessness, the proceeds of which would be directed to three charities directly involved in breaking the cycle of homelessness - Home Aid Housing Corporation, Nameres and the United Way, and further advised the Council that the teddy bears which had been distributed to all Members of Council were available for direct purchase or to sponsor as a gift of hope to a homeless child currently housed in the shelter system.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the L'Amoreaux Seniors' Line Dancers, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Secord Public School, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced a delegation of youth from Alberta, British Columbia and the Caribbean, on a tour of Canada to stop racism.

Councillor Johnston, during the afternoon session of the meeting, with the permission of Council, introduced Mr. Clive Rowlands and his wife Margaret, from South Wales, and Mrs. Myfanwy Bajaj, President, St. David's Society, present at the meeting, and advised the Council that Mr. Rowlands had been awarded the Order of the British Empire (OBE) for his services to Rugby football, and that, since his retirement, Mr. Rowlands has devoted his energies to the field of broadcasting for Welsh language television and fundraising for cancer research.

March 2, 2000:

Deputy Mayor Ootes, during the morning session of the meeting, introduced the delegation of 14 Councillors and 5 staff from the Konju City Council, Republic of Korea, present at the meeting.

Deputy Mayor Ootes, during the morning session of the meeting, introduced the Grades 5 and 6 students of Perth Avenue Public School, present at the meeting.

Councillor Cho, with the permission of Council, during the afternoon session of the meeting, introduced the delegation of 14 Councillors from Koryung-gun and Chongdo-gun, Republic of Korea, present at the meeting.

Point of Personal Privilege:

Councillor Bussin on March 1, 2000, during the afternoon session of the meeting, rising on a Point of Personal Privilege, made reference to an advertisement, entitled "War on Fire", which had been placed in the February 22, 2000 edition of the Beach Metro News and advised the Council that, in her opinion, her rights as a Member of Council had been impugned; further advised the Council that the advertisement had been printed with the City of Toronto logo and that, as Ward Councillor, she had neither been consulted in the preparation of the advertisement nor advised of its publication; and requested that the matter be referred to the Chair of Council for further investigation and report thereon to the next meeting of Council.

Ruling by Deputy Mayor:

Deputy Mayor Ootes ruled that the matter be referred to the Mayor and the Chief Administrative Officer for further consideration, in consultation with the appropriate City officials, and report thereon, if necessary, to City Council.

Vote on Ruling of Deputy Mayor:

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

Carried by a majority of 29.

4.84 **MOTIONS TO VARY PROCEDURE**

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

March 2, 1999:

Councillor Soknacki, at 12:29 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. 2 of Report No. 4 of The Administration Committee, headed "Expenses of Members of Council", the vote upon which was taken as follows:

Yes - 16	
Councillors:	Adams, Augimeri, Bossons, Disero, Duguid, Jones, Kelly, Li Preti, Mammoliti, Minnan-Wong, Moeser, Nunziata, Ootes, Pitfield, Saundercook, Soknacki
No - 20	
Councillors:	Balkissoon, Brown, Bussin, Cho, Davis, Feldman, Flint, Giansante, Jakobek, Kinahan, Lindsay Luby, Mahood, Mihevc, Miller, Prue, Rae, Silva, Tzekas, Valenti, Walker

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

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4.85 ATTENDANCE

February 29, 2000	9:45 a.m. to 12:30 p.m.*	Roll Call 2:13 p.m.	2:13 p.m. to 6:12 p.m.*	Roll Call 4:28 p.m.	Ctte. of the Whole in-Camera 6:25 p.m.	7:29 p.m. to 7:30 p.m.*
Lastman	x	-	x	x	-	-
Adams	x	x	x	x	x	x
Altobello	x	x	x	x	x	x
Ashton	x	-	x	x	x	x
Augimeri	x	x	x	x	-	-
Balkissoon	x	-	x	x	x	x
Berardinetti	x	-	x	x	x	x
Berger	x	-	x	x	x	x
Bossos	x	x	x	x	x	x
Brown	x	x	x	x	-	-
Bussin	x	-	x	x	-	-
Cho	x	x	x	x	x	x
Chong	-	-	x	-	x	x
Chow	x	-	x	x	x	x
Davis	x	-	x	-	x	x
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	x	-	x	x
Filion	x	-	x	-	x	x
Flint	x	x	x	-	x	x
Gardner	x	-	x	-	x	x
Giansante	x	x	x	x	x	x
Holyday	x	x	x	x	x	x
Jakobek	x	-	x	-	-	-
Johnston	x	x	x	-	x	x
Jones	x	x	x	x	x	x
Kelly	x	-	x	x	x	x
Kinahan	x	-	x	-	x	x
King	x	x	x	-	x	x

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February 29, 2000	9:45 a.m. to 12:30 p.m.*	Roll Call 2:13 p.m.	2:13 p.m. to 6:12 p.m.*	Roll Call 4:28 p.m.	Ctte. of the Whole in-Camera 6:25 p.m.	7:29 p.m. to 7:30 p.m.*
Korwin-Kuczynski	x	-	x	-	x	x
Layton	x	-	x	-	x	x
Lindsay Luby	x	-	x	x	x	x
Li Preti	x	x	x	x	x	x
Mahood	x	-	x	-	x	x
Mammoliti	x	x	x	-	-	-
McConnell	x	-	x	x	x	x
Mihevc	x	x	x	-	x	x
Miller	x	x	x	x	-	-
Minnan-Wong	x	-	x	-	-	-
Moeser	x	-	x	x	x	x
Moscoe	x	-	x	-	x	x
Nunziata	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
Pitfield	x	x	x	x	x	x
Prue	x	x	x	x	x	x
Rae	x	x	x	x	x	x
Saundercook	x	x	x	x	x	x
Shaw	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
Valenti	x	-	x	-	x	x
Walker	x	x	x	x	x	x
Total	55	31	57	37	49	49

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

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March 1, 2000	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 11:47 a.m.	Roll Call 12:03 p.m.	Roll Call 2:15 p.m.	2:15 p.m. to 3:15 p.m.*
Lastman	x	x	-	-	-	x
Adams	-	x	x	x	x	x
Altobello	x	x	x	-	x	x
Ashton	-	x	-	x	-	x
Augimeri	-	x	x	x	x	x
Balkissoon	x	x	-	x	-	x
Berardinetti	-	x	x	x	x	x
Berger	x	x	-	-	x	x
Bossons	x	x	x	x	x	x
Brown	-	x	-	-	x	x
Bussin	-	x	-	-	x	x
Cho	x	x	-	x	x	x
Chong	-	x	x	x	x	x
Chow	-	x	x	x	-	x
Davis	-	x	x	x	-	x
Disero	x	x	x	x	x	x
Duguid	x	x	x	-	x	x
Feldman	x	x	-	-	-	x
Filion	-	x	-	-	-	x
Flint	-	x	x	x	x	x
Gardner	x	x	-	-	-	-
Giansante	x	x	-	-	x	x
Holyday	x	x	x	x	x	x
Jakobek	-	x	x	-	x	x
Johnston	x	x	x	x	x	x
Jones	x	x	x	x	-	-
Kelly	-	x	x	x	x	x
Kinahan	-	x	x	x	-	x
King	x	x	-	-	-	-
Korwin-Kuczynski	x	x	x	x	-	x
Layton	-	x	-	x	-	x

