

[Guide to the Council Minutes](#)

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

**TUESDAY, APRIL 11, 2000,  
WEDNESDAY, APRIL 12, 2000 AND  
THURSDAY, APRIL 13, 2000**

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

**CALL TO ORDER**

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

The meeting opened with O Canada.

- 5.2 **CONFIRMATION OF MINUTES**

Councillor Gardner, seconded by Councillor Berardinetti, moved that the Minutes of the Council meetings held on the 14th, 15th and 16th days of December, 1999, and the 1st and 2nd days of February, 2000, be confirmed in the form supplied to the Members, which carried.

**PRESENTATION OF REPORTS**

**April 11, 2000:**

- 5.3 Councillor Minnan-Wong presented the following Reports for consideration by Council:

Report No. 7 of The Administration Committee,  
Report No. 4 of The North York Community Council,

Report No. 3 of The Scarborough Community Council,  
Report No. 4 of The Policy and Finance Committee,  
Report No. 4 of The Economic Development and Parks Committee,  
Report No. 3 of The Planning and Transportation Committee,  
Report No. 6 of The Works Committee,  
Report No. 8 of The Administration Committee,  
Report No. 3 of The Community Services Committee,  
Report No. 5 of The North York Community Council,  
Report No. 4 of The Scarborough Community Council,  
Report No. 5 of The Toronto Community Council,  
Report No. 6 of The Toronto Community Council,  
Report No. 4 of The York Community Council,  
Report No. 3 of The East York Community Council,  
Report No. 3 of The Etobicoke Community Council,  
Report No. 2 of The Audit Committee,  
Report No. 2 of The Nominating Committee, and  
Report No. 1 of The Board of Health,

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

**April 12, 2000:**

- 5.4 Councillor Valenti, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 7 of The Works Committee,

and moved, seconded by Councillor Pantalone, 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.

**April 13, 2000:**

- 5.5 Councillor Palacio, with the permission of Council, presented the following Report for the consideration of Council:

Report No. 3 of The Striking Committee,

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



**5.6 DECLARATIONS OF INTEREST**

Councillor Balkissoon declared his interest in Item (l), entitled “Conditions of Employment - Council Staff Members”, as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, 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.

Councillor Berger declared his interest in Clause No. 2 of Report No. 2 of The Audit Committee, headed “System of Control for the Eligibility of Clients Requesting Dental Services”, in that his son-in-law is engaged in the dental profession.

Councillor Cho declared his interest in Item (l), entitled “Conditions of Employment - Council Staff Members”, as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office.

Councillor Gardner declared his interest in Item (l), entitled “Conditions of Employment - Council Staff Members”, as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office.

Councillor Holyday declared his interest in Item (e), entitled “New Development Applications for the West District (Etobicoke)”, as embodied in Clause No. 22 of Report No. 3 of The Etobicoke Community Council, headed “Other Items Considered by the Community Council”, in that he owns property in close proximity to 3890 Bloor Street West.

Councillor Jakobek declared his interest in Clause No. 5 of Report No. 6 of The Toronto Community Council, headed “Draft Zoning By-law - St. Michael’s College (University of Toronto) - 70 and Part of 50 St. Joseph Street (Downtown)”, in that his in-laws own property within the subject area.

Councillor Jones declared her interest in Clause No. 18 of Report No. 3 of The Etobicoke Community Council, headed “Amendment to the Etobicoke Official Plan and Zoning Code, Oxford Hills Developments (Manitoba) Limited, 134 and 136 Manitoba Street and 527 and 535 Oxford Street, File No. Z-2303 (Lakeshore-Queensway)”, in that her husband is working as a consultant for an associate of the applicant.

Councillor Kelly declared his interest in Item (l), entitled “Conditions of Employment - Council Staff Members”, as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, headed “Other Items Considered by the Committee”, in that a member of his family is an employee in his office.

Mayor Lastman declared his interest in Clause No. 22 of Report No. 6 of The Toronto Community Council, headed "Designation Under Part IV of the Ontario Heritage Act/Demolition Application - 262 and 264 St. Clair Avenue West, Rezoning and Official Plan and Site Plan Application - 262-276 St. Clair Avenue West, 288-290 Russell Hill Road and 9 Parkwood Avenue (Midtown)", 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; and in Clause No. 3 of Report No. 2 of The Audit Committee, headed "1998 Management Letter - Business Improvement Areas", in that his son is the President of the Kennedy Road Business Improvement Area.

Councillor Mammoliti declared his interest in Item (l), entitled "Conditions of Employment - Council Staff Members", as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, headed "Other Items Considered by the Committee", in that a member of his family is an employee in his office.

Councillor Miller declared his interest in Clause No. 7 of Report No. 8 of The Administration Committee, headed "Spadina and Thelma (Municipal Carpark No. 164), Joint Venture (Midtown)", in that a member of his family owns a business in close proximity to the property in question.

Councillor O'Brien declared his interest in Item (b), entitled "Proposed Street Naming Policy", as embodied in Clause No. 22 of Report No. 3 of The Etobicoke Community Council, headed "Other Items Considered by the Community Council", in that he resides on Laurel Avenue which may be affected by the street naming policy.

Councillor Pantalone declared his interest in Item (a), entitled "2000 Operating Budgets Under the Purview of the Community Services Committee", as embodied in Clause No. 13 of Report No. 3 of The Community Services Committee, headed "Other Items Considered by the Committee", in that one of his children is registered in a day care centre which has a purchase of service agreement with the City of Toronto.

Councillor Shiner declared his interest in Item (l), entitled "Conditions of Employment - Council Staff Members", as embodied in Clause No. 17 of Report No. 8 of The Administration Committee, headed "Other Items Considered by the Committee", in that a member of his family is an employee in his office.

## **CONSIDERATION OF REPORTS**

### **CLAUSES RELEASED OR HELD FOR FURTHER CONSIDERATION**

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

Report No. 7 of The Administration Committee, Clause No. 1.

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

Report No. 3 of The Scarborough Community Council, Clause No. 1.

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1, 3, 4, 5, 7, 9, 13, 14, 17 and 19.

Report No. 4 of The Economic Development and Parks Committee, Clauses Nos. 1, 3 and 4.

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

Report No. 6 of The Works Committee, Clauses Nos. 1, 2, 7, 8, 9, 18, 21 and 29.

Report No. 7 of The Works Committee, Clauses Nos. 1 and 2.

Report No. 8 of The Administration Committee, Clauses Nos. 1, 2, 3, 4, 8, 12, 15, 16 and 17.

Report No. 3 of The Community Services Committee, Clauses Nos. 1, 6, 11 and 13.

Report No. 5 of The North York Community Council, Clauses Nos. 24 and 34.

Report No. 4 of The Scarborough Community Council, Clauses Nos. 8, 15, 19 and 20.

Report No. 5 of The Toronto Community Council, Clauses Nos. 1, 5, 11, 17, 23, 24, 60, 64, 69, 73 and 77.

Report No. 6 of The Toronto Community Council, Clauses Nos. 5, 21 and 22.

Report No. 4 of The York Community Council, Clause No. 16.

Report No. 3 of The East York Community Council, Clause No. 2.

Report No. 3 of The Etobicoke Community Council, Clauses Nos. 12, 19, 20 and 21.

Report No. 2 of The Audit Committee, Clauses Nos. 2 and 4.

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

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

Report No. 1 of The Board of Health, Clause No. 1.

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

Report No. 4 of The Policy and Finance Committee, Clauses Nos. 1 and 19.

Report No. 6 of The Works Committee, Clause No. 7.

Report No. 7 of The Works Committee, Clauses Nos. 1 and 2.

Report No. 8 of The Administration Committee, Clause No. 15.

Report No. 3 of The Community Services Committee, Clause No. 11.

Report No. 5 of The North York Community Council, Clause No. 34.

Report No. 4 of The Scarborough Community Council, Clauses Nos. 15 and 19.

Report No. 5 of The Toronto Community Council, Clause No. 60.

Report No. 6 of The Toronto Community Council, Clause No. 22.

Report No. 3 of The Etobicoke Community Council, Clause No. 19.

Report No. 2 of The Audit Committee, Clause No. 4.

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

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

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

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

**5.8 Clause No. 9 of Report No. 4 of The Policy and Finance Committee, headed "Sustainability Roundtable Membership".**

*Motion:*

Councillor O'Brien moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Toronto and Region Conservation Authority be included under the category entitled ‘Environment Sector’ in List A, as embodied in the communication dated March 14, 2000, from the City Clerk.”

*Votes:*

The motion by Councillor O’Brien carried.

The Clause, as amended, carried.

5.9 **Clause No. 1 of Report No. 4 of The Economic Development and Parks Committee, headed “Results of the ‘Nations in Bloom 1999’ Competition (All Wards)”.**

*Motion:*

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

“It is further recommended that City Council convey its appreciation to Mrs. Fiona Campbell and staff of the Economic Development, Culture and Tourism Department for their efforts in this regard.”

*Votes:*

The motion by Councillor Kinahan carried.

The Clause, as amended, carried.

5.10 **Clause No. 24 of Report No. 5 of The North York Community Council, headed “Stopping Prohibitions – Bonnington Place – North York Centre”.**

*Motion:*

Councillor Filion moved that the Clause be amended by deleting from the recommendation embodied in the report dated March 3, 2000, from the Director, Transportation Services, District 3, the times “3:00 p.m. and 6:00 p.m.”, and inserting in lieu thereof the times “8:00 a.m. and 6:00 p.m.”, so that such recommendation shall now read as follows:

“It is recommended that Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping between 8:00 a.m. and 6:00 p.m., Monday to Friday, on both sides of Bonnington Place, from the southerly limit of Sheppard Avenue East to the northerly limit of Lyndale Drive.”



*Votes:*

The motion by Councillor Filion carried.

The Clause, as amended, carried.

**5.11 Clause No. 11 of Report No. 5 of The Toronto Community Council, headed “Requests for Endorsement of Events for Liquor Licensing Purposes”.**

*Motion:*

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

“It is further recommended that City Council advise the Alcohol and Gaming Commission of Ontario that it is aware of the event taking place at the Mayfair Lakeshore Racquet & Fitness Club located at 801 Lake Shore Boulevard East, from May 1, 2000, to May 8, 2000, and has no objection to such event taking place.”

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

**5.12 Clause No. 69 of Report No. 5 of The Toronto Community Council, headed “Designation Under Part IV of Ontario Heritage Act – 1107 Avenue Road, Eglinton Hunt Club (North Toronto)”.**

*Motion:*

Councillor McConnell 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 the report dated March 24, 2000, from the City Clerk, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) authority be granted for the introduction of the necessary Bill in Council to designate 1107 Avenue Road as a property of architectural and historical value or interest under Part IV of the Ontario Heritage Act; and

- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’ ”

*Votes:*

The motion by Councillor McConnell carried.

The Clause, as amended, carried.

- 5.13 **Clause No. 77 of Report No. 5 of The Toronto Community Council, headed “Sidewalk Widening - Pearl Street, from Simcoe Street to Duncan Street - Duncan Street, East Side, from King Street West to Pearl Street (Downtown)”.**

*Motion:*

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

“The Toronto Community Council recommends that a by-law in the form of the draft by-law, as amended by the report dated March 22, 2000, from the Director, Transportation Services, District 1, be enacted.”

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

- 5.14 **Clause No. 21 of Report No. 6 of The Toronto Community Council, headed “Draft By-law - Sidewalk Widening - Duncan Street from King Street West to Pearl Street (Downtown)”.**

*Motion:*

Councillor Chow moved that the Clause be amended by deleting from the recommendation of the Toronto Community Council the words “as amended by the report (March 22, 2000) from the Director, Transportation Services, District 1,”, so that such recommendation shall now read as follows:

“The Toronto Community Council recommends that a by-law in the form of the draft by-law be enacted.”

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

5.15 **Clause No. 1 of Report No. 5 of The Toronto Community Council, headed “Additional Street Lighting – Dalhousie and Mutual Streets (Between Shuter and Gould Streets) (Downtown)”.**

*Motion:*

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

“It is further recommended that the recommendation of the Policy and Finance Committee embodied in the communication dated March 28, 2000, from the City Clerk, that the source of funds for the installation of additional street lighting on Dalhousie and Mutual Streets be derived from the 2000 Capital Budget of the Works and Emergency Services Department, be adopted.”

*Votes:*

The motion by Councillor Rae carried.

The Clause, as amended, carried.

5.16 **Clause No. 1 of Report No. 1 of The Board of Health, headed “Update on Restaurant Inspection Blitz and Process for Food Premises Disclosure System”.**

*Motion:*

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

“It is further recommended that all reports concerning restaurant disclosure and rating systems include consultation with and comment from the Commissioner of Economic Development, Culture and Tourism, in order to ensure that due consideration has been given to the economic impact of all actions taken in this regard.”

*Votes:*

The motion by Councillor Duguid carried.

The Clause, as amended, carried.

5.17 **Clause No. 5 of Report No. 4 of The Policy and Finance Committee, headed “Standards of Care in Retirement and Lodging Homes -Additional Resource Requirements”.**

*Motion:*

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

*Vote:*

The motion by Councillor Johnston carried.

5.18 **Clause No. 13 of Report No. 4 of The Policy and Finance Committee, headed “Education Rates for 2000 Final Levy”.**

*Motions:*

(a) Councillor Moscoe 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 submit a report to the Budget Advisory Committee on the tax room created from the reduction in the education tax rates, and the City of Toronto’s capacity to use it to offset provincial downloading.”

(b) Councillor Davis 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 submit a report to the Budget Advisory Committee on the impacts the additional 10 percent education tax cut would have on the phasing-in of Current Value Assessment.”

*Votes:*

Motion (b) by Councillor Davis carried.

Motion (a) by Councillor Moscoe carried.

The Clause, as amended, carried.

5.19 **Clause No. 17 of Report No. 4 of The Policy and Finance Committee, headed “Service Levels Pending Operating Budget Approval”.**

*Motion:*

Councillor Adams moved that the Clause be received.

*Votes:*

Adoption of motion by Councillor Adams:

Yes - 15 Councillors:	Adams, Augimeri, Balkissoon, Bossons, Chow, Gardner, Johnston, Korwin-Kuczynski, Li Preti, Mammoliti, Moscoe, Prue, Rae, Tzekas, Valenti
No - 23 Mayor: Councillors:	Lastman Ashton, Berger, Brown, Cho, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, King, Lindsay Luby, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Saundercook, Shiner, Sinclair, Soknacki

Lost by a majority of 8.

Adoption of Clause, without amendment:

Yes - 24 Mayor: Councillors:	Lastman Ashton, Balkissoon, Berger, Brown, Cho, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Kinahan, King, Lindsay Luby, Minnan-Wong, Nunziata, Ootes, Palacio, Saundercook, Shiner, Sinclair, Soknacki
No - 15 Councillors:	Adams, Augimeri, Bossons, Chow, Gardner, Johnston, Jones, Korwin-Kuczynski, Li Preti, McConnell, Moscoe, Pantalone, Prue, Rae, Tzekas

Carried by a majority of 9.

Deputy Mayor Ootes in the Chair.

**5.20 Clause No. 3 of Report No. 4 of The Economic Development and Parks Committee, headed “Tourism Partnership Agreement with Tourism Toronto (All Wards)”.***Motions:*

- (a) Councillor Feldman moved that the Clause be amended by deleting from Recommendation No. (2) of the Economic Development and Parks Committee the words “Tourism Toronto” and inserting in lieu thereof the words “the City of Toronto to promote tourism in Toronto”.
- (b) Councillor Lindsay Luby moved that motion (a) by Councillor Feldman be amended by adding thereto the words “and the City of Toronto work in conjunction with Tourism Toronto”.
- (c) Councillor Johnston moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Mayor be requested to approach the Premier of Ontario to secure an agreement to give effect to the recommendations embodied in this Clause.”
- (d) Councillor Davis moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee on how best to disburse the additional revenue derived from the special levy on tourist accommodation, not only to support Tourism Toronto but to also include some of the premium special events that occur in the City, as well as improving tourism infrastructure, whether it be parks, parking, the waterfront or providing assistance to festivals to carry out their activities.”
- (e) Councillor Chow moved that motion (a) by Councillor Feldman be amended by adding thereto the words “and that the City of Toronto also work with other activities, events and organizations that promote tourism in Toronto”.
- (f) Councillor Bossons moved that the Clause be amended by deleting Recommendation No. (1)(a) of the Economic Development and Parks Committee, viz.:
  - “(a) amending the fourth bullet in Item No. 1.2 of the Tourism Partnership Agreement, entitled ‘Services in Support of City-Wide Corporate Objectives’, by adding ‘Niagara Falls’ to the list of high profile locations;”.

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

(1) striking out Recommendation No. (2) of the Economic Development and Parks Committee and inserting in lieu thereof the following:

“(2) that City Council request the provincial government to enact enabling legislation which would allow the City of Toronto to levy a 3 percent municipal sales tax on hotel, motel and any other temporary accommodation; and that the proceeds from this levy be used for promoting tourism in Toronto;”; and

(2) adding thereto the following:

“It is further recommended that that this be done in conjunction with Tourism Toronto and the Commissioner of Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee, one year after the levy becomes effective, providing a determination on whether the level of 3 percent is appropriate or if it should be lower.”

*Votes:*

Motion (f) by Councillor Bossons carried.

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

Yes - 15	
Mayor:	Lastman
Councillors:	Adams, Altobello, Balkissoon, Berger, Brown, Bussin, Davis, Disero, Giansante, Korwin-Kuczynski, Li Preti, Mammoliti, Moscoe, Sinclair
No - 33	
Councillors:	Ashton, Augimeri, Berardinetti, Bossons, Cho, Chow, Duguid, Feldman, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, McConnell, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Soknacki, Tzekas, Valenti, Walker

Lost by a majority of 18.

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

Adoption of motion (b) by Councillor Lindsay Luby:

Yes - 45	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Chow, Davis, Disero, Duguid, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 3	
Councillors:	Brown, Cho, Feldman

Carried by a majority of 42.

Adoption of motion (e) by Councillor Chow:

Yes - 37	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Chow, Davis, Disero, Feldman, Giansante, Holyday, Jakobek, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Minnan-Wong, Moscoe, Nunziata, O'Brien, Prue, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 11	
Councillors:	Ashton, Berardinetti, Duguid, Johnston, Kelly, Lindsay Luby, Ootes, Palacio, Pantalone, Rae, Valenti

Carried by a majority of 26.

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



Adoption of motion (d) by Councillor Davis:

Yes - 20 Councillors:	Adams, Brown, Chow, Davis, Disero, Feldman, Giansante, Holyday, Jones, Kinahan, Korwin-Kuczynski, Mammoliti, O'Brien, Saundercook, Shiner, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 28 Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Duguid, Jakobek, Johnston, Kelly, King, Layton, Li Preti, Lindsay Luby, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Prue, Rae, Silva

Lost by a majority of 8.

Motion (c) by Councillor Johnston carried.

Adoption of Clause, as amended:

Yes - 46 Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Davis, Disero, Duguid, Feldman, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 2 Councillors:	Brown, Walker

Carried by a majority of 44.

In summary, Council amended this Clause by:

- (1) deleting Recommendation No. (1)(a) of the Economic Development and Parks Committee, viz.:

- “(a) amending the fourth bullet in Item No. 1.2 of the Tourism Partnership Agreement, entitled ‘Services in Support of City-Wide Corporate Objectives’, by adding ‘Niagara Falls’ to the list of high profile locations;”;
- (2) deleting from Recommendation No. (2) of the Economic Development and Parks Committee the words “Tourism Toronto” and inserting in lieu thereof the words “the City of Toronto to promote tourism in Toronto, and the City of Toronto work in conjunction with Tourism Toronto and other activities, events and organizations that promote tourism in Toronto”, so that such recommendation shall now read as follows:

“(2) that City Council request the provincial government to harmonize the sales tax in hotels from 5 percent to 8 percent and ensure that the 3 percent difference is dedicated to the City of Toronto to promote tourism in Toronto, and the City of Toronto work in conjunction with Tourism Toronto and other activities, events and organizations that promote tourism in Toronto.”; and

- (3) adding thereto the following:

“It is further recommended that the Mayor be requested to approach the Premier of Ontario to secure an agreement to give effect to the recommendations embodied in this Clause.”

**5.21 Clause No. 4 of Report No. 4 of The Economic Development and Parks Committee, headed “Tourist Attraction Directional Signage (All Wards)”.**

*Motions:*

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

“It is further recommended that the appropriate City Officials be authorized and directed to take the necessary action to erect signs in appropriate locations to indicate that the City of Toronto is the capital city of Ontario.”

- (b) Councillor Moscoe moved that:

- (1) the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism, in consultation with Tourism Toronto and the culture agencies, be requested to develop a very limited palette of signage to advertise tourism attractions in the City of Toronto and report thereon to the Economic Development and Parks Committee, such report to be drafted in consultation with the Commissioner of Works and Emergency Services.”; and

- (2) motion (a) by Councillor Johnston be referred to the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, with a request that they consider including the recommended signage in the new policy for the City of Toronto.

*Permission to Withdraw Motion:*

Councillor Johnston, with the permission of Council, withdrew her motion (a).

*Votes:*

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

Deputy Mayor Ootes, having regard to the withdrawal of motion (a) by Councillor Johnston, declared Part (2) of motion (b) by Councillor Moscoe, redundant.

The Clause, as amended, carried.

**5.22 Clause No. 5 of Report No. 3 of The Planning and Transportation Committee, headed “Other Items Considered by the Committee”.**

*Motion:*

Councillor Walker moved that the Clause be received as information, subject to striking out and referring Item (b), entitled “Discussion on the Implications of the Supreme Court Decision – Ingles v. Tutkaluk Construction Ltd. and the Corporation of the City of Toronto”, back to the Planning and Transportation Committee for further consideration and the hearing of deputations.

*Votes:*

The motion by Councillor Walker carried.

The Clause, as amended, was received as information.

**5.23 Clause No. 2 of Report No. 3 of The Planning and Transportation Committee, headed “Refining Qualifications for Taxi Natural Gas Extension”.**

*Motion:*

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

“It is further recommended that natural gas fuel taxis be required to maintain acceptable emission standards throughout their tenure as taxis and to provide evidence of emission testing, annually, to the Municipal Licensing and Standards Division of the Urban Development Services Department, during the two-year extension period.”

*Votes:*

The motion by Councillor Moscoe carried.

The Clause, as amended, carried.

**5.24 Clause No. 3 of Report No. 3 of The Planning and Transportation Committee, headed “Steeles Avenue Boundary Road Agreement with the Region of York”.**

*Motion:*

Councillor Ashton moved that the Clause be struck out and referred to the Etobicoke, North York and Scarborough Community Councils for further consideration and report thereon to the Planning and Transportation Committee.

*Vote:*

Adoption of motion by Councillor Ashton:

Yes - 33	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Bussin, Cho, Davis, Duguid, Feldman, Flint, Giansante, Jones, Kinahan, King, Li Preti, Lindsay Luby, Minnan-Wong, Moscoe, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 6	
Councillors:	Disero, Holyday, Jakobek, Kelly, Nunziata, Palacio

Carried by a majority of 27.

**5.25 Clause No. 8 of Report No. 4 of The Scarborough Community Council, headed “Proposed Addition of Gates at CN Railway Crossing on Progress Avenue – Mile 56.74, Uxbridge Subdivision Cost-Sharing Agreement (Ward 15 – Scarborough City Centre)”.**

*Motion:*

Councillor Berardinetti moved that the Clause be amended by deleting Recommendation No. (1) embodied in the report dated March 8, 2000, from the Director of Transportation Services, District 4, and inserting in lieu thereof the following new Recommendation No. (1):

- “(1) the City of Toronto enter into a cost-sharing agreement with Canadian National Railway Company, substantially in the form attached hereto, including the payment of 12.5 percent of the cost of the installation of safety warning gates (approximately \$26,035.75) and approximately 50 percent of the ongoing maintenance costs at the Canadian National Railway crossing on Progress Avenue, between Midland Avenue and Kennedy Road;”.

*Votes:*

The motion by Councillor Berardinetti carried.

The Clause, as amended, carried.

5.26 **Clause No. 1 of Report No. 3 of The Scarborough Community Council, headed “Billboard Signs Court Case”.**

*Motion:*

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

“It is recommended that the confidential report dated February 24, 2000, from the City Solicitor, wherein it is recommended that City Council abandon the appeal, be adopted, 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 litigation or potential litigation.”

*Votes:*

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

5.27 **Clause No. 14 of Report No. 4 of The Policy and Finance Committee, headed “Designation of the Medical Officer of Health as a Director of the Toronto Atmospheric Fund”.**

*Motion:*

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

“It is further recommended that the Commissioner of Economic Development, Culture and Tourism be appointed to the Board of Directors of the Toronto Atmospheric Fund, and that authority be granted for the introduction of the necessary bill in Council to give effect thereto.”

*Votes:*

The motion by Councillor Jakobek carried.

The Clause, as amended, carried.

5.28 **Clause No. 5 of Report No. 6 of The Toronto Community Council, headed “Draft Zoning By-law – St. Michael’s College (University of Toronto) – 70 and part of 50 St. Joseph Street (Downtown)”.**

*Motion:*

Councillor Chow moved that the Clause be amended by adding to Recommendation No. (2) of the Toronto Community Council the words “subject to deleting from Recommendation No. (2) embodied therein the words ‘prior to the introduction of Bills in Council’, and inserting in lieu thereof the words ‘prior to the issuance of a building permit’ ”, so that such recommendation shall now read as follows:

- “(2) the report (March 3, 2000) from the Commissioner of Urban Development Services, be adopted, subject to deleting from Recommendation No. (2) embodied therein the words ‘prior to the introduction of Bills in Council’, and inserting in lieu thereof the words ‘prior to the issuance of a building permit’;”

so that Recommendation No. (2) embodied in the report (March 3, 2000) from the Commissioner of Urban Development Services, shall now read as follows:

- “(2) the owner enter into an Undertaking under Section 43 of the Planning Act prior to the issuance of a building permit;”

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

5.29 **Clause No. 5 of Report No. 5 of The Toronto Community Council, headed “Settlement of Prior Agreements with Toronto Port Authority”.**

*Motion:*

Councillor Chow moved that the Clause be amended by inserting in Recommendation No. (2) of the Toronto Community Council, after the words “be adopted”, the words “subject to adding thereto the words ‘or that the residual funds be released to the City by the Toronto Port Authority and that the funds be used solely for the construction and maintenance of the dockwall and water’s edge promenade at the 30 Stadium Road site’ ”, so that such recommendation shall now read as follows:

“(2) the recommendation contained in the confidential communication (March 23, 2000) from Councillor Chow, be adopted, subject to adding thereto the words ‘or that the residual funds be released to the City by the Toronto Port Authority and that the funds be used solely for the construction and maintenance of the dockwall and water’s edge promenade at the 30 Stadium Road site’; and further that;”,

so that the recommendation embodied in the confidential communication (March 23, 2000) from Councillor Chow, shall now read as follows:

“That the residual funds of \$780,000.00 in the Toronto Port Authority maintenance account be included as part of the City’s contribution to the TPA’s 2000 Operating Budget or that the residual funds be released to the City by the Toronto Port Authority and that the funds be used solely for the construction and maintenance of the dockwall and water’s edge promenade at the 30 Stadium Road site.”

*Votes:*

The motion by Councillor Chow carried.

The Clause, as amended, carried.

**5.30 Clause No. 16 of Report No. 4 of The York Community Council, headed “Other Items Considered by the Community Council”.**

*Motion to Waive Provisions of Procedural By-law:*

Councillor Nunziata moved that subsection 127(5) of the Council Procedural By-law be waived to permit debate of Item (j), entitled “3466 Dundas Street West, Unit 6, Select Café & Donuts, Ward 27, York Humber”, embodied in this Clause, the vote upon which was taken as follows:

Yes - 28	
Mayor:	Lastman
Councillors:	Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Chong, Chow, Disero, Feldman, Flint, Holyday, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Palacio, Pantalone, Prue, Shiner, Tzekas, Valenti
No - 16	
Councillors:	Ashton, Berger, Bossons, Cho, Duguid, Gardner, Kelly, King, Li Preti, Lindsay Luby, Minnan-Wong, Moeser, O’Brien, Ootes, Saundercook, Soknacki



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

*Motion:*

Councillor Nunziata moved that the Clause be received as information, subject to striking out and referring Item (j), entitled “3466 Dundas Street West, Unit 6, Select Café & Donuts, Ward 27, York Humber”, embodied therein, back to the York Community Council for further consideration at its next meeting scheduled to be held on May 2, 2000.