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March 1, 2000	Roll Call 9:44 a.m.	9:44 a.m. to 12:30 p.m.*	Roll Call 11:47 a.m.	Roll Call 12:03 p.m.	Roll Call 2:15 p.m.	2:15 p.m. to 3:15 p.m.*
Lindsay Luby	x	x	-	-	-	x
Li Preti	-	x	x	x	x	x
Mahood	x	x	x	-	-	x
Mammoliti	x	x	-	-	x	x
McConnell	-	x	x	x	-	x
Mihevc	-	x	x	x	x	x
Miller	-	x	x	x	x	x
Minnan-Wong	-	x	x	x	x	x
Moeser	-	x	x	-	-	x
Moscoe	x	x	x	x	x	x
Nunziata	x	x	x	x	-	x
O'Brien	x	x	x	x	x	x
Ootes	x	x	x	x	x	x
Pantalone	x	x	x	x	x	x
Pitfield	x	x	-	x	x	x
Prue	x	x	x	x	-	x
Rae	x	x	x	x	x	x
Saundercook	x	x	-	-	-	x
Shaw	-	x	x	x	-	x
Shiner	-	x	-	x	-	x
Silva	x	x	x	-	x	x
Sinclair	-	x	-	-	-	x
Soknacki	x	x	x	x	x	x
Tzekas	-	-	-	-	-	x
Valenti	-	x	-	-	-	x
Walker	x	x	-	-	x	x
Total	31	56	35	35	32	54

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

March 1, 2000	Ctte. of the Whole in-camera 3:25 p.m.	3:37 p.m. to 3:45 p.m.*	Ctte. of the Whole in-camera 3:51 p.m.	5:15 p.m. to 7:30 p.m.*
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March 1, 2000	Ctte. of the Whole in-camera 3:25 p.m.	3:37 p.m. to 3:45 p.m.*	Ctte. of the Whole in-camera 3:51 p.m.	5:15 p.m. to 7:30 p.m.*
Lastman	x	x	x	x
Adams	x	x	x	x
Altobello	x	x	x	x
Ashton	-	-	-	x
Augimeri	x	x	x	x
Balkissoon	-	-	x	x
Berardinetti	x	x	x	x
Berger	x	x	x	x
Bossons	x	x	x	x
Brown	-	-	-	-
Bussin	-	x	x	-
Cho	x	x	x	x
Chong	x	x	x	x
Chow	x	x	x	x
Davis	x	x	x	x
Disero	x	x	x	x
Duguid	x	x	x	x
Feldman	-	-	-	-
Filion	-	-	x	x
Flint	x	x	x	x
Gardner	-	x	x	x
Giansante	x	x	x	x
Holyday	x	x	x	x
Jakobek	-	-	x	x
Johnston	x	x	x	x
Jones	x	x	x	x

Minutes of the Council of the City of Toronto
February 29, March 1 and 2, 2000

March 1, 2000	Ctte. of the Whole in-camera 3:25 p.m.	3:37 p.m. to 3:45 p.m.*	Ctte. of the Whole in-camera 3:51 p.m.	5:15 p.m. to 7:30 p.m.*
Kelly	x	x	x	-
Kinahan	x	x	x	x
King	-	-	x	x
Korwin-Kuczynski	-	x	x	x
Layton	x	x	-	-
Lindsay Luby	x	x	x	x
Li Preti	-	-	-	x
Mahood	-	-	x	x
Mammoliti	x	x	x	-
McConnell	x	x	-	-
Mihevc	-	x	x	x
Miller	x	x	x	x
Minnan-Wong	x	x	x	x
Moeser	x	x	x	x
Moscoe	-	x	x	-
Nunziata	x	x	x	x
O'Brien	-	x	x	x
Ootes	x	x	x	x
Pantalone	x	x	x	x
Pitfield	x	x	x	x
Prue	x	-	x	x
Rae	x	x	x	x
Saundercook	x	x	x	x
Shaw	-	x	x	-
Shiner	x	x	x	x
Silva	-	-	x	x

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February 29, March 1 and 2, 2000

March 1, 2000	Ctte. of the Whole in-camera 3:25 p.m.	3:37 p.m. to 3:45 p.m.*	Ctte. of the Whole in-camera 3:51 p.m.	5:15 p.m. to 7:30 p.m.*
Sinclair	x	x	x	x
Soknacki	x	x	x	x
Tzekas	-	x	x	x
Valenti	x	x	x	x
Walker	x	x	-	x
Total	39	46	50	48

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

March 2, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 11:43 p.m.	Roll Call 2:15 p.m.	2:15 p.m. to 4:30 p.m.*	Roll Call 4:00 p.m.
Lastman	x	x	-	-	-	-
Adams	x	x	x	-	x	x
Altobello	x	x	-	-	x	x
Ashton	-	x	x	x	x	x
Augimeri	-	x	-	x	x	x
Balkissoon	x	x	x	x	x	x
Berardinetti	-	x	x	x	x	x
Berger	x	x	x	-	x	x
Bossons	x	x	x	-	-	-
Brown	-	x	x	x	x	x
Bussin	x	x	x	-	-	-
Cho	x	x	x	x	x	x
Chong	x	x	x	x	x	x
Chow	-	x	-	x	x	x
Davis	-	x	-	x	x	-
Disero	x	x	x	x	x	x
Duguid	x	x	x	x	x	x
Feldman	x	x	-	x	x	-
Filion	x	x	-	-	x	-
Flint	x	x	x	x	x	-