*Votes:*

Adoption of motion by Councillor Nunziata:

Yes - 40	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, Ootes, Palacio, Pantalone, Prue, Shiner, Soknacki, Tzekas, Valenti
No - 4	
Councillors:	Berger, Li Preti, O'Brien, Saundercook

Carried by majority of 36.

The Clause, as amended, was received as information.

5.31 **Clause No. 1 of Report No. 3 of The Planning and Transportation Committee, headed “Car Sharing Initiatives”.**

*Motions:*

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

“It is further recommended that the report dated April 5, 2000, from the Commissioner of Works and Emergency Services, be adopted.”

(b) Councillor Bossons moved that motion (a) by Councillor Flint be amended by adding thereto the words “subject to adding thereto the following new Recommendation No. (4) and re-numbering the remaining recommendation accordingly:

- ‘(4) the number of “blanket” parking permits be limited to 16, with any increase in the number of such permits to be reviewed in one year’s time, and the Commissioner of Works and Emergency Services be requested to submit a report to the Planning and Transportation Committee, at that time, on the effects of the “blanket” parking permits on the availability of permit-parking spaces, and outlining any further recommendations in this regard, if required.’ ”

*Votes:*

Motion (b) by Councillor Bossons carried.

Motion (a) by Councillor Flint 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 April 5, 2000, from the Commissioner of Works and Emergency Services, be adopted, subject to adding thereto the following new Recommendation No. (4) and re-numbering the remaining recommendation accordingly:

- ‘(4) the number of “blanket” parking permits be limited to 16, with any increase in the number of such permits to be reviewed in one year’s time, and the Commissioner of Works and Emergency Services be requested to submit a report to the Planning and Transportation Committee, at that time, on the effects of the “blanket” parking permits on the availability of permit-parking spaces, and outlining any further recommendations in this regard, if required.’,

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

‘It is recommended, should City Council approve the issuance of a “blanket” parking permit for the AutoShare Programme, that:

- (1) blanket permits be applicable for those streets within designated permit parking areas;
- (2) in the case of street specific permit parking, a blanket permit not be issued; a permit be issued for the specific street only when spaces are available;
- (3) the first year fee for AutoShare parking permits be waived;

- (4) the number of “blanket” parking permits be limited to 16, with any increase in the number of such permits to be reviewed in one year’s time, and the Commissioner of Works and Emergency Services be requested to submit a report to the Planning and Transportation Committee, at that time, on the effects of the “blanket” parking permits on the availability of permit-parking spaces, and outlining any further recommendations in this regard, if required; and
- (5) authority be granted for the appropriate City Officials to take the necessary action to give effect thereto, including the introduction in City Council of any bills that might be necessary.’ ”

5.32 **Clause No. 2 of Report No. 6 of The Works Committee, headed “Garbage and Recycling Service for Small Commercial Locations: Collecting of Outstanding Service Fees, and ‘Waste Audit’ Pilot Project”.**

*Motions:*

- (a) Councillor Moscoe moved that the Clause be amended by adding thereto the following:  
  
“It is further recommended that:
  - (1) the Chief Financial Officer and Treasurer, the Chief Administrative Officer and the Commissioner of Works and Emergency Services be requested to submit a joint report to the Works Committee on the most efficient way of collecting garbage from small businesses, including the possibility of pre-payment; and
  - (2) the Commissioner of Works and Emergency Services be requested to review the collection procedure and submit a report to the Works Committee recommending amendments that would facilitate not only the collection of waste but revenue collection as well.”
- (b) Councillor King moved that the Clause be amended to provide that:
  - (1) accounts that are 60 days overdue be notified that, if payment is not received within 90 days of the payment due date, refuse collection will have to be arranged through private collection services; and
  - (2) notification be accomplished through personal contact.

(c) Councillor Chow moved that:

(1) the Clause be amended by adding thereto the following:

“It is further recommended that the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Works and Emergency Services be requested to submit a joint report to the Works Committee, in June 2000, outlining the most efficient way of fining and collecting from businesses that contravene City by-laws relating to the handling of residual solid waste.”; and

(2) motion (b) by Councillor King be referred to the Commissioner of Works and Emergency Services for report thereon to the Works Committee.

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to contact Business Improvement Areas and Business Associations, where applicable, to apprise them of the issue and seek their assistance in this regard.”

(e) Councillor Miller 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 include, in the consultations, members of the BIA office of the Economic Development, Culture and Tourism Department.”

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

“It is further recommended that the Medical Officer of Health be requested to submit a report, through the Commissioner of Works and Emergency Services, to the Works Committee, in June 2000, outlining the authority of the City of Toronto under the Health Protection and Promotion Act.”

(g) Councillor Chong moved that the Clause be amended by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be authorized to retain the services of a collection agency to collect the outstanding debt.”

(h) Councillor Layton moved that motion (g) by Councillor Chong be referred to the Commissioner of Works and Emergency Services for consideration.

*Votes:*

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

Yes - 20 Councillors:	Augimeri, Berardinetti, Bossons, Brown, Chow, Davis, Gardner, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Miller, Nunziata, Palacio, Pantalone, Prue, Saundercook, Walker
No - 20 Councillors:	Altobello, Ashton, Balkissoon, Berger, Bussin, Cho, Chong, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jones, King, Li Preti, Mammoliti, Minnan-Wong, Ootes, Soknacki

Lost, there being an equal division of votes.

Adoption of motion (b) by Councillor King, without amendment:

Yes - 23 Councillors:	Ashton, Augimeri, Berger, Brown, Cho, Chong, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, King, Li Preti, Mammoliti, Minnan-Wong, Moscoe, O'Brien, Ootes, Shiner, Soknacki, Tzekas
No - 25 Councillors:	Adams, Altobello, Balkissoon, Berardinetti, Bossons, Bussin, Chow, Davis, Filion, Johnston, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Palacio, Pantalone, Prue, Saundercook, Silva, Sinclair, Walker

Lost by a majority of 2.

Adoption of motion (h) by Councillor Layton:

Yes - 26 Councillors:	Adams, Altobello, Berardinetti, Bossons, Cho, Chow, Davis, Filion, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Nunziata, Palacio, Pantalone, Prue, Saundercook, Silva, Sinclair, Tzekas, Walker
No - 22 Councillors:	Ashton, Augimeri, Balkissoon, Berger, Brown, Bussin, Chong, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, King, Li Preti, Mammoliti, Minnan-Wong, Moscoe, O'Brien, Ootes, Shiner, Soknacki

Carried by a majority of 4.

Motion (a) by Councillor Moscoe carried.

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

Motion (d) by Councillor Pantalone carried.

Motion (e) by Councillor Miller carried.

Motion (f) by Councillor Johnston carried.

Adoption of Recommendation No. (1) of the Works Committee:

Yes - 36	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Minnan-Wong, Moscoe, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti, Walker
No - 15	
Councillors:	Adams, Bussin, Chow, Davis, Disero, Fillion, Jakobek, Johnston, Layton, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Palacio

Carried by a majority of 21.

Recommendation No. (2) of the Works Committee carried.

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

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

“It is further recommended that:

- (1) the Chief Financial Officer and Treasurer, the Chief Administrative Officer and the Commissioner of Works and Emergency Services be requested to submit a joint report to the Works Committee on the most efficient way of collecting garbage from small businesses, including the possibility of pre-payment;
- (2) the Chief Financial Officer and Treasurer, the City Solicitor and the Commissioner of Works and Emergency Services be requested to submit a joint report to the Works Committee, in June 2000, outlining the most efficient way of fining and collecting from businesses that contravene City by-laws relating to the handling of residual solid waste;

- (3) the Medical Officer of Health be requested to submit a report, through the Commissioner of Works and Emergency Services, to the Works Committee, in June 2000, outlining the authority of the City of Toronto under the Health Protection and Promotion Act;
- (4) the Commissioner of Works and Emergency Services be requested to:
  - (a) review the collection procedure and submit a report to the Works Committee recommending amendments that would facilitate not only the collection of waste but revenue collection as well;
  - (b) contact Business Improvement Areas and Business Associations, where applicable, to apprise them of the issue and seek their assistance in this regard; and
  - (c) include, in the consultations, members of the BIA office of the Economic Development, Culture and Tourism Department; and
- (5) the following motion be referred to the Commissioner of Works and Emergency Services for consideration:

Moved by Councillor Chong:

‘It is further recommended that the Commissioner of Works and Emergency Services be authorized to retain the services of a collection agency to collect the outstanding debt.’ ”

**5.33 Clause No. 8 of Report No. 6 of The Works Committee, headed “Ultra Low Flush Toilet Program”.**

Having regard that the Clause was submitted without recommendation:

*Motion:*

Councillor Davis moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the City of Toronto impose a condition on the grants for the Ultra Low Flush Toilet program, that the applicant cannot apply the capital/installation costs in any above-guideline rent increase application; and

- (2) previous applicants be advised that they cannot utilize their successful previous application for any above-guideline rent increase if they want to be considered for future grants.”

*Votes:*

The motion by Councillor Davis carried.

Adoption of Clause, as amended:

Yes - 31 Councillors:	Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chow, Davis, Duguid, Filion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Palacio, Saundercook, Sinclair
No - 1 Councillor:	Valenti

Carried by a majority of 30.

5.34 **Clause No. 9 of Report No. 6 of The Works Committee, headed “Universal Metering - Public Notification”.**

*Motions:*

- (a) Councillor Saundercook moved that, in accordance with the report dated April 10, 2000, from the City Clerk, the Clause be amended by deleting Recommendation No. (3) of the Works Committee, having regard that it is in conflict with the Municipal Freedom of Information and Protection of Privacy Act, viz.:

“(3) each Ward Councillor be notified of the names of any customers with increases in flat rate bills as a result of refusing a meter, prior to such increases;”.

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

“It is further recommended that the Commissioner of Works and Emergency Services be directed to include a copy of the recorded vote on this Clause with the notices sent to residents in this regard.”



- (c) Councillor Disero moved that the Clause be amended by striking out and referring Recommendation No. (3) of the Works Committee back to the Works Committee for further consideration, and further that the City Clerk and the City Solicitor be requested to submit a joint report to the Works Committee on ways the City of Toronto can ensure that homeowners and residents have been notified fully of the issue and on whether or not they want a meter.
- (d) Councillor Adams moved that motion (c) by Councillor Disero be amended by adding thereto the words “and the City Solicitor be directed to seek a legal opinion from outside legal counsel, Mr. George Rust D’Eye, in this regard”.

*Votes:*

Adoption of motion (d) by Councillor Adams:

Yes - 26	Councillors: Adams, Altobello, Augimeri, Berger, Bossons, Brown, Chong, Chow, Davis, Johnston, Kinahan, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Valenti
No - 17	Councillors: Ashton, Berardinetti, Cho, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, King, O’Brien, Palacio, Saundercook, Sinclair, Tzekas

Carried by a majority of 9.

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

Yes - 28	Councillors: Adams, Altobello, Ashton, Augimeri, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Johnston, Jones, Kinahan, King, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Rae, Tzekas, Valenti
No - 12	Councillors: Berardinetti, Berger, Bossons, Feldman, Gardner, Giansante, Holyday, Kelly, Minnan-Wong, O’Brien, Saundercook, Sinclair

Carried by a majority of 16.

Adoption of motion (b) by Councillor Layton:

Yes - 9	
Councillors:	Augimeri, Chow, Kinahan, Layton, Mammoliti, McConnell, Miller, Moscoe, Tzekas
No - 35	
Councillors:	Adams, Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, King, Li Preti, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Sinclair, Valenti

Lost by a majority of 26.

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

The Clause, as amended, carried.

In summary, Council amended this Clause by striking out and referring Recommendation No. (3) of the Works Committee back to the Works Committee for further consideration, viz.:

“(3) each Ward Councillor be notified of the names of any customers with increases in flat rate bills as a result of refusing a meter, prior to such increases;”;

and further that:

- (a) the City Clerk and the City Solicitor be requested to submit a joint report to the Works Committee on ways the City of Toronto can ensure that homeowners and residents have been notified fully of the issue and on whether or not they want a meter; and
- (b) the City Solicitor be directed to seek a legal opinion from outside legal counsel, Mr. George Rust D'Eye, in this regard.

5.35 **Clause No. 21 of Report No. 6 of The Works Committee, headed “F.G. Gardiner Expressway Dismantling Project - Don Roadway to Leslie Street, Contract No. 00D1-01RD, Tender Call No. 01-2000 (Don River, East Toronto)”.**

*Vote:*

Adoption of Clause, without amendment:

Yes - 42 Councillors:	Adams, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Gardner, Giansante, Holyday, Johnston, Jones, Kinahan, King, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Sinclair, Tzekas, Valenti
No - 2 Councillors:	Altobello, Jakobek

Carried by a majority of 40.

5.36 **Clause No. 1 of Report No. 8 of The Administration Committee, headed “Process to Establish New Community Council Boundaries – All Wards”.**

*Motion:*

- (a) Councillor Johnston moved that the Clause be struck out and referred back to the Administration Committee for further consideration.

*Permission to Withdraw Motion:*

Councillor Johnston, with the permission of Council, withdrew her foregoing motion (a).

*Motions:*

- (b) Councillor Moscoe moved that the Clause be amended by:
- (1) amending the joint report dated March 8, 2000, from the Chief Administrative Officer and the City Clerk, by:

- (a) deleting from Recommendation No. (4) the words “public open houses” and inserting in lieu thereof the words “public meetings”, and amending the balance of the report accordingly; and
- (b) deleting the proposed schedule of public meetings and inserting in lieu thereof the following new schedule of public meetings:

“May 1 Scarborough Civic Centre  
 York Civic Centre

May 4 East York Civic Centre  
 Etobicoke Civic Centre

May 8 North York Civic Centre or Toronto City Hall”; and

- (2) adding thereto the following:

“It is further recommended that the City Clerk be requested to:

- (a) establish a further date for a public meeting for either Toronto City Hall or North York Civic Centre; and
- (b) adjust the dates of the public meetings to accommodate the needs of the Community Councils.”

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

“It is further recommended that the City Clerk be requested to provide copies of the original recommendations of the Special Committee to Review the Final Report of the Toronto Transition Team respecting Community Council boundaries at all public meetings.”

*Votes:*

Adoption of Part (1)(a) of motion (b) by Councillor Moscoe:

Yes - 23	
Councillors:	Adams, Bossons, Brown, Chow, Duguid, Feldman, Flint, Giansante, Jones, Kinahan, Layton, Li Preti, Mammoliti, McConnell, Miller, Moscoe, Prue, Rae, Saundercook, Sinclair, Tzekas, Valenti, Walker
No - 18	

Councillors:	Altobello, Ashton, Berardinetti, Berger, Bussin, Cho, Disero, Holyday, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Nunziata, O'Brien, Ootes, Palacio, Pantalone
--------------	--

Carried by a majority of 5.

The balance of motion (b) by Councillor Moscoe carried.

Motion (c) by Councillor Miller carried.

Recommendation No. (3)(d) embodied in the joint report dated March 8, 2000, from the Chief Administrative Officer and the City Clerk, carried.

The balance of the Clause, as amended, carried.

5.37 **Clause No. 12 of Report No. 3 of The Etobicoke Community Council, headed “Request for Amendment to Chapter 215 (Signs) Etobicoke Municipal Code - Woodbine Racetrack, 555 Rexdale Boulevard (Rexdale-Thistletown)”.**

*Motion:*

Councillor O'Brien moved that the Clause be amended by adding thereto the following:

“It is further recommended that the report dated April 11, 2000, from the Commissioner of Urban Development Services, embodying the following recommendation, be adopted:

‘It is recommended that the request from Pattison Outdoor Signs, for referral of the subject amendment to the Etobicoke Municipal Code, not be granted.’ ”

*Votes:*

The motion by Councillor O'Brien carried.

The Clause, as amended, carried.

5.38 **Clause No. 23 of Report No. 5 of The Toronto Community Council, headed “Site Plan Approval - 10 Scrivener Square (Formally Known as 1121 and 1123 Yonge Street (Midtown))”.**

*Motion:*

Councillor Adams moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on May 9, 2000.

*Vote:*

The motion by Councillor Adams carried.

5.39 **Clause No. 29 of Report No. 6 of The Works Committee, headed “Jane Street North of Bloor Street West - Traffic Concerns in the Vicinity of St. Pius X Catholic School (York Humber, High Park)”.**

*Motion:*

Councillor Miller 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 conduct studies on Ardagh and Colbeck Streets, before and after the change of speed limit on Jane Street, to determine if volume and speed of traffic is affected by the change.”

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

5.40 **Clause No. 3 of Report No. 8 of The Administration Committee, headed “Initiation of the Provincial Offences Court Transfer”.**

*Motions:*

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

“It is further recommended that the City Solicitor be requested to submit a detailed report to the Administration Committee on the obligations of Councillors under the Provincial Offences Act.”

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

“It is further recommended that City Council support, in principle, a model that promotes service delivery on a decentralized basis, and that consideration be given to improving accessibility to First Appearance Facilities through the eventual service model.”

*Votes:*

Motion (a) by Councillor Moscoe carried.

Motion (b) by Councillor Ashton carried.

The Clause, as amended, carried.

5.41 **Clause No. 2 of Report No. 8 of The Administration Committee, headed “Final Report of the Bingo Task Force”.**

*Motions:*

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

“It is further recommended that:

- (1) new bingo halls be restricted from locating within an area that Statistics Canada reports as having an average income of \$25,000.00 or less; and
- (2) new bingo halls be restricted from locating near a social service or welfare office.”

(b) Councillor Prue moved that the Clause be amended by adding to Recommendation No. (12) of the Administration Committee, the words “and that any reductions of revenues to affected charitable organizations be phased in over a three-year period, to allow them to find alternate sources of revenue, thereby not impacting on existing budgets and allowing time for those charities to diversify funding”, so that such recommendation shall now read as follows:

“(12) the total operating budget of a charitable organization, to be raised through bingo revenue, based on financial need, taking into consideration the previous year’s operating budget, be set at a maximum of 50 percent or \$100,000.00 per bingo licence and that service clubs be exempt from the cap, and that any reductions of revenues to affected charitable organizations be phased in over a three-year period, to allow them to find alternate sources of revenue, thereby not impacting on existing budgets and allowing time for those charities to diversify funding;”.

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

“It is further recommended that the Bingo Advisory Committee also consider whether revenues from bingo halls might be pooled and how non-profit organizations might receive grants from this revenue pool.”

- (d) Councillor Kelly moved that the Clause be amended by:
- (1) deleting from Recommendation No. (9) of the Bingo Task Force, the words “City Councillors and”, so that such recommendation shall now read as follows:  
“(9) City Council establish a Bingo Advisory Committee composed of citizen members to monitor the implementation of the recommendations of the Bingo Task Force;”; and
  - (2) deleting Recommendation No. (12) of the Administration Committee, viz.:  
“(12) the total operating budget of a charitable organization, to be raised through bingo revenue, based on financial need, taking into consideration the previous year’s operating budget, be set at a maximum of 50 percent or \$100,000.00 per bingo licence and that service clubs be exempt from the cap;”.
- (e) Councillor Lindsay Luby moved that the Clause be amended by striking out and referring Recommendation No. (12) of the Administration Committee to the City Clerk for further consideration and report thereon to the Administration Committee in 2002.
- (f) Councillor Tzekas moved that the Clause be amended by adding thereto the following:  
“It is further recommended that City Council request the provincial government to require all bingo halls to pool revenue, for the purpose of charities sharing bingo revenues.”
- (g) Councillor Rae moved that the Clause be amended by striking out and referring Recommendation No. (12) of the Administration Committee to the Bingo Advisory Committee for further consideration, viz.:  
“(12) the total operating budget of a charitable organization, to be raised through bingo revenue, based on financial need, taking into consideration the previous year’s operating budget, be set at a maximum of 50 percent or \$100,000.00 per bingo licence and that service clubs be exempt from the cap;”.

*Votes:*

Adoption of motion (g) by Councillor Rae:

Yes - 23	
Mayor:	Lastman
Councillors:	Adams, Berger, Brown, Bussin, Disero, Duguid, Flint, Giansante, Holyday, Korwin-Kuczynski, Li Preti, Minnan-Wong, Moeser, O’Brien, Ootes, Pantalone, Rae, Saundercook, Silva, Sinclair, Soknacki, Walker
No - 19	



Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bossons, Cho, Chong, Chow, Jones, Kelly, Lindsay Luby, Mammoliti, Miller, Moscoe, Nunziata, Palacio, Pitfield, Prue, Tzekas
--------------	--

Carried by a majority of 4.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared motion (b) by Councillor Prue, Part (2) of motion (d) by Councillor Kelly, and motion (e) by Councillor Lindsay Luby, redundant.

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

Yes - 14	
Mayor:	Lastman
Councillors:	Adams, Berger, Brown, Chong, Duguid, Holyday, Kelly, King, Lindsay Luby, Moeser, O'Brien, Ootes, Sinclair
No - 35	
Councillors:	Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chow, Disero, Feldman, Filion, Flint, Giansante, Jones, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Soknacki, Tzekas, Walker

Lost by a majority of 21.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of Part (1) of motion (a) by Councillor Mammoliti, ruled such Part out of order.

*Votes:*

Adoption of Part (2) of motion (a) by Councillor Mammoliti:

Yes - 10	
Mayor:	Lastman
Councillors:	Berger, Feldman, Holyday, Li Preti, Mammoliti, Minnan-Wong, Shiner, Sinclair, Tzekas
No - 39	

Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Soknacki, Walker
--------------	--

Lost by a majority of 29.

Adoption of motion (c) by Councillor Soknacki:

Yes - 24	
Councillors:	Adams, Balkissoon, Berardinetti, Bussin, Cho, Chong, Chow, Duguid, Filion, King, Korwin-Kuczynski, Lindsay Luby, Mihevc, Miller, Minnan-Wong, Moeser, Nunziata, Pantalone, Pitfield, Prue, Sinclair, Soknacki, Tzekas, Walker
No - 25	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Augimeri, Berger, Bossons, Brown, Disero, Feldman, Flint, Giansante, Holyday, Jones, Kelly, Li Preti, Mammoliti, McConnell, Moscoe, O'Brien, Ootes, Palacio, Rae, Saundercook, Shiner, Silva

Lost by a majority of 1.

Adoption of motion (f) by Councillor Tzekas:

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

Lost by a majority of 33.

The Clause, as amended, carried.

In summary, Council amended this Clause by striking out and referring Recommendation No. (12) of the Administration Committee to the Bingo Advisory Committee for further consideration, viz.:

“(12) the total operating budget of a charitable organization, to be raised through bingo revenue, based on financial need, taking into consideration the previous year’s operating budget, be set at a maximum of 50 percent or \$100,000.00 per bingo licence and that service clubs be exempt from the cap;”.

5.42 **Clause No. 16 of Report No. 8 of The Administration Committee, headed “Terms of Reference for the Office Consolidation Working Groups”.**

*Motion:*

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

“It is further recommended that the Commissioner of Corporate Services, in concert with the Chief Administrative Officer, be requested to ensure that the previous Council directive to include community representatives as active participants in the process is respected.”

*Votes:*

The motion by Councillor Miller carried.

The Clause, as amended, carried.

5.43 **Clause No. 13 of Report No. 3 of The Community Services Committee, headed “Other Items Considered by the Committee”.**

*Votes:*

Receipt of Clause, insofar as it pertains to Item (a), entitled “2000 Operating Budgets Under the Purview of the Community Services Committee”:

Yes - 44
Mayor: Lastman

Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jones, Kelly, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pitfield, Prue, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Valenti, Walker
--------------	--

No - 0
--------

Carried, without dissent.

The balance of the Clause was received as information, without amendment.

**5.44 Clause No. 6 of Report No. 3 of The Community Services Committee, headed “Housing Devolution Issues for Provincial Legislation”.**

*Motion:*

Councillor Chong moved that the Clause be amended by adding to Recommendation No. (2)(b) embodied in the report dated March 8, 2000, from the Commissioner of Community and Neighbourhood Services, the words “unless there is a viable business plan to replenish and reinvest the proceeds of any sale of public housing assets or any savings from contracting out property management into additional affordable housing opportunities within the City of Toronto”, so that such recommendation shall now read as follows:

“(2)(b) that Ontario Housing Corporation not make major decisions on public housing (such as on sale of properties or contracting out of property management) without the concurrence of the affected municipality (CMSM), unless there is a viable business plan to replenish and reinvest the proceeds of any sale of public housing assets or any savings from contracting out property management into additional affordable housing opportunities within the City of Toronto;”.

*Votes:*

The motion by Councillor Chong carried.

The Clause, as amended, carried.

**5.45 Clause No. 17 of Report No. 5 of The Toronto Community Council, headed “Pedestrian Crossover Woodbine Avenue at Cassels Avenue (East Toronto)”.**

Having regard that the Clause was submitted without recommendation:

*Motions:*

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

“It is recommended that:

- (1) a pedestrian crossover (PXO) be installed on Woodbine Avenue at Cassels Avenue, provided staff are sure the PXO is safe;
- (2) the installation of this PXO not take priority over any other crosswalk request;
- (3) the appropriate City Officials be authorized and directed to take any actions necessary to implement the foregoing, including the introduction of any bills in Council that may be required to give effect thereto; and
- (4) the Commissioner of Works and Emergency Services be requested to submit a report to the Toronto Community Council, six months after the installation of the PXO, on the safety concerns previously raised.”

(b) Councillor Bussin moved that the Clause be struck out and referred to the Commissioner of Works and Emergency Services, with requests that a transportation survey be conducted to determine safety, visibility and sight line issues and a report thereon be submitted to the Toronto Community Council.

*Votes:*

Adoption of motion (b) by Councillor Bussin:

Yes - 13	
Councillors:	Adams, Altobello, Ashton, Bossons, Bussin, Cho, Duguid, Holyday, Layton, Miller, Pantalone, Prue, Valenti
No - 24	
Mayor:	Lastman
Councillors:	Balkissoon, Berardinetti, Berger, Brown, Chong, Chow, Disero, Flint, Gardner, Giansante, Jakobek, Kelly, Li Preti, Lindsay Luby, Mammoliti, Moeser, O'Brien, Ootes, Palacio, Pitfield, Saundercook, Sinclair, Soknacki

Lost by a majority of 11.

Adoption of motion (a) by Councillor Jakobek:

Yes - 26	
Mayor:	Lastman
Councillors:	Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Flint, Jakobek, Jones, Kelly, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Moeser, Ootes, Palacio, Pitfield, Rae, Saundercook, Sinclair, Soknacki, Valenti
No - 14	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Bossons, Gardner, Giansante, Holyday, Layton, McConnell, Mihevc, Moscoe, O'Brien, Prue

Carried by a majority of 12.

The Clause, as amended, carried.

5.46 **Clause No. 8 of Report No. 8 of The Administration Committee, headed “Future Use of the Dempsey Store (Ward 10 - North York Centre)”.**

*Motion:*

Councillor Gardner moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on May 9, 2000; and Council direct that, in the interim, a Committee, consisting of Councillors Feldman, Filion, Flint, Gardner and Jakobek, be established to assess the merit of utilizing Dempsey House as a facility for Autistic children, in addition to the purposes for which it is used currently, and to report thereon directly to City Council.

*Vote:*

The motion by Councillor Gardner carried.

5.47 **Clause No. 17 of Report No. 8 of The Administration Committee, headed “Other Items Considered by the Committee”.**

*Motion:*

Councillor Adams moved that the Clause be received as information, subject to striking out and referring Item (l), entitled “Conditions of Employment - Council Staff Members”, embodied therein, back to the Administration Committee for further consideration at its next meeting scheduled to be held on April 25, 2000.

*Votes:*

The motion by Councillor Adams carried.

The Clause, as amended, was received as information.

5.48 **Clause No. 1 of Report No. 3 of The Community Services Committee, headed “Provincial Zero Tolerance Policy for Social Assistance Fraud”.**

*Motions:*

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

“It is further recommended that the Province of Ontario be requested to include an appeal process in the legislation pertaining to the implementation of a lifetime ban for individuals convicted of social assistance fraud.”

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

“It is further recommended that the Commissioner of Community and Neighbourhood Services and the City Solicitor be requested to submit a joint report to the Community Services Committee on what legal action the City of Toronto could undertake in this regard, such report to include an opinion on whether the proposed legislation to implement a lifetime ban for individuals convicted of social assistance fraud is ultra vires, having regard that it legislates into the Criminal Code area which is within federal jurisdiction.”

(c) Councillor Kelly moved that the Clause be amended by deleting from Recommendation (b) of the Community Services Committee, all of the words after the word “implemented”, so that such recommendation shall now read as follows:

“(b) that the Province of Ontario be advised that a lifetime ban for individuals convicted of social assistance fraud should not be implemented;”.

*Votes:*

Adoption of motion (c) by Councillor Kelly:

Yes - 14

Mayor: Lastman

Councillors: Ashton, Balkissoon, Bossons, Brown, Chong, Duguid,  
Feldman, Giansante, Kelly, Lindsay Luby, Ootes, Soknacki,  
Tzekas

No - 21

Councillors: Adams, Altobello, Augimeri, Berardinetti, Chow, Disero, Filion,  
Flint, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Mihevc,  
Moscoe, Palacio, Pantalone, Prue, Saundercook, Silva,  
Sinclair, Walker

Lost by a majority of 7.

Motion (a) by Councillor Balkissoon carried.

Motion (b) by Councillor Pantalone carried.



Adoption of Clause, as amended:

Yes - 33	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Giansante, Jakobek, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mihevc, Moscoe, Ootes, Palacio, Pantalone, Prue, Saundercook, Silva, Sinclair, Soknacki, Tzekas, Walker
No - 1	
Councillor:	Holyday

Carried by a majority of 32.

5.49 **Clause No. 64 of Report No. 5 of The Toronto Community Council, headed “Driveway Widening - 352B Spadina Road (Midtown)”.**

*Vote:*

Adoption of Clause, without amendment:

Yes - 16	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Balkissoon, Bossons, Brown, Feldman, Giansante, Holyday, Korwin-Kuczynski, Mihevc, Ootes, Pitfield, Prue, Saundercook, Soknacki
No - 15	
Councillors:	Adams, Augimeri, Chong, Disero, Filion, Flint, Jakobek, Kelly, Lindsay Luby, Moscoe, Palacio, Pantalone, Silva, Sinclair, Tzekas

Carried by a majority of 1.

Mayor Lastman in the Chair.

**5.50 Clause No. 2 of Report No. 3 of The East York Community Council, headed “Florida Restaurant Boulevard Café/Patio - 940 Pape Avenue, Extension of the Hours That Alcoholic Beverages Can Be Served on the Patio”.**

*Motion:*

Councillor Ootes moved that the Clause be struck out and referred back to the East York Community Council for further consideration and public consultation.

*Vote:*

Adoption of motion by Councillor Ootes:

Yes - 24	
Mayor:	Lastman
Councillors:	Adams, Brown, Chong, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Kinahan, Korwin-Kuczynski, Lindsay Luby, Mihevc, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Saundercook, Silva, Sinclair, Soknacki, Valenti
No - 6	
Councillors:	Augimeri, Bossons, Kelly, Moscoe, Prue, Shiner

Carried by a majority of 18.

Deputy Mayor Ootes in the Chair.

**5.51 Clause No. 73 of Report No. 5 of The Toronto Community Council, headed “Installation of Speed Humps – Windermere Avenue, from Bloor Street West to Annette Street (High Park)”.**

*Motion:*

Councillor Miller, seconded by Councillor Korwin-Kuczynski, moved that consideration of the Clause be deferred to the next regular meeting of City Council scheduled to be held on May 9, 2000; and the Commissioner of Works and Emergency Services be requested to submit a report directly to Council, for consideration therewith, on:

- (a) potential impacts on neighbouring streets and measures required to ameliorate such impacts; and
- (b) undertaking any further studies required to complete the area-wide traffic study for the area bounded by Annette Street, Jane Street, Runnymede Road and Bloor Street West.

*Vote:*

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

5.52 **Clause No. 7 of Report No. 4 of The Policy and Finance Committee, headed “Environmental Task Force – Environmental Plan ‘Clean, Green and Healthy – A Plan for an Environmentally Sustainable Toronto’ ”.**

*Motion:*

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

“It is further recommended that the recommendations embodied in the communication dated March 22, 2000, from Councillor Pantalone, Tree Advocate, be adopted, viz.:

“It is recommended that the City support the efforts of the Council’s Tree Advocate to:

- (a) improve the health of the City’s Urban Forest;
- (b) implement an annual program of tree planting;
- (c) continue to develop an ecosystem approach to urban forest management;
- (d) further develop a comprehensive urban forest plan to preserve, protect and enhance Toronto’s urban forest;
- (e) work towards ensuring co-operation amongst City departments, with utility companies and developers, to protect existing trees, preserve available planting space/soft surface and minimize soil compaction;
- (f) develop a protocol to guide planting non-native species and removing invasive, exotic vegetation on City property;
- (g) continue the active support for the planting of diverse native species along streets, in parks and on private property;
- (h) eliminate cosmetic use of chemical pesticides;
- (i) ensure that City Urban Forestry staff and contractors are properly trained in preventative and preservationist tree care methods;
- (j) protect trees rooted in private property;

- (k) allocate resources to raise public awareness about the value of our urban forest and facilitate active community stewardship through community-based social marketing;
- (l) provide incentives for private property owners to protect, restore and expand natural areas/habitat on their own property;
- (m) encourage the composting or mulching of leaf litter on private property;
- (n) continue to facilitate community forest stewardship in residential neighbourhoods, by providing training and volunteer opportunities for residents;
- (o) provide more opportunities for community groups to network and co-ordinate efforts with each other and with the City of Toronto; and
- (p) protect Toronto's Urban Forest and to implement an enhanced program of tree maintenance and tree planting in co-operation with community groups."

*Votes:*

The motion by Councillor Pantalone carried.

The Clause, as amended, carried.

**5.53 Clause No. 4 of Report No. 8 of The Administration Committee, headed "Portion of Stormwater Channel Adjacent to 11 Grand Marshall Drive – Permission to Include Water Course Lands in Application for Official Plan and Zoning By-law Amendments and Declare Surplus (Ward 18 – Scarborough Malvern)".**

*Motion:*

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

"It is further recommended that the Chief Planner and the Commissioner of Works and Emergency Services be requested to investigate permeable approaches to the watercourse management, if possible, as the development is processed further, and report thereon to the Scarborough Community Council."

*Votes:*

The motion by Councillor Layton carried.

The Clause, as amended, carried.

5.54 **Clause No. 1 of Report No. 7 of The Administration Committee, headed “Councillor’s Use of Corporate Vehicles”.**

Having regard that the Clause was submitted without recommendation:

*Motions:*

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

“It is recommended that, as recommended by the Budget Advisory Committee, the Council transportation service be reduced by removing one car and driver from service on September 1, 2000, and the Executive Director of Human Resources be directed not to sever off the displaced driver, but to re-deploy the driver within the City of Toronto.”

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

“It is recommended that:

- (1) Option No. 4 embodied in the report dated January 26, 2000, from the City Clerk, be adopted;
- (2) the City Clerk be requested to research appropriate arrangements and alternatives to utilize private limousine services on those occasions when protocol requires such a service and report thereon to the Administration Committee;
- (3) the City Clerk make every effort to implement these recommendations as soon as possible, in order to ensure maximum savings from the discontinuation of this program;
- (4) every effort be made to provide the current staff members affected by reducing or eliminating this program with alternative suitable positions, and the City Clerk be requested to submit a report to the Administration Committee in regard thereto;
- (5) no further additional increases to the Councillors’ Global Office Budget, as a result of the adoption of any reduction in transportation service for Council, be supported; and
- (6) all savings accrued from the reduction or elimination of corporate vehicles for Councillors’ use be directed to enhance the City of Toronto’s commitments to programs that benefit youth and/or children, and the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community

Services Committee outlining recommendations for the optimum utilization of any such savings.”

*Vote Be Now Taken:*

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

Yes - 23	
Councillors:	Adams, Augimeri, Balkissoon, Brown, Chong, Chow, Davis, Disero, Filion, Jakobek, Jones, King, Korwin-Kuczynski, Lindsay Luby, McConnell, Moscoe, Palacio, Rae, Saundercook, Shiner, Silva, Sinclair, Valenti
No - 15	
Councillors:	Altobello, Berardinetti, Bossons, Duguid, Flint, Holyday, Kinahan, Minnan-Wong, Nunziata, O'Brien, Ootes, Pitfield, Prue, Tzekas, Walker

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

*Vote Be Now Taken:*

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

Yes - 17	
Councillors:	Adams, Augimeri, Balkissoon, Brown, Cho, Chong, Chow, Davis, Disero, Feldman, Korwin-Kuczynski, Lindsay Luby, McConnell, Moscoe, Rae, Silva, Valenti
No - 19	
Councillors:	Altobello, Ashton, Berardinetti, Bossons, Bussin, Duguid, Flint, Gardner, Holyday, Kelly, Kinahan, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Tzekas

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

*Motion:*

- (c) Councillor Balkissoon moved that consideration of the Clause be deferred to the Special Meeting of City Council scheduled to be held on April 26 and 27, 2000.

*Vote:*

Adoption of motion (c) by Councillor Balkissoon:

Yes - 11	
Councillors:	Adams, Augimeri, Balkissoon, Berardinetti, Cho, Disero, Kinahan, Li Preti, McConnell, Mihevc, Silva
No - 29	
Councillors:	Altobello, Ashton, Bossons, Brown, Bussin, Chong, Chow, Davis, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Lindsay Luby, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Rae, Saundercook, Tzekas, Valenti, Walker

Lost by a majority of 18.

*Motions:*

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

“It is recommended that Option No. 3 embodied in the report dated January 26, 2000, from the City Clerk, be adopted, subject to no additional increase in the Councillors’ Global Office Budget as a result of the adoption of such Option.”

(e) Councillor Nunziata moved that Council adopt the following recommendations:

“It is recommended that:

- (1) any Member of Council who wishes to use the Council transportation service have the cost of the service charged back to their Global Office Budget; and
- (2) no increase be made to a Councillor’s Global Office Budget to accommodate such charge-backs.”



*Vote Be Now Taken:*

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

Yes - 21 Councillors: Adams, Augimeri, Balkissoon, Brown, Chong, Chow, Davis, Disero, Feldman, Jakobek, Jones, Korwin-Kuczynski, Li Preti, McConnell, Mihevc, Pitfield, Rae, Saundercook, Shiner, Silva, Sinclair
No - 18 Councillors: Altobello, Berardinetti, Bossons, Bussin, Flint, Gardner, Holyday, Kelly, Kinahan, Lindsay Luby, Miller, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Tzekas, Walker

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

*Motions:*

- (f) Councillor Gardner moved that Council adopt the following recommendation:

“It is recommended that Option No. 2 embodied in the report dated January 26, 2000, from the City Clerk, be adopted.”

- (g) Councillor Bussin moved that Council adopt the following recommendation:

“It is recommended that any staff reduction resulting from Council’s decision to reduce the Council transportation service be made on an attrition basis, as the drivers are placed in alternative positions, resign or retire.”

- (h) Councillor Shiner moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the City fleet of Council transportation service vehicles be reduced by three cars and drivers; and
- (2) the Council transportation service not be used for trips to or from the homes of Members of Council or their staff.”

- (i) Councillor Jones moved that, in the event that Parts (1), (2) and (3) of motion (b) by Councillor Duguid, or motion (d) by Councillor Holyday carries, Council adopt the following recommendation:

“It is recommended that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on any transportation or other services that may be needed to support a Member of Council who has a disability or special needs, in order that the Member of Council can fulfil his/her job requirements.”

- (j) Councillor Layton moved that Council adopt the following recommendations:

“It is recommended that the City Clerk, in consultation with the appropriate City Officials, be requested to submit a report to the Administration Committee on strategies to overcome the following three inequities in the provision of transportation services for Members of Council:

- (1) those who are appointed to agencies, boards and commissions and are required to travel extensively to participate in meetings;
- (2) those who are either unable to drive or have no access to a vehicle; and
- (3) those who reside in Wards further away from City Hall than others.”

*Votes:*

Adoption of motion (a) by Councillor Moscoe:

Yes - 26	
Councillors:	Adams, Augimeri, Balkissoon, Bussin, Chong, Davis, Feldman, Filion, Gardner, Jakobek, Jones, Kinahan, Korwin-Kuczynski, Li Preti, Mammoliti, McConnell, Miller, Moscoe, O'Brien, Palacio, Pantalone, Rae, Saundercook, Silva, Sinclair, Valenti
No - 23	
Councillors:	Altobello, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Chow, Duguid, Flint, Giansante, Holyday, Kelly, King, Layton, Lindsay Luby, Mihevc, Minnan-Wong, Nunziata, Ootes, Pitfield, Prue, Tzekas

Carried by a majority of 3.

Deputy Mayor Ootes, having regard to the foregoing decision of Council, declared Parts (1), (2), (3) and (4) of motion (b) by Councillor Duguid, motion (d) by Councillor Holyday, motion (f) by Councillor Gardner, motion (g) by Councillor Bussin, Part (1) of motion (h) by Councillor Shiner, and motion (i) by Councillor Jones, redundant.

Adoption of Part (2) of motion (h) by Councillor Shiner:

Yes - 18	
Councillors:	Altobello, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Duguid, Feldman, Giansante, Holyday, Jones, King, Lindsay Luby, Minnan-Wong, Nunziata, Pitfield, Shiner
No - 32	
Councillors:	Adams, Ashton, Augimeri, Balkissoon, Brown, Chong, Disero, Filion, Flint, Gardner, Jakobek, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Palacio, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Valenti

Lost by a majority of 14.

Part (5) of motion (b) by Councillor Duguid carried.

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes ruled that consideration of motion (e) by Councillor Nunziata would require a re-opening of Clause No. 2 of Report No. 4 of The Administration Committee, headed "Expenses of Members of Council", which was adopted, as amended, by City Council on February 29, and March 1 and 2, 2000.

*Motion to Re-Open:*

Councillor Nunziata, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 2 of Report No. 4 of The Administration Committee, headed "Expenses of Members of Council", which was adopted, as amended, by City Council on February 29, and March 1 and 2, 2000, be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 17	Councillors: Altobello, Berardinetti, Berger, Bossons, Brown, Davis, Duguid, Flint, Giansante, Holyday, Jones, Lindsay Luby, Minnan-Wong, Nunziata, Pitfield, Prue, Tzekas
No - 34	Councillors: Adams, Ashton, Augimeri, Balkissoon, Bussin, Cho, Chong, Chow, Disero, Feldman, Filion, Gardner, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Palacio, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Valenti

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

*Ruling by Deputy Mayor:*

Deputy Mayor Ootes, having regard to the nature of Part (6) of motion (b) by Councillor Duguid, ruled such motion out of order.

*Vote:*

Adoption of motion (j) by Councillor Layton:

Yes - 16	Councillors: Adams, Augimeri, Balkissoon, Brown, Chong, Davis, Flint, Jones, Layton, Li Preti, McConnell, Miller, Moscoe, Saundercook, Silva, Sinclair
No - 34	Councillors: Altobello, Ashton, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Gardner, Giansante, Holyday, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Mammoliti, Mihevc, Minnan-Wong, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Tzekas, Valenti

Lost by a majority of 18.

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) as recommended by the Budget Advisory Committee, the Council transportation service be reduced by removing one car and driver from service on September 1, 2000, and the Executive Director of Human Resources be directed not to sever off the displaced driver, but to re-deploy the driver within the City of Toronto; and
- (2) no further additional increases to the Councillors’ Global Office Budget, as a result of the adoption of any reduction in transportation service for Council, be supported.”

**5.55 Clause No. 24 of Report No. 5 of The Toronto Community Council, headed “Site Plan Approval – 1117 Yonge Street (Midtown)”.**

*Motion:*

Councillor Adams moved that the Clause be amended by deferring consideration of Recommendations Nos. (1), (2) and (3) of the Toronto Community Council to the next regular meeting of City Council scheduled to be held on May 9, 2000; and adopting the balance of the Clause, as so amended.

*Votes:*

The motion by Councillor Adams carried.

The Clause, as amended, carried.

**5.56 Clause No. 20 of Report No. 4 of The Scarborough Community Council, headed “Request for Direction, Zoning By-law Amendment Application SC-Z19990015, 546958 Ontario Limited, 4711 Steeles Avenue East, Milliken Employment District (Ward 17 - Scarborough Agincourt)”.**

Having regard that the Clause was submitted without recommendation:

*Motion:*

Councillor Balkissoon moved that Council adopt the following recommendation:

“It is recommended that the confidential report dated March 30, 2000, from the City Solicitor, be adopted, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to litigation or potential litigation, save and except the following recommendations embodied therein:

‘It is recommended that:

- (1) City Council direct the City Solicitor to not oppose removal by the Ontario Municipal Board of the holding provision (H) in Zoning By-law No. 711-1999 (applied by Exception No. 521) and to request the Board to withhold its Order so amending the Zoning By-law until such time as site plan approval has been given on plans and drawings showing the location of all buildings and structures on the property, and a site plan agreement has been entered into between the City and the owner and registered on title; and
- (2) the Director of Community Planning, East District, consider the taking of an appropriate widening of Steeles Avenue as a condition of site plan approval on this property.’ ”

*Votes:*

The motion by Councillor Balkissoon carried.

The Clause, as amended, carried.

**5.57 Clause No. 21 of Report No. 3 of The Etobicoke Community Council, headed “Application for Amendment to the Etobicoke Zoning Code, 1385521 Ontario Limited - Northeast Corner of Evans Avenue, and Horner Avenue (Ontario Hospital Cemetery), File No. Z-2267 (Lakeshore-Queensway)”.**

*Motion:*

Councillor Kinahan moved that the Clause be struck out and referred back to the Etobicoke Community Council for further consideration; and further that:

- (1) the Medical Officer of Health be requested to submit a report to the Etobicoke Community Council commenting on the differences between the applicant’s assessment of the health risks and the concerned citizens of the former South Etobicoke area of the City of Toronto’s assessment of the health risks, and provide her own assessment of such risks;
- (2) the Fire Chief be requested to submit a report to the Etobicoke Community Council on whether overflow parking will be allowed on the Fire Route;
- (3) the Commissioner of Works and Emergency Services be requested to submit a report to the Etobicoke Community Council on the appropriateness of overflow parking being permitted on the southerly part of the Cemetery where burials have taken place, and how the burial sites will be protected from such parking; and

- (4) the Chief Financial Officer and Treasurer be requested to submit a report to the Etobicoke Community Council on potential tax revenue loss if the Crematorium were to be built.

*Votes:*

Adoption of motion by Councillor Kinahan:

Yes - 7
Councillors: Augimeri, Disero, Giansante, Jones, Kinahan, Nunziata, Palacio
No - 23
Councillors: Adams, Altobello, Berardinetti, Bossons, Brown, Cho, Chong, Duguid, Flint, Holyday, Kelly, Layton, McConnell, Moscoe, O'Brien, Ootes, Prue, Rae, Saundercook, Soknacki, Tzekas, Valenti, Walker

Lost by a majority of 16.

The Clause was adopted, without amendment.

Councillors Augimeri, Jones and Kinahan requested that their opposition to this Clause be noted in the Minutes of this meeting.

5.58 **Clause No. 2 of Report No. 2 of The Audit Committee, headed "System of Control for the Eligibility of Clients Requesting Dental Services".**

*Motion:*

Councillor Moscoe moved that the Clause be received.

*Vote:*

Adoption of motion by Councillor Moscoe:

Yes - 16
Councillors: Adams, Augimeri, Brown, Cho, Disero, Jones, Layton, McConnell, Moscoe, Nunziata, Palacio, Prue, Rae, Saundercook, Valenti, Walker
No - 14
Councillors: Altobello, Ashton, Berardinetti, Bossons, Chong, Duguid, Flint, Giansante, Holyday, Kelly, O'Brien, Ootes, Soknacki, Tzekas

Carried by a majority of 2.

5.59 **IN-CAMERA MEETING SESSIONS OF THE COMMITTEE OF THE WHOLE****April 12, 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 Moscoe, regarding a proposed settlement agreement with Telus Integrated Communications Inc., which carried, more than two-thirds of Members present having voted in the affirmative.

*Motion:*

Deputy Mayor Ootes, at 5:52 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act, in that these matters pertain to litigation or potential litigation and are otherwise subject to Solicitor/Client privilege:

- (a) Clause No. 1 of Report No. 4 of The North York Community Council, headed “Ontario Municipal Board Decision and Legal Proceedings – 15 - 17 Lorraine Drive - North York Centre”;
- (b) Clause No. 20 of Report No. 3 of The Etobicoke Community Council, headed “Amendment to the Etobicoke Official Plan and Zoning Code PPG Canada Inc. and the Toronto Catholic District School Board, 3672 and 3730 Lake Shore Boulevard West, File No. Z-2305 (Lakeshore-Queensway)”;
- (c) Notice of 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 6:02 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 7:40 p.m., and met in public session in the Council Chamber.



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

5.60 **Clause No. 1 of Report No. 4 of The North York Community Council, headed “Ontario Municipal Board Decision and Legal Proceedings – 15 - 17 Lorraine Drive - North York Centre”.**

Having regard that the Clause was submitted without recommendation:

*Motions:*

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

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

“It is recommended that:

- (1) the confidential report dated February 8, 2000, from the City Solicitor, be received;
- (2) the City Solicitor be instructed to continue the City’s application for leave to appeal, to the Divisional Court, the decision of the Ontario Municipal Board respecting 15-17 Lorraine Drive;
- (3) the City reimburse the Edithvale Yonge Residents’ Association the amount of \$500.00 in costs assessed against them at the Divisional Court due to the City’s delay in dealing with this issue;
- (4) the Chief Building Official be instructed to immediately discontinue the practice of using the word ‘approximately’ in Committee of Adjustment variances and interpreting that word so as to grant building permits up to 2 percent larger than the entire building; and
- (5) the City Solicitor be instructed to meet with representatives of the Edithvale Yonge Residents’ Association to settle issues related to the judicial review.”

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

“It is recommended that the confidential report dated February 8, 2000, from the City Solicitor, be adopted.”

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

“It is recommended that the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on ways and means of

prohibiting mechanical space from being turned into living space, in future applications, without such space being counted toward density or gross floor area.”

*Votes:*

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

Yes - 10	Councillors: Adams, Chow, Filion, Flint, Gardner, Jones, Kinahan, Layton, Miller, Moscoe
No - 24	Councillors: Ashton, Berger, Bossons, Brown, Bussin, Cho, Feldman, Giansante, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker

Lost by a majority of 14.

Adoption of Part (2) of motion (a) by Councillor Filion:

Yes - 10	Councillors: Adams, Chow, Filion, Flint, Gardner, Jones, Layton, Miller, Moscoe, Walker
No - 23	Councillors: Ashton, Berger, Bossons, Brown, Bussin, Cho, Feldman, Giansante, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti

Lost by a majority of 13.

Adoption of Part (3) of motion (a) by Councillor Filion:

Yes - 17	Councillors: Adams, Bussin, Chow, Filion, Flint, Gardner, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, Miller, Moscoe, Pantalone, Sinclair, Walker
No - 17	Councillors: Ashton, Berger, Bossons, Brown, Cho, Feldman, Giansante, Holyday, Korwin-Kuczynski, Nunziata, O'Brien, Ootes, Palacio, Pitfield, Prue, Rae, Valenti

Lost, there being an equal division of votes.

Adoption of Part (4) of motion (a) by Councillor Filion:

Yes - 26	
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Chow, Filion, Flint, Gardner, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 7	
Councillors:	Cho, Feldman, Giansante, Holyday, Layton, O'Brien, Ootes

Carried by a majority of 19.

Adoption of Part (5) of motion (a) by Councillor Filion:

Yes - 14	
Councillors:	Adams, Bussin, Chow, Filion, Flint, Gardner, Jones, Layton, Li Preti, Lindsay Luby, Miller, Moscoe, Pitfield, Walker
No - 17	
Councillors:	Ashton, Bossons, Brown, Cho, Feldman, Giansante, Holyday, Kelly, Kinahan, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Sinclair, Valenti

Lost by a majority of 3.

Adoption of motion (b) by Councillor Feldman:

Yes - 24	
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Bussin, Cho, Feldman, Giansante, Holyday, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Sinclair, Valenti
No - 9	
Councillors:	Chow, Filion, Flint, Gardner, Jones, Layton, Miller, Moscoe, Walker

Carried by a majority of 15.

Adoption of motion (c) by Councillor Moscoe:

Yes - 31 Councillors: Adams, Ashton, Bossons, Brown, Bussin, Cho, Chow, Feldman, Fillion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, O'Brien, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Walker
No - 2 Councillors: Ootes, Valenti

Carried by a majority of 29.

The Clause, as amended, carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (a) the confidential report dated February 8, 2000, from the City Solicitor, be adopted, 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, save and except the following Recommendations Nos. (1), (2) and (5) embodied therein:
  - (1) the City Solicitor be instructed to abandon the City’s application for leave to appeal to the Divisional Court the decision of the Ontario Municipal Board respecting 15 to 17 Lorraine Drive;
  - (2) the City Solicitor be authorized to oppose the Application for Judicial Review brought by the Edithvale Yonge Residents’ Association respecting the use of “approximately” by the Committee of Adjustment – North District and its interpretation by the Chief Building Official;
  - (5) the Commissioner of Urban Development Services report to North York Community Council upon the potential for builders to circumvent the intent of the Zoning By-law;
    - (a) by constructing building components (such as mechanical penthouses) which are exempt from the calculation of density and then converting these exempt areas to residential density; and

- (b) by constructing density specifically designated as “bicycle storage space” and then using that density for general storage; and

possible amendments to the Zoning By-law or Official Plan to address any such potential misuse of density exemptions and permissions.’;

- (b) the Chief Building Official be instructed to immediately discontinue the practice of using the word ‘approximately’ in Committee of Adjustment variances and interpreting that word so as to grant building permits up to 2 percent larger than the entire building; and
- (c) the Commissioner of Urban Development Services be requested to submit a report to the Planning and Transportation Committee on ways and means of prohibiting mechanical space from being turned into living space, in future applications, without such space being counted toward density or gross floor area.”

5.61 **Clause No. 20 of Report No. 3 of The Etobicoke Community Council, headed “Amendment to the Etobicoke Official Plan and Zoning Code, PPG Canada Inc. and the Toronto Catholic District School Board, 3672 and 3730 Lake Shore Boulevard West, File No. Z-2305 (Lakeshore-Queensway)”.**

*Motions:*

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

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

“It is further recommended that City Council adopt the following Option No. (1) embodied in the confidential report dated April 11, 2000, from the Commissioner of Corporate Services, such report to remain confidential, save and except the recommendations and Option No. (1) embodied therein, having regard that the report contains information protected by Section 10 of the Municipal Freedom of Information and Protection of Privacy Act:

- ‘(1) Consent to the Toronto Catholic District School Board’s (TCDSB) request to release the restrictive covenants contained in Instrument No. Etobicoke 374341, without compensation, subject to the terms proposed by TCDSB in the April 7, 2000 letter.’ ”

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

“and, further, that:

- (2) approval be given to release the restrictive covenants contained in Instrument No. Etobicoke 374341, without compensation to the City, conditional and upon substantial performance of the contract for the completion of the Loblaws development within two years of this Council approval;
- (3) the Commissioner of Corporate Services and other appropriate staff be directed to meet with representatives of the TCDSB to enter into an agreement that will provide access to Christ the King Catholic School for community programming;
- (4) the Commissioner of Corporate Services and other appropriate staff be directed to meet with representatives of the TCDSB to negotiate the appropriate terms of an agreement for a joint venture should TCDSB enter into a process for a new Christ the King Catholic School and report back on such negotiations;
- (5) the TCDSB be requested to use any funds realized from the sale of 3672 Lake Shore Boulevard West for educational purposes in the immediate community;
- (6) the City Solicitor be authorized to prepare the necessary documentation to give effect thereto; and
- (7) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

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

“It is further recommended that the confidential report dated April 11, 2000, from the Commissioner of Corporate Services, be adopted.”

*Votes:*

Adoption of motion (b) by Councillor Giansante:

Yes - 31	
Mayor:	Lastman
Councillors:	Adams, Ashton, Bossons, Brown, Bussin, Cho, Chow, Feldman, Filion, Flint, Gardner, Giansante, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 2	
Councillors:	Holyday, O'Brien

Carried by a majority of 29.