Minutes of the Council of the City of Toronto
February 29, March 1 and 2, 2000

March 2, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 11:43 p.m.	Roll Call 2:15 p.m.	2:15 p.m. to 4:30 p.m.*	Roll Call 4:00 p.m.
Gardner	x	x	-	-	x	x
Giansante	-	x	x	x	x	x
Holyday	x	x	x	x	x	x
Jakobek	x	x	x	x	x	x
Johnston	-	-	-	-	-	-
Jones	x	x	x	x	x	x
Kelly	-	x	x	x	x	x
Kinahan	x	x	-	x	x	x
King	-	-	-	-	-	-
Korwin-Kuczynski	-	-	-	-	-	x
Layton	-	-	-	-	-	-
Lindsay Luby	x	x	x	-	-	-
Li Preti	x	x	x	x	x	x
Mahood	-	x	x	-	x	-
Mammoliti	-	x	x	x	x	-
McConnell	-	-	-	-	-	-
Mihevc	x	x	x	x	x	-
Miller	x	x	x	-	x	-
Minnan-Wong	-	x	x	-	x	x
Moeser	x	x	-	-	x	x
Moscoe	-	-	-	x	-	-
Nunziata	x	x	x	x	x	-
O'Brien	-	-	-	-	-	-
Ootes	-	x	x	x	x	x
Pantalone	x	x	x	-	-	-
Pitfield	x	x	x	x	x	x
Prue	x	x	x	-	-	-
Rae	x	x	-	x	x	x
Saundercook	x	x	x	x	x	x
Shaw	-	-	-	-	-	-
Shiner	x	x	x	x	x	x

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March 2, 2000	Roll Call 9:45 a.m.	9:45 a.m. to 12:30 p.m.*	Roll Call 11:43 p.m.	Roll Call 2:15 p.m.	2:15 p.m. to 4:30 p.m.*	Roll Call 4:00 p.m.
Silva	x	x	x	x	x	-
Sinclair	-	x	-	x	x	x
Soknacki	x	x	x	x	x	-
Tzekas	-	x	x	x	x	-
Valenti	-	x	x	x	x	-
Walker	x	x	x	-	x	x
Total	34	49	37	34	43	31

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

March 2, 2000	Roll Call 4:28 p.m.	Ctte. of the Whole in-camera 4:37 p.m.	5:13 p.m. to 5:43 p.m.*
Lastman	-	-	-
Adams	x	x	x
Altobello	x	x	x
Ashton	x	x	x
Augimeri	x	x	x
Balkissoon	-	x	x
Berardinetti	x	x	x
Berger	x	x	x
Bossons	-	-	-
Brown	x	x	-
Bussin	x	x	x
Cho	x	x	x
Chong	x	x	x
Chow	-	x	x
Davis	x	x	-
Disero	x	x	x
Duguid	x	x	x

Minutes of the Council of the City of Toronto
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March 2, 2000	Roll Call 4:28 p.m.	Ctte. of the Whole in-camera 4:37 p.m.	5:13 p.m. to 5:43 p.m.*
Feldman	x	x	x
Filion	-	x	-
Flint	x	x	x
Gardner	-	x	x
Giansante	x	x	x
Holyday	x	x	x
Jakobek	x	x	-
Johnston	-	-	-
Jones	x	x	x
Kelly	x	x	x
Kinahan	x	x	x
King	-	-	-
Korwin-Kuczynski	-	-	-
Layton	-	-	-
Lindsay Luby	-	-	-
Li Preti	-	-	-
Mahood	-	-	-
Mammoliti	-	-	-
McConnell	-	-	-
Mihevc	-	x	x
Miller	-	x	x
Minnan-Wong	x	x	x
Moeser	-	x	x
Moscoe	-	-	-
Nunziata	x	x	x
O'Brien	-	-	-

March 2, 2000	Roll Call 4:28 p.m.	Ctte. of the Whole in-camera 4:37 p.m.	5:13 p.m. to 5:43 p.m.*
Ootes	x	x	x
Palacio	x	x	x
Pantalone	-	-	-
Pitfield	x	x	x
Prue	-	x	x
Rae	x	x	x
Saundercook	x	x	x
Shaw	-	-	-
Shiner	x	x	x
Silva	x	x	x
Sinclair	x	x	x
Soknacki	-	-	-
Tzekas	-	-	-
Valenti	-	x	x
Walker	x	-	x
Total	32	40	37

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

MEL LASTMAN,
Mayor

NOVINA WONG,
City Clerk

ATTACHMENT NO. 1

Report dated February 28, 2000, from the Commissioner of Works and Emergency Services, entitled "Richmond Hill OPA 200, the Oak Ridges Moraine". (See Minute No. 4.54, Page 84.):

Purpose:

To advise Council of the recommendations of the Oak Ridges Moraine (ORM) Council Steering Committee regarding an initial allocation of funds from the Oak Ridges Preservation Account.

Financial Implications:

Council previously allocated funds from the Works and Emergency Services Capital Budget to the ORM Preservation Account for the purposes of supporting ORM preservation activities, in addition to the OMB hearing (Clause 26, Report No. 11 of the Policy and Finance Committee, adopted by City Council on December 14, 15 and 16, 1999).

The Chief Financial Officer and Treasurer has reviewed this report and concurs with the financial impact statement.

Recommendations:

It is recommended that Council adopt the recommendations of Oak Ridges Moraine Council Steering Committee from its meeting of February 24, 2000:

- (1) City Council support Non Government Organizations and Associations (NGOs) in their efforts to raise and sustain public awareness to protect and preserve the Oak Ridges Moraine, providing their vision and the City's are similar in the amount of up to \$100,000.00, subject to the approval of the Oak Ridges Moraine Council Steering Committee; and
- (2) City Council approve a Councillor and media bus tour of the moraine and a media and public awareness campaign to be organized by Corporate Services to protect the moraine and for staff to develop additional materials and activities required for raising public awareness of the need to save the Oak Ridges Moraine lands because of the potential impact of overdevelopment of the moraine on Toronto, in the amount of up to \$20,000.00.

Background:

Funding from the Wastewater capital budget was set aside in an 'Oak Ridges Preservation Account' by Council at its meeting of December 14, 15, and 16, 1999. Council also established an Oak Ridges Moraine Council Steering Committee consisting of the Chair of Planning and Transportation Committee and Councillors Adams, Balkissoon, Cho, King, Layton, Miller and O'Brien. This Oak Ridges Moraine Council Steering Committee is to report through Planning and Transportation Committee, with sequential reporting to Works Committee, on how best the City of Toronto can support the protection of the Oak Ridges Moraine, in addition to the recommendations in the report dated December 13, 1999, from the Chief Administrative Officer.

The Oak Ridges Moraine Council Steering Committee is examining how best to make use of the funds in the Oak Ridges Preservation Account and will be reporting to the Planning and Transportation Committee, the Works Committee and, ultimately, to Council on April 11, 12 and 13, 2000. In the opinion of the Council Steering Committee, there are two key factors that require Council to take immediate action to use the 'Oak Ridges Preservation' funding. First Richmond Hill's Council has delayed action on Official Plan Amendment No. 200. Secondly, significant work needs to be done immediately to be prepared for the start of the Ontario Municipal Board (OMB) Hearing on May 1, 2000. The decision by Richmond Hill Council means that Toronto Council may need to rely more heavily on NGOs to ensure there is appropriate action to preserve the Oak Ridges Moraine.

Council also recommended at its meeting of December 14, 15, and 16, 1999, that staff continue discussions with the Toronto and Region Conservation Authority (TRCA) with the intent of a partnership arrangement regarding costs. To date the TRCA and the City have taken different positions before the OMB. It has, therefore, not been possible to agree to share costs. Despite this, staff will continue to identify opportunities to share costs on work related to stormwater and servicing, hydrogeology and ecology as the opportunity arises.

Comments:

The Oak Ridges Moraine Council Steering Committee has indicated to staff the importance of supporting the actions of NGOs who are advocating for protection of the Oak Ridges Moraine. In view of the urgent need to prepare for the Ontario Municipal Board hearing on May 1, 2000, Council needs to authorize the release of some funding from the 'Oak Ridges Preservation Account'. Some NGOs have identified advertising campaigns as critical for sustaining public awareness of the moraine issues. These NGOs feel it is crucial to launch this work prior to the OMB hearing.

A draft set of guidelines has been prepared which will assist the Oak Ridges Moraine Council Steering Committee with evaluating NGOs who qualify for support from the City's

'Oak Ridges Preservation Account'. The guidelines include the following criteria: the groups be non-profit, community-based organizations, with preference given to coalitions of joint partnerships; the groups would need to submit requests in writing; the guidelines set limits for maximum funding per group request; and, that the Oak Ridges Moraine Council Steering Committee receive and approve recommendations from staff for those groups requesting funding.

In general, the objective of funding NGOs is to raise awareness of the moraine and its fragility, given the competing demands on it. It is not expected that any funded project would extend beyond the year 2000. No approval would be given for retroactive payment of work. All disbursements would be made through Works and Emergency Services financial staff to ensure project and financial controls are followed.

Council, in its previous discussion on this topic, approved a sum of money from Corporate Contingency to partner with the TRCA to support their legal and hydrogeological costs for the OMB hearing. Staff was requested to report back on the estimates and partnership arrangements. We reported that a partnership with the TRCA was unlikely; however, we do feel that we could use similar data to prepare our respective cases before the OMB. Accordingly we suggest that, where in the opinion of staff we can share material, we provide funding to the TRCA for independent consulting services in the areas of hydrology, hydrogeology and terrestrial ecology with the \$220,000.00 allocation as defined at the Council meeting of December 14, 15 and 16, 1999. Oak Ridges Moraine Council Steering Committee asked staff to prepare a report to the Council meeting of February 29, March 1 and 2, 2000.

Conclusions:

As a result of the actions of the Richmond Hill Council on February 23, 2000, Toronto Council may need to rely more heavily on NGOs to ensure that there is appropriate action taken to preserve the Oak Ridges Moraine. As directed by the Oak Ridges Moraine Council Steering Committee, it is, therefore, requested that Council immediately authorize expenditure of up to \$120,000.00 from the 'Oak Ridges Preservation Account' to assist NGOs in their efforts to protect the Oak Ridges Moraine. To comply with the reporting requirement, we propose that staff provide estimates and details of the work to the Oak Ridges Moraine Council Steering Committee for their approval within the budget envelope for this item. Further reporting will follow on subsequent expenditures.

Contact:

Vicky McGrath, Environmental Impact Assessment
& Policy Development, Technical Services Division
Phone No. 392-8856 Facsimile 392-9317, E-mail: vmcgrat@city.toronto.on.ca

Report dated March 1, 2000, from the City Solicitor, entitled "Oak Ridges Moraine Application for a New Policy Applicable to the Oak Ridges Moraine Under the Environmental Bill of Rights, 1992".
(See Minute No. 4. , Page .):

Purpose:

This report is to seek authority to commence an application under the Environmental Bill of Rights, 1992, to seek a review of the need for a new policy regarding the Oak Ridges Moraine ("ORM").

Financial Implications and Impact Statement:

There are no financial implications.

Recommendations:

It is recommended that:

- (1) two Councillors be authorized to apply, pursuant to s.61(2) of the Environmental Bill of Rights, 1992 (the "EBR"), to seek a review of the need for a new provincial policy applicable to development on the ORM;
- (2) the City Solicitor be authorized to assist in the preparation of the materials in support of such an application, in accordance with the requirements of the EBR;
- (3) the City Solicitor be authorized to take such steps as may be necessary, in the opinion of the City Solicitor, in relation to any such application and its effect on pending proceedings at the Ontario Municipal Board ("OMB"); and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

City Council authorized staff to take steps to participate in a hearing pending before the OMB regarding the ORM. This hearing and related proceedings are the subject of reports from the City Solicitor and the Commissioner of Works and Emergency Services currently before Council.

Significant private development applications have been advanced on and around a three-kilometre strip of the ORM in Richmond Hill. The Town's consultant, in a detailed planning study, concluded that:

If this three-kilometre wide strip becomes totally urbanized, the continuous nature of the moraine as a landscape feature is irretrievably lost.

The Town embarked on a planning process, which was intended to protect some environmental features of the ORM, while allowing the remaining ORM lands to be incorporated into the urban area of the Town (the City of Toronto opposed the urban designation).

The OMB ruled, on February 23, 2000, that the Richmond Hill approach could not impose "significant new obstacles" through its proposed planning regime.

Richmond Hill thereafter sought, from the Minister of Municipal Affairs and Housing (also the Minister of the Environment), a commitment to the protection of a 600-metre-wide corridor on the ORM, and the completion of region-wide studies.

The Minister immediately wrote back indicating that the Province of Ontario had already provided the authority required to make the necessary planning decisions. It is not clear whether the Minister's response took into account the OMB's ruling regarding "significant new obstacles".

Although the Minister's letter contained no specifics, the Minister was likely referring to the Oak Ridges Implementation Guidelines of 1991. These Guidelines (which are not provincial policy under the Planning Act) were put in place, in 1991, after a declaration of provincial interest on the ORM, and were intended to be an interim measure. Subsequently, a study was undertaken which included some fifteen detailed background studies carried out between 1991 and 1994. In 1994, a draft Strategy for the Oak Ridges Moraine was circulated for comment. The strategy recommended one of three implementation options:

- (1) a provincial policy statement under Section 3 of the Planning Act;
- (2) a plan under the Ontario Planning and Development Act;
- (3) new legislation similar to the Niagara Escarpment Planning and Development Act.

The strategy has neither been finalized nor implemented.

Notwithstanding the Minister's conclusions regarding the necessary authority available to the municipalities, a study completed by the Regions of York, Durham and Peel, in September of 1999, concludes:

Official Plans deal with matters within the boundaries of the municipality, but are not capable of dealing in a substantive manner with issues that extend beyond their boundaries.