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

Yes - 31	
Mayor:	Lastman
Councillors:	Adams, Ashton, Bossons, Brown, Bussin, Cho, Chow, Feldman, Filion, Flint, Gardner, Giansante, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 3	
Councillors:	Berger, Holyday, O'Brien

Carried by a majority of 28.

Deputy Mayor Ootes, having regard to the foregoing decisions of Council, declared motion (c) by Councillor Holyday, redundant.

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

**Moved by: Councillor Adams****Seconded by: Councillor Moscoe**



“**WHEREAS** Telus Integrated Communications Inc. (‘Telus’) notified the City, in 1999, of its intention to construct, maintain and operate a significant fibre optic network within the City of Toronto and has requested the right to use City streets for this purpose; and **WHEREAS** Telus subsequently filed an Application (December 23, 1999) with the Canadian Radio-Television and Telecommunications Commission (the ‘CRTC’) requesting that the CRTC grant Telus interim access to public rights-of-way located within the City of Toronto for a nominal sum of one dollar and that all other terms and conditions should be left to be negotiated in accordance with a future CRTC decision in the Public Notice proceeding arising out of the dispute between Leducor Industries Limited and the City of Vancouver; and

**WHEREAS** the City has opposed the relief requested by Telus and requested that the CRTC direct the parties to attempt to negotiate the terms and conditions of the City’s consent to Telus request; and

**WHEREAS** the parties have filed their submissions to the CRTC and are awaiting a decision with respect to this matter; and

**WHEREAS** Telus has approached the City to determine whether the City would be willing to enter into settlement discussions to attempt to resolve both the Application and the terms and conditions upon which Telus could proceed with its construction plans, and has requested the CRTC to temporarily adjourn the Application for the purpose of attempting to negotiate such a resolution; and

**WHEREAS** discussions have now been held between Telus and the City, as represented by its outside legal counsel and Legal and Works staff, resulting in the proposed settlement agreement; and

**WHEREAS** the City Solicitor, in consultation with outside legal counsel and other City officials, has, therefore, prepared a confidential report dated April 10, 2000, to City Council concerning this matter; and

**WHEREAS** for the reasons outlined in the aforementioned confidential report, it is essential that City Council consider this matter at its meeting of April 11, 12 and 13, 2000;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the recommendations in the confidential report dated April 10, 2000, from the City Solicitor, and that such recommendations be adopted.”

Council also had before it, during consideration of Motion J(14), a confidential report dated April 10, 2000, from the City Solicitor, such report to remain confidential, in accordance with the

provisions of the Municipal Act, save and except the recommendations embodied therein, having regard that it contains information which is subject to litigation or potential litigation.

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(14):

- (a) Councillor Adams moved that Motion J(14) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Chief Administrative Officer, through the Executive Lead for Telecommunications, be requested to submit a report to the next regular meeting of City Council scheduled to be held on May 9, 2000, through the Telecommunications Sub-Committee and the Policy and Finance Committee, as necessary, on:

- (1) the advantages and disadvantages of developing a municipally-owned broadband telecommunications infrastructure; and
- (2) organizational options for the delivery of any such municipally-owned broadband telecommunications infrastructure.”

- (b) Councillor Moscoe moved that Motion J(14) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the City of Toronto renew its special grant to the Federation of Canadian Municipalities, in the amount of \$90,000.00, to cover its share of additional legal costs required to pursue the CRTC action against Ledcor, and the necessary funds be allocated from the Corporate Contingency Account.”

- (c) Councillor Kelly moved that motion (b) by Councillor Moscoe be referred to the Policy and Finance Committee for consideration.

*Votes:*

Adoption of motion (c) by Councillor Kelly:

Yes - 15 Councillors:	Bossons, Brown, Cho, Feldman, Filion, Gardner, Giansante, Holyday, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Pitfield, Rae, Sinclair
No - 19 Mayor: Councillors:	Lastman Adams, Ashton, Berger, Bussin, Chow, Flint, Jones, Layton, Miller, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Valenti, Walker

Lost by a majority of 4.

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

Yes - 29	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Cho, Chow, Feldman, Filion, Flint, Giansante, Jones, Korwin-Kuczynski, Layton, Lindsay Luby, Miller, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 4	
Councillors:	Gardner, Holyday, Kelly, Li Preti

Carried by a majority of 25.

Adoption of motion (a) by Councillor Adams:

Yes - 34	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Bussin, Cho, Chow, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 0	

Carried, without dissent.

Adoption of Motion J(14), as amended:

Yes - 32	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Bussin, Cho, Chow, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Sinclair, Valenti, Walker
No - 1	

Councillor: Gardner
---------------------

Carried by a majority of 31.

Council, by its adoption of Motion J(14), as amended, adopted, without amendment, the confidential report dated April 10, 2000, from the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to litigation or potential litigation, save and except the following recommendations embodied therein:

“It is recommended that:

- (1) City Council approve the entering into of a settlement agreement with Telus Mobility Cellular Inc. (formerly Telus Integrated Communications Inc.) and 3554864 Canada Ltd. with respect to the Application (December 23, 1999) by Telus Integrated Communications Inc. seeking an interim order to construct, maintain and operate telecommunications facilities within public rights-of-way located within the City of Toronto, on the terms and conditions as set out in this report, and such further terms and conditions as may be required by the City Solicitor in the interests of the City; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the execution of any documents which may be required.”

**April 13, 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 the following Notices of Motions, which carried, more than two-thirds of Members present having voted in the affirmative:

- (1) Notice of Motion J(16), moved by Mayor Lastman, seconded by Councillor Ootes, regarding the lease provided to Sevendon Holdings Limited by the Toronto Economic Development Corporation; and
- (2) Notice of Motion J(18), moved by Councillor Disero, seconded by Councillor Palacio, regarding a settlement offer received with respect to a tax sale of 39 McGlashan Road.

*Motion:*

Deputy Mayor Ootes, at 2:50 p.m., moved that Council resolve itself into Committee of the Whole in the Council Chamber and then recess to meet privately to consider the following confidential matters on the Order Paper for this meeting of Council, in accordance with the provisions of the Municipal Act, in that these matters pertain to litigation or potential litigation, personnel matters and/or are otherwise subject to Solicitor/Client privilege:

- (a) Clause No. 3 of Report No. 4 of The Policy and Finance Committee, headed “Toronto Hydro Shareholder Matter”;
- (b) Clause No. 4 of Report No. 4 of The Policy and Finance Committee, headed “Claim by the City of Toronto and the Toronto Housing Company Inc. Against the Province Arising Out of the Cancellation of Social Funding Projects”;
- (c) Clause No. 1 of Report No. 6 of The Works Committee, headed “Collection and Reuse or Recycling of White Goods and Scrap Metals in the City of Toronto”;
- (d) Clause No. 18 of Report No. 6 of The Works Committee, headed “Bridge Railing on Governor’s Road Bridge Over Moore Park Ravine (East York and Midtown)”;
- (e) Clause No. 12 of Report No. 8 of The Administration Committee, headed “Renewal of Senior Staff Contracts”; and
- (f) Motions J(16) and J(18).

*Vote:*

The motion by Deputy Mayor Ootes carried.

Council resolved itself into Committee of the Whole.

Committee of the Whole recessed at 2:55 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 6:38 p.m., and met in public session in the Council Chamber.

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

**5.63 Clause No. 3 of Report No. 4 of The Policy and Finance Committee, headed “Toronto Hydro Shareholder Matter”.**

*Motions:*

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

- (a) Councillor Adams moved that the Clause be received; and that Council adopt the following recommendations:

“It is recommended that:

- (1) pursuant to the existing Shareholder Direction, the Chief Administrative Officer and the Chief Financial Officer and Treasurer, in consultation with the Chair and Vice-Chair, Toronto Hydro, and appropriate Hydro officials, be requested to submit a report to Council for its meeting scheduled to be held on May 9, 2000, on the general business direction of Toronto Hydro, including its proposed strategies for:
    - (a) expansion of electrical distribution through mergers, acquisitions or otherwise, outside the City of Toronto;
    - (b) telecommunications, including any proposed strategies to go into the business of providing voice, data or other applications;
    - (c) electrical or other energy services;
    - (d) electricity generation and/or co-generation; and
    - (e) its operating principles respecting energy efficiency, environmental improvements, urban forest, minimizing street furniture and replacing overhead wires and cables with underground installations; and
  - (2) the Chief Administrative Officer be requested to organize a workshop/briefing session for interested Members of Council on these matters before the May 9, 2000 meeting of City Council, if possible.”
- (b) Councillor Layton moved that motion (a) by Councillor Adams be amended to provide that the report requested be submitted to the Works Committee and the Policy and Finance Committee for report thereon to Council on May 9, 2000, if possible.

*Votes:*

Motion (b) by Councillor Layton carried.

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

5.64 **Clause No. 4 of Report No. 4 of The Policy and Finance Committee, headed “Claim by the City of Toronto and the Toronto Housing Company Inc. Against the Province Arising Out of the Cancellation of Social Funding Projects”.**

*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.

*Vote:*

The Clause was adopted, without amendment.

5.65 **Clause No. 1 of Report No. 6 of The Works Committee, headed “Collection and Reuse or Recycling of White Goods and Scrap Metals in the City of Toronto”.**

*Motions:*

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

- (a) Councillor Moscoe moved that the Clause be amended by deleting Recommendation No. (3) embodied in the joint report dated March 6, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, and adopting the following:

“It is recommended that collection and reuse or recycling of white goods and scrap metals in the entire City of Toronto be done in-house; and the Commissioner of Works and Emergency Services be requested to meet with representatives of Local 416, Toronto Civic Employees’ Union, to analyze the cost of doing the work in-house and to determine how best to implement a process.”

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

“It is further recommended that Recommendation No. (1) embodied in the joint report dated March 6, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, be adopted, viz.:

- ‘(1) authority be granted to award Quotation No. 6033-00-7037 to the lowest bidder, Turtle Island Recycling Co. Ltd., for the collection of white goods and scrap metals, at a total estimated annual cost of \$335,368.00;’.”



*Votes:*

Adoption of motion (a) by Councillor Moscoe:

Yes - 12 Councillors:	Altobello, Augimeri, Chow, Jones, Kinahan, Layton, Li Preti, McConnell, Moscoe, Prue, Rae, Walker
No - 24 Mayor: Councillors:	Lastman Adams, Ashton, Berardinetti, Bossons, Brown, Chong, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Kelly, Lindsay Luby, Nunziata, O'Brien, Ootes, Palacio, Saundercook, Soknacki, Tzekas, Valenti

Lost by a majority of 12.

Motion (b) by Councillor Saundercook carried.

The Clause, as amended, carried.

**5.66 Clause No. 18 of Report No. 6 of The Works Committee, headed “Bridge Railing on Governor’s Road Bridge Over Moore Park Ravine (East York and Midtown)”.**

*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.

*Motions:*

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

“It is recommended that the report dated March 14, 2000, from the Commissioner of Works and Emergency Services, be adopted.”

- (b) Councillor Saundercook moved that the Clause be amended in accordance with the following recommendation embodied in the report dated April 5, 2000, from the Commissioner of Works and Emergency Services:

“It is recommended that Council amend the recommendations of the Works Committee by adding a stipulation that the proposed railing on the rehabilitated Governor’s Road Bridge

meet the Ontario Highway Bridge Design Code – 3rd Edition, through a composite design as described herein.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to submit a report to the Works Committee, in consultation with the Ward Councillors and the local area residents, on the possibility of conducting a fundraising campaign to determine whether the additional cost for the design preferred by the residents can be covered by a fund-raising strategy.”

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

“It is further recommended that the Commissioner of Works and Emergency Services be requested to initiate discussions with the Ontario Ministry of Transportation on the feasibility of providing a means for professional discretion for City of Toronto Officials in the interpretation and implementation of the standards of the Ontario Bridge Code when the City is rehabilitating low-speed, low-volume bridges in the City of Toronto.”

*Votes:*

Motion (a) by Councillor Holyday lost.

Adoption of motion (b) by Councillor Saundercook:

Yes - 21	
Councillors:	Altobello, Ashton, Berardinetti, Bossons, Brown, Cho, Duguid, Flint, Gardner, Giansante, Jones, Kelly, Layton, Moscoe, Nunziata, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 12	
Mayor:	Lastman
Councillors:	Adams, Augimeri, Chong, Disero, Holyday, Kinahan, McConnell, O'Brien, Ootes, Palacio, Tzekas

Carried by a majority of 9.

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

Motion (d) by Councillor Adams carried.

In summary, Council amended this Clause:

- (1) in accordance with the following recommendation embodied in the report dated April 5, 2000, from the Commissioner of Works and Emergency Services:

“It is recommended that Council amend the recommendations of the Works Committee by adding a stipulation that the proposed railing on the rehabilitated Governor’s Road Bridge meet the Ontario Highway Bridge Design Code – 3rd Edition, through a composite design as described herein.”; and

- (2) by adding thereto the following:

“It is further recommended that the Commissioner of Works and Emergency Services be requested to initiate discussions with the Ontario Ministry of Transportation on the feasibility of providing a means for professional discretion for City of Toronto Officials in the interpretation and implementation of the standards of the Ontario Bridge Code when the City is rehabilitating low-speed, low-volume bridges in the City of Toronto.”

5.67 **Clause No. 12 of Report No. 8 of The Administration Committee, headed “Renewal of Senior Staff Contracts”.**

*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 Berardinetti:

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

‘It is further recommended that the confidential report dated April 6, 2000, from the Chief Administrative Officer, embodying the following recommendation, be adopted:

“It is recommended that the employment of Mr. Alan Speed, in the position of Fire Chief, be continued beyond the end of the current employment contract, subject to successful negotiation of a new employment contract.”  
” ”

*Motion to Re-Open:*

Councillor Nunziata, with the permission of Council, moved that, in accordance with Section 46 of the Council Procedural By-law, Clause No. 21 of Report No. 8 of The Administration Committee, headed “Process and Timelines for the Renewal of Senior Staff Contracts”, which was adopted, without amendment, by City Council on December 14, 15 and 16, 1999, be re-opened for further consideration, the vote upon which was taken as follows:

Yes - 10	
Councillors:	Adams, Augimeri, Cho, McConnell, Moscoe, Nunziata, Palacio, Prue, Valenti, Walker
No - 24	
Mayor:	Lastman
Councillors:	Altobello, Ashton, Berardinetti, Bossons, Brown, Chong, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Li Preti, Lindsay Luby, O’Brien, Ootes, Rae, Saundercook, Soknacki

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



*Votes:*

The motion by Councillor Berardinetti carried.

The Clause, 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 this Clause, such instructions to remain confidential, in accordance with the provisions of the Municipal Act, having regard that they relate to personnel matters.

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

**Moved by: Mayor Lastman**

**Seconded by: Councillor Ootes**

“**WHEREAS** the Mayor requested the Chief Administrative Officer, the City Auditor and the City Solicitor to investigate issues surrounding a new Lease provided to Sevendon Holdings Limited by the Toronto Economic Development Corporation (TEDCO); and

**WHEREAS** the Chief Administrative Officer, the City Auditor and the City Solicitor have prepared the attached confidential joint report dated April 7, 2000, in this regard;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration, in camera, to the aforementioned confidential joint report dated April 7, 2000, from the Chief Administrative Officer, the City Auditor and the City Solicitor.”

Council also had before it, during consideration of Motion J(16), the following:

- (i) confidential joint report (April 7, 2000) from the Chief Administrative Officer, the City Auditor and the City Solicitor, 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 which is subject to Solicitor/Client privilege; and
- (ii) confidential communication (undated) from the City Solicitor, outlining further information in this regard, such communication 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.

*Motions:*

Deputy Mayor Ootes, in accordance with the provisions of the Municipal Act, reported that the following motions had been moved in Committee of the Whole for consideration by Council in conjunction with Motion J(16):

- (a) Councillor McConnell, seconded by Councillor Layton, moved that Motion J(16) be amended by adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the confidential joint report dated April 7, 2000, from the Chief Administrative Officer, the City Auditor and the City Solicitor, be adopted;

**AND BE IT FURTHER RESOLVED THAT**, in the event that the further investigation into this matter uncovers evidence that would justify a criminal investigation, the City Solicitor be authorized to work with counsel for TEDCO and take all steps necessary to institute a criminal investigation at that time, and the Toronto Police Service be apprised, at this time, of the ongoing investigation.”

- (b) Councillor Chong moved that Motion J(16) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** TEDCO be directed to ensure that all future property leasing decisions are made in conformity with the City’s emerging plans for the waterfront, as expressed in the ‘Unlocking Toronto’s Port Lands’ study, the TO-Bid Master Plan for the 2008 Olympic Games, the Mayor’s Waterfront Vision and the Report of the Toronto Waterfront Revitalization Task Force.”

- (c) Councillor Soknacki moved that motion (a) by McConnell, seconded by Councillor Layton, be amended by adding to the first new Operative Paragraph, the words “subject to adding to Recommendation No. (1)(i), the words ‘including commencing a civil action to set aside the Sevendon Holdings Limited lease if required’ ”.

- (d) Councillor Kinahan moved that Motion J(16) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the City Solicitor be requested to examine whether any breach of fiduciary duty to TEDCO, by the Members of the TEDCO Board of Directors, occurred.”

- (e) Councillor Layton moved that Motion J(16) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the City Solicitor be instructed to investigate the recovery of any costs incurred by the City of Toronto from those persons responsible for the eventuality that has occurred.”

*Additional Motion moved in Public Session:*

Deputy Mayor Ootes, having regard to the motions moved in Committee of the Whole, called for additional motions with respect to this Clause.

- (f) Councillor Moscoe moved that motion (a) by Councillor McConnell, seconded by Councillor Layton, be amended by deleting from the second new Operative Paragraph, the words “Toronto Police Service” and inserting in lieu thereof the words “Ontario Provincial Police”.

*Votes:*

Adoption of motion (c) by Councillor Soknacki:

Yes - 33	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 0	

Carried, without dissent.

Adoption of motion (f) by Councillor Moscoe:

Yes - 22	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Chong, Disero, Duguid, Flint, Giansante, Jones, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Palacio, Rae, Saundercook, Soknacki, Walker
No - 11	
Councillors:	Bossons, Brown, Cho, Chow, Feldman, Holyday, Kelly, Kinahan, Ootes, Prue, Valenti



Carried by a majority of 11.

Adoption of motion (b) by Councillor Chong:

Yes - 34
Mayor: Lastman
Councillors: Adams, Ashton, Augimeri, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 0

Carried, without dissent.

Adoption of motion (d) by Councillor Kinahan:

Yes - 34
Mayor: Lastman
Councillors: Adams, Ashton, Augimeri, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 0

Carried, without dissent.

Adoption of motion (e) by Councillor Layton:

Yes- 34
Mayor: Lastman
Councillors: Adams, Ashton, Augimeri, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 0

Carried, without dissent.

Adoption of motion (a) by Councillor McConnell, seconded by Councillor Layton, as amended, and Motion J(16), as amended:

Yes - 34	
Mayor:	Lastman
Councillors:	Adams, Ashton, Augimeri, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Valenti, Walker
No - 0	

Carried, without dissent.

In summary, Council adopted Motion J(16), subject to adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the confidential joint report dated April 7, 2000, from the Chief Administrative Officer, the City Auditor and the City Solicitor, be adopted, 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, save and except the recommendations embodied therein, subject to adding to Recommendation No. (1)(i), the words ‘including commencing a civil action to set aside the Sevendon Holdings Limited lease if required’, so that such recommendations shall now read as follows:

‘It is recommended that:

- (1) City Council exercise its authority under Section 108 of the Ontario Business Corporations Act, 1982 to issue a written declaration to the Board of Directors of TEDCO as follows:
  - (i) directing TEDCO to retain legal representation and pursue any remedies available to it to have the lease between TEDCO and Sevendon Holdings Limited dated December 1, 1999, set aside, including commencing a civil action to set aside the Sevendon Holdings Limited lease, if required;

- (ii) pay all costs associated with the City's review of TEDCO and as set out in this report;
  - (iii) direct TEDCO to work with the Chief Administrative Officer of the City in allowing City staff to provide interim administrative support to TEDCO, as set out in Recommendation No. (2) hereof; and
  - (iv) providing that City Planning and Economic Development staff are to attend all TEDCO Board meetings concerning all issues except personnel issues;
- (2) the Chief Administrative Officer be requested to establish a Staff Working Group to support the operations of TEDCO, consisting of staff from the Property and Legal Divisions, to assist in reviewing lease agreements and leasing issues; and staff from the City Clerk's Division to assist in providing procedural support regarding the conduct of meetings;
  - (3) the City Auditor be authorized to retain and direct outside professional assistance, as necessary, to review lease transactions of TEDCO from January 1, 1998, to present, and to report back to City Council on the results of that review;
  - (4) the recommendations contained in this report be forwarded to TEDCO and that TEDCO be requested to report back to City Council, within 30 days, on their action in respect of the matters set out.;

**AND BE IT FURTHER RESOLVED THAT**, in the event that the further investigation into this matter uncovers evidence that would justify a criminal investigation, the City Solicitor be authorized to work with counsel for TEDCO and take all steps necessary to institute a criminal investigation at that time, and the Ontario Provincial Police be apprised, at this time, of the ongoing investigation;

**AND BE IT FURTHER RESOLVED THAT** TEDCO be directed to ensure that all future property leasing decisions are made in conformity with the City's emerging plans for the waterfront, as expressed in the 'Unlocking Toronto's Port Lands' study, the TO-Bid Master Plan for the 2008 Olympic Games, the Mayor's Waterfront Vision and the Report of the Toronto Waterfront Revitalization Task Force;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor:

- (1) be requested to examine whether any breach of fiduciary duty to TEDCO, by the Members of the TEDCO Board of Directors, occurred; and

- (2) be instructed to investigate the recovery of any costs incurred by the City of Toronto from those persons responsible for the eventuality that has occurred.”

5.69 Deputy Mayor Ootes called upon Motion J(18), as follows:

**Moved by: Councillor Disero**

**Seconded by: Councillor Palacio**

“**WHEREAS** the Chief Financial Officer and Treasurer and the City Solicitor are involved in defending the litigation proceedings brought against the City of Toronto and the Chief Financial Officer and Treasurer in connection with the tax sale relating to 39 McGlashan Road and wish to report to City Council on a settlement offer received from the solicitors for the Applicants in the litigation, the Elliots; and

**WHEREAS** the Chief Financial Officer and Treasurer and the City Solicitor have prepared the attached confidential joint report dated April 12, 2000, in this regard, and, for reasons set out in the report, this matter should be dealt with as soon as possible;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration, in-camera, to the aforementioned confidential joint report dated April 12, 2000, from the Chief Financial Officer and Treasurer and the City Solicitor, and that such report be adopted.”

Council also had before it, during consideration of Motion J(18), a joint confidential report dated April 12, 2000, from the Chief Financial Officer and Treasurer and the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to litigation.

*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 Motion J(18).

*Vote:*

Motion J(18) was adopted, without amendment, and, in so doing, Council adopted the confidential joint report dated April 12, 2000, from the Chief Financial Officer and Treasurer and the City Solicitor, such report to remain confidential, in accordance with the provisions of the Municipal Act, having regard that it contains information which is subject to litigation.



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

- 5.70 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(1), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor Moscoe**

**Seconded by:**                **Councillor Ashton**

“**WHEREAS** Provincial regulation 191/00 issued by the Province on March 20, 2000, establishes the City’s new ward structure effective December 1, 2000; and

**WHEREAS** Bill 25, the Fewer Municipal Politicians Act, 1999, suspends certain aspects of the Municipal Act providing the City with the authority to change or establish the ward names; and

**WHEREAS** on December 15, 1999, City Council requested the Minister of Municipal Affairs and Housing to provide the City with the necessary authority to name the 44 wards once established in regulation; and

**WHEREAS** the regulation establishes these wards with ‘numbers’; and

**WHEREAS** the rationale for going to riding boundaries, which were common for all levels of government, was to simplify the electoral system for the general public; and

**WHEREAS** it would be beneficial for all to simplify this matter;

**NOW THEREFORE BE IT RESOLVED THAT** City Council request the Minister of Municipal Affairs to amend the regulation to delete all reference to ward numbers and permit the municipality to name the wards;

**AND BE IT FURTHER RESOLVED THAT** the actual question of the ward names be referred to the Administration Committee and the Committee be requested to consider the following format as a basis for discussion on how to name the wards:

- (1) where the riding has a compound name like Parkdale-High Park, one ward be called Parkdale and the other High Park;
- (2) where the riding has a single name like Davenport, the wards be designated using the riding name and adding to it the additional east or west (or north or south, as the case may be);

- (3) where the riding name already contains within it a directional designation, like Etobicoke North, we would add to it a further identifier recognizing the traditional community names like Rexdale or Thistletown so the wards would then be named simply Rexdale or Thistletown; and
- (4) where none of these iterations fit, permit the wards to be named in accordance with local community input and the Councillors involved be requested to recommend names for the respective wards like Alderwood, Forest Hill, Leaside or Hogg's Hollow."

*Vote:*

Motion J(1) was adopted, without amendment.

- 5.71 Councillor Pantalone 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 Pantalone**

**Seconded by: Councillors Augimeri and Berardinetti**

**“WHEREAS** April 28th is commemorated in cities across Canada as the Day of Mourning for those killed or injured at the workplace; and

**WHEREAS** the City of Toronto was one of the first municipalities to join the labour movement in honouring that day; and

**WHEREAS** this year marks the 40th anniversary of the preventable tragic accident at Hogg's Hollow when five workers of Italian heritage were trapped 35 feet below ground and died in a cramped, dimly-lit tunnel, setting off a public outcry which led to vastly improved worker's safety and labour laws in Ontario; and

**WHEREAS** it is fitting to commemorate these tragic deaths which acted as an important catalyst for change;

**NOW THEREFORE BE IT RESOLVED THAT** April 28th be annually recognized as the Day of Mourning for those killed or injured in the workplace;

**AND BE IT FURTHER RESOLVED THAT** the Day of Mourning be recognized by the lowering of all flags on City of Toronto property to half-mast and by all City employees observing a moment of silence at 11:00 a.m., wherever possible;

**AND BE IT FURTHER RESOLVED THAT** the City of Toronto authorize a memorial plaque to be installed at the location of the tragedy on Yonge Street just south of York Mills Road on April 28, 2000, and that staff give effect thereto.”

*Motion:*

Councillor Pantalone moved that Motion J(2) be adopted, subject to amending the third Operative Paragraph by inserting, after the words “City of Toronto”, the words “through the Mayor’s Office”, so that such Operative Paragraph shall now read as follows:

“**AND BE IT FURTHER RESOLVED THAT** the City of Toronto, through the Mayor’s Office, authorize a memorial plaque to be installed at the location of the tragedy on Yonge Street just south of York Mills Road on April 28, 2000, and that staff give effect thereto.”

*Votes:*

The motion by Councillor Pantalone carried.

Motion J(2), as amended, carried.