A key recommendation in the three-Region report is that the Regions commence discussions with the Province of Ontario to obtain support for the preparation of a policy statement under Section 3 of the Planning Act to protect the ORM.

Apparently, no further steps have been taken in relation to this recommendation.

Although the three-Region report does not recommend a moratorium on development, it raises the concern that:

... the development industry was already agitated by this initiative, and were preparing, in some municipalities, to refer matters to the OMB as soon as the statutory process would allow, to enable their plans to be considered in advance of any changing ORM policy framework. It was the municipal sense that this action frustrated the ability of municipalities to guide the planning process.

Consequently, there is some considerable uncertainty as to the policy framework applicable to the ORM, particularly in the regional context.

Section 61(2) of the EBR provides that:

Any two persons resident in Ontario who believe that a new policy ... of Ontario should be made or passed, in order to protect the environment, may apply to the Environmental Commissioner for a review of the need for the new policy ... by the appropriate Minister.

The application must include the names and addresses of the applicants, an explanation of why the applicants believe that the review should be undertaken in order to (any two Council Members would fulfil this requirement) would protect the environment, and a summary of the evidence supporting the applicants' belief that a review is necessary. The Environmental Commissioner is obliged to refer the matter to the relevant Minister (in this case, the Minister of Municipal Affairs and Housing/Minister of the Environment) in ten days. The Minister must acknowledge receipt of the request, within twenty days of receipt, and must notify those who have a direct interest in the matter.

The Minister then carries out a preliminary review to determine whether the public interest warrants a review, and may consider:

- (a) Ministry statements of environmental values;
- (b) potential harm to the environment;
- (c) existence of periodic review mechanisms;
- (d) relevant social, economic, scientific or other evidence;
- (e) submissions from those with a direct interest;
- (f) resources required to conduct a review; and
- (g) any other matter the Minister considers relevant.

If the Minister reaches a favourable conclusion, a review must be carried out within a “reasonable” time and the Minister is obliged to notify interested parties within thirty days of the completion of such a review.

Comments:

Given the uncertainty related to the policy framework applicable to the current developments, the long history and substantial study carried out to prepare the ORM draft strategy, and the regional consensus for a need to implement the strategy, there is an arguable case of need for the Province to at least consider a review of the ORM Policy under the EBR.

In the face of a provincial review, the OMB may be persuaded to adjourn pending applications, subject to a resolution of the provincial interest.

At the least, a review, such as that contemplated, would assist in the movement toward a future comprehensive strategy for the Moraine. The OMB and municipalities would be required to have regard for any resulting provincial policy.

Conclusions:

The ORM policy debate has a long history and extensive studies have been carried out. Notwithstanding this new information, no decision has been made respecting the implementation of a provincial strategy in relation to this important natural feature. Given the uncertainties expressed in the current OMB proceedings and the imminence of other development proposals on the ORM, a review of the need for a policy respecting the ORM is crucial.

Contact:

Graham Rempe

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ATTACHMENT NO. 2

Communication dated February 29, 2000, from the City Clerk, forwarding the recommendation of the Tenant Defence Sub-Committee pertaining to Notice of Motion J(2). (See Minute No. 4.56, Page 92.):

Recommendation:

That Motion J(2), moved by Councillor Walker and seconded by Councillor Prue, respecting a municipal enumeration of tenants in high rise apartments prior to the civic election on November 13, 2000, be adopted.

Background:

At its meeting on February 29, 2000, the Sub-Committee to Restore Rent Control (Tenant Defence Sub-Committee) gave consideration to a report (February 17, 2000) from Councillor Walker, recommending that:

- (1) the Tenant Defence Sub-Committee recommend that Toronto City Council take all necessary actions to ensure that a municipal enumeration of tenants in high rise apartments take place prior to the civic election on November 13, 2000, in order to ensure there are no impediments to tenants in Toronto exercising their franchise; and
- (2) appropriate City staff report on this issue no later than the May 2000 meeting of City Council.

The Sub-Committee adopted Councillor Walker's report and, in so doing, endorsed Motion J(2) which is before Council at its February 29, 2000 meeting.

Communication dated February 17, 2000, from Councillor Michael Walker, entitled "Municipal Enumeration of Tenants in the City of Toronto for the Upcoming Municipal Election on November 13, 2000", addressed to the Members of the Tenant Defence Sub-Committee:

Recommendations:

It is recommended that:

- (1) the Tenant Defence Sub-Committee recommend that Toronto City Council take all necessary actions to ensure that a municipal enumeration of tenants in high rise apartments take place prior to the civic election on November 13, 2000, in order to ensure there are no impediments to tenants in Toronto in exercising their franchise; and
- (2) the appropriate City staff report on this issue no later than the May 2000 meeting of Toronto City Council.

ATTACHMENT NO. 3

Report dated February 17, 2000, from the Commissioner of Community and Neighbourhood Services, entitled "Selection of Outreach/Co-ordinating Team for Tenant Defence Fund".
(See Minute No. 4.57, Page 93.):

Purpose:

To select an Outreach/Co-ordinating Team for the Tenant Defence Fund program.

Recommendations:

It is recommended that:

- (1) Council encourage the Federation of Metro Tenants Associations and the Greater Toronto Tenants Association to work co-operatively to ensure that as many tenants as possible will receive the benefits of the Tenant Defence Fund in dealing with "above guideline rent increase" applications and express appreciation for their efforts to date;
- (2) the Commissioner of Community and Neighbourhood Services establish a Tenant Defence Fund project steering committee consisting of City staff, representatives of the Federation of Metro Tenants Associations and the Greater Toronto Tenants Association and such other community representatives that the Commissioner may consider appropriate;
- (3) the Commissioner of Community and Neighbourhood Services enter into a purchase of service agreement with the Federation of Metro Tenants Associations, in order to provide outreach and co-ordination of services to tenants related to the Tenant Defence Fund, subject to the Commissioner approving any subcontracts with other parties, and in a form satisfactory to the Commissioner and the City Solicitor; and

- (4) the appropriate City officials be authorized to take all necessary action to give effect to these recommendations.

Background:

On November 23-25, 1999, Council approved the creation of a Tenant Defence Fund of \$300,000.00 to help tenants dispute applications for above-guideline rent increases within their buildings. The initiative consists of a tenant grant program and the hiring of a Outreach/Co-ordinating Team (O/C Team) to work with tenant groups. The services of the O/C Team were described in detail in a request for proposals that was issued on December 29, 1999, and in a report considered by the Community Services Committee on January 13, 2000. The role of the Team is to contact tenants in buildings where their landlord has applied for an "above-guideline rent increase" (AGI) in order to offer assistance in reviewing the landlord's application and preparing them to dispute the application before the Ontario Rental Housing Tribunal.

The activities of the O/C Team are designed to complement the tenant grant program approved by Council on February 1-3, 2000. Through this program, a basic grant of up to \$1,000.00 is available to tenants wishing to dispute their landlord's AGI, as well as an additional grant of up to \$5,000.00 for professional expertise. The O/C Team will attempt to contact all tenants groups facing AGI applications, and encouraging those who need funding to apply for grants. In addition, an endorsement from the Outreach/Co-ordinating Team is required before an additional grant will be approved. Grant application forms are being distributed through tenant/community groups and Councillors' offices. As they are received, staff will process them and provide reports to your Sub-Committee.

Comments:

Results of Proposal Call Process:

At the time of closing of the proposal call for the O/C Team on January 27, 2000, two submissions had been received. This would suggest that there is a limited amount of specialized expertise in the community related to AGIs. The submissions were evaluated according to specific criteria set out in the RFP document. These criteria were intended to test the quality of the overall plan, as well as the skills/expertise of the team members. They included:

- (a) quality of the outreach program;
- (b) demonstrated skills and experience (research and analysis, tenant education and outreach, tenant organizing, facilitation in meetings and workshops);
- (c) understanding of the Tenant Protection Act and policy and procedures of the Tribunal, especially related to AGIs;

- (d) demonstrated success in partnering with community agencies; and
- (e) cost effectiveness.

As a result of the evaluation, one of the proposals did not meet all of the basic requirements for O/C program, while the other met or exceeded these requirements. Consequently, the latter proposal is now being recommended for endorsement by Council. The recommended proposal, submitted by the Federation of Metro Tenants Associations, fulfils the requirements of the RFP issued by the City, based on the services identified in the reports approved by Council.

Approach to Project Management:

The FMTA proposal for this project includes the following elements:

- a full-time project co-ordinator, specifically hired to lead the O/C Team; one full-time and one contracted tenant organizer; one contracted researcher;
- direct participation of the Chair of the FMTA in project management and other Board members in Steering Committee meetings;
- clear separation of the O/C activities (budget, staffing, etc.) from other activities of the FMTA, including the Tenant Hotline service;
- immediate review of all AGI cases to identify those of highest priority (i.e. where hearings are imminent; where grant funding is needed);
- communication with tenant leaders in these buildings, City Councillors' offices, legal clinics and other tenants' groups to develop a plan of action for these buildings;
- plans/resources for tenants with special needs (e.g. language, physical ability, etc.); and
- regular reports on progress, including information on: AGI cases reviewed; tenants' groups contacted; workshops/participants held; participation of tenants in each dispute of an AGI application; and results of AGI decisions by the Tribunal.

Involvement of Other Tenant/Community Groups:

Notwithstanding the results of the RFP process, the FMTA has indicated a willingness to work with other community groups and individuals who have been helping tenants to dispute AGI applications. In particular, the new Greater Toronto Tenants' Association (GTTA) was formed, in 1999, largely as a result of tenants who became organized as a result of the AGI process. Those who formed the GTTA continue to be active in helping tenants organize for AGI hearings. The FMTA and the GTTA recognize that more tenants may benefit from the Tenant Defence Fund initiative, if the parties share information and co-ordinate their efforts.

In order to manage the Tenant Defence Fund program, City staff will establish a Project Steering Committee to share information on a frequent basis and to co-ordinate the activities of the O/C Team. Membership will include representation of the FMTA and the GTTA, as well as other community representatives that staff decide are appropriate and necessary to advise on the project.

The FMTA proposal also provides for the subcontracting of organizing work to other individuals and groups that have the required skills and experience. On February 15, 2000, the FMTA Board decided on a process for approaching these other parties, with the purpose of entering into a subcontracting relationship. While we should encourage this co-operation, we have informed the FMTA that the Commissioner must approve any hiring or subcontracting related to the project.

Governance of FMTA:

In 1999, a service and organizational review of the FMTA was carried out by Liz Yorke and Associates. The review identified a number of governance issues that the FMTA should resolve if it is going to fulfil its objectives as a tenants' association. These included developing a strategic plan, setting clear priorities for the Association, and benchmarking, monitoring and evaluation of services.

Recently, the FMTA has provided information to City staff describing restructuring plans that have been adopted by the Board of Directors. These were developed following the election of a new Chair and Board at the Annual General Meeting held in November of 1999. Some of the changes include: a workshop held in December to decide on new directions; a new committee structure to separate and create a focus for tenant services, communications/law reform and finance/fundraising; a new "executive board" that will manage staff on an ongoing basis and address staffing issues raised in the Yorke review; weekly project management meetings between the Chair and co-ordinators of each service/project; and a new telephone service with the capacity to handle a higher volume, provide automated information and track calls. We would propose that the FMTA be invited to appear before the Community Services Committee at its next meeting to report more fully on these changes.

Conclusion:

Based on the results of the RFP process recently completed, it is recommended that Council endorse the selection of the Federation of Metro Tenants Associations to function as the Outreach/Co-ordinating Team for the Tenant Defence Fund. Further, it is recommended that Council encourage the FMTA and the Greater Toronto Tenants Association to work co-operatively to ensure that the benefits of the Outreach/Co-ordinating Team and the grant program will reach as many tenants as possible.

Contact:

Derek Ballantyne
Acting General Manager, Shelter, Housing & Support
Tel: 392-7885
Fax: 392-0548

ATTACHMENT NO. 4

Report dated February 25, 2000, from the Commissioner of Works and Emergency Services, entitled "Opening of a Public Lane South of St Clair Avenue West, Extending Westerly from Spring Grove Avenue, Between Premises Nos. 34 and 36 Spring Grove Avenue. (Davenport)". (See Minute No. 4.60, Page 99.):

Purpose:

To obtain City Council authority to open a public lane, 3.05 metres in width, extending westerly from Spring Grove Avenue, south of St. Clair Avenue West, between Premises Nos. 34 and 36 Spring Grove Avenue, as a local improvement on the initiative plan.

Financial Implications and Impact Statement:

The cost of acquiring the subject lands is estimated to be \$70,397.66. Funds are available in the approved Transportation Services 2000 Capital Works Program (Project No. TRN811). Provisions of the Local Improvement Act allow the entire cost of acquiring the private lane lands to be back-charged to the benefiting property owners based on the assessable frontage of the lots.