- 5.72 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), and that the first Operative Paragraph embodied therein be adopted:

**Moved by:** Councillor Walker

**Seconded by:** Councillor Mihevc

“**WHEREAS** City Council established a Tenant Defence Fund on November 23-25, 1999, to assist tenants wishing to dispute above-guideline rent increase applications filed by their landlords; and

**WHEREAS** City Council authorized the Commissioner of Community and Neighbourhood Services to issue an open proposal call to community agencies to provide outreach and co-ordinating services as part of the Tenant Defence Fund; and

**WHEREAS** the Commissioner of Community and Neighbourhood Services reported to City Council that the Federation of Metro Tenants Associations had won the open proposal call and recommended that they be hired to perform the services; and



**WHEREAS** Council on February 29, March 1 and 2, 2000, by its adoption, as amended, of Notice of Motion J(3), decided that the FMTA should receive the contract, subject to the FMTA entering into a subcontract with the Greater Toronto Tenants Association to perform organizing services, and subject to approval of the subcontract by the Tenant Defence Sub-Committee; and

**WHEREAS**, the Greater Toronto Tenants Association provided written notice on March 30, 2000, that it is withdrawing its bid and that their decision is final and absolute but they will work to improve relations with the FMTA and work co-operatively with the City on an informal basis;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Notice of Motion J(3), moved by Councillor Walker, seconded by Councillor Kinahan, adopted, as amended, by City Council at its meeting held on February 29, March 1 and 2, 2000, be re-opened for further consideration, only insofar as it pertains to Council's decision to authorize a purchase of service agreement with the FMTA subject to the FMTA entering into a subcontract with the GTTA;

**AND BE IT FURTHER RESOLVED THAT** City Council authorize the Commissioner of Community and Neighbourhood Services to enter into a purchase of service agreement with the FMTA to provide outreach and co-ordinating services under the Tenant Defence Fund, for an amount not to exceed \$147,000.00, including all taxes and disbursements, and subject to such other conditions that are deemed appropriate by the Commissioner and the City Solicitor.”

the vote upon which was taken as follows:

Yes - 36	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Gardner, Giansante, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, Pantalone, Rae, Saundercook, Sinclair, Soknacki, Walker
No - 8	
Councillors:	Holyday, Jakobek, Kelly, Li Preti, Lindsay Luby, Moeser, O'Brien, Ootes

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

Council also had before it, during consideration of Motion J(3), communications from the following respecting the Tenant Defence Fund, copies of which are on file in the Office of the City Clerk:

- (i) (March 30, 2000) from Ms. Janet McLeod, Chair, and Mr. Paul York, Organizer, Greater Toronto Tenants' Association;
- (ii) (April 4, 2000) from Mr. Brian Beaton, President, 26 Sloane - 21 Ecclestone Tenants Association;
- (iii) (April 5, 2000) from Mr. Paul York, Organizer, Greater Toronto Tenants' Association;
- (iv) (April 10, 2000) from Mr. Paul York, Organizer, Greater Toronto Tenants' Association; and
- (v) (April 10, 2000) from Ms. Libby Fine, Ms. Genny Innes and Ms. Lisa Silver, on behalf of the Steering Committee of the 601 Finch Avenue West Tenants Association.

*Motion:*

- (a) Councillor Gardner moved that the balance of Motion J(3) be amended to provide that the funds allocated for outreach and co-ordinating services under the Tenant Defence Fund be referred to the Commissioner of Community and Neighbourhood Services, with a request that a report be submitted to the Community Services Committee providing an evaluation on whether the services provided by the Federation of Metro Tenants Associations are duplicating the services provided by the Greater Toronto Tenants Association, such report to also address a possible redistribution of these funds to the grants portion of the program to be used for tenant legal costs in challenging above-guideline rent increases.

*Ruling by Deputy Mayor:*

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

*Motions:*

- (b) Councillor Korwin-Kuczynski moved that the balance of Motion J(3) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Commissioner of Community and Neighbourhood Services be requested to very closely monitor the process of the expenditure of funds allocated to the Federation of Metro Tenants Associations.”

- (c) Councillor Minnan-Wong moved that the balance of Motion J(3) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** all publications issued by the Federation of Metro Tenants Associations be pre-approved by City Council.”

- (d) Councillor Ashton moved that the balance of Motion J(3) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the Commissioner of Community and Neighbourhood Services be requested to submit a report to the Community Services Committee, in six months’ time, providing an evaluation of the organizing and outreach program.”

- (e) Councillor Davis moved that the balance of Motion J(3) be amended by adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the FMTA be requested to:

- (1) advise Members of Council of buildings being organized in their ward; and
- (2) provide Members of Council with 30 days notice of any meetings in their wards respecting such organization, and also any tenant workshops that occur in the City.”

*Votes:*

Motion (b) by Councillor Korwin-Kuczynski carried.

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

Yes - 9	
Councillors:	Adams, Berger, Bossons, Davis, Holyday, Li Preti, Mammoliti, Minnan-Wong, Ootes
No - 41	
Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Valenti, Walker

Lost by a majority of 32.

Motion (d) by Councillor Ashton carried.

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

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

Yes - 13 Councillors:	Adams, Berger, Bossons, Brown, Cho, Davis, Feldman, Gardner, Holyday, Li Preti, Mammoliti, Minnan-Wong, Ootes
No - 37 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Bussin, Chong, Chow, Disero, Duguid, Filion, Flint, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Valenti, Walker

Lost by a majority of 24.

Adoption of Motion J(3), as amended:

Yes - 42 Councillors:	Altobello, Ashton, Augimeri, Berardinetti, Brown, Bussin, Cho, Chow, Disero, Duguid, Feldman, Filion, Flint, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Valenti, Walker
No - 8 Councillors:	Adams, Berger, Bossons, Chong, Davis, Holyday, Mammoliti, Minnan-Wong

Carried by a majority of 34.

In summary, Council re-opened Notice of Motion J(3), moved by Councillor Walker, seconded by Councillor Kinahan, adopted, as amended, by City Council at its meeting held on February 29, March 1 and 2, 2000, for further consideration, only insofar as it pertains to the condition set by Council that the purchase of service agreement with the FMTA be subject to the FMTA entering into a subcontract with the GTTA, and adopted the balance of Motion J(3) on the Order Paper for this meeting of Council, subject to adding thereto the following new Operative Paragraphs:

**“AND BE IT FURTHER RESOLVED THAT** the Commissioner of Community and Neighbourhood Services be requested to:

- (a) very closely monitor the process of the expenditure of funds allocated to the FMTA; and
- (b) submit a report to the Community Services Committee, in six months' time, providing an evaluation of the organizing and outreach program;

**AND BE IT FURTHER RESOLVED THAT** the FMTA be requested to advise Members of Council of buildings being organized in their ward.”

- 5.73 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(4), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Mayor Lastman**

**Seconded by: Councillor Saundercook**

“**WHEREAS** red-light running is the cause of some of the most severe traffic accident injuries and accounted for approximately 8,000 collisions in Ontario in 1997; and

**WHEREAS** in September 1998, when the City of Toronto installed a camera at the intersection of St. Clair Avenue West and Dufferin Street as a test, the incidence of red-light running was reduced by more than half; and

**WHEREAS** on December 18, 1998, the Red-Light Camera Pilot Projects Act, 1998 (Bill 102) received Royal Assent; and

**WHEREAS** the City of Toronto assumed a leadership role, along with five other Ontario municipalities, in the issuance of the RFP for Red-Light Cameras, and any further delay could jeopardize this; and

**WHEREAS** it is in the interest of public safety to implement the Red-Light Camera Project as soon as possible; and

**WHEREAS** the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer have prepared the attached joint report dated April 3, 2000;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the joint report dated April 3, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled ‘Intersection Safety Program to Reduce Red-Light Running’, and that such report be adopted.”

Council also had before it, during consideration of Motion J(4), a joint report dated April 3, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, entitled "Intersection Safety Program to Reduce Red-Light Running" (See Attachment No. 1, Page No. 144).

*Vote:*

Adoption of Motion J(4), without amendment:

Yes - 41	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Saundercook, Sinclair, Tzekas, Valenti
No - 1	
Councillor:	Walker

Carried by a majority of 40.

Council, by its adoption of Motion J(4), without amendment, adopted, without amendment, the joint report dated April 3, 2000, from the Commissioner of Works and Emergency Services and the Chief Financial Officer and Treasurer, embodying the following recommendations:

"It is recommended that, subject to the successful completion by Lockheed Martin IMS Canada Inc., of 'proof of performance' and acceptance by the City, as described in RFP-9119-00-7004:

- (1) Lockheed Martin IMS Canada Inc., the proponent with the highest overall evaluated score, as determined by the RFP evaluation team, be retained for the supply, installation, operation and maintenance of red-light camera systems in the City of Toronto at a cost not to exceed \$3,740,000.00, subject to negotiation and execution of an agreement satisfactory to the appropriate City officials and subject to any necessary provincial approvals;
- (2) an operational agreement be negotiated and executed with the Ministry of Transportation, Ontario, clarifying the responsibilities of both parties under the program to permit the City to obtain motor vehicle registration information

- necessary to lay charges under this program and to enable the City to become designated as a Red-Light Camera Pilot area in the appropriate Ontario regulation;
- (3) the City of Toronto implement a centralized municipal processing centre for issuing offence notices on behalf of the City of Toronto, as well as other participating municipalities under the program, and that an agreement be negotiated and executed with the participating municipalities regarding the sharing of staffing, office space and equipment costs;
- (4) the introduction of any bills be authorized; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

5.74 Councillor Rae 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 Rae**

**Seconded by: Councillor Korwin-Kuczynski**

“**WHEREAS** The Toronto Maple Leafs are in the National Hockey League Playoffs after winning their Division; and

**WHEREAS** the Leafs are organizing a number of promotional activities during the playoffs for their drive to the Stanley Cup; and

**WHEREAS** Nike Canada, through ICON Digital Productions, have requested permission to install removable temporary decals on Yonge Street in support of the Toronto Maple Leafs hockey team during the 2000 playoffs; and

**WHEREAS** the Commissioner of Works and Emergency Services has prepared the attached report dated April 6, 2000, in this regard;

**NOW THEREFORE BE IT RESOLVED THAT** Council give consideration to the attached report dated April 6, 2000, from the Commissioner of Works and Emergency Services, and that Recommendation No. (2) embodied therein be adopted.”

Council also had before it, during consideration of Motion J(5), a report dated April 6, 2000, from the Commissioner of Works and Emergency Services, entitled “Temporary Installation of ‘Go-Leafs-Go’ Decals on the Sidewalk Corners of Yonge Street, from Front Street to Eglinton Avenue (Downtown, Midtown and North Toronto)” (See Attachment No. 2, Page No. 161).





*Vote:*

Adoption of Motion J(5), without amendment:

Yes - 40	
Mayor:	Lastman
Councillors:	Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Flint, Giansante, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Walker
No - 6	
Councillors:	Ashton, Berger, Holyday, Jakobek, O'Brien, Valenti

Carried by a majority of 34.

Council, by its adoption of Motion J(5), without amendment, adopted Recommendation No. (2) embodied in the report dated April 6, 2000, from the Commissioner of Works and Emergency Services, viz.:

“It is recommended that:

- (2) City Council approve the temporary installation of ‘Go-Leafs-Go’ decals, as described in the body of this report, on sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue, subject to the applicant:
  - (a) supplying, installing, maintaining and removing the decals, including any cleaning of the sidewalks required as a result of the decals, at no cost to the City;
  - (b) ensuring that the decals are non-slip and the adhesive does not damage or deface the sidewalks when removed;
  - (c) submitting to the City an irrevocable Letter of Credit, in the amount of \$10,000.00, to guarantee the removal of the decals or to repair any damage to the sidewalk caused by the installation, maintenance and removal of the decals;

- (d) paying the fee for this use of the sidewalk, in the amount of \$26.12 per decal, plus applicable application fee and taxes;
- (e) restricting the Nike corporate recognition to a maximum of twenty percent (20 percent) of the total area of the decal and incidental to the overall design;
- (f) submitting a certificate of insurance satisfactory to the Chief Financial Officer and Treasurer, providing public liability, bodily injury and property damage coverage, in the amount of \$2,000,000.00, and including a cross-liability clause; and
- (g) executing an agreement with such conditions as the Commissioner of Works and Emergency Services and City Solicitor may deem necessary in the interest of the City of Toronto.”

5.75 Councillor Korwin-Kuczynski moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(6), moved by Councillor Korwin-Kuczynski, seconded by Councillor Miller, and, in the absence of Councillor Miller, seconded by Councillor Saundercook, which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Korwin-Kuczynski**

**Seconded by: Councillor Saundercook**

“**WHEREAS** the Ontario Municipal Board will be considering an appeal with respect to an application made for 10 Hewitt Avenue, with respect to the decision by the Committee of Adjustment, denying permission for variances requested; and

**WHEREAS** there are significant concerns with 10 Hewitt Avenue, and the owner applied to the Committee of Adjustment to request permission to make interior alterations to the basement of the existing converted house, increasing the number of dwelling units from 3 to 4, notwithstanding no parking spaces will be provided instead of the two parking spaces required by the Zoning By-law; and

**WHEREAS** the by-law indicates that it is not appropriate, desirable or within the general intent of the Zoning By-law as it will require street parking in an area where it is already over capacity; and

**WHEREAS** the provision of parking for this converted house is particularly important because it is located in a permit parking area where parking is in demand, and that permits have been issued to 91 percent of the available on-street parking spaces; and

**WHEREAS** area residents do not support an increase in units to the subject dwelling and the parking requirement is not being met, as required by the Zoning By-law; and

**WHEREAS** the matter will be heard at the Ontario Municipal Board hearing on April 19, 2000, and is, therefore, a time-sensitive issue;

**NOW THEREFORE BE IT RESOLVED THAT** City Council advise the Ontario Municipal Board, that the variances being sought by the applicant are not considered minor, and that this application does not warrant consideration of approval of the appeal to the Ontario Municipal Board;

**AND BE IT FURTHER RESOLVED THAT** the City Solicitor be instructed to attend the Ontario Municipal Board hearing on April 19, 2000, in defence of the Committee of Adjustment decision respecting 10 Hewitt Avenue.”

*Vote:*

Motion J(6) was adopted, without amendment.

- 5.76 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(7), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:**                    **Councillor Adams**

**Seconded by:**                **Councillor Bossons**

“**WHEREAS** the City’s Committee of Adjustment in its Decision of February 1, 2000, refused an application to make interior alterations, including the conversion of an existing garage for additional habitable space, and to construct a one-storey garage addition to the east rear of the house at 20 Ormsby Crescent in Midtown; and

**WHEREAS** in its Decision, the Committee of Adjustment cited that the application does not maintain the general intent and purpose of the Zoning By-law, and is not considered minor or appropriate development of the land; and

**WHEREAS** the refusal Decision has been appealed to the Ontario Municipal Board with a Hearing scheduled for May 6, 2000; and

**WHEREAS** the Urban Development Services Department, in their letters dated December 7, 1999, and January 26, 2000, recommended to the Committee of Adjustment that the application for 20 Ormsby Crescent be refused; and

**WHEREAS** in their letters, the Urban Development Services Department, indicated that they have ‘concerns about the impact of the proposed development on adjacent properties. The increase in building depth and the decrease in rear yard separation may result in reduced residential amenity for neighbouring properties.’;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to appear before the Ontario Municipal Board to defend the City of Toronto Committee of Adjustment Decision of February 1, 2000, regarding 20 Ormsby Crescent, and be authorized to retain independent planning advice and evidence for the hearing if necessary.”

Council also had before it, during consideration of Motion J(7), the following communications, copies of which are on file in the Office of the City Clerk:

- (i) (December 7, 1999) addressed to the Manager, Committee of Adjustment, from the Manager, Community Planning, North Section, Urban Development Services, recommending that the minor variance application pertaining to 20 Ormsby Crescent be refused;
- (ii) (January 26, 2000) addressed to the Manager, Committee of Adjustment, from the Manager, Community Planning, North Section, Urban Development Services, re-affirming the recommendation outlined in the communication dated December 7, 1999, regarding the minor variance application pertaining to 20 Ormsby Crescent, and again recommending that such application be refused;
- (iii) (February 7, 2000) addressed to Councillor Adams, from the Acting Commissioner of Urban Development Services, advising that the Committee of Adjustment refused the minor variance application pertaining to 20 Ormsby Crescent; and
- (iv) (April 5, 2000) “Appointment for Hearing” notice from the Ontario Municipal Board, pertaining to 20 Ormsby Crescent.

*Motion:*

Councillor Pantalone moved that Motion J(7) be adopted, subject to deleting from the Operative Paragraph the words “, and be authorized to retain independent planning advice and evidence for the hearing if necessary”, so that such Operative Paragraph shall now read as follows:

**“NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to appear before the Ontario Municipal Board to defend the City of Toronto Committee of Adjustment Decision of February 1, 2000, regarding 20 Ormsby Crescent.”

*Votes:*

The motion by Councillor Pantalone carried.

Motion J(7), as amended, carried.

- 5.77 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(8), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:                   Councillor Adams**

**Seconded by:               Councillor Bossons**

**“WHEREAS** the City’s Committee of Adjustment in its Decision of December 15, 1999, regarding 41-43 Rosedale Road, refused applications to: sever a rear portion of the property at 43 Rosedale Road and convey it to 41 Rosedale Road; create a right-of-way over the front of the property at 41 Rosedale Road; create a right-of-way over a portion of the rear of the property at 41 Rosedale Road; and construct a mutual circular drive on the front portion of 41 Rosedale Road; and

**WHEREAS** in its Decision, the Committee of Adjustment cited that the applications do represent a substantial difference from a previous application that was refused in 1996 at the Ontario Municipal Board, and has the potential for destabilizing the existing lot pattern and the character of the area; and

**WHEREAS** the refusal Decision has been appealed to the Ontario Municipal Board with a Hearing scheduled for May 1, 2000; and

**WHEREAS** the Urban Development Services Department in their letter dated December 14, 1999, recommended to the Committee of Adjustment that the applications for 41-43 Rosedale Road be refused; and

**WHEREAS** in their letter, the Urban Development Services Department indicated that the same properties ‘were the subject of 1995 applications for similar alterations to the parking and driveway arrangement with a requested variance to permit home/work use in a converted attached garage. The applications were refused and appeals were dismissed by the Ontario Municipal Board.’; and

**WHEREAS** the Urban Development Services Department believes that the circular drive is inconsistent with the intent of the Zoning By-law, and ‘will have negative impact on the streetscape and may set a negative precedent’;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to appear before the Ontario Municipal Board to defend the City of Toronto Committee of Adjustment Decision of December 15, 1999, regarding 41-43 Rosedale Road, and be authorized to retain independent planning advice and evidence for the hearing if necessary.”

Council also had before it, during consideration of Motion J(8), the following communications, copies of which are on file in the Office of the City Clerk:

- (i) (December 14, 1999) from the Manager, North Section, Community Planning, South District, addressed to the Manager, Committee of Adjustment, outlining the Departmental comments with respect to the applications pertaining to 41 and 43 Rosedale Road;
- (ii) four communications (undated) from the Committee of Adjustment advising that the Committee of Adjustment, in its Decision of December 15, 1999, regarding 41-43 Rosedale Road, refused applications to: sever a rear portion of the property at 43 Rosedale Road and convey it to 41 Rosedale Road; create a right-of-way over the front of the property at 41 Rosedale Road; create a right-of-way over a portion of the rear of the property at 41 Rosedale Road; and construct a mutual circular drive on the front portion of 41 Rosedale Road; and
- (iii) (March 27, 2000) ) “Appointment for Hearing” notice from the Ontario Municipal Board, pertaining to 41 and 43 Rosedale Road.

*Motion:*

Councillor Pantalone moved that Motion J(8) be adopted, subject to deleting from the Operative Paragraph the words “, and be authorized to retain independent planning advice and evidence for the hearing if necessary”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be directed to appear before the Ontario Municipal Board to defend the City of Toronto Committee of Adjustment Decision of December 15, 1999, regarding 41-43 Rosedale Road.”

*Votes:*

The motion by Councillor Pantalone carried.

Motion J(8), as amended, carried.

- 5.78 Councillor Layton 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: Councillor Layton**

**Seconded by: Mayor Lastman**

“**WHEREAS** smog kills over 400 Torontonians each year and sends an even larger number of people with respiratory illnesses to hospitals; and

**WHEREAS** the Lakeview Coal-Fired Generating Station in Mississauga already creates more smog gases - Nitrogen Oxide (NO<sub>x</sub>) and Sulphur Dioxide (SO<sub>2</sub>) - than all other sources in the City of Toronto combined; and

**WHEREAS** the City of Toronto has joined the New York Attorney General as a friend of the Court in a lawsuit against U.S. coal-fired stations; and

**WHEREAS** the provincial government is planning to sell the Lakeview Coal-Fired Generating Station in Mississauga; and

**WHEREAS** the Request for Proposals for the sale of Lakeview will be released sometime in late April, before the next Council meeting; and

**WHEREAS** the provincial government has not expressed any opposition to sell the Lakeview Generating Plant to a new owner who may increase electrical generation from the current 16 percent capacity up to 80 percent capacity using coal-fired technology; and

**WHEREAS** running the plant at 80 percent capacity using coal-fired technology would dramatically increase the release of NO<sub>x</sub> and SO<sub>2</sub> by 500 percent above current levels, as well as dramatically increase the release of CO<sub>2</sub>, mercury and other carcinogens; and

**WHEREAS** converting Lakeview to new natural gas-fired technology and operating it at 80 percent capacity would lead to zero SO<sub>2</sub> emissions, zero mercury emissions, zero emissions of carcinogens and to NO<sub>x</sub> emissions that are 1/17th the emissions from a coal-fired plant operating at the same capacity; and

**WHEREAS** operating Lakeview at 80 percent capacity as a coal-fired station would lead to an increase in CO<sub>2</sub> emissions equivalent to 650,000 new cars on the road, in comparison to converting Lakeview to a natural gas-fired plant and operating it at 80 percent capacity; and



**WHEREAS** allowing the sale of Lakeview to a new owner who would maintain it as a coal-fired plant would lead to a dramatic increase in smog in Toronto and a dramatic increase in smog related illnesses and deaths;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor immediately communicate with the Premier of Ontario requesting that the sale of the Lakeview Generating Plant be conditional on the complete conversion of the Plant to natural gas powered technology within five years of its sale;

**AND BE IT FURTHER RESOLVED THAT** the Medical Officer of Health be requested to report to the Board of Health and the Works Committee, in May, on the health implications for Torontonians if the Lakeview Plant remains a coal-fired station or is converted to a natural gas-fired station.”

Council also had before it, during consideration of Motion J(9), the following chart and communication, copies of which are on file in the Office of the City Clerk:

- (i) chart (undated) entitled “Pollution from Lakeview Generating Plant, Natural Gas vs. Coal”; and
- (ii) (April 11, 2000) from Hazel McCallion, Mayor, City of Mississauga, expressing support for the conversion of Lakeview Generating Station to natural gas.

*Vote:*

Motion J(9) was adopted, without amendment.

- 5.79 Councillor Jones moved that the necessary provisions of the Council Procedural By-law be waived to permit consideration of the following Notice of Motion J(10), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Jones**

**Seconded by: Councillor Kinahan**

“**WHEREAS** City Council at its meeting held on February 29, March 1 and 2, 2000, adopted Clause No. 12 of Report No. 2 of The Etobicoke Community Council, which recommended the lifting of the Holding (H) designation from the Zoning By-law for a portion of the lands known municipally as 112 Evans Avenue, subject to the City’s Development Agreement being amended to implement any requirements of the Ministry of the Environment; and

**WHEREAS** the requirements of the Ministry of the Environment have been otherwise implemented, with the result that an amendment to the City's Development Agreement is no longer necessary; and

**WHEREAS** the owner of 112 Evans Avenue is anxious to proceed with development of the property; and

**WHEREAS** the City Solicitor has prepared the attached draft by-law lifting the Holding (H) designation and the attached report dated April 10, 2000, recommending that such by-law be enacted;

**NOW THEREFORE RE IT RESOLVED THAT** Council give consideration to the report dated April 10, 2000, from the City Solicitor, and that such report be adopted."

Council also had before it, during consideration of Motion J(10), a report dated April 10, 2000, from the City Solicitor, entitled "12 Evans Avenue - By-law to Lift Remaining Holding (H) Designation, Ward 2 (Lakeshore-Queensway)" (See Attachment No. 3, Page No. 164).

*Vote:*

Motion J(10) was adopted, without amendment, and, in so doing, Council adopted, without amendment, the report dated April 10, 2000, from the City Solicitor, embodying the following recommendation:

"It is recommended that the attached by-law lifting the Holding (H) designation from the lands legally described as Parts 1 and 2 on Reference Plan 66R-18486 be enacted."

- 5.80 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(11), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Councillor Moeser

**Seconded by:** Councillor Soknacki

**WHEREAS** there was a five-alarm fire at the U.S.E. Hickson Plant on Wallsend Drive in Scarborough; and

**WHEREAS** there could have been a substantial impact to the community had the wind direction changed; and

**WHEREAS** this incident potentially put the community and firefighters at risk; and

**WHEREAS** a thorough review should take place to address all the issues surrounding the potential risk to the community, the source of the fire, the environmental impact on the area

and any future methods that should be adopted to avoid a crisis of this magnitude in the future; and

**WHEREAS** this is a community safety issue which must be dealt with as soon as possible;

**NOW THEREFORE BE IT RESOLVED THAT** the Chief of the Fire Services Division be requested to co-ordinate a report to the Works Committee from the Toronto Police Service, the Ministry of the Environment, the Community Awareness Emergency Response Group, the Ambulance Services Division, Toronto Public Health, C.N. Rail and GO Transit, on:

- (1) the cause of the blaze;
- (2) methods of future prevention;
- (3) methods of ongoing inspections of the chemical plants in the area;
- (4) methods of separating the chemicals to minimize the potential environmental impact to the community should a fire occur; and
- (5) a protocol for informing elected representatives of major fires in their Ward.”

*Motion:*

Councillor Duguid moved that Motion J(11) be amended by:

- (1) adding thereto the following new Recitals:

“**WHEREAS** a fire of the magnitude this City experienced in the former City of Scarborough on Sunday, April 9, 2000, presented challenges and threats to the health and safety of both the firefighters and other public agency staff who responded to this emergency, in order that they may reduce the danger to the public; and

**WHEREAS** it is apparent that all City Departments and public agencies worked in a cohesive and professional manner to contain this threat to public safety; and

**WHEREAS** we must formally recognize this response from our emergency response workers which played a key role in mitigating the dangers of this unfortunate incident;”;

- (2) inserting in the lead-in phrase of the Operative Paragraph, prior to the words “the Chief of the Fire Services Division”, the words “the Commissioner of Works and Emergency Services, in consultation with”, and deleting the words “Works Committee” and inserting in lieu thereof the words “Community Services Committee”, so that such lead-in phrase shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** the Commissioner of Works and Emergency Services, in consultation with the Chief of the Fire Services Division, be

requested to co-ordinate a report to the Community Services Committee from the Toronto Police Service, the Ministry of the Environment, the Community Awareness Emergency Response Group, the Ambulance Services Division, Toronto Public Health, C.N. Rail and GO Transit, on:”; and

- (3) adding thereto the following new Operative Paragraph:

**“AND BE IT FURTHER RESOLVED THAT** the City’s Fire Chief, Incident Commanders, all firefighters and Fire Service staff, Police personnel, Toronto E.M.S. personnel, and all other staff workers involved with the chemical plant fire on Sunday, April 9, 2000, in the former municipality of Scarborough, be formally thanked by this Council for their decisive and professional leadership, courage, and quick action, leading to the containment and mitigation of this out-of-control fire.”

*Votes:*

The motion by Councillor Duguid carried.

Motion J(11), as amended, carried.

- 5.81 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(12), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Disero**

**“WHEREAS** the Alcohol and Gaming Commission of Ontario (‘the Commission’), at a hearing commencing on May 4, 1999 (‘the hearing’), considered a Notice of Proposal to impose a condition on the liquor licence held by the Lion on the Beach, 1958 Queen Street East (‘the Lion’), to cease the sale and service of liquor on the westerly patio area at 10:15 p.m., and to clear that patio area of all patrons by no later than 11 p.m., nightly, having regard to the needs and wishes of the residents of the municipality; and

**WHEREAS** the City Solicitor was authorized by Toronto City Council to attend at the hearing in support of the imposition of this condition; and

**WHEREAS** the Commission heard consistent testimony at the hearing from local residents regarding the extensive and disruptive noise caused by the operation of the Lion’s westerly patio; and

**WHEREAS** the Commission, in a decision dated March 1, 2000 ('the decision'), imposed a condition on the Lion's liquor license that the sale and service of all alcoholic beverages on the Lion's outdoor premises shall cease at 11:00 p.m., Sunday through Thursday; and

**WHEREAS** the Lion has appealed the decision to the Superior Court of Ontario (Divisional Court), requesting that the decision be set aside, or, in the alternative, that the decision be set aside and a new hearing scheduled; and

**WHEREAS** the City is a named Respondent in the Appeal; and

**WHEREAS** the City Solicitor will need direction in this regard, should a hearing be scheduled;

**NOW THEREFORE BE IT RESOLVED THAT** the City Solicitor be instructed to attend before the Divisional Court to oppose the Appeal of the decision of the Alcohol and Gaming Commission dated March 1, 2000, pertaining to the Lion on the Beach, 1958 Queen Street East."

Council also had before it, during consideration of Motion J(12), the following communications, copies of which are on file in the Office of the City Clerk:

- (i) (April 12, 2000) from Mr. Peter Poulakis, B.Sc., LL.B., Barrister and Solicitor, submitting comments with respect to Motion J(12);
- (ii) (January 11, 1999) from Mr. Richard E. Kulis, Senior Counsel, Legal Services, Alcohol and Gaming Commission of Ontario, addressed to the Lion on the Beach, submitted by Councillor Bussin;
- (iii) (undated) submitted by Councillor Jakobek, entitled "Why You Should Support Motion J(12)", and attaching a copy of the March 1, 2000 Decision of the Alcohol and Gaming Commission of Ontario pertaining to the Lion on the Beach; and
- (iv) (April 13, 2000) from Mr. Walter Hucher, Toronto, submitting comments with respect to the Decision of the Alcohol and Gaming Commission on the patio hours for the Lion on the Beach.

*Vote Be Now Taken:*

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

Yes - 22
Mayor:            Lastman

Councillors:	Balkissoon, Berger, Brown, Bussin, Cho, Disero, Feldman, Flint, Gardner, Giansante, Jakobek, Jones, King, Lindsay Luby, Mammoliti, Nunziata, Palacio, Rae, Saundercook, Sinclair, Valenti
No - 16	
Councillors:	Adams, Ashton, Berardinetti, Chong, Davis, Holyday, Kinahan, Korwin-Kuczynski, Layton, Li Preti, McConnell, Moscoe, O'Brien, Ootes, Prue, Tzekas

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

*Vote on Motion J(12):*

Adoption of Motion J(12), without amendment:

Yes - 24	
Mayor:	Lastman
Councillors:	Ashton, Balkissoon, Berardinetti, Brown, Cho, Chong, Chow, Davis, Disero, Feldman, Flint, Jakobek, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Nunziata, Ootes, Palacio, Rae, Saundercook, Sinclair
No - 12	
Councillors:	Adams, Augimeri, Bussin, Gardner, Jones, Kinahan, McConnell, Miller, O'Brien, Prue, Tzekas, Valenti

Carried by a majority of 12.

- 5.82 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(13), and that the first Operative Paragraph embodied therein be adopted:

**Moved by: Councillor Jakobek**

**Seconded by: Councillor Ootes**

“**WHEREAS** on December 14, 15 and 16, 1999, Toronto City Council approved a report, as amended, from the Acting Commissioner of Urban Planning and Development Services, entitled ‘New Practices for the Review of Development Applications’, embodied in Clause No. 1 of Report No. 7 of The Planning and Transportation Committee; and

**WHEREAS** that report was prepared in fulfilment of a commitment made by the Toronto Area Urban Planning and Development Commissioners to promote the development of best practices; and

**WHEREAS** the New Practices report proposed streamlined processes, harmonized procedures and increased use of delegation to assist City Council in focussing on key governance issues; and

**WHEREAS** the Planning and Transportation Committee recommended amendments to the New Practices report which extend site plan control over additional classes of development including properties abutting rail corridors; properties within 30 metres of stable top of bank; all townhouse developments; and all lots created by consent; and

**WHEREAS** such additional site plan control obligations will more than double the number of site plan applications based on the number of lots created by consent and the number of currently exempted townhouse projects in 1999; and

**WHEREAS** Councillors or their representatives must be invited to attend all meetings between Planning staff and applicants, which will increase the number of delay-related appeals to the Ontario Municipal Board now comprising 21 percent of all applications filed; and

**WHEREAS** staff estimate that current staff resources would have to be increased by a significant number in Urban Development Services, Works and Emergency Services and Corporate Services, with corresponding increases in budgets, in order to maintain a reasonable level of service; and

**WHEREAS** City Council is committed to controlling additional spending, in order to prevent tax increases;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Clause No. 1 of Report No. 7 of The Planning and Transportation Committee, headed 'New Practices for the Review of Development Applications', be re-opened for further consideration, only insofar as it pertains to the following recommendation contained in the Clause, and that such recommendation be deleted:

- '(8) Councillors be notified of, and invited to attend or send a representative, to all scheduled meetings between Planning staff and the applicant;'

the vote upon which was taken as follows:

Yes - 23	
Mayor:	Lastman
Councillors:	Berardinetti, Chong, Chow, Disero, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Mammoliti, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Valenti
No - 26	
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berger, Bossons, Brown, Bussin, Cho, Davis, Duguid, Feldman, Flint, Jones, Kinahan, Layton, Li Preti, Lindsay Luby, McConnell, Mihevc, Minnan-Wong, Moeser, Moscoe, Nunziata, Tzekas, Walker

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

Having regard that a motion to waive Notice and re-open Clause No. 1 of Report No. 7 of The Planning and Transportation Committee, headed "New Practices for the Review of Development Applications", did not carry, Motion J(13) was not introduced.

- 5.83 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(15), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by:** Mayor Lastman

**Seconded by:** Councillor Chong

**“WHEREAS** the City of Toronto’s appointee to the Board of Directors of the Toronto Port Authority expires on June 7, 2000; and

**WHEREAS**, under the Canada Marine Act and the Toronto Port Authority’s Letters Patent, the current City of Toronto appointee may be re-appointed to a three-year term; and

**WHEREAS** it is desirable to have continuity in the representation provided by the City of Toronto appointee to the Board of Directors; and

**WHEREAS** it is in the interests of the City of Toronto to ensure a timely appointment of the City of Toronto representative on the Toronto Port Authority; and

**WHEREAS** the current appointee has indicated a willingness to continue to serve the City of Toronto as a director of the Toronto Port Authority;



**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council re-appoint Mr. Murray Chusid to the Board of Directors of the Toronto Port Authority for a term of three years.”

*Motion:*

Councillor Layton moved that Motion J(15) be amended by adding to the Operative Paragraph the words “and that he be requested to meet regularly with the Ward Councillors in the Toronto Port Authority area”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** Toronto City Council re-appoint Mr. Murray Chusid to the Board of Directors of the Toronto Port Authority for a term of three years and that he be requested to meet regularly with the Ward Councillors in the Toronto Port Authority area.”

*Votes:*

The motion by Councillor Layton carried.

Adoption of Motion J(15), as amended:

Yes - 45	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shiner, Silva, Sinclair, Soknacki, Tzekas, Valenti
No - 5	
Councillors:	Bossons, Bussin, Minnan-Wong, Moscoe, Walker

Carried by a majority of 40.

- 5.84 Councillor Nunziata 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 Pitfield, seconded by Councillor Prue, and, in the absence of Councillors Pitfield and Prue, moved by Councillor Nunziata, seconded by Councillor Cho, 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 Nunziata**

**Seconded by: Councillor Cho**

“**WHEREAS** City Council on October 26 and 27, 1999, by its adoption of Clause No. 17 of Report No. 4 of The Works Committee, headed ‘Proposed Installation of Traffic Control Signals – Brentcliffe Road and Vanderhoof Avenue; Laird Drive and Vanderhoof Avenue; and Danforth Avenue and Thyra Avenue (Ward 1, East York)’ approved the installation of traffic signals at Laird Drive and Vanderhoof Avenue (Ward 1, East York); and

**WHEREAS** the installation of the aforementioned traffic signals was approved without necessary public consultation; and

**WHEREAS** after a well-attended meeting of the residents, it was determined by staff, through an after-study, that turn restrictions would accomplish the need for a safe intersection; and

**WHEREAS** the East York Community Council, at its recent meeting, struck out the reference to the installation of traffic signals at Laird Drive and Vanderhoof Avenue and only supported the implementation of appropriate turn restrictions, as contained in Clause No. 4 of Report No. 3 of The East York Community Council, headed ‘Proposed Turn Prohibitions - Laird Drive and Vanderhoof Avenue’;

**NOW THEREFORE BE IT RESOLVED THAT**, in accordance with Section 46 of the Council Procedural By-law, Clause No. 17 of Report No. 4 of The Works Committee be re-opened for further consideration, only insofar as it pertains to the installation of traffic signals at Laird Drive and Vanderhoof Avenue;

**AND BE IT FURTHER RESOLVED THAT** the Clause be amended by striking out the installation of traffic control signals at Laird Drive and Vanderhoof Avenue, having regard for Council’s action in approving the implementation of an eastbound left and through movements and westbound through movements prohibition at all times at this intersection, as contained in Clause No. 4 of Report No. 3 of The East York Community Council.”

*Vote:*

The balance of Motion J(17) was adopted, without amendment.

- 5.85 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(19), which carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Mayor Lastman**

**Seconded by: All Members of Council**

“**WHEREAS** the Toronto Raptors Basketball Team has qualified for the National Basketball Association Eastern Playoffs for the first time in team history and for the first time in the history of the City of Toronto; and

**WHEREAS** this is a tremendous achievement for a young basketball team and a great honour for the City of Toronto;

**NOW THEREFORE BE IT RESOLVED THAT** City Council extend to the Toronto Raptors Basketball Team, from all Members of Council and the 2.4 million people of our City, the best of luck in the National Basketball Association Eastern Playoffs - ‘**GO RAPTORS GO!**’ ”

*Vote:*

Adoption of Motion J(19), without amendment:

Yes - 48	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, O’Brien, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Valenti
No - 0	

Carried, without dissent.

5.86 *Deferral of Item Remaining on the Order Paper for this Meeting:*

Deputy Mayor Ootes proposed to Council that consideration of the following matter remaining on the Order Paper for this meeting of Council be deferred to the next regular meeting of City Council scheduled to be held on May 9, 2000:

NOTICE OF MOTION

F Moved by Councillor Walker, seconded by Councillor Silva, respecting a public referendum as part of the 2000 municipal election, together with the communication dated April 11, 2000, from Mr. Dan King, Communications Director, Province of Toronto Committee, submitted by Mayor Lastman.

Council concurred in the proposal by Deputy Mayor Ootes.

**BILLS AND BY-LAWS**

5.87 On April 11, 2000, at 6:07 p.m., Councillor Saundercook, 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. 234	By-law No. 159-2000	To confirm the proceedings of the Council at its meeting held on the 11th day of April, 2000,
--------------	---------------------	---

the vote upon which was taken as follows:

Yes - 42 Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Lindsay Luby, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Pantalone, Prue, Saundercook, Shiner, Sinclair, Tzekas,
No - 0

Carried, without dissent.

- 5.88 On April 12, 2000, at 7:58 p.m., Councillor Pitfield, seconded by Councillor Adams, 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. 235	By-law No. 160-2000	To confirm the proceedings of the Council at its meeting held on the 11th and 12th days of April, 2000,
--------------	---------------------	---

the vote upon which was taken as follows:

Yes - 30	
Mayor:	Lastman
Councillors:	Adams, Ashton, Berger, Bossons, Brown, Bussin, Cho, Chow, Feldman, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Korwin-Kuczynski, Li Preti, Lindsay Luby, Miller, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Prue, Rae, Valenti, Walker
No - 1	
Councillor:	Filion

Carried by a majority of 29.

- 5.89 On April 13, 2000, at 7:42 p.m., Councillor Jones, seconded by Councillor Duguid, moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 156	By-law No. 161-2000	To amend By-law No. 81-89, entitled "A By-law to regulate the height and description of lawful fences", being a By-law of the former Borough of East York.
--------------	---------------------	--

Bill No. 157	By-law No. 162-2000	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. 158	By-law No. 163-2000	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 private roadways at 600 Queens Quay West and 40 Oaklands Avenue as fire routes.
Bill No. 159	By-law No. 164-2000	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. 160	By-law No. 165-2000	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. 161	By-law No. 166-2000	To amend By-law No. 3491-80 of the former Borough of York, being a By-law "To provide for night-time parking of motor vehicles on Borough of York highways".
Bill No. 162	By-law No. 167-2000	April 13, 2000 To amend further By-law No. 23503 of the former City of Scarborough, respecting the regulation of traffic on Toronto Roads.
Bill No. 163	By-law No. 168-2000	To amend further By-law No. 23505 of the former City of Scarborough, respecting the speed limits on Toronto Roads.
Bill No. 164	By-law No. 169-2000	To amend further By-law No. 23506 of the former City of Scarborough, respecting pedestrian crossovers.
Bill No. 165	By-law No. 170-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 166	By-law No. 171-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

Bill No. 167	By-law No. 172-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 168	By-law No. 173-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 169	By-law No. 174-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 170	By-law No. 175-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 171	By-law No. 176-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 172	By-law No. 177-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 173	By-law No. 178-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.
Bill No. 174	By-law No. 179-2000	To designate the property at 1643 Yonge Street (Massey Mausoleum, Mount Pleasant Cemetery) as being of architectural and historical value or interest.
Bill No. 175	By-law No. 180-2000	To designate the property at 106 Trinity Street (Enoch Turner Schoolhouse) as being of architectural and historical value or interest.
Bill No. 176	By-law No. 181-2000	To provide for the consolidation, continuance and creation of reserve funds,

		to provide for the creation of reserves, to provide rules for the establishment and use of reserves and reserve funds, and to repeal by-laws and resolutions of the councils of the former municipalities which established reserves and reserve funds.
Bill No. 177	By-law No. 182-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Ashdale Avenue, Beatrice Street, Bedford Park Avenue, Booth Avenue, Church Street, Dovercourt Road, Glenrose Avenue, Grace Street, Palmerston Avenue, Silverthorn Avenue.
Bill No. 178	By-law No. 183-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, with respect to speed control zones.
Bill No. 179	By-law No. 184-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Granby Street.
Bill No. 180	By-law No. 185-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting McGill Street.
Bill No. 181	By-law No. 186-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 182	By-law No. 187-2000	To amend Chapter 215, Signs, of the Municipal Code of the former City of Etobicoke respecting Woodbine Racetrack.



Bill No. 183	By-law No. 188-2000	To amend current City of Toronto By-laws No. 30742 (North York), No. 22614 (Scarborough), No. 107-86 (Metro), No. 197 (East York), No. 1645-89 (York), and Municipal Code Chapters 400 (Toronto), 982 (York) and 187 (Etobicoke) respecting the use of parking meters, and By-law No. 912-1998 respecting the use of parking machines, to establish new voluntary payment amounts with respect to offences.
Bill No. 184	By-law No. 189-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of The Esplanade west of Market Street by the construction of a pedestrian refuge median island.
Bill No. 185	By-law No. 190-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Macdonell Avenue from Wabash Avenue to Seaforth Avenue by the installation of speed humps.
Bill No. 186	By-law No. 191-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Old Forest Hill Road from Eglinton Avenue West to Hilltop Road by the installation of speed humps.

Bill No. 188	By-law No. 192-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Duncan Street from King Street West to Pearl Street by narrowing the pavement and widening the east sidewalk.
Bill No. 189	By-law No. 193-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Pearl Street from Duncan Street to approximately 29 metres east of Duncan Street by narrowing the pavement and widening the south sidewalk.
Bill No. 190	By-law No. 194-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Campbell Avenue from Paton Road to Wallace Avenue by the installation of speed humps.
Bill No. 191	By-law No. 195-2000	To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Campbell Avenue from Wallace Avenue to Dupont Street by the installation of speed humps.

Bill No. 192	By-law No. 196-2000	To amend By-law No. 209-1999, a By-law “To effect interim control on certain lands in the former Village of Claireville (Etobicoke)” by extending the term thereof from one year to eighteen months.
Bill No. 193	By-law No. 197-2000	To authorize the alteration of Old Mill Drive from Bloor Street West to Riverside Drive by the installation of speed humps and the raising of an intersection.
Bill No. 194	By-law No. 198-2000	To authorize the alteration of Sheppard Avenue East between McCowan Road and Markham Road by narrowing the pavement by the installation of a pedestrian refuge island.
Bill No. 195	By-law No. 199-2000	To authorize the alteration of McRoberts Avenue from Rogers Road to Corby Avenue by the installation of speed humps.
Bill No. 196	By-law No. 200-2000	To layout and dedicate certain land for public highway purposes to form part of Bastedo Avenue.
Bill No. 197	By-law No. 201-2000	To layout and dedicate for public lane purposes certain lands south of Hanson Street extending easterly from the Bastedo Avenue extension to form two public lanes.
Bill No. 198	By-law No. 202-2000	To appoint members to the Board of Directors of the Toronto Atmospheric Fund.
Bill No. 199	By-law No. 203-2000	To amend further Metropolitan By-law No. 108-86, respecting Pedestrian Crossovers on certain former Metropolitan Roads.
Bill No. 200	By-law No. 204-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Glebeholme

		Boulevard, Kingsmount Park Road, Orde Street, Maitland Street, Victoria Park Avenue, Wolverleigh Boulevard and the Public Lane System in the Block Bounded by Gerrard Street East, George Street, Dundas Street East and Sherbourne Street.
Bill No. 201	By-law No. 205-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Symington Avenue.
Bill No. 202	By-law No. 206-2000	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 203	By-law No. 207-2000	To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands known as Nos. 1, 3, and 5, Elmsley Place and No. 70 and part of No. 50 St. Joseph Street.
Bill No. 204	By-law No. 208-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 205	By-law No. 209-2000	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 206	By-law No. 210-2000	To amend the former City of Toronto Municipal Code Ch. 400, Traffic and Parking, respecting Commissioners Street, Don Roadway, Leslie Street, Saulter Street South, Villiers Street.

Bill No. 207	By-law No. 211-2000	To amend further Metropolitan By-law No. 109-86, respecting maximum rates of speed on certain former Metropolitan Roads.
Bill No. 208	By-law No. 212-2000	To amend further Metropolitan By-law No. 32-92, respecting the regulation of traffic on former Metropolitan Roads.
Bill No. 209	By-law No. 213-2000	To amend further By-law No. 92-93, a By-law "To regulate traffic on roads in the Borough of East York", being a by-law of the former Borough of East York.
Bill No. 210	By-law No. 214-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 162 Finch Avenue East.
Bill No. 211	By-law No. 215-2000	To amend City of North York By-law No. 7625 in respect of lands municipally known as 204 Finch Avenue East.
Bill No. 212	By-law No. 216-2000	To amend the former City of North York Zoning By-law No. 7625 with respect to lands municipally known as 276 Duplex Avenue.
Bill No. 213	By-law No. 217-2000	To establish certain lands as a municipal highway.
Bill No. 214	By-law No. 218-2000	To establish certain lands as a municipal highway.
Bill No. 215	By-law No. 219-2000	Being a by-law to further amend Scarborough Zoning By-law No. 10217, the Agricultural Holding By-law, as amended.
Bill No. 216	By-law No. 220-2000	To amend the Municipal Code of the former City of Etobicoke with respect to Traffic - Chapter 240, Article I.

---

Bill No. 217	By-law No. 221-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 218	By-law No. 222-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 219	By-law No. 223-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 220	By-law No. 224-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 221	By-law No. 225-2000	To amend By-law No. 31001 of the former City of North York, as amended.
Bill No. 222	By-law No. 226-2000	To amend By-law No. 31878, as amended, of the former City of North York.
Bill No. 223	By-law No. 227-2000	To authorize the construction of the work herein as a Local Improvement.
Bill No. 224	By-law No. 228-2000	To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding 'H' provisions on a portion of the lands municipally known as 112 Evans Avenue.
Bill No. 225	By-law No. 229-2000	A By-law to delegate certain powers and authority to appointed officials.
Bill No. 226	By-law No. 230-2000	To provide for the submission to a vote at the next regular election in 2000 of a question to the qualified electors in Ward 21, Davenport, under the provisions of the Liquor Licence Act in a part of the City of Toronto that was formerly a part of the City of West Toronto which was annexed to the former City of Toronto on the 1st day of May, 1909.
Bill No. 227	By-law No. 231-2000	To amend By-law No. 56-1999, being a by-law to make Appointments to the Greater Toronto Services Board; to replace Councillor Fotinos as a Member of the Greater Toronto Services Board.

Bill No. 228	By-law No. 232-2000	To adopt Amendment No. 1042 of the Official Plan for the former City of Scarborough.
Bill No. 229	By-law No. 233-2000	To establish certain lands as a municipal highway.
Bill No. 230	By-law No. 234-2000	To establish certain lands as a municipal highway.
Bill No. 231	By-law No. 235-2000	To establish certain lands as a municipal highway.
Bill No. 232	By-law No. 236-2000	To amend By-law No. 24982, the Employment Districts Zoning By-law (Rouge).
Bill No. 233	By-law No. 237-2000	To amend Scarborough Zoning By-law No. 24982, the Employment Districts Zoning By-law with respect to the Ellesmere Employment District; and to amend Scarborough Zoning By-law No. 9508, the Dorset Park Community Zoning By-law,

the vote upon which was taken as follows:

Yes - 33	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Cho, Chong, Disero, Duguid, Flint, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

- 5.90 On April 13, 2000, at 7:43 p.m., Councillor Saundercook, seconded by Councillor Rae, 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. 236	By-law No. 238-2000	To confirm the proceedings of the Council at its meeting held on the 11th, 12th and 13th days of April, 2000,
--------------	---------------------	---

the vote upon which was as follows:

Yes - 32	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Cho, Chong, Disero, Duguid, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

- 5.91 On April 13, 2000, at 7:57 p.m., Councillor Saundercook, seconded by Councillor Rae, 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. 237	By-law No. 239-2000	To confirm the proceedings of the Council at its meeting held on the 11th, 12th and 13th days of April, 2000,
--------------	---------------------	---

the vote upon which was as follows:

Yes - 31	
Mayor:	Lastman
Councillors:	Adams, Altobello, Ashton, Augimeri, Berardinetti, Bossons, Brown, Cho, Chong, Disero, Duguid, Flint, Giansante, Holyday, Jones, Kelly, Layton, McConnell, Moscoe, Nunziata, O'Brien, Ootes, Palacio, Prue, Rae, Saundercook, Soknacki, Tzekas, Valenti, Walker
No - 0	

Carried, without dissent.

*Bill Withdrawn:*



The following Bill was withdrawn:

Bill No. 187 To further amend former City of Toronto By-law No. 602-89, being “A By-law to authorize the construction, widening, narrowing, alteration and repair of sidewalks, pavements and curbs at various locations”, respecting the alteration of Windermere Avenue from Bloor Street West to Annette Street by the installation of speed humps.

The authority for this Bill, Clause No. 73 of Report No. 5 of The Toronto Community Council, headed “Installation of Speed Humps – Windermere Avenue, from Bloor Street West to Annette Street (High Park)”, was deferred to the next regular meeting of City Council scheduled to be held on May 9, 2000.

#### **OFFICIAL RECOGNITIONS:**

#### **5.92 Condolence Motions**

##### **April 11, 2000:**

Councillor Rae, seconded by Councillor McConnell, moved that:

“**WHEREAS** James Egan was a pioneer of gay rights in Canada; and

**WHEREAS** James Egan began his activist career in Toronto, writing letters to the Toronto tabloid newspapers, challenging their lurid stereotypes of homosexuals; and

**WHEREAS** James Egan succeeded in publishing a series of articles educating the public about homosexuality; and

**WHEREAS** James Egan and his life-partner of fifty years, John Nesbit, launched a Supreme Court challenge of the federal government’s exclusion of same-sex couples from the Canada Pension Act; and

**WHEREAS**, although this challenge to the Supreme Court was unsuccessful, the Court unanimously declared sexual orientation to be protected under the Charter of Rights and Freedoms, which has since paved the way for many more equal rights victories in the Courts for gays and lesbians; and

**WHEREAS** James Egan served as an openly gay politician on the Municipal Council of Comox-Strathcona in British Columbia; and

**WHEREAS** James Egan died on March 9, 2000;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to extend the deepest sympathies of the Mayor and Council of the City of Toronto to the family of James Egan, especially to John Nesbit, his partner of over 50 years.”

Councillor Duguid, seconded by Councillors Balkissoon and Cho, moved that:

“**WHEREAS** Mr. Joseph deKort selflessly dedicated much of his adult life to representing the interests of the people of the former City of Scarborough and sadly passed away on Wednesday, March 29, 2000; and

**WHEREAS** Joe deKort was first elected to office as an Alderman for Ward 12 in the former City of Scarborough on December 2, 1974, and was subsequently re-elected on four occasions, representing his constituents diligently for 11 years, from 1974 to 1985; and

**WHEREAS** Joe deKort was involved in numerous and varied community organizations, including the Scarborough General Hospital Foundation, the Ontario March of Dimes and the Second Base (Scarborough) Youth Shelter, and was involved in fundraising activities for numerous charities and institutions, including St. Michael’s College School and Kamp Kurios, which provides services to underprivileged children, and, as such, gave generously of his time, his talents, and his energies to numerous individuals and causes in Scarborough and whose personal motto was ‘Let’s build a better community – together’; and

**WHEREAS** Joe deKort will be sadly missed by his wife Mary Jane and his children, Joseph and his wife Kim; David and his wife Marianne; and his beloved daughter Nicole, as well as the residents of Scarborough and Toronto;

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

Leave to introduce the Motions was granted and the Motions were adopted unanimously.

Council rose and observed a moment of silence in memory of the late Mr. James Egan and Mr. Joseph deKort.

5.93 **Presentations/Introductions/Announcements:**

**April 11, 2000:**

Mayor Lastman, during the morning session of the meeting, officially welcomed Councillor Cesar Palacio, the newly-appointed Member of Council for Toronto Davenport, to his first full Council meeting.

Mayor Lastman, during the afternoon session of the meeting, invited Councillor Ashton and Mr. Frank Kershaw, Director, Policy and Development Division, Economic Development, Culture and Tourism Department, to the podium, to address the Council in regard to the "Green Oscar", which was awarded to the City of Toronto by the International Federation of Parks and Recreation Administration, resulting from the Nations in Bloom 1999 Competition held in Japan; Councillor Ashton and Mr. Kershaw addressed the Council and recognized the contribution of Ms. Fiona Campbell to this event.

Mayor Lastman, during the afternoon session of the meeting, invited Councillor Ashton to the podium, to address the Council in regard to the 1999 Marketing Awards of Excellence, presented to the City of Toronto by the Economic Developers' Council of Ontario; Councillor Ashton addressed the Council and recognized the contributions of Mr. Peter Finestone and Mr. Carl Knipfel of the Economic Development, Culture and Tourism Department, in this regard.

Councillor Shiner, during the afternoon session of the meeting, proposed that the temporary display of trees and flowers in the Council Chamber, to mark the occasion of the "Nations in Bloom 1999" competition, become a permanent display for every regular Council meeting.

Council concurred in the proposal by Councillor Shiner.

**April 12, 2000:**

Deputy Mayor Ootes, during the morning session of the meeting, introduced the students of Sacred Heart Catholic School, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, introduced the students of St. Philip Neri Catholic School, present at the meeting.

Deputy Mayor Ootes, during the afternoon session of the meeting, proposed that Members of Council and staff, in respect of the office and the individual, use the title "Councillor" when either addressing or referring to Members of Council, during the course of Council meetings.

Council concurred in the proposal by Deputy Mayor Ootes.

Councillor Moeser, during the afternoon session of the meeting, with the permission of Council, extended, on behalf of Council, the appreciation of Council to the following senior Toronto Fire Services' Officers present at the meeting who had been in attendance at the fire at the U.S.E. Hickson Plant, and to Platoon Chief Jack Walford who had been unable to be in attendance at this meeting of Council:

- Fire Chief Alan Speed;
- Deputy Chiefs Terry Boyko and Rick Simpson; and
- Division Commanders Pat McCabe and Jim Shelton.

Councillor Moscoe, during the afternoon session of the meeting, with the permission of Council, introduced Mr. John Nunziata, Member of Parliament for York South Weston, present at the meeting.

Councillor Layton, during the afternoon session of the meeting, with the permission of Council, addressed the Council in regard to the recommendations of Environmental Task Force which were before Council today for approval, as embodied in Clause No. 7 of Report No. 4 of The Policy and Finance Committee, headed "Environmental Task Force - Environmental Plan 'Clean, Green and Healthy - A Plan for an Environmentally Sustainable Toronto'", and extended, on behalf of Council, the appreciation of Council to the members of the Task Force and the City of Toronto staff who worked on this project.

Deputy Mayor Ootes, during the afternoon session of the meeting, on behalf of Mayor Lastman and the Members of Council, extended the appreciation of Council to the Members of the Environmental Task Force, Councillor Jack Layton, Chair, and Councillors Adams, Jones, King, Pitfield, Saundercook and Shiner, as well as Councillor Tzekas who was part of the Task Force for the first year; the Deputy Mayor also extended the appreciation of Council to the citizen members of the Task Force, the City staff who worked on the project and the over 1,500 citizens of the City of Toronto who contributed their ideas, time and energy to the work of the Environmental Task Force and the creation of the Environmental Plan.