Recommendations:

It is recommended that:

- (1) a public lane, 3.05m in width, extending westerly from Spring Grove Avenue between Premises Nos. 34 and 36 Spring Grove Avenue and at the rear of Premises Nos. 1697 to 1703 St Clair Avenue West, shown hatched on the attached Plan SYE2925, be opened as a local improvement on the initiative plan, at an estimated cost of \$70,397.66;
- (2) as the following lot abutting on the work, in my opinion, is not benefited by the work, it be exempt in the By-law for undertaking the work from special assessment, and that the amount of special assessment which would otherwise be chargeable thereon be assessed against the other benefiting lots:

<u>Lot</u>	<u>Plan</u>	<u>Property</u>	<u>Frontage on Work</u>	<u>Recommended Exemption</u>
Pt. 45	1736Y	36 Spring Grove Avenue	11.44m	11.44m

- (3) as the following lot abutting on the work is not benefited by the work to the same extent as the other abutting lots, the By-law for undertaking the work include the reduction shown below in the special assessment which would otherwise be chargeable thereon, and that the entire cost of the work be specially assessed as if it were the cost in respect of the reduced frontage but the whole of the lot granted the reduction shall be charged with the special assessment as so reduced:

<u>Lot</u>	<u>Plan</u>	<u>Property</u>	<u>Frontage on Work</u>	<u>Recommended Reduction</u>
Pt. 46	1736Y	34 Spring Grove Avenue	32.38m	30.761m

- (4) the payment of the cost of this work in the estimated amount of \$70,397.66, be paid by lump sum or, alternatively, spread over a period of 10 years, and that, if the actual cost exceeds or falls short of the estimated cost, the assessment shall be for such actual cost;
- (5) as this improvement is purely local in character, the sum of \$70,397.66, or 100 percent of the estimated cost, be levied upon the following properties (all measurements are more or less):

Lane as opened, north side, at the rear of Premises Nos. 1697 to 1703 St Clair Avenue West and abutting Premises No. 36 Spring Grove Avenue, less an exemption of 11.44m, in respect of Premises No. 36 Spring Grove Avenue.....21.03m

Lane as opened, west end, abutting Premises No. 1705 St Clair Avenue West, a distance of 3.05m3.05m

Lane as opened, south side, abutting Premises No. 34 Spring Grove Avenue, less an allowance totalling 30.761m, in respect of Premises No. 34 Spring Grove Avenue.....1.619m; and

- (6) the appropriate City Officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that might be necessary.

Background:

City Council, at its meeting of June 9, 10 and 11, 1999, by adopting, as amended, Clause No. 28 contained in Report No. 8 of the Toronto Community Council, authorized the preparation of a local improvement recommendation on the initiative plan for the above-noted lane opening, shown hatched on the attached Plan SYE2925. I understand that Councillor Disero is submitting an Order Paper Motion to consider this matter and that the

Commissioner of Corporate Services has also reported separately on this proposal, insofar as matters under her jurisdiction are concerned, to this meeting of City Council.

Comments:

Under the policy of former Toronto City Council, the opening of a new public lane is carried out as a local improvement under the provisions of the Local Improvement Act, provided that 75 percent of the abutting property owners, representing 75 percent of the value of the lots liable to be affected by the lane opening, are in favour of the work. Furthermore, the City will acquire the lands required for the opening of the public lane and back-charge the entire cost of land assembly to the benefiting property owners.

The opening of a new public lane at the rear of Premises Nos. 1697 to 1703 St Clair Avenue West and extending westerly between Premises Nos. 34 and 36 Spring Grove Avenue, as shown hatched on the attached Plan SYE2925, will require the acquisition of one parcel of privately owned property.

Capital funds, in the estimated amount of \$70,397.66 for the land assembly component of the project, all of which is recoverable by special assessment from the benefiting owners, is available in Transportation Services 2000 Capital Works Program (Project No. TRN811).

The total assessable frontage is 25.699m, against which the \$70,397.66 or 100 percent of the estimated cost will be applied. The estimated cost per metre frontage is \$2,739.32, if paid entirely by lump sum or, if spread over a period of 10 years, a rate per metre frontage per annum of \$409.54. All figures indicated are more or less.

In the event that City Council adopts the recommendations above, formal notices will be sent to the abutting property owners advising them of Council's actions. In addition, notice of the work will be published in a local newspaper. If a signed petition against this work is not received, then a By-law authorizing this work will be introduced in Council. This By-law, however, does not take effect until the approval of the Ontario Municipal Board has been obtained.

This undertaking is pre-approved in accordance with Schedule "A" of the Class Environmental Assessment for Municipal Road Projects under the Environmental Assessment Act.

Conclusion:

The acquisition of the above-noted lands for public lane purposes is supported by the abutting property owners. The cost to acquire these lands will be back-charged to the benefiting property owners, based on the assessable frontage of their respective lots.

Therefore, if authorized by City Council, staff should proceed with the necessary steps, as expeditiously as possible, for the dedication of these lands as public highway.

Contact:

John Mende
Manager, Traffic Planning, Transportation Services, District 1
Tel. 392-7713 Fax 392-0816
Jmende@city.toronto.on.ca

Attachment:

Plan SYE2925 – Private Lane Between Premises Nos. 34 and 36 Spring Grove Avenue.
(A copy of the aforementioned attachment is on file in the Office of the City Clerk).

Report dated February 28, 2000, from the Commissioner of Corporate Services, entitled “Acquisition of Lands for the Opening of a Public Lane South of St. Clair Avenue West, Extending Westerly from Spring Grove Avenue, between Premises Nos. 34 and 36 Spring Grove Avenue. (Ward 21 – Davenport)”:

Purpose:

To obtain City Council authority to acquire the fee simple interest and the right-of-way interest in the existing private lane at the above-noted location for the opening of a public laneway under the Local Improvement Act.

Financial Implications and Impact Statement:

The cost of acquiring the interests in these lands is estimated at \$70,397.66. Funds are available in the approved Transportation Services 2000 Capital Works Program (Project No. TRN811). Provisions of the Local Improvement Act allow the entire cost of acquisition to be back-charged to the benefiting property owners, including the vendor of the private lane, based on the assessable frontage of the lots

Recommendations:

It is recommended that:

- (1) the Offer to Sell from Maria Salituro to sell the lands shown on the attached Plan SYE2925 to the City for a sale price of \$55,000.00 plus an amount equal to the amount of the special assessment that is specially assessed upon the Vendor’s property at 1705 St. Clair Avenue West, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Executive Director of Facilities and Real Estate be authorized to accept the Offer on behalf of the City;

- (2) authority be given to acquire the right-of-way interest over the lands shown on Plan SYE2925 from the owners of 36 Spring Grove Avenue for a nominal sum at no cost to these owners;
- (3) the City Solicitor be authorized to complete the transactions on behalf of the City, including payment of any necessary expenses, extending the conditional period of the Agreement of Purchase and Sale as may be necessary to enable the City to satisfy the Local Improvement Condition discussed in the body of this report and amending the closing date to such earlier or later date as he considers reasonable; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Background:

City Council at its meeting of June 9, 10 and 11, 1999, by adopting, as amended, Clause No. 28 contained in Report No. 8 of The Toronto Community Council, authorized the preparation of a local improvement recommendation on the initiative plan for this lane opening, which is shown on the attached Plan SYE 2925.