**April 13, 2000:**

Mayor Lastman, during the afternoon session of the meeting, advised the Council that the Toronto Raptors Basketball Team had qualified for the National Basketball Association Eastern Playoffs, for the first time in team history and in Toronto history; introduced the "Raptor" and staff of the Raptors' organization, present at the meeting; invited Members of Council to join with him in hearing the premiere performance of the Raptors' Playoff team song "Purple Fever"; and extended, on behalf of Council, the best wishes of Council to the Toronto Raptors Basketball Team in the playoffs.

5.94 **MOTIONS TO VARY PROCEDURE**

*Vary the order of proceedings of Council:*

**April 12, 2000:**

Councillor Walker, at 2:50 p.m., moved that Council vary the order of its proceedings to consider Motion F, moved by Councillor Walker, seconded by Councillor Silva, respecting a public referendum as part of the 2000 municipal election, at 4:00 p.m. today, the vote upon which was taken as follows:

Yes - 11 Councillors:	Altobello, Augimeri, Balkissoon, Chow, Holyday, Johnston, Layton, Moscoe, Pantalone, Sinclair, Walker
No - 29 Mayor: Councillors:	Lastman Adams, Ashton, Berardinetti, Berger, Bossons, Brown, Cho, Davis, Disero, Feldman, Flint, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Lindsay Luby, Mammoliti, Mihevc, Ootes, Shiner, Silva, Soknacki, Tzekas, Valenti

Lost by a majority of 18.

Mayor Lastman, at 2:52 p.m., moved that Motion F be considered as the last item of business, which carried.

Councillor Walker, at 2:54 p.m., moved that Council vary the order of its proceedings to consider Notice of Motion J(3), moved by Councillor Walker, seconded by Councillor Mihevc, regarding the re-opening of Notice of Motion J(3), adopted, as amended, by City Council at its February 29, March 1 and 2, 2000 meeting, pertaining to a purchase of service agreement with the Federation of Metro Tenants Associations for the provision of outreach and co-ordination of services to tenants related to the Tenant Defence Fund, at 3:30 p.m. today, the vote upon which was taken as follows:

Yes - 21 Councillors:	Adams, Bossons, Bussin, Chow, Duguid, Flint, Giansante, Holyday, Jones, Kelly, Kinahan, Korwin-Kuczynski, Li Preti, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Sinclair
No - 16 Mayor: Councillors:	Lastman Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Fillion, Jakobek, Lindsay Luby, Ootes, Shiner, Silva, Soknacki, Valenti

Carried by a majority of 5.

Councillor Holyday, at 5:30 p.m., moved that Council vary the order of its proceedings to now consider Clause No. 1 of Report No. 7 of The Administration Committee, headed "Councillor's Use of Corporate Vehicles", the vote upon which was taken as follows:

Yes - 15	
Councillors:	Altobello, Berardinetti, Berger, Bossons, Davis, Duguid, Gardner, Giansante, Holyday, Korwin-Kuczynski, Minnan-Wong, Nunziata, Prue, Tzekas, Walker
No - 29	
Councillors:	Adams, Ashton, Augimeri, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Filion, Jakobek, Johnston, Jones, Kinahan, King, Layton, Li Preti, Lindsay Luby, Mammoliti, Miller, Moscoe, Ootes, Palacio, Pantalone, Rae, Saundercook, Sinclair, Valenti

Lost by a majority of 14.

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

**April 11, 2000:**

Councillor Johnston, at 10:44 a.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, and that Council recess at 6:00 p.m., in order to provide an opportunity for interested Members of Council to attend a function being held this evening related to the Olympic Bid, the vote upon which was taken as follows:

Yes - 20	
Mayor:	Lastman
Councillors:	Ashton, Augimeri, Bossons, Bussin, Cho, Disero, Duguid, Filion, Gardner, Johnston, Kelly, Layton, Pantalone, Prue, Rae, Saundercook, Sinclair, Tzekas, Valenti
No - 17	
Councillors:	Berger, Brown, Davis, Feldman, Flint, Holyday, Jakobek, King, Li Preti, Lindsay Luby, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Soknacki, Walker

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

Councillor Prue, at 5:42 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, and that Council recess at 6:10 p.m., in order to provide an opportunity for interested Members of Council to attend a function being held this evening related to the Olympic Bid, the vote upon which was taken as follows:

Yes - 30	
Councillors:	Adams, Altobello, Ashton, Augimeri, Balkissoon, Bossons, Brown, Cho, Chong, Disero, Duguid, Gardner, Kelly, Kinahan, Layton, Mammoliti, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Palacio, Pantalone, Prue, Rae, Saundercook, Sinclair, Tzekas, Valenti
No - 15	
Councillors:	Berardinetti, Berger, Chow, Davis, Feldman, Flint, Giansante, Holyday, Jones, King, Li Preti, Lindsay Luby, Mihevc, Ootes, Walker

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

**April 12, 2000:**

Deputy Mayor Ootes at 5:21 p.m., moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, and that Council continue in session, in order to complete consideration of all matters remaining on the Order Paper for this meeting of Council, the vote upon which was taken as follows:

Yes - 21	
Councillors:	Augimeri, Berger, Davis, Disero, Feldman, Filion, Giansante, Holyday, Johnston, Kelly, Korwin-Kuczynski, Layton, Li Preti, Lindsay Luby, McConnell, Miller, Minnan-Wong, Moscoe, Ootes, Pitfield, Valenti
No - 27	
Councillors:	Adams, Altobello, Ashton, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Duguid, Flint, Gardner, Jakobek, Jones, Kinahan, King, Mammoliti, Mihevc, Nunziata, Palacio, Prue, Rae, Saundercook, Sinclair, Tzekas, Walker

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

Deputy Mayor Ootes at 7:25 p.m., during the in-camera portion of the meeting, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 7:30 p.m. recess, in order to provide sufficient time for Council to conclude its in-camera

discussion and reconvene in public session to vote on the issues discussed in-camera, which carried, without dissent.

**April 13, 2000:**

Councillor Moscoe, at 6:00 p.m., during the in-camera portion of the meeting, moved that, in accordance with subsection 11(8) of the Council Procedural By-law, Council waive the requirement of the 6:00 p.m. adjournment, in order to provide sufficient time for Council to conclude its in-camera discussion and reconvene in public session to vote on the issues discussed in-camera, which carried, without dissent.

5.95 **ATTENDANCE**

Councillor Giansante, seconded by Councillor Rae, moved that the absence of Councillors Mahood and Shaw from this meeting of Council be excused, which carried.

April 11, 2000	9:43 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 6:08 p.m.*
Lastman	x	x	x
Adams	x	-	x
Altobello	x	x	x
Ashton	x	x	x
Augimeri	x	-	x
Balkissoon	x	-	x
Berardinetti	x	x	x
Berger	x	x	x
Bossons	x	x	x
Brown	x	x	x
Bussin	x	-	x
Cho	x	x	x
Chong	-	x	x
Chow	x	x	x
Davis	x	-	x
Disero	x	x	x
Duguid	x	x	x



Minutes of the Council of the City of Toronto  
 April 11, 12 and 13, 2000

April 11, 2000	9:43 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 6:08 p.m.*
Feldman	x	x	x
Filion	x	x	x
Flint	x	x	x
Gardner	x	x	x
Giansante	x	x	x
Holyday	x	x	x
Jakobek	x	x	x
Johnston	x	-	x
Jones	x	x	x
Kelly	x	x	x
Kinahan	x	x	x
King	x	x	x
Korwin-Kuczynski	x	x	x
Layton	x	-	x
Lindsay Luby	x	x	x
Li Preti	x	x	x
Mahood	-	-	-
Mammoliti	x	x	x
McConnell	x	x	x
Mihevc	x	x	x
Miller	-	-	x
Minnan-Wong	x	-	x
Moeser	x	x	-
Moscoe	x	-	x
Nunziata	x	-	x
O'Brien	x	-	x
Ootes	x	x	x
Palacio			

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 11, 2000	9:43 a.m. to 12:30 p.m.*	Roll Call 2:15 p.m.	2:15 p.m. to 6:08 p.m.*
	x	x	x
Pantalone	x	x	x
Pitfield	-	-	-
Prue	x	x	x
Rae	x	x	x
Saundercook	x	x	x
Shaw	-	-	-
Shiner	x	-	x
Silva	x	x	x
Sinclair	x	-	x
Soknacki	x	x	x
Tzekas	x	x	x
Valenti	x	-	x
Walker	x	-	x
Total	53	39	54

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

April 12, 2000	Roll Call 9:43 a.m.	9:43 a.m. to 12:30 p.m.*	Roll Call 11:23 a.m.	Roll Call 2:14 p.m.
Lastman	x	x	-	x
Adams	x	x	x	x
Altobello	x	x	-	x
Ashton	-	x	-	x
Augimeri	-	x	x	x
Balkissoon	x	x	-	-
Berardinetti	-	x	-	-
Berger	x	x	x	x
Bossons	-	x	-	-

Minutes of the Council of the City of Toronto  
 April 11, 12 and 13, 2000

April 12, 2000	Roll Call 9:43 a.m.	9:43 a.m. to 12:30 p.m.*	Roll Call 11:23 a.m.	Roll Call 2:14 p.m.
Brown	-	x	x	x
Bussin	x	x	-	x
Cho	x	x	x	x
Chong	x	x	x	-
Chow	-	x	x	x
Davis	x	x	x	x
Disero	x	x	x	x
Duguid	x	x	x	x
Feldman	x	x	-	x
Filion	x	x	-	-
Flint	-	x	x	x
Gardner	-	-	-	x
Giansante	x	x	x	x
Holyday	x	x	x	x
Jakobek	x	x	-	x
Johnston	x	x	-	-
Jones	x	x	x	x
Kelly	x	x	x	-
Kinahan	x	x	-	x
King	x	x	x	-
Korwin-Kuczynski	x	x	x	x
Layton	x	x	-	-
Lindsay Luby	x	x	x	x
Li Preti	x	x	x	x
Mahood	-	-	-	-
Mammoliti	x	x	x	x
McConnell	-	x	-	x

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 12, 2000	Roll Call 9:43 a.m.	9:43 a.m. to 12:30 p.m.*	Roll Call 11:23 a.m.	Roll Call 2:14 p.m.
Mihevc	-	x	-	-
Miller	x	x	x	-
Minnan-Wong	-	x	-	x
Moeser	x	x	-	-
Moscoe	-	x	x	x
Nunziata	x	x	x	x
O'Brien	x	x	x	x
Ootes	x	x	x	x
Palacio	x	x	x	-
Pantalone	x	x	-	x
Pitfield	x	x	x	-
Prue	x	x	x	-
Rae	-	x	x	x
Saundercook	x	x	x	x
Shaw	-	-	-	-
Shiner	x	x	-	x
Silva	x	x	-	x
Sinclair	-	x	x	-
Soknacki	-	x	x	x
Tzekas	-	x	x	-
Valenti	-	x	-	-
Walker	x	x	x	x
Total	39	55	34	38

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

April 12, 2000	2:14 p.m. to 5:52 p.m.*	Roll Call 3:34 p.m.	Roll Call 4:28 p.m.	Ctte. of the Whole In-Camera 6:02 p.m.	7:40 p.m. to 7:59 p.m.*

Minutes of the Council of the City of Toronto  
 April 11, 12 and 13, 2000

April 12, 2000	2:14 p.m. to 5:52 p.m.*	Roll Call 3:34 p.m.	Roll Call 4:28 p.m.	Ctte. of the Whole In-Camera 6:02 p.m.	7:40 p.m. to 7:59 p.m.*
Lastman	x	x	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	-	-	-	-
Berardinetti	x	x	-	x	-
Berger	x	x	x	x	x
Bossons	x	-	x	x	x
Brown	x	x	x	x	x
Bussin	x	-	-	x	x
Cho	x	-	x	x	x
Chong	x	x	x	x	-
Chow	x	-	-	-	x
Davis	x	-	x	x	-
Disero	x	-	x	x	-
Duguid	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
Holyday	x	x	-	x	x
Jakobek	x	x	x	x	-
Johnston	x	-	-	-	-
Jones	x	x	x	x	x

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 12, 2000	2:14 p.m. to 5:52 p.m.*	Roll Call 3:34 p.m.	Roll Call 4:28 p.m.	Ctte. of the Whole In-Camera 6:02 p.m.	7:40 p.m. to 7:59 p.m.*
Kelly	x	x	x	x	x
Kinahan	x	x	x	x	x
King	x	-	-	x	-
Korwin-Kuczynski	x	x	x	-	x
Layton	x	-	-	x	x
Lindsay Luby	x	x	x	x	x
Li Preti	x	-	x	x	x
Mahood	-	-	-	-	-
Mammoliti	x	x	-	-	-
McConnell	x	-	x	x	-
Mihevc	x	x	x	x	-
Miller	x	x	x	x	x
Minnan-Wong	x	-	x	-	-
Moeser	x	-	-	-	-
Moscoe	x	x	x	x	x
Nunziata	x	x	x	x	x
O'Brien	x	-	-	x	x
Ootes	x	x	x	x	x
Palacio	x	x	x	x	x
Pantalone	x	x	-	x	x
Pitfield	x	x	x	x	x
Prue	x	x	x	x	x
Rae	x	-	x	x	x
Saundercook	x	x	x	-	-
Shaw	-	-	-	-	-
Shiner	x	-	x	-	-

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 12, 2000	2:14 p.m. to 5:52 p.m.*	Roll Call 3:34 p.m.	Roll Call 4:28 p.m.	Ctte. of the Whole In-Camera 6:02 p.m.	7:40 p.m. to 7:59 p.m.*
Silva	x	-	-	x	-
Sinclair	x	-	-	x	x
Soknacki	x	-	-	-	-
Tzekas	x	x	x	x	-
Valenti	x	x	x	x	x
Walker	x	x	x	-	x
Total	56	34	40	45	34

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

April 13, 2000	Roll Call 9:42 a.m.	9:42 a.m. to 12:30 p.m.*	Roll Call 10:37 a.m.	Roll Call 11:13 a.m.
Lastman	x	x	-	-
Adams	-	x	x	x
Altobello	x	x	x	x
Ashton	x	x	x	-
Augimeri	x	x	x	x
Balkissoon	x	x	x	-
Berardinetti	x	x	x	x
Berger	x	x	-	-
Bossons	-	x	x	-
Brown	-	x	x	x
Bussin	x	x	x	x
Cho	x	x	x	-
Chong	x	x	x	x
Chow	-	x	x	x
Davis	x	x	x	x
Disero	x	x	x	x

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 13, 2000	Roll Call 9:42 a.m.	9:42 a.m. to 12:30 p.m.*	Roll Call 10:37 a.m.	Roll Call 11:13 a.m.
Duguid	x	x	x	-
Feldman	x	x	x	x
Filion	x	x	-	-
Flint	x	x	x	x
Gardner	-	x	x	x
Giansante	x	x	-	-
Holyday	x	x	x	x
Jakobek	x	x	-	-
Johnston	-	-	-	-
Jones	x	x	-	x
Kelly	x	x	x	x
Kinahan	x	x	x	x
King	x	x	-	-
Korwin-Kuczynski	x	x	x	x
Layton	x	x	-	-
Lindsay Luby	x	x	x	x
Li Preti	-	x	-	x
Mahood	-	-	-	-
Mammoliti	-	x	-	-
McConnell	x	x	x	x
Mihevc	x	x	-	x
Miller	-	x	-	x
Minnan-Wong	-	x	x	x
Moeser	-	-	-	-
Moscoe	x	x	x	-
Nunziata	x	x	x	x
O'Brien	x	x	x	x



April 13, 2000	Roll Call 9:42 a.m.	9:42 a.m. to 12:30 p.m.*	Roll Call 10:37 a.m.	Roll Call 11:13 a.m.
Ootes	x	x	-	x
Palacio	-	x	x	x
Pantalone	x	x	-	-
Pitfield	x	x	x	x
Prue	x	x	x	-
Rae	x	x	x	x
Saundercook	-	x	-	x
Shaw	-	-	-	-
Shiner	x	x	-	x
Silva	x	x	x	x
Sinclair	-	x	-	x
Soknacki	-	-	-	-
Tzekas	-	x	x	x
Valenti	-	x	x	-
Walker	x	x	-	x
Total	39	53	35	36

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

April 13, 2000	2:15 p.m. to 2:45 p.m.*	Ctte. of the Whole in-Camera 2:55 p.m.	Roll Call 6:38 p.m.	6:38 p.m. to 7:58 p.m.*
Lastman	x	x	x	x
Adams	x	x	x	x
Altobello	x	x	x	x
Ashton	x	x	x	x
Augimeri	x	x	x	x
Balkissoon	x	x	-	-
Berardinetti	x	x	x	x
Berger	x	x	-	-

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

April 13, 2000	2:15 p.m. to 2:45 p.m.*	Ctte. of the Whole in-Camera 2:55 p.m.	Roll Call 6:38 p.m.	6:38 p.m. to 7:58 p.m.*
Bossons	x	x	x	x
Brown	x	x	x	x
Bussin	x	x	-	-
Cho	x	-	-	x
Chong	x	x	x	x
Chow	x	x	x	x
Davis	x	x	-	-
Disero	x	x	x	x
Duguid	x	x	x	x
Feldman	x	x	x	x
Filion	x	x	-	-
Flint	x	x	x	x
Gardner	x	x	x	x
Giansante	x	x	x	x
Holyday	x	x	x	x
Jakobek	x	x	-	-
Johnston	-	-	-	-
Jones	x	x	x	x
Kelly	x	x	x	x
Kinahan	x	x	x	x
King	x	x	-	-
Korwin-Kuczynski	x	x	-	-
Layton	x	x	x	x
Lindsay Luby	x	x	x	-
Li Preti	x	x	x	x
Mahood	-	-	-	-
Mammoliti	x	x	-	-

Minutes of the Council of the City of Toronto  
April 11, 12 and 13, 2000

155

April 13, 2000	2:15 p.m. to 2:45 p.m.*	Ctte. of the Whole in-Camera 2:55 p.m.	Roll Call 6:38 p.m.	6:38 p.m. to 7:58 p.m.*
McConnell	x	x	x	x
Mihevc	x	-	-	-
Miller	x	x	-	-
Minnan-Wong	x	x	-	-
Moeser	-	-	-	-
Moscoe	x	x	x	x
Nunziata	x	x	x	x
O'Brien	x	x	x	x
Ootes	x	x	x	x
Palacio	x	x	x	x
Pantalone	x	-	-	-
Pitfield	x	-	-	-
Prue	x	x	x	x
Rae	x	x	x	x
Saundercook	x	x	x	x
Shaw	-	-	-	-
Shiner	x	x	-	-
Silva	x	x	-	-
Sinclair	x	x	-	-
Soknacki	-	x	x	x
Tzekas	x	x	x	x
Valenti	x	x	x	x
Walker	x	x	x	x
Total	53	50	36	36

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

**MEL LASTMAN,**  
Mayor

**NOVINA WONG,**  
City Clerk

**ATTACHMENT NO. 1**

Report dated April 3, 2000, from the Commissioner of Works and Emergency Services, entitled “Intersection Safety Program to Reduce Red Light Running” (See Minute No. 5.73, Page No. 92):

Purpose:

To obtain authority to retain a contractor for the supply, installation, operation and maintenance of red light camera systems in the City of Toronto and for the appropriate City officials to negotiate and execute the agreements necessary to proceed with the implementation of an Intersection Safety Program to Reduce Red Light Running.

Financial Implications:

The 2000 Capital Works Program, Project No. TRN076, Red Light Cameras, approved by City Council on January 27, 2000, contains the initial funds required for this project. The remaining funds required for the City of Toronto’s component of the program are identified in the 2000 – 2004 Capital Program for Transportation. As directed by Council, the debt charge will be offset from the revenue generated by tickets produced by the red-light camera system. Total expenditures for the City of Toronto are estimated at \$7,220,000.00, over a three-year period, which includes the following elements:

- (1) supply, install, operate and maintain Red Light Camera systems: \$3,740,000.00;
- (2) provincial costs: \$1,150,000.00
- (3) centralized Municipal Processing Centre: \$950,000.00;
- (4) Red Light Camera site preparation: \$880,000.00;
- (5) public awareness program: \$400,000.00; and
- (6) project management: \$100,000.00.

Recommendations:

It is recommended that, subject to the successful completion by Lockheed Martin IMS Canada Inc., of “proof of performance” and acceptance by the City, as described in RFP-9119-00-7004:

- (1) Lockheed Martin IMS Canada Inc., the proponent with the highest overall evaluated score, as determined by the RFP evaluation team, be retained for the supply, installation, operation and maintenance of red-light camera systems in the City of Toronto, at a cost not to exceed \$3,740,000.00, subject to negotiation and execution of an agreement satisfactory to the appropriate City officials and subject to any necessary provincial approvals;
- (2) an operational agreement be negotiated and executed with the Ministry of

Transportation, Ontario, clarifying the responsibilities of both parties under the program to permit the City to obtain motor vehicle registration information necessary to lay charges under this program and to enable the City to become designated as a Red Light Camera Pilot area in the appropriate Ontario regulation;

- (3) the City of Toronto implement a centralized municipal processing centre for issuing offence notices on behalf of the City of Toronto, as well as other participating municipalities under the program, and that an agreement be negotiated and executed with the participating municipalities regarding the sharing of staffing, office space and equipment costs;
- (4) the introduction of any bills be authorized; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

On December 18, 1998, the Red Light Cameras Pilot Projects Act, 1998 (Bill 102) received Royal Assent. The Act amends the Highway Traffic Act to enable municipalities, for a period of two years, to use evidence obtained from red-light cameras to issue violation notices. This Act comes into force on a date to be named by proclamation of the Lieutenant Governor, when at least one municipality is ready to start its pilot project.

City Council, at its meeting held on December 16 and 17, 1998, granted authority to the Commissioner of Works and Emergency Services to issue a public tender call for the supply, installation and maintenance of red-light camera systems.

In January 1999, the City of Toronto issued a Request for Pre-Qualification to the marketplace, to pre-qualify firms experienced in the supply and installation of red-light camera systems for a subsequent Request for Tenders. The Request for Pre-Qualification was advertised in The Globe and Mail, the Daily Commercial News, on the Institute of Transportation Engineers Web site, at ITS (Intelligent Transportation Systems) America Web site and on the City's Web site. As a result, the following five firms were pre-qualified to submit tenders: EDS of Canada Ltd., Guild Electric Limited, Lockheed Martin IMS Canada Inc., Stacey Electric Company Limited and Tellis Traffic Inc.

Municipalities participating in the pilot project include the Regional Municipality of Halton, the Regional Municipality of Hamilton-Wentworth (with the City of Hamilton), the Regional Municipality of Peel (with the Cities of Mississauga and Brampton), the Regional Municipality of Ottawa-Carleton, the City of Toronto and the Regional Municipality of Waterloo.

On July 28, 1999, a public tender for the supply, installation, operation and maintenance of

red-light camera systems for all participating municipalities was released to the five pre-qualified contractors, with a tender closing date of August 25, 1999. The Bid Committee, at its meeting held on August 25, 1999, opened the two tenders which were received. However, in consultation with the City of Toronto Legal Department, the submitted tenders were deemed "invalid" as each tender submission included a number of conditions proposed for negotiation between the City and the contractor.

City Council, at its meeting held on September 28 and 29, 1999, adopted, without amendment, Clause No. 2 contained in Report No. 3 of The Works Committee recommending that Tender Call No. 189-1999 for the supply, installation, operation and maintenance of red-light camera systems within the City of Toronto, for the period October 1999 to April 2003, not be awarded; and the Commissioner of Works and Emergency Services be authorized to continue with the planning and implementation of the Red Light Enforcement Pilot Project.

This report provides a project status report and summarizes the outcome of a recent Request for Proposals (RFP) for the supply, installation, operation and maintenance of red-light camera systems. Although a common RFP for all municipalities was issued, each municipality will be required to award and execute a separate agreement with the successful proponent covering, insurance, bonding and payment issues.

Comments:

Red-light running is one of several aggressive driving behaviours that contributes to the annual toll of collisions and injuries at intersections in Ontario. In 1997, there were 48,154 collisions at signalized intersections operated by municipalities in Ontario. This accounts for 22 percent of all motor vehicle collisions in the Province of Ontario. Fifteen percent of the intersection collisions were the direct result of drivers disobeying a red light. Collisions resulting from red-light running tend to be more severe than other intersection collisions because they typically involve at least one vehicle travelling at a high rate of speed. Moreover, in the most serious red-light running collisions, the initial impact involves vehicles colliding at right angles to each other. This means that one vehicle is generally struck on its side. Side impact collisions tend to result in severe injury for two reasons: first, there is significant intrusion into the cab of the struck vehicle and, second, seat belts are less effective under these circumstances. Seat belts were designed primarily to protect vehicle occupants involved in head-on collisions.

In September 1998, the City of Toronto installed a camera on the westbound approach at the intersection of St. Clair Avenue West and Dufferin Street as an operational test of the equipment. The camera recorded about 60 red-light violations per day, prior to the installation of a warning sign and a media announcement. Once the warning sign was installed and the location was revealed to the media, the number of violations was reduced to about 30 per day.

In announcing Bill 102, the Province of Ontario stipulated that municipalities wishing to introduce red-light camera pilot projects will be required to introduce stepped-up police enforcement, at other high-risk intersections, to allow for an analysis of the costs and benefits of the cameras and traditional enforcement. In February 1999, the Ontario Minister of Transportation invited interested municipalities and police services to attend a series of “kick-off” meetings, in order to establish a shared understanding regarding the purpose of the pilot projects, to address operational issues and to reinforce a partnership approach with key stakeholders. Since then, a provincial-municipal Project Steering Committee has been established to guide and direct five Working Groups. Working Group 1 is responsible for site selection, conducting the evaluation study and establishing a police enforcement strategy. Working Group 2 is responsible for establishing a common Province-wide approach to equipment selection, installation and operation. Working Group 3 is responsible for providing input into the regulations being developed, under the Highway Traffic Act and the Provincial Offences Act, regarding the processing of charges through the court system, as well as providing legal advice, as required, to the Steering Committee and Working Groups. Working Group 4 is responsible for implementing a centralized municipal processing centre for issuing offence notices and Working Group 5 is responsible for preparing a public awareness program and communications strategy.

In addition to the participating municipalities and their respective police services, provincial ministries facilitating the pilot project include the Ministry of Transportation and the Ministry of the Attorney General. The Office of the Information and Privacy Commissioner for Ontario has also provided advice to the Working Groups.

(1) Site Selection:

Each participating municipality identified high-risk locations based primarily on historical collision data. In total, municipalities intend to purchase 18 red-light cameras and equip 70 fully prepared sites. Municipalities will be rotating the cameras around the prepared sites, so that photo enforcement will occur at all prepared sites. In addition, participating police services have been requested to provide stepped-up traditional police enforcement at a total of 30 sites. The City of Toronto intends to purchase 10 cameras and prepare 40 sites. The Toronto Police Service has committed to providing stepped-up police enforcement at six sites. The proposed 46 sites for the City of Toronto are listed in Appendix A.

In Toronto, the total number of collisions normally associated with red-light running (right-angle, left-turn, pedestrian and cyclist types) were reviewed for each signalized intersection for the three-year period from January 1, 1994, to December 31, 1996. The collision reports for the top 100 intersections were examined and collision totals were provided for each intersection approach, to provide a list of approximately 400 high-risk approaches. Approaches from the ten intersections



with the highest collision frequency in 1997 (all collision types) were also included. From the total list, 46 approaches with the highest number of relevant collisions were selected. In order to maximize the impact of red-light cameras on the behaviour of road users throughout the City of Toronto, the list of high-risk approaches was reviewed to confirm that there was relatively even distribution throughout the City. From the list of 46 locations, one intersection per Community Council area was selected for stepped-up police enforcement.

Community Safety Zones are designated areas within municipalities where the fines for moving violations, including red-light running, are increased. The City of Toronto and other Ontario municipalities are currently evaluating the benefits of Community Safety Zones. In order to maintain as much independence as possible between the two evaluation studies (red-light cameras and Community Safety Zones), intersection approaches within Community Safety Zones were not selected for red-light cameras.

Intersection approaches with streetcar tracks were not selected, because most red-light camera systems require vehicle detectors that are installed in the pavement. The streetcar rails make installation impractical and the radio frequency signals transmitted from the streetcar track switching equipment may interfere with the calculations performed by the red-light camera system. Similarly, locations undergoing major road construction were not selected, because construction activity prevents the installation of vehicle detectors and makes the installation and operation of other associated red-light camera system equipment impractical.

(2) Evaluation Study:

The objective of the project evaluation is to conduct a before and after study to assess the combined effect of two red-light running countermeasures for intersections with a high incidence of red-light running related collisions namely: red-light camera systems and stepped-up police enforcement.

Working Group 1, with the assistance of the Ministry of Transportation, has hired a consultant to conduct the study. The consultant is studying approximately 50 sites in total, with approximately equal numbers of red-light camera sites, stepped-up police enforcement sites and control sites receiving routine police enforcement. Sites were matched on the basis of collision frequencies, traffic volumes, traffic signal operations and approach geometrics. The Cities of London and Windsor, who are not directly participating in the pilot project, were contacted and arrangements were made with them to select control sites and collect data from intersections in their jurisdiction. This will enable the study to accurately measure the combined effect of the pilot project at the treated sites. The potential spillover effect

of the increased enforcement at the control sites will be minimized, since these control sites are sufficiently distant from the treated sites.

Before and after data to be collected at all study sites will include collision frequencies, traffic volumes and red-light violations. Data relevant to other violations will be collected at the stepped-up police enforcement sites. Annual totals of red-light running convictions within the court districts of the participating municipalities will be also be obtained. The before data collection effort is currently underway and the majority of the volume and violation data has been collected. Evaluation study deliverables include a before study report, an interim report with twelve months of after data and a final report with the results for the entire two-year after period. The final report will include a cost accounting for each treatment and for the program as a whole.

(3) Stepped-Up Police Enforcement:

Working Group 1, in consultation with participating police services, prepared a stepped-up police enforcement strategy. The objective of the strategy is to provide an effective, sustainable police presence, using existing resources and allowing police flexibility to schedule enforcement blitzes. Stepped-up police enforcement will occur at 30 sites in total. Police services for Hamilton Wentworth, Ottawa-Carleton, Peel and Toronto will be responsible for six sites each, while police services for Halton and Waterloo will be responsible for three sites each.

Each site will receive two blitzes, one per year, during the course of the two-year pilot project. The project will have three four-week blitz periods per year. The four-week periods will be selected within each of the two-month periods of March/April, July/August and October/November.

An individual blitz will consist of 20 hours of enforcement in total. Enforcement will occur on 10 separate days, 2 hours per day, either during the morning or afternoon peak period. The 10 days of enforcement will be selected at random within the four-week periods.

(4) Red-Light Camera System Procurement:

Following the unsuccessful tender process in September 1999, staff reviewed, in detail, the required performance standards and specifications and redefined the requirements for a Request for Proposals (RFP). The RFP would allow proponents to propose a red-light camera system solution for evaluation by the City, and the City to interview short-listed proponents about their proposals and to conduct contract negotiations with the successful proponent, as appropriate.

The scope of the RFP includes the supply, installation, operation and maintenance of the red-light camera units, prepared sites (enclosures and flash units), image processing hardware and software stations and printers. The operation and maintenance activities include the supply, loading and unloading, development and delivery of photographic film, as well as the rotation and maintenance of the camera units. Provisional items include additional cameras and sites, decoy units and extended operation and maintenance beyond the two-year period. Municipalities are responsible for the field preparation of the camera sites, which will include the provision of a power supply and the installation of pole bases, poles, auxiliary flash units and vehicle detectors, in accordance with the successful proponent's specifications. Each municipality has assigned a Project Manager who will be responsible for site supervision, acceptance testing, and operating and maintenance issues within his/her respective jurisdiction.

The RFP also contains a "proof of performance" phase which requires the selected proponent to demonstrate the most appropriate combination of equipment to be used for red-light camera systems in Ontario. As an outcome of the "proof of performance" exercise, participating municipalities must be satisfied that a high percentage of photographs produced by the proposed red-light camera system will constitute adequate evidence to be used by a prosecutor at trial. The successful proponent will be paid the bid price for the proof of performance component, however, the award of the remainder of the contract for the supply installation, operation and maintenance of the red-light camera systems will be subject to the successful completion of the "proof of performance" phase.

The RFP was released to the pre-qualified contractors on February 16, 2000, and two proposals were received on March 15, 2000. The two proponents were Lockheed Martin IMS Canada Inc. and EDS of Canada Ltd. An evaluation team comprised of representatives of the participating municipalities (Working Group 2) conducted the evaluation of the proposals. The following RFP evaluation criteria and weighting were used to score the proposals:

<u>Evaluation Criteria</u>	<u>Weighting (Maximum Points)</u>
Compliance with Mandatory Specifications	Pass/Fail
Price	55
Compliance with Requirements, Specifications, and Provisions of RFP	50
Proof of Performance Submission Comprehensiveness of methodology and test plan (13) Experience of team (10) Proposed schedule (5) Manufacturers commitment (12)	40
Compliance with Desirable Specifications	5
Total	150

The four members of the evaluation team (representatives from Hamilton-Wentworth, Ottawa-Carleton, Peel and Toronto) reviewed the written submissions, in detail, and scored the proposals, in accordance with the RFP evaluation process, criteria and weighting. The evaluation team then developed a separate set of written questions for each proponent, requesting clarification on elements of each proposal. At separate interview sessions, the proponents submitted written responses to these questions and responded to oral questions when requested. From the two interviews, the members of the evaluation team were able to further evaluate and complete their assessment of the clarified proposed solutions. The evaluation process was conducted in continuous consultation with the City's Purchasing and Materials Management Division.

The Project Steering Committee, at its meeting held on March 28, 2000, adopted the recommendation of Working Group 2 stating that, "subject to the successful completion of 'proof of performance', Lockheed Martin IMS Canada Inc., the proponent with the highest overall evaluated score, be retained for the supply, installation, operation and maintenance of red-light camera systems within the participating Ontario municipalities".

(5) Processing of Charges and the Municipal Processing Centre:

Working Group 3, with the assistance of the Ministry of the Attorney General, defined the process for the laying and processing of charges using photographic evidence obtained from red-light cameras in Ontario. The main sub-components of the process include: matching photo and plate information, laying of charges by a Provincial Offences Officer, defendant response options, requesting trial, operation

of first attendance facility, trials, defendant appeals and re-openings.

A municipal processing centre is required to perform several functions within this process, primarily: matching photo and plate information, laying of charges, assisting the Prosecutor in preparing the photographic evidence for first attendance and trial.

The provincial court system is currently responsible for the remaining functions. Processing centre staff will receive developed rolls of film from the equipment contractor and images from the film will be digitized and retrieved with the aid of a computer program. A Provincial Offences Officer will view the digital images and determine if an offence has occurred. If an offence has occurred, the licence plate number will be read from the digital image and entered on a form to request uncertified plate registration information from the Ministry of Transportation. Once the plate registration information is obtained, the Offence Notice Form is completed and mailed to the owner of the vehicle. If a defendant contests the charge and requests a trial, the municipal processing centre is required to assist the Prosecutor by providing the original photographs and certified plate registration information.

In order to ensure a consistent approach to the processing of red-light camera violations, the Project Steering Committee opted for a centralized processing centre operated by municipal staff. Furthermore, due to the number of camera sites proposed for Toronto and the central location of Toronto relative to the participating municipalities, it was decided that City of Toronto Transportation Services would staff and operate the processing centre for all municipalities. The proposed location of the processing centre is the Consolidated Communications/Computer Centre at 703 Don Mills Road. If approved, agreements will be negotiated with the other participating municipalities to recover their portion of the applicable operating costs for the processing centre. The Project Steering Committee has established Working Group 4 as an implementation team for the processing centre. Details regarding the staffing, office space and equipment requirements will be established, however, preliminary estimates suggest that the minimum staffing requirements for the centre will be one Supervisor, two Provincial Offences Officers and a Data Entry Clerk.

(6) Public Awareness Program:

Working Group 5 will be preparing a public awareness program and communications strategy for this project, prior to the operation of red-light cameras and stepped-up police enforcement. A campaign guide is being developed by the Ministry of Transportation that will assist municipalities in addressing the problem of red-light running. The proposed "how to" guide will contain information on planning and implementing a community-based public education and enforcement program that targets red-light runners and intersection safety. The guide will include

artwork for posters, print inserts and flyers, sample radio public-service announcements and information on traffic signs and signals.

In order to satisfy concerns expressed by the Office of the Information and Privacy Commissioner, the Steering Committee considered the installation of signs advising drivers of the presence of red-light cameras. The Office of the Information and Privacy Commissioner has since clarified its position regarding this issue, stating that “the Commission does not take the position that the Municipal Freedom of Information and Protection of Privacy Act requires signs at these intersections, as long as personal information is not being collected, that is, photographs do not record the images of drivers, passengers, or passers-by in a manner that permits their identification”. Given that the cameras will be aimed at the rear portion of offending vehicles, personal information, as described above, will not be collected. After careful consideration, the Steering Committee decided that project resources aimed at advising the public would be better spent on the public awareness program and communications strategy rather than the installation of signs.

(7) Regulations:

There are a number of regulations required for the introduction of red-light cameras, including amendments under the Highway Traffic Act and the Provincial Offences Act.

On April 30, 1999, the Red-Light Camera System Evidence regulation made under the Highway Traffic Act was filed with the Registrar of Regulations. This regulation sets out the requirements around the photographs and the service of the Offence Notice. The regulation appeared in the Ontario Gazette on May 15, 1999. On June 21, 1999, the Ministry of the Attorney General presented the Rules to Implement Red-Light Cameras Pilot Project Act, 1998 to the Provincial Offences Act Rules Subcommittee. Regulations dealing with the Certificate of Offence, Offence Notice and the designation of municipalities have yet to be made and will occur over the next few months.

(8) Financial Aspects:

All costs associated with this program will be borne by the participating municipalities. Provincial costs will be recovered from municipalities through a transaction fee each time municipalities request motor vehicle plate registration information. Provincial costs include providing project facilitation and legal services and conducting the evaluation study, as well as developing and supporting systems to provide motor vehicle plate registration information.

The funds required for the City of Toronto’s component of the program are

contained in Project No. TRN076, Red-Light Cameras, in the 2000-2004 Capital Program for Transportation. Total expenditures for the City of Toronto are estimated at \$7,220,000.00, as follows:

Cash Flow Projections by Project Component  
 Gross Expenditures (\$000's)

<u>Component</u>	<u>2000 Estimate</u>	<u>2001 Estimate</u>	<u>2002 Estimate</u>	<u>Total</u>
Site Preparation	880	0	0	880
Supply and Install Equipment	2,420	0	0	2,420
Operate and Maintain Equipment	163	650	487	1300
Proof of Performance	20	0	0	20
Processing Centre	119	475	356	950
Public Awareness Program	200	10 0	100	400
Provincial Costs	48	575	527	1150
Project Management	13	50	37	100
Total Program	3,863	1,850	1,507	7,220

With respect to the City of Toronto, Council has directed that funding for the installation of red-light cameras be provided from the Transportation Capital Budget and the debt charge be offset from the revenue generated by tickets produced by the red-light camera system. The set fine for running a red light is \$155.00, plus a \$30.00 victim fine surcharge. Currently, all revenues from moving violations, including red-light running, flow to the Province of Ontario, as stipulated in the Provincial Offences Act (POA). The Province has indicated that municipalities will be able to access these revenues, not including the victim fine surcharge, once municipalities have assumed responsibility for Courts Administration and Court Support Services for offences under Parts I and III of the POA and for prosecutions of offences under Part I of the POA. Bill 108, the Streamlining of Administration of Provincial Offences Act, 1998, provides the framework for this transfer of responsibilities. It is our understanding that City Council will be considering the option of proceeding with POA transfer at its meeting on April 11, 12 and 13, 2000. In a March 9, 2000 report to the Administration Committee, the Chief Administrative Officer advises that a review of the implications of the transfer suggests that the actual net revenue will be less than provincial estimates because the Ministry of the Attorney General has underestimated the staffing and facility costs to be borne by the City. If Council decides to proceed with the transfer, a proposal must be submitted to the Province and details negotiated with them. If approved, it is likely that the transfer will occur sometime within the two-year pilot project window.

- (9) Provincial/Municipal Operational Agreements:

In order to obtain access to the Province of Ontario's motor vehicle registration information, which is necessary to lay charges under this program, participating municipalities must sign an operational agreement with the Ministry of Transportation. This process will also allow the City of Toronto to become designated as a Red-Light Camera Pilot area in the appropriate Ontario regulation. A draft copy of the Table of Contents for the proposed operational agreement is included in Appendix B. Operational agreements will clarify the responsibilities of all parties, to ensure that the red-light offenders are successfully prosecuted and that the two enforcement strategies are properly evaluated. Agreement provisions will include requirements for provincial cost recovery, compliance with the applicable laws, stepped-up police enforcement blitzes, data collection and submission associated with the evaluation study, intersection selection criteria, minimum specifications for the camera equipment, business processes to be followed by all parties, termination of contracts and surviving obligations. A common format will be used for all municipal agreements with the Ministry of Transportation.

(10) Schedule:

Subject to approvals by City Council and proclamation of Bill 102 by the Lieutenant Governor, the following table provides a tentative schedule of the major activities within the Intersection Safety Program to Reduce Red-Light Running:

<u>Date</u>	<u>Activity</u>
May 9-11, 2000	Council to consider granting authority for the appropriate City officials to negotiate and execute the agreements necessary to proceed with the implementation of the program.
May – July 2000	Conduct proof of performance testing phase.
July 2000	Execute agreements with successful proponent for red-light camera systems, Ministry of Transportation and participating municipalities.
July – October 2000	Install equipment and conduct site acceptance testing.
August 2000	Request Province to proclaim Bill 102 for mid-September. Present <u>HTA</u> and <u>POA</u> regulations to Provincial Regulations and Legislation Committee.
September 2000	Sufficient camera sites installed and tested to begin operation. Lieutenant Governor proclaims legislation allowing Bill 102 to come into force and the two-year pilot project begins.
October/November 2000	First stepped-up police enforcement blitz.
November 2000	Delivery of “before” study report.
March/April 2001	Second stepped-up police enforcement blitz.
July/August 2001	Third stepped-up police enforcement blitz.
October/November 2001	Fourth stepped-up police enforcement blitz.
January 2002	Delivery of “interim” study report.



---

March/April 2002	Fifth stepped-up police enforcement blitz.
July/August 2002	Sixth stepped-up police enforcement blitz.
September 2002	Pilot project ends. End of evaluation study's "after" data collection period.
January 2003	Delivery of "final" study report.

Conclusions:

This report requests the authority for the appropriate City officials to negotiate and execute the agreements necessary to proceed with the implementation of an Intersection Safety Program to Reduce Red-Light Running. The Intersection Safety Program to Reduce Red-Light Running represents an opportunity to introduce a major traffic safety initiative and is scheduled to begin by September 2000. The preparation and evaluation of the "Request for Proposals" for the supply, installation, operation and maintenance of red-light camera systems in the City of Toronto has involved staff from the Transportation, Legal and Purchasing & Materials Management Divisions who were all consulted during the preparation of this report.

Contact:

W. Leslie Kelman, P.Eng., Director  
Transportation Systems  
Tel: 392-5372  
Fax: 397-5011  
Email: [lkelman@city.toronto.on.ca](mailto:lkelman@city.toronto.on.ca)

Lou Pagano, P.Eng., Director  
Purchasing & Materials Management  
Tel: 392-7312  
Fax: 392-0801  
Email: [lpagano@city.toronto.on.ca](mailto:lpagano@city.toronto.on.ca)

List of Attachments:

Location Plan  
Appendix A, Red Light Camera and Stepped-up Police Enforcement Sites  
Appendix B, Provincial/Municipal Operational Agreement, Table of Contents

---

Appendix A

City of Toronto  
Intersection Safety Program to Reduce Red Light Running

Red Light Camera Sites \*

Intersection (Approach)	Ward	Intersection (Approach)	Ward
Allen Rd. at Sheppard Ave. E., (NB)	8	Lake Shore Blvd. W. at Jameson Ave. (WB)	19
Avenue Rd. at Davenport Rd. (SB)	23	Lawrence Ave. E. at Markham Rd. (WB)	15, 16
Carlaw Ave. at Queen St. E. (SB)	25	Lawrence Ave. E. at Warden Ave. (EB)	14
Dixon Rd. at Islington Ave. (WB)	3	Lawrence Ave. W. at Weston Rd. (WB)	27
Dixon Rd. at Martingrove Rd. (WB)	3, 5	Markham Rd. at Ellesmere Rd. (SB)	15
Don Mills Rd. at Finch Ave. E. (NB)	12	Royal York Rd. at The Queensway (SB)	2
Dufferin St. at Bloor St. W. (SB)	20, 21	Signet Dr. at Finch Ave. W. (SB)	6
Dufferin St. at Dupont St. (NB)	21	St. Clair Ave. E. at Victoria Park Ave. (WB)	1, 13
Dufferin St. at Finch Ave. W. (NB)	8	Steeles Ave. E. at Warden Ave. (EB)	17
Dufferin St. at Rogers Rd. (SB)	21, 28	Steeles Ave. W. at Dufferin St. (EB)	8
Eglinton Ave. E. at Don Mills Rd. (WB)	11	Victoria Park Ave at Lawrence Ave. E. (NB)	11, 14
Eglinton Ave. E. at Pharmacy Ave. (WB)	13, 14	Woodbine Ave. at Kingston Rd. (NB)	26
Eglinton Ave. W. at Dufferin St. (WB)	28	Yonge St. at Bishop Ave./Hendon Ave.(SB)	10
Eglinton Ave. W. at Martingrove Rd. (EB)	4	Yonge St. at Eglinton Ave. (NB)	22
Ellesmere Rd at Brimley Rd. (EB)	15	Yonge St. at Finch Ave. (NB)	10
Finch Ave. W. at Jane St. (EB)	7	Yonge St. at Richmond St. (NB)	24
Finch Ave. W. at Kipling Ave. (EB)	5	Yonge St. at Steeles Ave (SB)	10
Finch Ave. W. at Weston Rd. (WB)	6	Yonge St. at Wellesley St. (NB)	24
Huntingwood Dr. at McCowan Rd. (EB)	18	Yonge St. at York Mills Rd. (NB)	9
Kingston Rd. at Morningside Ave. (WB)	16	York St at Lake Shore Blvd. W. (NB)	24

\* subject to confirmation with selected contractor

Stepped –Up Police Enforcement Sites

Intersection (Approach)	Ward	Intersection (Approach)	Ward
Albion Rd at Finch Ave. W. (WB)	5	Eglinton Ave. W. at Jane St. (EB)	27
Bridgeland Ave at Dufferin St. (EB)	8	McCowan Rd. at Lawrence Ave. E. (SB)	15
Eglinton Ave. E. at Laird Dr. (WB)	1	University Ave. at Gerrard St. (NB)	24

Appendix B  
Provincial/Municipal  
Red Light Enforcement Pilot Project Operational Agreement

Table of Contents

- (1) Definition of Terms
- (2) Obligations of the Ministry:
  - Development of Study Design
  - Hiring the Project Consultant
  - Business/Court Processes Documentation
  - Access to Information Products
  - Obligations of the Municipal Organization:
    - Compliance with Laws and Regulations
    - Traditional Enforcement
    - Data Collection and Participation in the Pilot Evaluation Process
    - Use of Sub-Contractors in the Operation of Municipal Red Light Enforcement Pilot Project
    - Signing at Red Light Camera Intersections
- (3) Grant of Licence:
  - Grant
  - Title
  - Authorized Use
  - Data Matching and Data Profiling
  - Individuals Not To Be Contacted
  - Document Destruction
  - Survival
- (4) Terms:
  - Terms and Termination
  - Early Termination
  - Surviving Obligations of the Municipal Organization
  - Surviving Obligations of the Ministry
  - Conflict With Privacy Laws

- (5) Transmission of Information Products
- (6) Fees and Charges:
  - Payment of Amounts
  - Method and Timing of Payment
  - First Payment
  - Payment Information
- (7) Transaction Logs
- (8) Information Integrity, Security and Audit:
  - Year 2000 Readiness
  - Virus Protection
  - Security
  - Audit
- (9) Default:
  - Default
  - Events of Default
- (10) Certification of Records:
  - Certification by Registrar
  - Transmission of Certified Information Products
- (11) General:
  - Independent Contractor
  - Indemnity
  - Limitation of Liability
  - Force Majeure
  - Advertising
  - Enforceability
  - Evidence
  - Non- Assignability
  - Notification of Breach
  - Objection Procedure
  - Notices
  - Waiver of Provisions

Entire Agreement  
Survival of Provisions  
Jurisdiction of Contract  
Conflict Between Red Light Enforcement Project Agreement and Law  
Severability of Clauses  
Interpretation  
Time of Essence  
Enurement

Schedules:

- “A” Recommended and Mandatory Business/Court Processes and Documentation
- “B” Approved Conventional Roadside Police Enforcement Program of the Municipal Organization
- “C” Approved Red-Light Technology Plan of the Municipal Organization
- “D” Approved Pilot Program of the Municipal Organization
- “E” Information Product Protocol
- “F” Employer/Employee/Agent Security Statements

NOTE:

The headings used in this Table of Contents are not considered part of the Agreement and are solely for convenience.

(A copy of the map attached to the foregoing report is on file in the office of the City Clerk.)

**ATTACHMENT NO. 2**

Report dated April 6, 2000, from the Commissioner of Works and Emergency Services, entitled “Temporary Installation of ‘Go-Leafs-Go’ Decals on the sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue (Downtown, Midtown and North Toronto)” (See Minute No. 5.74, Page No. 94):

Purpose:

To report directly to City Council on a request from Mr. Peter Evans, Vice President of ICON Digital Productions, on behalf of Nike Canada, to install removable decals on the sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue, in support of the Toronto Maple Leaf hockey team during the 2000 playoffs.

Financial Implications and Impact Statement:

Should Council authorize the placement of sidewalk decals, fees from the applicant, in the amount of \$26.12 per decal (or approximately \$2,612.00 in total), should be approved.

Recommendations:

It is recommended that:

- (1) City Council deny the request for the temporary installation of “Go-Leafs-Go” decals on the sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue;

OR

- (2) City Council approve the temporary installation of “Go-Leafs-Go” decals, as described in the body of this report, on sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue, subject to the applicant:
  - (a) supplying, installing, maintaining and removing the decals, including any cleaning of the sidewalks required as a result of the decals, at no cost to the City;
  - (b) ensuring that the decals are non-slip and the adhesive does not damage or deface the sidewalks when removed;
  - (c) submitting to the City an irrevocable Letter of Credit, in the amount of \$10,000.00, to guarantee the removal of the decals or to repair any damage to the sidewalk caused by the installation, maintenance and removal of the decals;

- (d) paying the fee for this use of the sidewalk, in the amount of \$26.12 per decal plus applicable application fee and taxes;
- (e) restricting the Nike corporate recognition to a maximum of 20 percent of the total area of the decal and incidental to the overall design;
- (f) submitting a certificate of insurance satisfactory to the Chief Financial Officer and Treasurer, providing public liability, bodily injury and property damage coverage, in the amount of \$2,000,000.00, and including a cross-liability clause; and
- (g) executing an agreement with such conditions as the Commissioner of Works and Emergency Services and City Solicitor may deem necessary in the interest of the City of Toronto.

Background:

Mr. Peter Evans, on behalf of Nike Canada, submitted a request on April 2, 2000, to install 100 removable, non-slip decals [approximately .92 metres x 1.2 metres (3 feet x 4 feet)] on the sidewalk street corners of Yonge Street, from Front Street to Eglinton Avenue, to support the Toronto Maple Leafs hockey team playoff drive. The proposed installation time is in the early morning of April 12th, being the first day of the National Hockey League playoffs and to avoid obstructing pedestrian traffic. As the use of the sidewalk for this purpose is not permitted or contemplated in the applicable section of the Municipal Code, Council approval is necessary. Given the expedited time frame requested, this report is being submitted directly to Council.

Comments:

The applicant submitted a sample of the 3M Scotchprint product (decal) manufactured for the purpose of “graphics for sidewalk signs”, with accompanying application and maintenance information. This information suggests the surface is non-slip and highly durable, while the adhesive is specifically designed for fast and easy installation and removal on concrete, asphalt and pavers.

There are two proposed decal designs. The first design is a graphic of Curtis Joseph’s hockey jersey with the tag-line “Go-Leafs-Go” with Nike branding on the graphic to promote the fact that “Cujo” is a newly-signed Nike athlete. The second design is a maple leaf with tag-line “Go-Leafs-Go”; however, the main intention of these designs is to encourage the Leafs’ success in the playoff drive.

There has been insufficient time to test the sample decal under varying weather conditions and pedestrian use. Initial examination of the product and accompanying literature indicates

that there should be no damage to the City pavement and it should be safe for pedestrian traffic.

The applicant has assured the Department that the decals will be installed, maintained and removed in accordance with the manufacture's instructions which ensures that the decals do not create a pedestrian trip or slip hazard or damage the sidewalk surface in any manner (including leaving any residual glue). In addition, these decals would be removed after the playoffs are over or the Leafs are eliminated.

Municipal Code Chapter 313, Streets and Sidewalks, of the former City of Toronto, permits sidewalk artists to draw on the pavement under the conditions that "no pavement or any installation within the public highway shall be damaged, permanently marked or in any way rendered unsafe for pedestrian use". There have been applications by sidewalk artists to draw corporate logos and promotions as part of their art. In keeping with the former City of Toronto third party advertising policy within the public right-of-way (currently under review by Corporate Services), these applications were refused. In the event that Council authorizes this proposal, given the widespread civic interest in the Maple Leafs' playoff run, we recommend that a fee of \$26.12 per decal be applied. This is based on the current rates for sidewalk artists.

Conclusion:

Should City Council approve the application for the placement of stickers with a corporate logo on the public sidewalks, it is recommended that the corporate sponsorship on the decal be limited to a maximum size of 20 percent of the total area, as restricted in the former City of Toronto and Metropolitan Toronto banner by-laws, and incidental to the intended purpose of supporting the Maple Leafs hockey team. It is noted that residents and Business Improvement Area representatives express concerns about the defacing of public amenities and sidewalks. Any corporate sponsorship adjacent to their store, which could have a direct conflict with their businesses, may result in objections. The proposal could set a precedent.

Contact:

Angie Antoniou, 392-1525  
Manager, Right of Way Management, District 1  
Phone: 392-1525  
Fax: 392-0816  
E-mail: [aantonio@city.toronto.on.ca](mailto:aantonio@city.toronto.on.ca)

(A copy of the attachments referred to in the foregoing report are on file in the office of the City Clerk.)



### **ATTACHMENT NO. 3**

Report dated April 10, 2000, from the City Solicitor, entitled “112 Evans Avenue – By-law to Lift Remaining Holding (H) Designation Ward 2 (Lakeshore-Queensway)” (See Minute No. 5.79, Page No. 102):

Purpose:

To clarify the conditions to the lifting of the Hold (H) Designation.

Financial Implications and Impact Statement:

There are no financial implications.

Recommendation:

It is recommended that the attached by-law lifting the Holding (H) designation from the lands legally described as Parts 1 and 2 on Reference Plan 66R-18486 be enacted.

Background:

Clause No. 12 of Report No. 2 of The Etobicoke Community Council, which was adopted by City Council at its meeting on February 29, March 1 and 2, 2000, recommended the lifting of the Holding (H) designation from the lands described as Parts 1 and 2 on Plan 66R-18486, subject to the owner, Zanini Developments Inc., executing and registering an agreement to implement any requirements of the Ministry of the Environment. The report indicated the agreement would take the form of an amendment to the Development Agreement previously registered against the property.

Comments:

As a condition to acknowledging receipt of the Record of Site Condition pertaining to the subject property, the Ministry of the Environment (the “MOE”) required the owner to register, against title to a portion of the property, a Certificate of Prohibition. The Certificate of Prohibition prohibits the owner from dealing with the property without first giving a copy of the Director’s Order, under the Environmental Protection Act, to each person acquiring an interest in the property. The Director’s Order, in turn, sets out the risk management measures that must be maintained on the property.

Conclusions:

The MOE’s requirements are satisfied as a result of the registration of the Certificate of Prohibition. It is, therefore, not necessary for the City to amend the Development Agreement as a pre-condition to lifting the Holding (H) designation. The conditions in By-law No. 227-1999 to the lifting of the Holding (H) designation have been satisfied.

Contact:

Brian W. Haley, Legal Services, 23rd Floor, Metro Hall, Tel: 392-6757