Comments:

Negotiations, which have been ongoing, in consultation with staff of Works and Emergency Services, to acquire the fee ownership of the laneway have now been concluded. It is noted that the Commissioner of Works and Emergency Services is submitting a report to the same meeting of Council as this report is being submitted, seeking authorization of this lane opening as a local improvement on the initiative plan and, accordingly, this report deals with the real estate issues only.

The private lane is 31.91m by 3.05m with an area of approximately 97.2 m². It forms part of the property municipally known as 1705 St. Clair Avenue West, which is owned by Maria Salituro. The owner, through her lawyer, has submitted an Offer to Sell to the City on the following basic terms:

- (a) Purchase price - \$55,000.00 plus a sum equal to the amount of the special assessment that is specially assessed upon the Vendor's property at 1705 St. Clair Avenue West, pursuant to the Local Improvement Act (Ontario). This amount, currently estimated at \$8,300.00 by Works and Emergency Services staff, is subject to adjustment, and would be paid by the City as Purchaser directly to the City as a municipal corporation in payment of the special assessment under the Local Improvement Act (Ontario). In effect, the Vendor would receive a net amount of \$55,000.00.

- (b) Conditions:
- (i) Right-of-way Condition - the City shall, on or prior to closing, have obtained a release and reconveyance of the right-of-way in favour of 36 Spring Grove Avenue;
 - (ii) Local Improvement Condition - within five months from the date of acceptance of the Offer to Sell, the City shall have completed all necessary steps and obtained all necessary approvals pursuant to the Local Improvement Act to entitle the City to specially assess the entire cost of the lane project upon the benefiting property owners' lands.
- (c) Irrevocable date for the Offer – March 9, 2000.
- (d) Closing – the 50th day after satisfaction or waiver by the City of the Local Improvement Condition, or any other date as the parties or their respective solicitors may, in writing, mutually agree to.

The 5-month period for completing the steps and obtaining approvals under the Local Improvement Act is only an estimate. If the necessary approvals are not in place at the expiry of this period, the Agreement of Purchase and Sale could come to an end. It is, therefore, necessary that the City Solicitor, with the mutual agreement of the Vendor, be authorized to extend this period if the need arises.

Right-of-Way Interest:

The private lane is subject to a right-of-way over the easterly 11.4 m in favour of the adjoining property to the north, municipally known as 36 Spring Grove Avenue. As a result of negotiations, these owners have indicated willingness to convey their right-of-way interest to the City for a nominal sum, provided that the City acquires the lane for public lane purposes and no costs are incurred by these owners. Currently, 36 Spring Grove Avenue is improved with a single family residence, with an attached garage, having access from Spring Grove Avenue. This property would not materially benefit from the creation of a public lane.

Conclusions:

The opening of this public lane requires the acquisition of the fee simple interest and the right-of-way interest in these lands. An Offer to Sell for the fee simple interest has been received from Maria Salituro. The Offer is considered reasonable and acceptance is recommended. Provided the City acquires the lands for public lane purposes, the owners of 36 Spring Grove Avenue have agreed to convey their right-of-way interest to the City, for a nominal sum, on the basis they will not incur any costs. It is recommended that authority be given to acquire the right-of-way interest for a nominal sum.

Contact:

Ting Ng, Senior Appraiser/Negotiator, Telephone – 392- 1857, Fax – 392-1880,
E-mail – tng@city.toronto.on.ca

Attachments: Plan SYE2925 and Location Map
(A copy of the aforementioned attachments is file in the Office of the City Clerk.)

ATTACHMENT NO. 5

Report dated February 25, 2000, from the City Solicitor, entitled “Development in Matters Relating to Toronto Police Association’s ‘True Blue’ Campaign”. (See Minute No. 4.62, Page 103.):

Purpose:

The purpose of this report is to respond to a request by City Council for ongoing reports on developments in legal matters pertaining to the Toronto Police Association’s “True Blue” campaign.

Financial Implications and Impact Statement:

There are no financial implications from receipt of this report.

Recommendation:

It is recommended that the City Solicitor be requested to report on further legal developments in the “True Blue” matter only when such developments occur.

Background:

At its meeting held on February 1, 2 and 3, 2000, City Council adopted a Motion respecting various aspects of the Toronto Police Association’s “True Blue” campaign. One resolution contained in that Motion requested the City Solicitor 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”.

Comments:

Attached is a letter dated February 16, 2000, from the law firm of Hicks Morley, which is representing the Toronto Police Services Board with respect to legal matters arising from

the “True Blue” campaign. This letter was considered by the Board at its public meeting held on February 24, 2000.

The attached correspondence summarizes the current situation with respect to legal matters arising from the “True Blue” campaign. Essentially, the Board’s application for an interlocutory injunction, restraining the Toronto Police Association from carrying on its “True Blue” campaign, was granted. Such injunction will remain in effect until such time as the Divisional Court renders a judgement with respect to the judicial review application brought by the Toronto Police Association attacking Board By-law No. 130. As members of Council will recall, By-law No. 130 was passed by the Board in an effort to remedy the perceived problems that arose as a result of the “True Blue” campaign. It now appears that the judicial review application, originally scheduled to be heard on February 28, 2000, has been adjourned until June 5, 2000, as a result of the Attorney General of Ontario’s intervention in the case to defend the constitutionality of the portions of the Police Service Act which limit political activity by police officers. Therefore, the injunction will stand, until such time as the matter is heard and the decision rendered by the Divisional Court subsequent to the hearing currently anticipated to be held on June 5, 2000.

In light of the fact that it is unlikely that there will be any legal developments in the “True Blue” matter prior to June 5, 2000, it appears unnecessary for the City Solicitor to be required to report on future developments in matters relating to the “True Blue” campaign at every meeting of Council, prior to the Divisional Court consideration of this matter. Therefore, I recommend that the City Solicitor be requested to report to Council on any future developments in matters relating to the “True Blue” campaign as those developments may occur.

Conclusions:

The Toronto Police Association’s “True Blue” campaign has been restrained by way of interlocutory injunction, at least until the Divisional Court considers the Association’s application to overturn By-law No. 130 of the Toronto Police Services Board.

In light of the current situation, the City Solicitor should be requested to report on future legal developments, in respect to the “True Blue” campaign, only as they arise, rather than being required to report to each meeting of Council.

Contact:

Albert H. Cohen
Legal Division
Telephone: (416) 392-8041
Facsimile: (416) 397-5624
e-mail: Acohen@city.toronto.on.ca

Attachment:

Letter dated February 16, 2000, from Hicks Morley.
(A copy of the aforementioned attachment is on file in the office of the City Clerk.)